

CITY OF YUBA CITY
STAFF REPORT

Date: September 20, 2016

To: Honorable Mayor & Members of the City Council

From: Development Services Director

Presentation By: Arnoldo Rodriguez, AICP, Development Services Director

Summary

Subject: Urban Level of Flood Protection (ULOP; Senate Bill 5)

Recommendation: Adopt an Ordinance amending Title 6, Chapter 9 relating to Flood Damage Prevention; Title 8, Chapter 2 relating to Tentative and Vesting Tentative Maps; Chapter 5, Zoning; Chapter 6, Condominium Conversions; Chapter 7 Planned Unit Developments; waiving the second reading

Fiscal Impacts: Future entitlements will be subject to the payment of land use entitlement processing fees, development impact fees, and building permit fees that will cover future costs incurred by the City

Purpose:

To ensure compliance with the State flood management requirements.

Previous City Council Actions and/or Policies:

At its September 6, 2016 City Council public hearing, the City Council received a report and considered testimony from City staff regarding the proposed ordinance amendment. One community member requested clarification regarding potential flooding in the event of two simultaneous levee breaches. The City Council introduced the ordinance amendment and waived the first reading.

Project Information:

Recognizing flood risk in California and its potential consequences to public safety, economic development, and environmental sustainability, in 2007 the California Legislature enacted six interrelated bills: Senate Bills (SB) 5 and 17 and Assembly Bills (AB) 5, 70, 162, and 156. These flood management bills necessitated changes to the California Government Code sections governing the content of General Plans. The goal of this series of bills is to improve flood management and improve collaboration between local land use planning decisions and flood management practices.

It should be noted that floodplains less than three feet deep from any source are not subject to ULOP findings, which is the vast majority of the City. For those areas that are greater than three feet in depth, as identified in Attachments 2 and 3, ULOP findings would be necessary.

The SB 5 legislation requires that an Urban Level of Flood Protection (ULOP) be provided in specified locations within the Sacramento-San Joaquin Valley. The ULOP is defined as the level of protection

that is necessary to withstand flooding that has a 1-in-200 chance of occurring in any given year using criteria consistent with, or developed by, the California Department of Water Resources (DWR). SB 5 also requires all cities and counties within the Sacramento-San Joaquin Valley to make findings related to the ULOP standard or the national Federal Emergency Management Agency (FEMA) standard of flood protection before approving certain land use decisions.

More specifically, SB 5 requires all cities and counties within the Sacramento-San Joaquin Valley, including Yuba City, to make findings related to an urban level of flood protection before:

1. Entering into a development agreement for all types of property development.
2. Approving a discretionary permit or other discretionary entitlement for all development projects.
3. Approving a ministerial permit for all projects that would result in construction of a new residence.
4. Approving a tentative map consistent with the Subdivision Map Act for all subdivisions.
5. Approving a Parcel Map, for which a tentative map is not required, consistent with the Subdivision Map Act for all subdivisions.

The SB 5 legislation requires that all cities and counties in the Sacramento-San Joaquin Valley, as defined by California Government Code Section 65007(h), amend their General Plans based on the 2012 Central Valley Flood Protection Plan (CVFPP) and other flood-related data (California Government Code Section 65302.9). In addition, these jurisdictions are required to amend their zoning and other applicable ordinances to be consistent with the General Plan content. SB 1278, passed in 2012, modified the SB 5 compliance schedule for cities and counties to amend their General Plans within 24 months of July 2, 2013, and amend their zoning ordinances 12 months after amending their General Plan. In other words, per Section 65302.9 (a), cities and counties have until July 2, 2015 to amend their General Plans and, per Section 65860.1 (a), until July 2, 2016 to amend their local zoning ordinances, to be consistent with SB 5. However, General Plan amendments were not required to be submitted to any State agency by the July 2, 2015 deadline; therefore the target date for submission of all materials was July 2, 2016.

With that said, it is important to note that SB 5 does not specify any review, approval, or enforcement authority by any State agency. Instead it relies on the due diligence of communities to incorporate flood risk considerations into floodplain management and planning in compliance with the General Plan amendment requirements. The proposed amendments would bring Yuba City into compliance with the SB 5 guidelines.

Planning Commission Action:

On August 10, 2016, the Planning Commission considered the proposed amendments. The Commission, by a 6-0 vote, recommended that the City Council approve the proposed amendments.

Proposed Changes:

In order to comply with SB 5 guidelines, City staff, in concert with industry leaders Atkins and MBK Engineers, assessed applicable General Plan guidelines and the City's Zoning Ordinance. As part of its review, the team determined that numerous changes are required in order to meet the strict application of the guidelines. A summary of amendments to the General Plan were provided in a report to the City Council on September 4, 2016, while amendments to the Yuba

City Municipal Code include new language that would require that findings, specific to potential flooding, be made for certain discretionary permits.

Overall, the goal is to reduce the risk of flood exposure, which occurs primarily through the City's land use planning and zoning authority. Moreover, specific flood protection standards are proposed as part of the Municipal Code, including provisions for zoning that regulate specific development that can take place in floodplains and the conditions under which this would occur.

In sum, it should be noted that much of the City is urbanized, and the areas along the Feather River, Gilsizer Slough, Live Oak Canal, and southwest of the City could be affected by flooding. It is the City's responsibility to maintain and protect public safety, specifically responding to issues of floodplain management and emergency response. Working in concert with the Sutter Butte Flood Control Agency (SBFCA) and Levee Districts (LDs) 1 and 9, the City is actively examining flood risk, strength, and overall soundness of the existing levees to provide ULOP. This proposal is indicative of such efforts.

It should be further noted that the California Department of Water Resources (DWR) is the lead State agency for responding to flood emergencies and coordinating response activities. Sutter County, along with other local agencies, is directly responsible for maintaining and updating emergency action plans and for implementing appropriate emergency response system protocols. DWR also develops and finances enhanced levee operation and maintenance programs, which include post-event identification of erosion and other forms of damage to levees, information collection and dissemination, local emergency response planning, additional forecasting and notification, improvements to the County Alert System, and levee improvements such as the development of all-weather roads on levee crowns to support more effective monitoring.

Environmental Determination:

An environmental assessment (EA 16-04) was prepared for this project in accordance with the requirements of the California Environmental Quality Act (CEQA) guidelines. This process included the distribution of requests for comment from other responsible or affected agencies and interested organizations.

Based upon the attached environmental assessment, staff has determined that there is no evidence in the record that the project may have a significant effect on the environment and recommends adoption of a Negative Declaration (ND) for this project. The findings of the ND are that the Zoning Ordinance amendments will not create any significant impacts. As a result, the filing of a ND is appropriate in accordance with the provisions of CEQA.

Recommendation:

Adopt an ordinance amending Title 6, Chapter 9 relating to Flood Damage Prevention; Title 8, Chapter 2 relating to Tentative and Vesting Tentative Maps; Chapter 5, Zoning; Chapter 6, Condominium Conversions; Chapter 7 Planned Unit Developments; waiving the second reading

Alternatives:

As an alternative, the City Council may delay, modify, or return the project to staff for additional analysis.

Attachments:

1. Figure 9-6 FEMA FIRM Map
2. Figure 9-7 200-year Flooding with a Feather River Breach
3. Figure 9-8 200-year Flooding with a Sutter River Breach
4. Figure 9-9 Dam Inundation Map
5. Municipal Code Text Amendment 16-01 Ordinance
Text Amendment Attachment
 - a. Zoning Ordinance Amendments
6. Negative Declaration

Prepared By:

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Submitted By:

/s/ Steven C. Kroeger
Steven C. Kroeger
City Manager

Reviewed By:

Finance
City Attorney

RB
TH by email

Attachments 1-4, inclusive

- 1. Figure 9-6 FEMA FIRM Map*
- 2. Figure 9-7 200-year Flooding with a Feather River Breach*
- 3. Figure 9-8 200-year Flooding with a Sutter River Breach*
- 4. Figure 9-9 Dam Inundation Map*

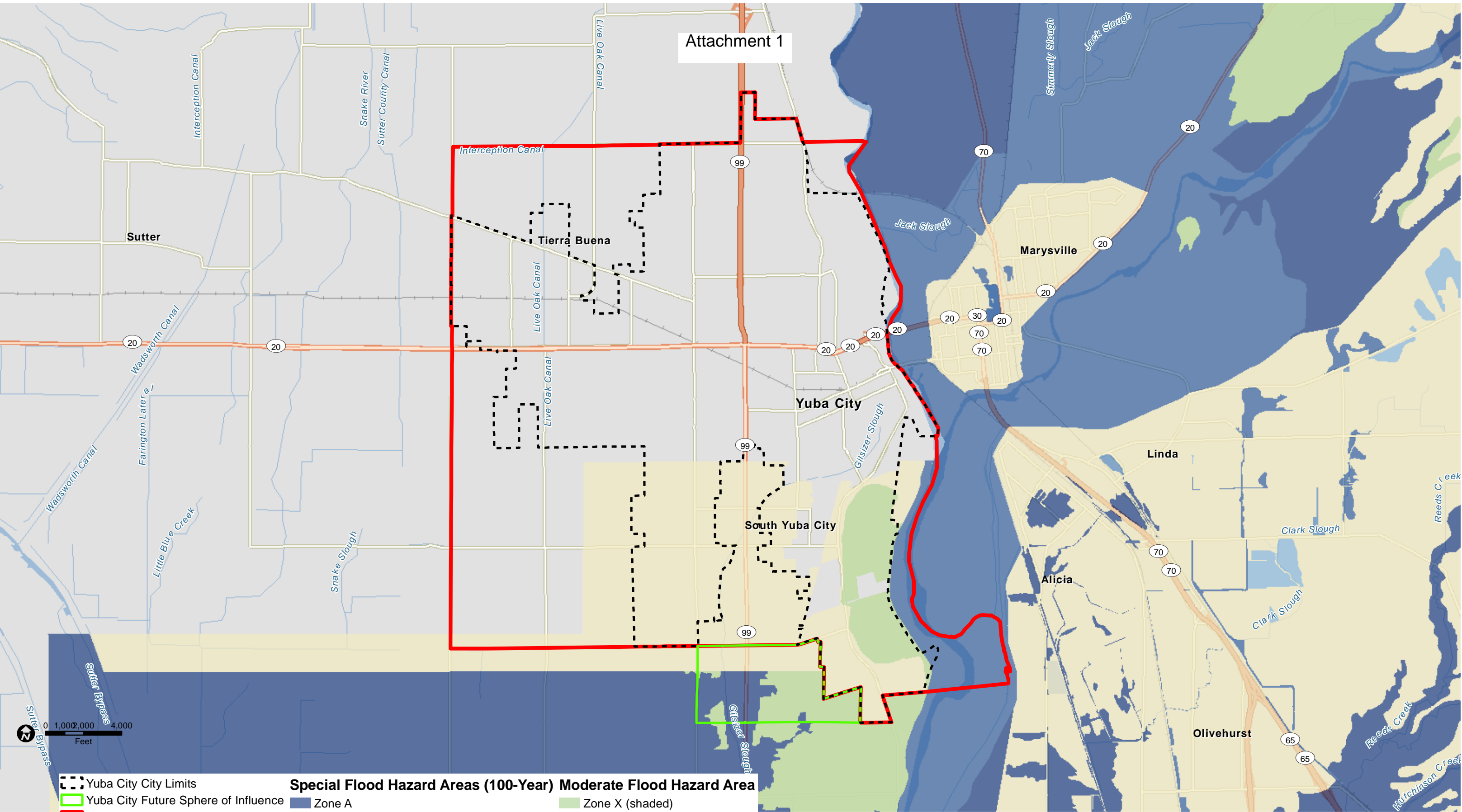
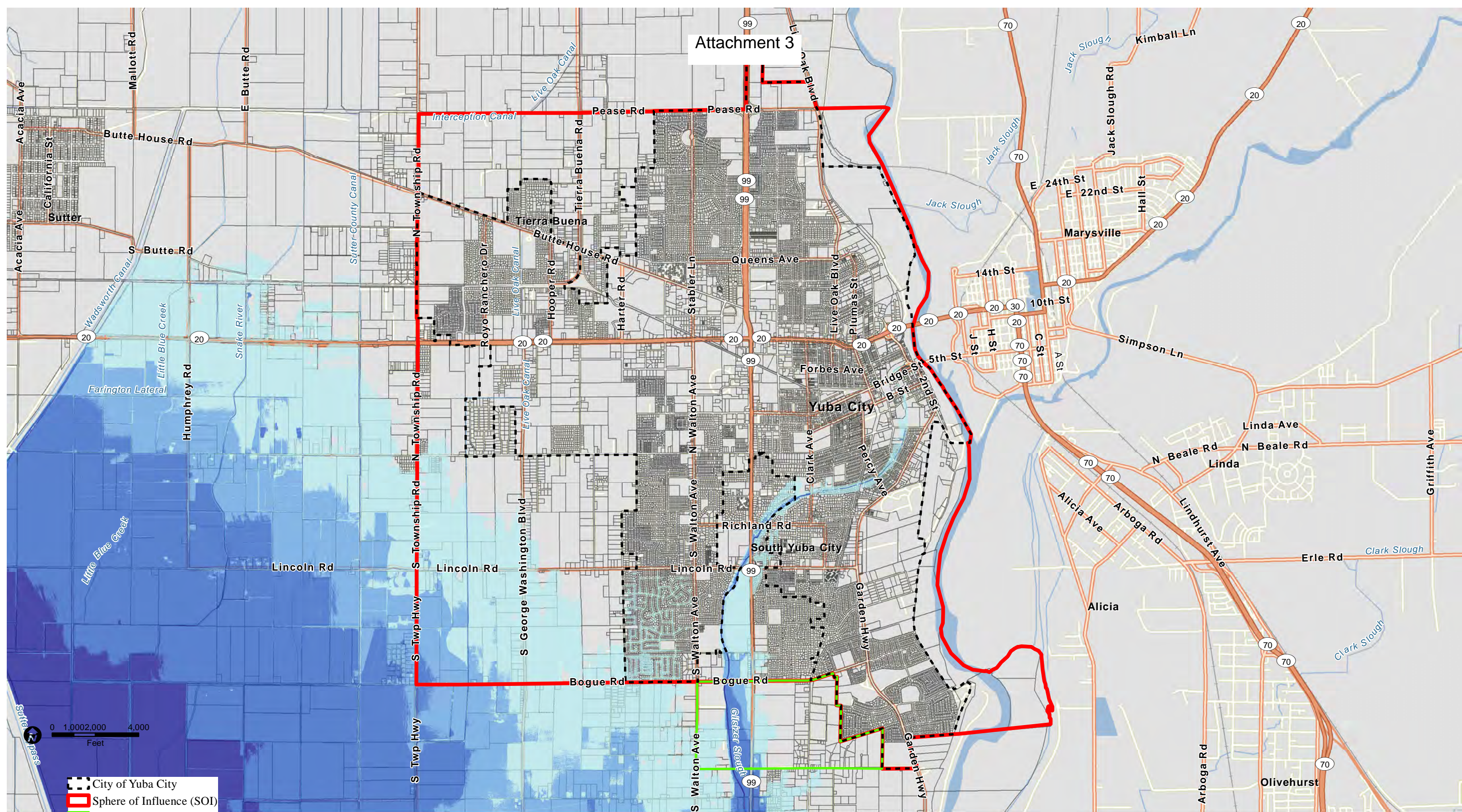


Figure 9-6

FEMA FIRM Map



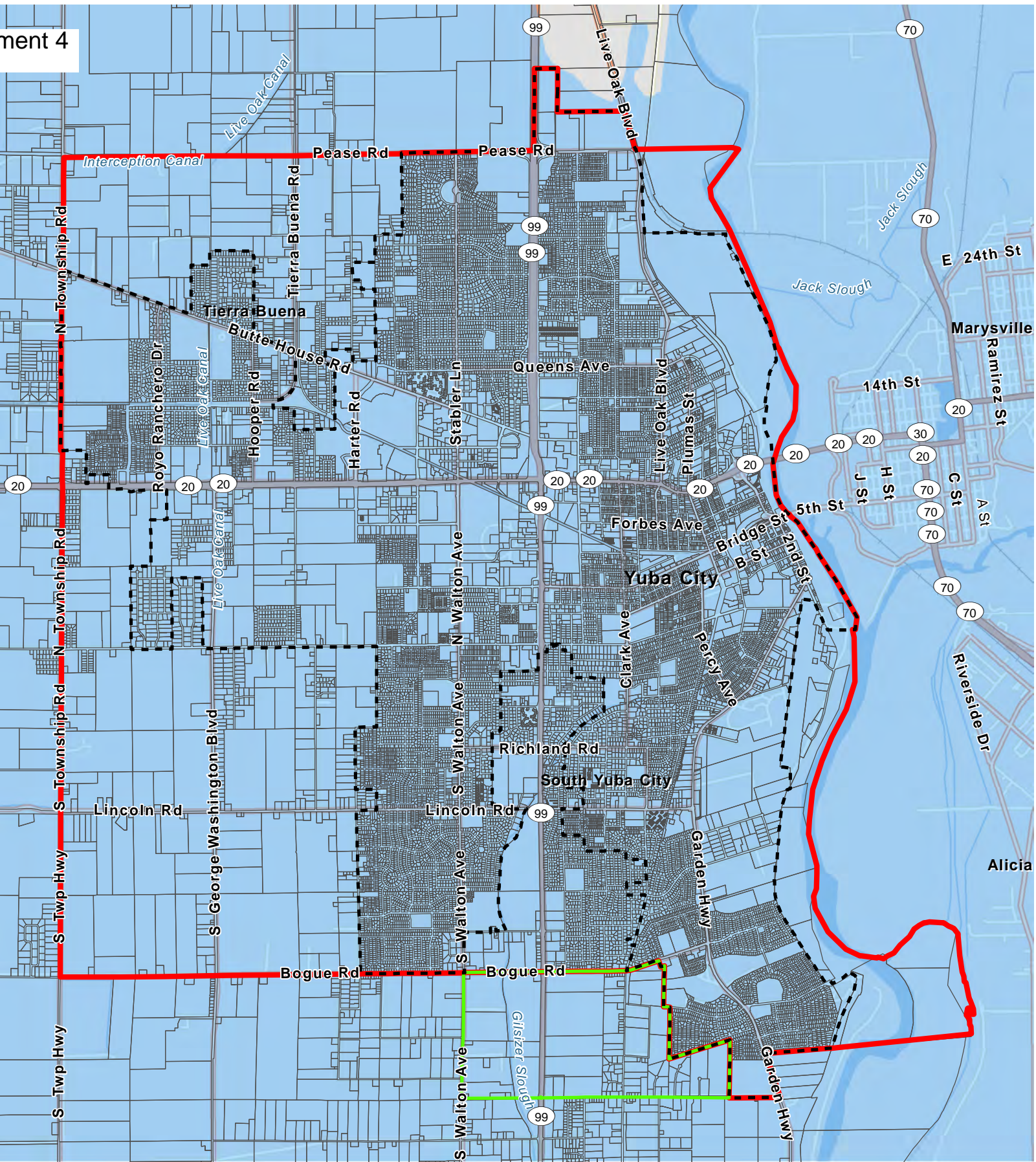
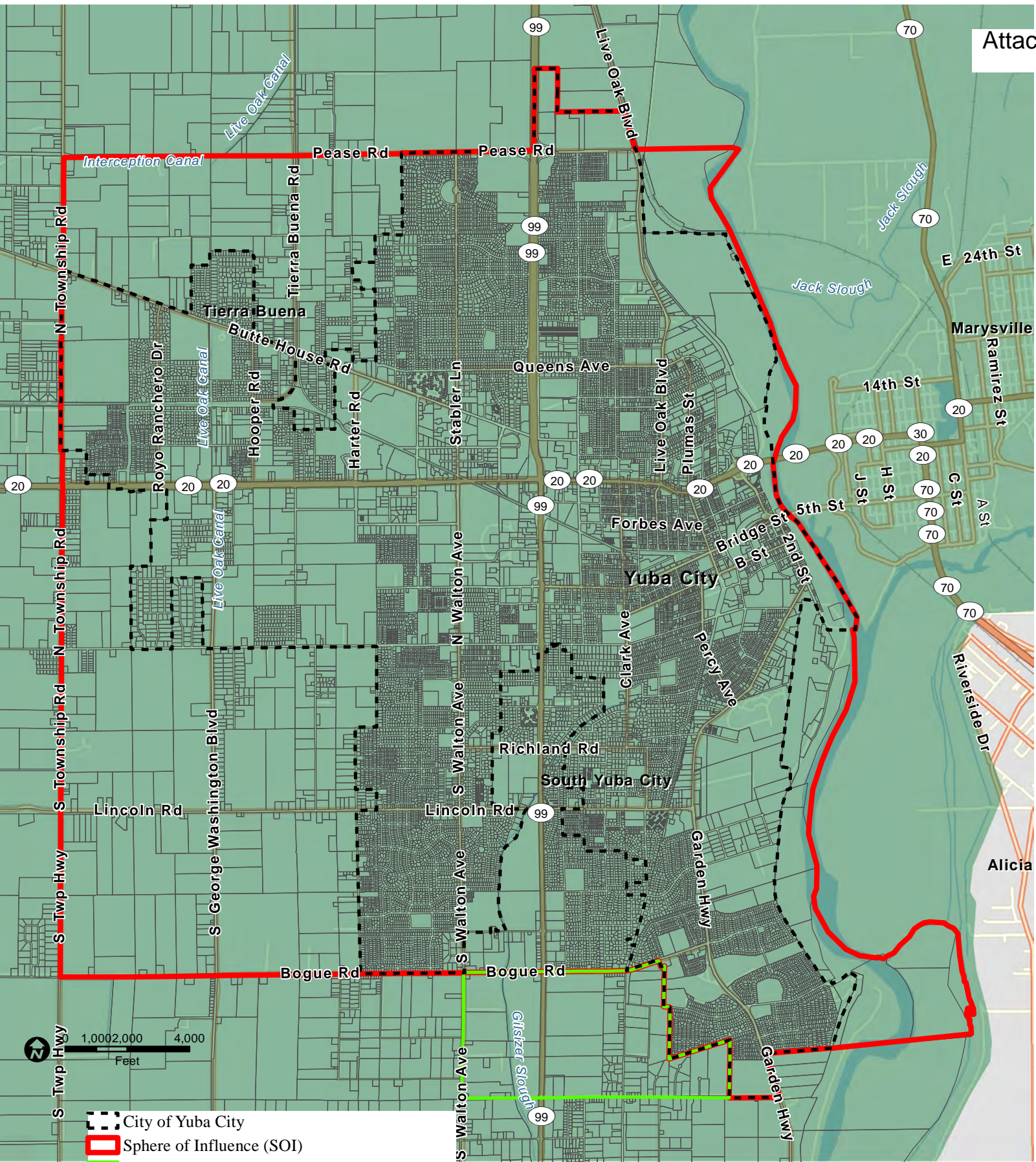


Figure 9-9
Dam Failure Inundation Map

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YUBA CITY
AMENDING TITLE 6, CHAPTER 9 RELATING TO FLOOD DAMAGE PREVENTION;
TITLE 8, CHAPTER 2 RELATING TO TENTATIVE AND VESTING TENTATIVE MAPS;
CHAPTER 5, ZONING; CHAPTER 6, CONDOMINIUM CONVERSIONS; AND
CHAPTER 7 PLANNED UNIT DEVELOPMENTS**

WHEREAS, Zoning Code Text Amendment No. 16-01 has been filed by the City of Yuba City pertaining to flood hazard protection;

WHEREAS, pursuant to the provisions of Article 72, Chapter 8, of the City of Yuba City Municipal Code, the Planning Commission held a public hearing on the 10th day of August, 2016, to consider Text Amendment No. 16-01 which proposes to amend Title 6, Chapter 9 relating to Flood Damage Prevention; Title 8, Chapter 2 relating to Tentative and Vesting Tentative Maps; Chapter 5, Zoning; Chapter 6, Condominium Conversions; and Chapter 7 Planned Unit Developments, as outlined in Attachment A;

WHEREAS, during said meeting, the Commission recommended to the Council of the City of Yuba City approval of the Text Amendment per Attachment A;

WHEREAS, at the same hearing the Commission considered related General Plan Amendment No. 16-03, which proposes to amend Chapters 3, 8, and 9, the Glossary, and Appendix A of the City's General Plan;

WHEREAS, at that same hearing the Commission considered related Negative Declaration Environmental Assessment No. 16-04;

WHEREAS, the City Council of the City of Yuba City considered said recommendations of the City Planning Commission on the matter of amending the City's General Plan and Municipal Code to address the Urban Level of Protection as required per Senate Bills (SB) 5 and 17 and Assembly Bills (AB) 5, 70, 162, and 156. Collectively, these flood management bills necessitated changes to the California Government Code sections governing the content of General Plans.

WHEREAS, the Council of the City of Yuba City, on the 6TH day of September, 2016, received the recommendation of the Planning Commission.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF YUBA CITY DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. The City Council of the City of Yuba City seeks to amend the regulations pertaining to flood hazard protection.

Section 2. The City Council of the City of Yuba City does hereby amend the Yuba City Municipal Code as set out in Attachment A.

Section 3. This ordinance shall be effective and in full force and effect at 12:01 a.m. on the thirty-first day after its passage, and shall be published as provided by law.

Section 4. Publication. This ordinance shall be published in accordance with the provisions of Government Code Section 36933.

Introduced and read at a regular meeting of the City Council of the City of Yuba City on the day of 6th day of September, 2016, and passed and adopted at a regular meeting held on the 20th day of September, 2016.

AYES:

NOES:

ABSENT:

John Buckland, Mayor

ATTEST:

Terrel Locke, Chief Deputy City Clerk

APPROVED AS TO FORM:

Tim Hayes, City Attorney

ATTACHMENT A

Zoning Ordinance Amendments (changes reflected in red)

Section 1. The following sections of the Yuba City Municipal Code are hereby amended to read as follows:

Sec. 6-9.218 - Flood Hazard Zone.

"Flood hazard zone" means an area subject to flooding that is delineated as either a special hazard area or an area of moderate hazard on an official flood insurance rate map issued by the Federal Emergency Management Agency. The identification of flood hazard zones does not imply that areas outside the flood hazard zones, or uses permitted within flood hazard zones, will be free from flooding or flood damage.

Sec. 6-9.21~~98~~ - Flood Insurance Rate Map (FLRM).

"Flood Insurance Rate Map (FIRM)" shall mean the official map on which the Federal Emergency Management Agency or Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the City of Yuba City. (§ 2, Ord. 002-07, eff. March 28, 2007)

Sec. 6-9.~~219~~220. - Flood Insurance Study.

"Flood Insurance Study" means the official report provided by the Federal Insurance Administration that includes flood profiles, the Flood Insurance Rate Map, the Flood Boundary and Floodway Map, and the water surface elevation of the base flood. (§ 2, Ord. 002-07, eff. March 28, 2007)

Sec. 6-9.~~220~~221. - Floodplain or flood-prone area.

"Floodplain or flood-prone area" means any land area susceptible to being inundated by water from any source. See "Flooding." (§ 2, Ord. 002-07, eff. March 28, 2007)

Sec. 6-9.~~221~~222. - Floodplain Administrator.

"Floodplain Administrator" means the individual appointed by the Council to administer and enforce the floodplain management regulations. (§ 2, Ord. 002-07, eff. March 28, 2007)

Sec. 6-9.~~222~~223. - Floodplain management.

"Floodplain management" means the operation of an overall program of corrective and preventive measures for reducing flood damage and preserving and enhancing, where possible, natural resources in the floodplains, including but not limited to emergency preparedness plans, flood control works, floodplain management regulations, and open space plans. (§ 2, Ord. 002-07, eff. March 28, 2007)

Sec. 6-9.~~223~~224. - Floodplain management regulations.

"Floodplain management regulations" means this chapter and other zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as grading and erosion control), and other applications of police power which control development in flood-prone areas. This term describes Federal, State or local regulations in any combination thereof which provide standards for preventing and reducing flood loss and damage. (§ 2, Ord. 002-07, eff. March 28, 2007)

Sec. 6-9.~~224~~225. - Floodproofing.

"Floodproofing" means any combination of structural and nonstructural additions, changes, or adjustments to nonresidential structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures, and their contents. (§ 2, Ord. 002-07, eff. March 28, 2007)

Sec. 6-9.~~225~~226. - Floodway.

"Floodway" means the channel of a river or other watercourse and the adjacent land area that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one ft. Also referred to as "regulatory floodway." (§ 2, Ord. 002-07, eff. March 28, 2007)

Sec. 6-9.~~226~~227. - Floodway encroachment lines.

"Floodway encroachment lines" means the lines marking the limits of floodways on Federal, State, and local floodplain maps. (§ 2, Ord. 002-07, eff. March 28, 2007)

Sec. 6-9.~~227~~228. - Floodway fringe.

"Floodway fringe" is that area of the floodplain on either side of the "regulatory floodway" where encroachment may be permitted. (§ 2, Ord. 002-07, eff. March 28, 2007)

Sec. 6-9.~~228~~229. - Fraud and victimization.

"Fraud and victimization," as related to Article 6, Variance Procedures, of this chapter, means that the variance granted must not cause fraud on or victimization of the public. In examining this requirement, the City of Yuba City will consider the fact that every newly constructed building adds to government responsibilities and remains a part of the community for 50 to 100 years. Buildings that are permitted to be constructed below the base flood elevation are subject during all those years to increased risk of damage from floods, while future owners of the property and the community as a whole are subject to all the costs, inconvenience, danger, and suffering that those increased flood damages bring. In addition, future owners may purchase the property, unaware that it is subject to potential flood damage, and can be insured only at very high flood insurance rates. (§ 2, Ord. 002-07, eff. March 28, 2007)

Sec. 6-9.~~229~~230. - Hardship.

"Hardship," as related to Article 6, Variance Procedures, of this chapter means the exceptional hardship that would result from a failure to grant the requested variance. The Council requires that the variance be exceptional, unusual, and peculiar to the property involved. Mere economic or financial hardship alone is not exceptional. Inconvenience, aesthetic considerations, physical handicaps, personal preferences, or the disapproval of one's neighbors likewise cannot, as a rule, qualify as an exceptional hardship. All of these problems can be resolved through other means without granting a variance, even if the alternative is more expensive or requires the property owner to build elsewhere or put the parcel to a different use than originally intended. (§ 2, Ord. 002-07, eff. March 28, 2007)

Sec. 6-9.~~230~~231. - Highest adjacent grade.

"Highest adjacent grade" means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure. (§ 2, Ord. 002-07, eff. March 28, 2007)

Sec. 6-9.~~231~~232. - Historic structure.

"Historic structure" means any structure that is:

- (a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- (b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- (c) Individually listed on a State inventory of historic places in states with historic preservation programs which have been approved by the Secretary of Interior; or
- (d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either by an approved State program as determined by the Secretary of the Interior or directly by the Secretary of the Interior in states with approved programs. (§ 2, Ord. 002-07, eff. March 28, 2007)

Sec. 6-9.~~232~~233. - Levee.

"Levee" means a manmade structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding. (§ 2, Ord. 002-07, eff. March 28, 2007)

Sec. 6-9.~~233~~234. - Levee system.

"Levee system" means a flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accord with sound engineering practices. (§ 2, Ord. 002-07, eff. March 28, 2007)

Sec. 6-9.~~234~~235. - Lowest floor.

"Lowest floor" means the lowest floor of the lowest enclosed area, including basement. An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area (see "Basement") is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable nonelevation design requirements of this chapter. (Note: This definition allows attached garages to be built at grade provided it conforms with the requirements of FEMA technical bulletin 7-93 entitled "Wet Floodproofing Requirements." Below grade garages are not allowed as they are considered to be basements.) (§ 2, Ord. 002-07, eff. March 28, 2007)

Sec. 6-9.~~235~~236. - Manufactured home.

"Manufactured home" means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle." (§ 2, Ord. 002-07, eff. March 28, 2007)

Sec. 6-9.~~236~~237. - Manufactured home park or subdivision.

"Manufactured home park or subdivision" means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for sale or rent. (§ 2, Ord. 002-07, eff. March 28, 2007)

Sec. 6-9.~~237~~238. - Mean sea level.

"Mean sea level" means, for purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum to which base flood elevations shown on a community's

Flood Insurance Rate Map are referenced. (§ 2, Ord. 002-07, eff. March 28, 2007)

Sec. 6-9.239. - Moderate Hazard Area.

"Moderate Hazard Area" means an area in the floodplain subject to a half-percent or greater chance of flooding in any given year. It is shown on a Flood Hazard Boundary Map (FHBM) or Federal Insurance Rate Map (FIRM) as zone B or X (shaded).

Sec. 6-9.238240. - New construction.

"New construction," for floodplain management purposes, means structures for which the "start of construction" commenced on or after the effective date of floodplain management regulations adopted by the Council and which includes any subsequent improvements to such structures. (§ 2, Ord. 002-07, eff. March 28, 2007)

Sec. 6-9.239241. - New manufactured home park or subdivision.

"New manufactured home park or subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by the Council. (§ 2, Ord. 002-07, eff. March 28, 2007)

Sec. 6-9.242. - Non-urban or Not Urbanizing Area.

A non-urban or not urbanizing area is a developed area or an area outside a developed area in which there are fewer than 10,000 residents. Yuba City is an urban area and does not constitute any non-urban or urbanizing area.

Sec. 6-9.240243. - Obstruction.

"Obstruction" includes, but is not limited to, any dam, wall, wharf, embankment, levee, dike, pile, abutment, protection, excavation, channelization, bridge, conduit, culvert, building, wire, fence, rock, gravel, refuse, fill, structure, vegetation or other material in, along, across, or projecting into any watercourse which may: (a) alter, impede, retard, or change direction and/or velocity of the flow of water; (b) snare or collect debris carried by the flow of water due to its location; or (c) be carried downstream. (§ 2, Ord. 002-07, eff. March 28, 2007)

Sec. 6-9.241244. - One hundred-year flood.

"One hundred-year flood" or "100-year flood." See "Base flood." (§ 2, Ord. 002-07, eff. March 28, 2007)

Sec. 6-9.242245. - Public safety and nuisance.

"Public safety and nuisance" as related to Article 6, Variance Procedures, of this chapter means that the granting of a variance must not result in anything which is injurious to safety or health of an entire community or neighborhood, or any considerable number of persons, or unlawfully obstruct the free passage or use, in the customary manner, of any navigable lake, river, bay, stream, canal, or basin. (§ 2, Ord. 002-07, eff. March 28, 2007)

Sec. 6-9.243246. - Recreational vehicle.

"Recreational vehicle" means a vehicle which is: (a)

- Built on a single chassis;
- (b) 400 square ft. or less when measured at the largest horizontal projection;
- (c) Designed to be self-propelled or permanently towable by a light-duty truck; and
- (d) Designed primarily not for use as permanent dwelling but as temporary living quarters for

recreational, camping, travel, or seasonal use. (§ 2, Ord. 002-07, eff. March 28, 2007)

Sec. 6-9.~~244~~247. - Regulatory floodway.

"Regulatory floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one ft. (§ 2, Ord. 002-07, eff. March 28, 2007)

Sec. 6-9.~~245~~248. - Riverine.

"Riverine" means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc. (§ 2, Ord. 002-07, eff. March 28, 2007)

Sec. 6-9.~~246~~249. - Sheet flow area.

"Sheet flow area." See "Area of shallow flooding." (§ 2, Ord. 002-07, eff. March 28, 2007)

Sec. 6-9.~~247~~250. - Special flood hazard area (SFHA).

"Special flood hazard area (SFHA)" means an area having special flood or flood-related erosion hazards, and shown on a FHBM or FIRM as Zone A, AO, A1-A30, AE, A99, or AH. (§ 2, Ord. 002-07, eff. March 28, 2007)

Sec. 6-9.~~248~~251. - Start of construction.

"Start of construction" includes substantial improvement and other proposed new development and means the date that a permit is issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement is within 180 days from the date of the permit. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building. (§ 2, Ord. 002-07, eff. March 28, 2007)

Sec. 6-9.~~249~~252. - Structure.

"Structure" means a walled and roofed building that is principally above ground; this includes a gas or liquid storage tank or a manufactured home. (§ 2, Ord. 002-07, eff. March 28, 2007)

Sec. 6-9.~~250~~253. - Substantial damage.

"Substantial damage" means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50% of the market value of the structure before the damage occurred. (§ 2, Ord. 002-07, eff. March 28, 2007)

Sec. 6-9.~~251~~254. - Substantial improvement.

"Substantial improvement" means any reconstruction, rehabilitation, addition, or other proposed new development of a structure, the cost of which equals or exceeds 50% of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage," regardless of the actual repair work performed. The term does not, however,

include either:

- (a) Any project for improvement of a structure to correct existing violations of State or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or
- (b) Any alteration of a "historic structure," provided that the alteration will not preclude the structure's continued designation as a "historic structure." (§ 2, Ord. 002-07, eff. March 28, 2007)

Sec. 6-9-254. - Urban Area.

An urban area is a developed area in which there are 10,000 residents or more. All lands within the City limits of Yuba City are considered an urban area.

Sec. 6-9-255. - Urban Level of Flood Protection.

"Urban level of flood protection" means the level of protection that is necessary to withstand flooding that has a 1-in-200 chance of occurring in any given year using criteria consistent with, or developed by, the California Department of Water Resources. "Urban level of flood protection" shall not mean shallow flooding or flooding from local drainage that meets the criteria of the national Federal Emergency Management Agency standard of flood protection.

Sec. 6-9-256. – Urbanizing Area.

An urbanizing area is a developed area or an area outside a developed area that is planned or anticipated to have 10,000 residents or more within the next 10 years. Yuba City is an urban area and does not consist of any non-urban or urbanizing areas.

Sec. 6-9.252257. - Variance.

"Variance" means a grant of relief from the requirements of this chapter which permits construction in a manner that would otherwise be prohibited by this chapter. (§ 2, Ord. 002-07, eff. March 28, 2007)

Sec. 6-9.253258. - Violation.

"Violation" means the failure of a structure or other development to be fully compliant with this chapter. A structure or other development without the elevation certificate, or other certifications, or other evidence of compliance required in this chapter is presumed to be in violation until such time as that documentation is provided. (§ 2, Ord. 002-07, eff. March 28, 2007)

Sec. 6-9.254259. - Water surface elevation.

"Water surface elevation" means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, (or other datum, where specified) of floods of various magnitudes and frequencies in the floodplains of riverine areas. (§ 2, Ord. 002-07, eff. March 28, 2007)

Sec. 6-9.255260. - Watercourse.

"Watercourse" means a lake, river, creek, stream, wash, arroyo, channel, or other topographic feature on or over which waters flow at least periodically. Watercourse includes specifically designated areas in which substantial flood damage may occur. (§ 2, Ord. 002-07, eff. March 28, 2007)

Section 2. Article 6, Chapter 9 of Title 9 of the Yuba City Municipal Code is hereby amended to read as follows:

Article 6 – Floodplain Management Findings.

Sec. 6-9.601 Development agreements.

The City Council shall not approve the execution of a development agreement for property that is located within a flood hazard zone unless the City Council finds, based on substantial evidence in the record, one of the following:

- (a) The facilities of the State Plan of Flood Control or other flood management facilities protect the property to the urban level of flood protection in urban and urbanizing areas or the national Federal Emergency Management Agency standard of flood protection in nonurbanized areas;
- (b) The city has imposed conditions on the development agreement that will protect the property to the urban level of flood protection in urban and urbanizing areas or the national Federal Emergency Management Agency standard of flood protection in nonurbanized areas;
- (c) The local flood management agency has made adequate progress (as defined in California Government Code section 65007) on the construction of a flood protection system that will result in flood protection equal to or greater than the urban level of flood protection by 2025 in urban or urbanizing areas or the national Federal Emergency Management Agency standard of flood protection in nonurbanized areas for property located within a flood hazard zone, intended to be protected by the system;
- (d) The property in an undetermined risk area has met the urban level of flood protection;
- (e) The property is located in an area of potential flooding of 3 feet or less from sources other than local drainage or potential flooding from local drainage that meets the criteria of the national Federal Emergency Management Agency standard of flood protection; or
- (f) The property is located within a watershed with a contributing area of 10 or fewer square miles, as determined by the City.

Sec. 6-9.602 Permits and entitlements.

The decision-maker, as designated in Title 8, shall not approve a discretionary permit or other discretionary entitlement that would result in the construction of a new building or construction that would result in an increase in allowed occupancy for an existing building, or a ministerial permit that would result in the construction of a new residence, for a project that is located within a flood hazard zone unless the decision-maker finds, based on substantial evidence in the record, one of the following: (a)

- The facilities of the State Plan of Flood Control or other flood management facilities protect the property to the urban level of flood protection in urban and urbanizing areas or the national Federal Emergency Management Agency standard of flood protection in nonurbanized areas;
- (b) The City has imposed conditions on the permit or discretionary entitlement that will protect the project to the urban level of flood protection in urban and urbanizing areas or the national Federal Emergency Management Agency standard of flood protection in nonurbanized areas;
- (c) The local flood management agency has made adequate progress (as defined in California Government Code section 65007) on the construction of a flood protection by 2025 system that will result in flood protection equal to or greater than the urban level of flood protection in urban or urbanizing areas or the national Federal Emergency Management Agency standard of flood protection in nonurbanized areas for property located within a flood hazard zone, intended to be protected by the system;
- (d) The property in an undetermined risk area has met the urban level of flood protection based on substantial evidence in the record;
- (e) The property is located in an area of potential flooding of 3 feet or less from sources other than local drainage or potential flooding from local drainage that meets the criteria of the national

Federal Emergency Management Agency standard of flood protection; or

- (f) The property is located within a watershed with a contributing area of 10 or fewer square miles, as determined by the City.

Sec. 6-9.603 Maps.

The decision-maker, as designated in the Title 8, shall not approve a tentative map, or a parcel map for which a tentative map is not required, for a subdivision that is located within a flood hazard zone unless the decision-maker finds, based on substantial evidence in the record, one of the following:

- (a) The facilities of the State Plan of Flood Control or other flood management facilities protect the subdivision to the urban level of flood protection in urban and urbanizing areas or the national Federal Emergency Management Agency standard of flood protection in nonurbanized areas;
- (b) The City has imposed conditions on the subdivision that will protect the project to the urban level of flood protection in urban and urbanizing areas or the national Federal Emergency Management Agency standard of flood protection in nonurbanized areas;
- (c) The local flood management agency has made adequate progress (as defined in California Government Code section 65007) on the construction of a flood protection system which will result in flood protection equal to or greater than the urban level of flood protection by 2025 in urban or urbanizing areas or the national Federal Emergency Management Agency standard of flood protection in nonurbanized areas for property located within a flood hazard zone, intended to be protected by the system;
- (d) The property in an undetermined risk area has met the urban level of flood protection based on substantial evidence in the record;
- (e) The property is located in an area of potential flooding of 3 feet or less from sources other than local drainage or potential flooding from local drainage that meets the criteria of the national Federal Emergency Management Agency standard of flood protection; or
- (f) The property is located within a watershed with a contributing area of 10 or fewer square miles, as determined by the City.

Sec. 6-9.604 - Construction or development in a Flood Hazard Zone.

The decision-maker specified in Title 8 must make one of the findings in Title 6, Chapter 9, Article 6 prior to approving any of the following for construction or development within a Flood Hazard Zone:

- (1) A Development Agreement;
- (2) A discretionary permit or other discretionary entitlement that would result in the construction of a new building or construction that would result in an increase in allowed occupancy for an existing building;
- (3) A ministerial permit that would result in the construction of a new residence; or
- (4) A tentative map, or a parcel map for which a tentative map is not required, for a subdivision.

Section 3. Article 7, Chapter 9 of Title 9 is hereby added to the Yuba City Municipal Code to read as follows:

Article ~~7~~6 – Variance Procedures.

Sec. 6-9.~~604~~701. - Nature of variances.

The issuance of a variance is for floodplain management purposes only. Insurance premium rates are determined by statute according to actuarial risk and will not be modified by the granting of a variance. The variance criteria set forth in this section of the chapter are based on the general principle of zoning

law that variances pertain to a piece of property and are not personal in nature. A variance may be granted for a parcel of property with physical characteristics so unusual that complying with the requirements of this chapter would create an exceptional hardship to the applicant or the surrounding property owners. The characteristics must be unique to the property and not shared by adjacent parcels. The unique characteristic must pertain to the land itself, not to the structure, its inhabitants, or the property owners.

It is the duty of the City Council to help protect its citizens from flooding. This need is so compelling and the implications of the cost of insuring a structure built below flood level are so serious that variances from the flood elevation or from other requirements in the flood ordinance are quite rare. The long-term goal of preventing and reducing flood loss and damage can only be met if variances are strictly limited. Therefore, the variance guidelines provided in this chapter are more detailed and contain multiple provisions that must be met before a variance can be properly granted. The criteria are designed to screen out those situations in which alternatives other than a variance are more appropriate. (§ 2, Ord. 002-07, eff. March 28, 2007)

Sec. 6-9.7602. - Conditions for variances.

- (a) Generally, variances may be issued for new construction, substantial improvement, and other proposed new development to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing that the procedures of Articles 4 and 5 of this chapter have been fully considered. As the lot size increases beyond one-half acre, the technical justification required for issuing the variance increases.
- (b) Variances may be issued for the repair or rehabilitation of "historic structures" (as defined in Article 2 of this chapter) upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation of an historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.
- (c) Variances shall not be issued within any mapped regulatory floodway if any increase in flood levels during the base flood discharge would result.
- (d) Variances shall only be issued upon a determination that the variance is the "minimum necessary," considering the flood hazard, to afford relief. "Minimum necessary" means to afford relief with a minimum of deviation from the requirements of this chapter. For example, in the case of variances to an elevation requirement, this means the City Council need not grant permission for the applicant to build at grade, or even to whatever elevation the applicant proposes, but only to that elevation with the City Council believes will both provide relief and preserve the integrity of the local ordinance.
- (e) Any applicant to whom a variance is granted shall be given written notice over the signature of a community official that:
 - (1) The issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage; and
 - (2) Such construction below the base flood level increases risks to life and property. It is recommended that a copy of the notice shall be recorded by the Floodplain Administrator in the Office of the Sutter County Recorder and shall be recorded in a manner to the Federal Emergency Management Agency. (§ 2, Ord. 002-07, eff. March 28, 2007)

Sec. 6-9.6703. – Appeal Board.

- (a) The City Council shall review and decide requests for variances and, in reviewing such variance

applications, the City Council shall consider all technical evaluations, all relevant factors, standards specified in other sections of this chapter, and the:

- (1) Danger that materials may be swept onto other lands to the injury of others;
 - (2) Danger of life and property due to flooding or erosion damage;
 - (3) Susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the existing individual owner and future owners of the property;
 - (4) Importance of the services provided by the proposed facility to the community;
 - (5) Necessity to the facility of a waterfront location, where applicable;
 - (6) Availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;
 - (7) Compatibility of the proposed use with existing and anticipated development;
 - (8) Relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
 - (9) Safety of access to the property in time of flood for ordinary and emergency vehicles;
 - (10) Expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters expected at the site; and
 - (11) Costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water system, and streets and bridges.
- (b) Variances shall only be issued upon a:
- (1) Showing of good and sufficient cause;
 - (2) Determination that failure to grant the variance would result in exceptional hardship to the applicant; and
 - (3) Determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, or extraordinary public expense, create a nuisance (see "public safety and nuisance" as defined in Section 6-9.242, cause fraud and victimization of the public, or conflict with existing local laws or ordinances.
- (c) Variances may be issued for new construction, substantial improvement, and other proposed new development necessary for the conduct of a functionally dependent use provided that the provisions of Section 6-9.7603(a) through (d) are satisfied and that the structure or other development is protected by methods that minimize flood damages during the base flood and does not result in additional threats to public safety and does not create a public nuisance.
- (b) Upon consideration of the factors of Section 6-9.7602(a) and the purposes of this chapter, the City Council may attach such conditions to the granting of variances as it deems necessary to further the purposes of this chapter. (§ 2, Ord. 002-07, eff. March 28, 2007)

Section 4. The following sections of the Yuba City Municipal Code are hereby amended to read as follows:

Sec. 8-2.609. - Planning Commission action.

The Planning Commission shall take action to approve, conditionally approve or deny a tentative or vesting tentative map within 50 days after the map is filed, unless such time is extended by agreement with the subdivider.

(a) Findings. If the Planning Commission finds that the proposed map complies with the requirements of this chapter, the State Subdivision Map Act, and the zoning laws of the City, it shall approve or conditionally approve the map. The Planning Commission shall deny a tentative or vesting tentative map if it makes any of the following findings:

- (1) That the map proposed is not consistent with applicable general and specific plans;
- (2) That the design or improvement of the proposed subdivision is not consistent with

- applicable General and specific plans or adopted City standards;
- (3) That the site is not physically suitable for the proposed density of development;
 - (4) That the site is not physically suitable for the type of development;
 - (5) That the design of the subdivision or the proposed improvements is likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat;
 - (6) That the design of the subdivision or the type of improvements is likely to cause serious public health problems;~~or~~
 - (7) ~~One~~None of the findings in section 6-9.601 of the Municipal Code is satisfied; or
 - (78) That the design of the subdivision or the type of improvements will conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision. The Planning Commission may approve a map if it finds that alternate easements, for access or use, will be provided and will be substantially equivalent to those previously acquired by the public. The provisions of this subsection shall apply only to easements of record or to easements established by a judgment of a court of competent jurisdiction.

Sec. 8-5.503. - Development standards.

Minimum lot size	5,000 sq. ft., 6,000 sq. ft. for corner lots. Special criteria and exceptions are provided in Article 55.
Minimum lot width	50 ft., except that for cul-de-sac lots it may be 40 ft. if the width is at least 50 ft. at the back of the front yard line.
Maximum percentage of lot coverage	40% for two-story residences and 45% for single story residences, includes all main and accessory buildings, except as provided in Section 8-5.5001(c) and (d).
Maximum building height	2 stories not to exceed 35 ft., except as provided in Article 56.
Minimum yards	Front - 15 ft., except that garage entrances must be 20 ft.
	Interior Side - 5 ft. For any public building, church, school, library, museum, or other similar use, permitted pursuant to the regulations of this district, a minimum distance of 15 ft. from any adjoining lot containing or potentially containing a one-family residence.
	Street Side - 10 ft., except that garage entrances must be 20 ft.
	Rear - 25 ft. or 20% of the total lot depth, whichever is less.
	Exceptions are provided in Article 57.
Exterior lighting	As provided in Article 58.
Fences, walls, hedges and intersection visibility	As provided in Article 59.
Public improvements	As provided in Article 62.
<u>Flood Standard</u>	<u>As provided in Title 6, Chapter 9, Article 6.</u>

(§ 8-5.503, Ord. 010-94, eff. January 5, 1995; § 1, Ord. 08-99, eff. July 1, 1999)

Sec. 8-5.603. - Development standards.

Density	The residential density must be within the minimum and maximum density range for the General Plan designation within which the project is located.
Minimum lot size	Two-family residence - 6,000 sq. ft., 7,000 sq. ft. corner lot.
	One-family residence - 3,500 sq. ft., 4,500 sq. ft. corner lot.
	Special criteria and exceptions are provided in Article 55.
Minimum lot width	60 ft., except that for cul-de-sac lots it may be 50 ft. if the width is at least 60 ft. at the back of the front yard line.
Maximum percentage of lot coverage	Two-family residence - 40% for two-story residences, includes all main and accessory buildings.
	One-family residence - 45% for single story residences, includes all main and accessory buildings.
	Except as provided in Section 8-5.5001(c) & (d).
Maximum building height	3 stories not to exceed 35 ft., except as provided in Article 56.
Minimum yards	Front - 15 ft., except that garage entrances must be 20 ft.
	Interior Side - 5 ft. For any public building, church, school, library, museum, or other similar use, permitted pursuant to the regulations of this district, a minimum distance of 15 ft. from the lot line of any adjoining residential lot containing or potentially containing a one-family residence.
	Street Side - 10 ft., except that garage entrances must be 20 ft.
	Rear - 25 ft. or 20% of the total lot depth whichever is less.
	Exceptions are provided in Article 57.
Exterior lighting	As provided in Article 58.
Fences, walls, hedges and intersection visibility	As provided in Article 59.
Off-street parking and loading	As provided in Article 61.
Public improvements	As provided in Article 62.
<u>Flood Standard</u>	<u>As provided in Title 6, Chapter 9, Article 6.</u>

(§ 8-5.603, Ord. 010-94, eff. January 5, 1995; § 1, Ord. 08-99, eff. July 1, 1999)

Sec. 8-5.703. - Development standards.

Maximum density	General Plan Designation
	High Density Residential - 1 unit/1,000 sq. ft. lot area.
	Medium Density Residential - 1 unit/ 1,500 sq. ft. lot area.
Minimum lot size	Two-family residence - 10,000 sq. ft.
	Special criteria and exceptions are provided in Article 55.
Minimum lot width	100 ft., except that for cul-de-sac lots it may be 80 ft. if the width is at least 100 ft. at the back of the front yard line.

Maximum percentage of lot coverage	60%, includes all main and accessory buildings, except as provided in Sec. 8-5.5001(c) and (d).
Maximum building height	4 stories not to exceed 48 ft. - except if within 25 ft. of an R-1 District, then 2 stories not to exceed 30 ft., within 35 ft. of an R-1 District, then 3 stories not to exceed 40 ft. and within 45 ft. of an R-1 District, then 4 stories not to exceed 48 ft. - except as provided in Article 56.
Maximum building height	Accessory Buildings - 20 ft.
Minimum yards	Front - 15 ft.
	Interior Side - 5 ft.
	Street Side - 15 ft.
	Rear - 10 ft.
	Exceptions are provided in Article 57.
Minimum distance between buildings	Front to Any Side or Rear - 20 ft.
	All others - 10 ft.
Open space/recreation areas	200 sq. ft./unit. ⁽¹⁾
Walkways	Walkways shall link the residential units with recreational and other internal facilities as well as other residential units.
Exterior lighting	As provided in Article 58.
Fences, walls, hedges and intersection visibility	As provided in Article 59.
Landscaping	As provided in Article 60.
Off-street parking and loading	As provided in Article 61.
Public improvements	As provided in Article 62.
Signs	As provided in Article 63.
Trash Enclosures	As provided in Article 64.
<u>Flood Standard</u>	<u>As provided in Title 6, Chapter 9, Article 6.</u>

- (1)
- a. Open space/recreation area criteria:
To qualify as open space an area must be a minimum of 6 ft. by 10 ft. located between the required front yard, street side yard and rear property line.
 - b. Areas that may be included are private or common balconies, patios or decks; recreation rooms, roof areas designed to accommodate recreation or leisure activities, swimming pool/spa areas, other types of recreation or leisure area, landscaped areas.
 - c. Areas that do not qualify are front and street side yards, driveways and parking areas and associated required landscaping, clothes drying areas, walkways between buildings and entryways.

- d. At least 20% of the open space/recreation area shall be landscaped, as provided in Section 8-5.6004. (§ 8-5.703, Ord. 010-94, eff. January 5, 1995)

Sec. 8-5.1103. - Development standards.

Minimum lot size	6,000 sq. ft. Special criteria and exceptions are provided in Article 55.
Maximum building height	4 stories not to exceed 52 ft., except as provided in Article 56.
Minimum yards	Front - 10 ft.
	Street Side - 10 ft.
	Interior Side - None, except when abutting a residential district, then 15 ft.
	Rear - None, except when abutting a residential district or for a through lot where neighboring uses have front yards, then 15 ft.
Exterior lighting	As provided in Article 58.
Fences, walls, hedges and intersection visibility	As provided in Article 59.
Landscaping	As provided in Article 60.
Off-street parking and loading	As provided in Article 61.
Public improvements	As provided in Article 62.
Signs	As provided in Article 63.
Trash enclosures	As provided in Article 64.
<u>Flood Standard</u>	<u>As provided in Title 6, Chapter 9, Article 6.</u>

(§ 8-5.1103, Ord. 010-94, eff. January 5, 1995; § 1, Ord. 06-01, eff. August 16, 2001)

Sec. 8-5.1203. - Development standards.

Maximum district size	3 acres.
Minimum lot size	5,000 sq. ft. Special criteria and exceptions are provided in Article 55.
Maximum building height	2 stories not to exceed 30 ft., except as provided in Article 56.
Minimum yards	Front - 10 ft.
	Street Side - 10 ft.
	Interior Side - None, except when abutting a residential district, then 15 ft.
	Rear - None, except when abutting a residential district or for a through lot where neighboring uses have front yards, then 15 ft.
Exterior lighting	As provided in Article 58.
Fences, walls, hedges and intersection visibility	As provided in Article 59.
Landscaping	As provided in Article 60.
Off-street parking and loading	As provided in Article 61.
Public improvements	As provided in Article 62.
Signs	As provided in Article 63.

Trash enclosures	As provided in Article 64.
<u>Flood Standard</u>	<u>As provided in Title 6, Chapter 9, Article 6.</u>

(§ 8-5.1203, Ord. 010-94, eff. January 5, 1995; § 1, Ord. 06-01, eff. August 16, 2001)

Sec. 8-5.1303. - Development standards.

Minimum lot size	5,000 sq. ft. Special criteria and exceptions are provided in Article 55.
Maximum building height	4 stories not to exceed 52 ft., except as provided in Article 56.
Minimum yards	Front - 10 ft.
	Street Side - 10 ft.
	Interior Side - None, except when abutting a residential district, then 15 ft.
	Rear - None, except when abutting a residential district or for a through lot where neighboring uses have front yards, then 15 ft.
Exterior lighting	As provided in Article 58.
Fences, walls, hedges and intersection visibility	As provided in Article 59.
Landscaping	As provided in Article 60.
Off-street parking and loading	As provided in Article 61.
Public improvements	As provided in Article 62.
Signs	As provided in Article 63.
Trash enclosures	As provided in Article 64.
<u>Flood Standard</u>	<u>As provided in Title 6, Chapter 9, Article 6.</u>

(§ 8-5.1303, Ord. 010-94, eff. January 5, 1995; § 1, Ord. 06-01, eff. August 16, 2001)

Sec. 8-5.1403. - Development standards.

Minimum lot size	5,000 sq. ft. Special criteria and exceptions are provided in Article 55.
Maximum building height	4 stories not to exceed 52 ft., except as provided in Article 56.
Minimum yards	Front - 10 ft.
	Street Side - 10 ft.
	Interior Side - None, except when abutting a residential district, then 15 ft.
	Rear - None, except when abutting a residential district or for a through lot where neighboring uses have front yards, then 15 ft.
Exterior lighting	As provided in Article 58.
Fences, walls, hedges and intersection visibility	As provided in Article 59.
Landscaping	As provided in Article 60.
Off-street parking and loading	As provided in Article 61.
Public improvements	As provided in Article 62.
Signs	As provided in Article 63.

Trash enclosures	As provided in Article 64.
<u>Flood Standard</u>	<u>As provided in Title 6, Chapter 9, Article 6.</u>

(§ 8-5.1403, Ord. 010-94, eff. January 5, 1995; § 1, Ord. 06-01, eff. August 16, 2001)

Sec. 8-5.1503. - Development standards.

Minimum lot size	5,000 sq. ft. Special criteria and exceptions are provided in Article 55.
Maximum building height	4 stories not to exceed 52 ft., except as provided in Article 56.
Minimum yards	Front - 10 ft.
	Street Side - 10 ft.
	Interior Side - None, except when abutting a residential district, then 15 ft.
	Rear - None, except when abutting a residential district or for a through lot where neighboring uses have front yards, then 15 ft.
Exterior lighting	As provided in Article 58.
Fences, walls, hedges and intersection visibility	As provided in Article 59.
Landscaping	As provided in Article 60.
Off-street parking and loading	As provided in Article 61.
Public improvements	As provided in Article 62.
Signs	As provided in Article 63.
Trash enclosures	As provided in Article 64.
<u>Flood Standard</u>	<u>As provided in Title 6, Chapter 9, Article 6.</u>

(§ 8-5.1503, Ord. 010-94, eff. January 5, 1995; § 1, Ord. 07-95, eff. August 31, 1995)

Sec. 8-5.2003. - Development standards.

Minimum lot size	20,000 sq. ft. Special criteria and exceptions are provided in Article 55.
Maximum building height	45 ft., except as provided for in Article 56.
Minimum yards	Front - 10 ft.
	Street Side - 10 ft.
	Interior Side - None, except when abutting a residential district, then 15 ft.
	Rear - None, except when abutting a residential district or for a through lot where neighboring uses have front yards, then 15 ft.
Exterior lighting	As provided in Article 58.
Fences, walls, hedges and intersection visibility	As provided in Article 59.
Landscaping	As provided in Article 60.
Off-street parking and loading	As provided in Article 61.
Public improvements	As provided in Article 62.
Signs	As provided in Article 63.

Trash enclosures	As provided in Article 64.
<u>Flood Standard</u>	<u>As provided in Title 6, Chapter 9, Article 6.</u>

(§ 8-5.2003, Ord. 010-94, eff. January 5, 1995; § 1, Ord. 08-99, eff. July 1, 1999)

Sec. 8-5.2103. - Development standards.

Minimum lot size	1 acre. Special criteria and exceptions are provided in Article 55.
Maximum building height	60 ft., except as provided for in Article 56.
Minimum yards	Front - 10 ft.
	Street Side - 10 ft.
	Interior Side - None, except when abutting a residential district, then 15 ft.
	Rear - None, except when abutting a residential district or for a through lot where neighboring uses have front yards, then 15 ft.
Exterior lighting	As provided in Article 58.
Fences, walls, hedges and intersection visibility	As provided in Article 59.
Landscaping	As provided in Article 60.
Off-street parking and loading	As provided in Article 61.
Public improvements	As provided in Article 62.
Signs	As provided in Article 63.
Trash enclosures	As provided in Article 64.
<u>Flood Standard</u>	<u>As provided in Title 6, Chapter 9, Article 6.</u>

(§ 8-5.2103, Ord. 010-94, eff. January 5, 1995; § 1, Ord. 08-99, eff. July 1, 1999)

Sec. 8-5.2503. - Development standards.

Minimum lot size	10 acres.
Minimum lot width	300 ft.
Maximum building height	3 stories not to exceed 35 ft., except as provided in Article 56.
Minimum yards	Front - 55 ft. from the centerline for any street or road that does not have an established future plan line. On any street for which the future width is established, the front yard shall be 15 ft., except that garages facing a street shall be 20 ft. from the edge of the plan line.
	Interior Side - 5 ft.
	Street Side - 55 ft. from the centerline for any street or road that does not have an established future plan line. On any street on which the future width is established, the yard shall be 15 ft., except that garages facing a street shall be 20 ft. from the edge of the plan line.
	Rear - 25 ft. or 20% of the total lot depth whichever is less.
	Exceptions are provided in Section 8-5.5703.

Exterior lighting	As provided in Article 58.
Fences, walls, hedges and intersection visibility	As provided in Article 59.
Off-street parking and loading	As provided in Article 61.
Public improvements	As provided in Article 62.
<u>Flood Standard</u>	<u>As provided in Title 6, Chapter 9, Article 6.</u>

(§ 8-5.2503, Ord. 010-94, eff. January 5, 1995)

Sec. 8-5.2602. - Uses.

Uses	Permitted ⁽¹⁾	Use Permit ⁽²⁾	Specific Standards ⁽³⁾
Agriculture ⁽³⁴⁾	X		
Any new permanent building associated with a permitted use		X	
Dredging and/or gravel pit		X	
Public facilities ⁽³⁴⁾	X		
Recreational facilities ⁽³⁴⁾	X		

(1) The level of review is determined as provided in Section 8-5.7001.

(2) See Section 8-5.7003 for review process explanation.

(3) Flood standard as provided in Title 6, Article 9, Chapter 6.

(43) Provided no new building is involved. (§ 8-5.2602, Ord. 010-94, eff. January 5, 1995)

Sec. 8-5.2803. - Development standards.

Minimum lot size	None.
Minimum lot width	None.
Maximum building height	3 stories not to exceed 39 ft., exceptions are provided in Article 56.
Minimum yards	Front - 10 ft.
	Street Side - 10 ft.
	Interior Side - None, except when abutting a residential district, then 15 ft.
	Rear - None, except when abutting a residential district or for a through lot, then 15 ft.
Exterior lighting	As provided in Article 58.
Fences, walls, hedges and intersection visibility	As provided in Article 59.
Landscaping	As provided in Article 60.
Off-street parking and loading	As provided in Article 61.

Public improvements	As provided in Article 62.
Signs	As provided in Article 63.
Trash enclosures	As provided in Article 64.
<u>Flood Standard</u>	<u>As provided in Title 6, Chapter 9, Article 6.</u>

(§ 8-5.2803, Ord. 010-94, eff. January 5, 1995)

Sec. 8-5.7001. – Permitted uses—Level of review for multiple-family, commercial and industrial uses.

This section specifies the level of review for proposed multiple-family, commercial and industrial uses of land or structures that are listed as "permitted" uses within the district the proposed use is located. The process provides for increasing levels of review based on the size or intensity of a project. For specific construction standards and regulations within Flood Hazard Zones, see Title 6, Chapter 9, Article 9, Flood Damage Prevention, for additional information.

- (a) Level of review. To determine the applicable review process, a proposed project shall be compared to the following matrix. When Planning Commission (Section 8-5.7001(c)) or City Council (Section 8-5.7001(d)) development plan review is required by this article and a use permit is also required then the site plan review process shall be used in lieu of the use permit process.

Level of Review Matrix				
Land Use ⁽¹⁾	Review Criteria	Development Plan Review		
		Ministerial	Planning Commission	City Council
Multiple-Family	# of Units	1—25	26—100	101+
Office	Gross floor area (sf)	1—35,000	35,001—100,000	100,001+
Retail & Service Indoor Outdoor	Square footage	1—25,000	25,001—100,000	100,001+
	Square footage	1—35,000	35,001—125,000	125,001+
Industrial Warehouse & Outdoor Storage	Square footage	1—35,000	35,001—100,000	100,001+
	square footage	1—50,000	50,001—150,000	150,001+
Conversion of an Existing Facility to a Different Category of Use	Square footage of usable area	1—35,000	35,001—100,000	100,001+
Conversion of Commercial or Industrial Sites to Same Category of Use	Tenant Improvements	All projects		
Central City Specific Plan		All projects		

- (1) Expansion of facilities have the same level of review as a new project (considering expansion area only) provided it has been two years or more between original

completion and beginning of the next expansion. Otherwise the total square footage is figured as cumulatively.

- (b) Ministerial development plan review.
 - (1) Those projects determined to be ministerial shall be reviewed and decided upon by the Planning Director. No public hearing is required for this level of review.
 - (2) Following receipt of a complete application and review of the application, the Planning Director shall do one of the following.
 - (i) Approve the application if it is determined that the proposal will comply with all applicable requirements of this chapter and other City standards. Applications for all residential uses are required to satisfy at least one of the findings found in Title 6, Chapter 9, Article 6 of the Municipal Code. The term to begin and complete construction for an approved development plan shall be the same as the building permit.
 - (ii) Deny the application if it is determined that the proposal will not comply with all applicable standards of this chapter and all other City standards.
 - (iii) Request further information as needed in order to make the determination to approve or deny the application.
 - (3) Appeals. The decision of the Planning Director may be appealed to the Planning Commission (Section 8-5.7104(a)).
- (c) Planning Commission development plan review. This provides a review process for medium to large expansions or new projects that for which the anticipated uses are permitted by the district in which the proposal is located. Because of the scale of the proposal the Planning Commission's review is needed to assure that the project will be compatible with existing or expected neighboring improvements and that adequate public facilities are available to serve the project.
 - (1) Process. Following acceptance of a complete development plan application, the proposal shall be distributed by the Planning Department to other City departments and other relevant public agencies for review and comment. Following review by City staff and recommendation by the Planning Department, the Planning Commission shall conduct a public hearing on the proposal. Procedures contained in Article 71 of this chapter are applicable to the Planning Commission development plan review.
 - (2) Notice and hearing. Notice of a public hearing shall be given pursuant to Government Code §§ 65090 through 65095.
 - (3) Determination. Following the close of the public hearing the Planning Commission shall approve, approve with conditions or deny the application within 30 days of the close of the hearing.
 - (4) Findings for approval. Approval or approval with conditions shall be granted when the following findings can be made, based on information in the record:
 - (i) The site for the proposed use is adequate in size and shape to accommodate said use, public access, parking and loading, yards, landscaping and other features required by this chapter.
 - (ii) The streets serving the site are adequate to carry the quantity of traffic generated by the proposed use.
 - (iii) The site design, design of the buildings and the scale of the project will complement neighboring facilities.
 - (iv) The application satisfies at least one of the findings found in Title 6, Chapter 9, Article 6 of the Municipal Code.

- (5) Appeals. The decision of the Planning Commission may be appealed to the City Council (Section 8-5.7104(b)).
- (d) City Council development plan review. The City Council development plan review process shall be the same as established for the Planning Commission development plan review except that the Planning Commission, following a public hearing, shall make an advisory recommendation to the City Council. Following the Commission's recommendation, the Council shall conduct a public hearing. The development plan shall be decided based on the same findings as required of the Planning Commission. Procedures contained in Article 71 of this chapter are applicable to City Council development plan review. (§ 8-5.7001, Ord. 010-94, eff. January 5, 1995; § 1, Ord. 07-95, eff. August 31, 1995; § 1, Ord. 10-96, eff. December 19, 1996)

Sec. 8-5.7003. - Use permits.

Uses requiring a use permit are those for which their effect on surrounding uses and the environment typically cannot be determined in advance of being proposed for a particular location. This process provides for the review of the location, configuration, design and impacts of the proposed use.

- (a) Process. Following acceptance of a complete use permit application, the proposal shall be distributed by the Planning Department to other City departments and other relevant public agencies for review and comment. Following review by City staff and recommendation by the Planning Department, the Planning Commission shall conduct a public hearing on the proposal.
- (b) Notice and hearing. Notice of a public hearing shall be given pursuant to Government Code §§ 65090 through 65095.
- (c) Determination. Following the close of the public hearing the Planning Commission shall approve, approve with conditions or deny the use permit application within 30 days of the close of the hearing.
- (d) Findings for approval. Approval or approval with conditions shall only be granted when the following findings can be made, based on information in the record:
 - (1) The proposal is consistent with the General Plan.
 - (2) The site for the proposed use is adequate in size and shape to accommodate said use, public access, parking and loading, yards, landscaping and other features required by this chapter.
 - (3) The streets serving the site are adequate to carry the quantity of traffic generated by the proposed use.
 - (4) The site design and the size and design of the buildings will complement neighboring facilities.
 - (5) The establishment or operation of the use or building applied for will not be detrimental to the health, safety, peace, comfort, and general welfare of persons residing or working in the vicinity of the proposed use or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.
 - (6) At least one of the findings in Title 6, Chapter 9, Article 6 of the Municipal Code is satisfied.
- (e) Appeals. The decision of the Planning Commission may be appealed to the City Council (Section 8-5.7104(b)). (§ 8-5.7003, Ord. 010-94, eff. January 5, 1995)

Sec. 8-6.10. - Findings.

The Planning Commission, or the City Council on appeal, shall not approve any application for conversion of rental units unless the planning commission or City Council can find that:

- (a) All provisions of this chapter are met.
- (b) The project is not detrimental to the health, safety, or general welfare of the community.
- (c) The project is consistent with the General Plan Housing Element.

- (d) The vacancy rate for rental units of similar size and rental rates is above 5% as determined in January and July by the Planning director, or at any other time as directed by the Planning Commission.
- (e) Relocation payments to displaced tenants are provided at a rate of no less than 1½ times the monthly rental of the unit. The developer will actively seek alternative housing for families displaced by conversion.
- (f) The relocation program provides for deferred displacement of families with children, elderly tenants, and handicapped tenants.
- (g) No rent increase has been made to reduce or eliminate tenancy in preparation for conversion. Each non-purchasing tenant, not in default under the obligations of the rental agreement or lease under which he or she occupies his or her unit, shall have not less than 120 days from the date of filing of the final subdivision map or parcel map to find substitute housing and to relocate.
- (h) Diverse forms of financing acquisition of the units, including FHA, VA, Cal Vet, conventional, etc., shall be available to allow the best terms to the existing tenants.
- (i) At least one of the findings in section Title 6, Chapter 9, Article 6 of the Municipal Code is satisfied. (§ 1, Ord. 836, eff. March 3, 1980)

City of Yuba City

SB 5 General Plan Amendments and Municipal Code Revisions

Draft Initial Study/ Negative Declaration

May 2016

Prepared for:



City of Yuba City
1201 Civic Center Boulevard
Yuba City, California 95993

Prepared by:

ATKINS

1410 Rocky Ridge Drive, Suite 140
Roseville, California 95661

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1.0 Introduction

1.1 Purpose and CEQA Process

This Initial Study/ Negative Declaration (IS/ND) has been prepared to identify any potential environmental impacts in the City of Yuba City, California (City), from the proposed amendments to the City of Yuba City General Plan Land Use Element, Environmental Conservation Element, Public Utilities Element, and Noise and Safety Element (referred to collectively as the “General Plan Amendments”) as well as the Municipal Code sections (referred to collectively as the “Municipal Code Revisions”). The General Plan Amendments and Municipal Code revisions are considered a project under the California Environmental Quality Act (CEQA), and the City has discretionary authority over the project. Pursuant to CEQA Guidelines Section 15367, the City is the Lead Agency in the preparation of this IS/ND and any additional environmental documentation required for the General Plan Amendments and Municipal Code Revisions.

This IS/ND has been prepared in conformance with CEQA Guidelines Section 15070. The purpose of the IS/ND is to determine the potential significant impacts associated with the implementation of the General Plan Amendments and Municipal Code Revisions. In addition, this document is intended to provide the basis for input from public agencies, organizations, and interested members of the public.

The remainder of this section provides a brief description of approvals required for implementation of the General Plan Amendments and Municipal Code Revisions, and details on how to provide input or comment on this IS/ND. Section 2 of this document provides an overview of the General Plan Amendments, and Section 3 includes the environmental checklist and evaluation of potential environmental impacts that may reasonably or foreseeably result from implementation of the General Plan Amendments and Municipal Code Revisions. Appendix A of this document provides the General Plan Amendments; Appendix B of this document provides the Municipal Code Revisions.

1.2 Approvals Required

The City of Yuba City is designated as the Lead Agency for this project. According to Sections 15050 and 15367 of the CEQA Guidelines, responsible agencies are those agencies that have discretionary approval authority over one or more actions required for the development of a proposed project. The proposed General Plan Amendments are a program-level planning document for the City of Yuba City to use moving forward, and the Municipal Code Revisions would implement the General Plan Amendments. As such, neither the General Plan Amendments nor the Municipal Code Revisions contain a specific or proposed land-use development plan, changes to the General Plan Land Use Diagram or changes to the Zoning Map; as such, no responsible agencies are identified at this time. The approval and implementation of the General Plan Amendments and Municipal Code Revisions would not precipitate any subsequent land-use development or redevelopment projects. Unrelated development projects within the City’s jurisdiction would be subject to discretionary approval by the City and, depending on the development proposal, other public agencies. Approval of the amendments to the City of Yuba City General Plan Land Use Element, Environmental Conservation Element, Public Utilities Element, and Noise and Safety Element would require action by the Planning Commission and the City Council to adopt the General Plan Amendments and approve the associated CEQA compliance documentation. The Central Valley Flood Protection Board (CVFPB) has review authority of specific components of the General Plan Amendments; however, the CVFPB does not have approval authority over the General Plan Amendments or Municipal Code Revisions.

1.3 Intended Uses of this Document

In accordance with CEQA, a good-faith effort has been made during preparation of this IS/ND to contact affected public agencies, organizations, and persons who may have an interest in the proposed project. In reviewing the Draft IS/ND, affected and interested parties should focus on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the General Plan Amendments and Municipal Code Revisions (project) would be avoided or mitigated.

The Draft IS/ND and associated appendices will be available for review on the City of Yuba City website at <http://www.yubacity.net/>. The Draft IS/ND and associated appendices also will be available for review during regular business hours at the City of Yuba City Development Services Department (1201 Civic Center Boulevard, Yuba City, California 95993).

Comments on the Draft IS/ND must be submitted in writing during the 30-day comment period, which will commence on **May 2, 2016** and end on **June 1, 2016**. Written comments on the Draft IS/ND should be sent to the following address by 5:00 p.m. on **June 1, 2016**:

Arnoldo Rodriguez, Director of Development Services
City of Yuba City Development Services Department
1201 Civic Center Boulevard
Yuba City, California 95993
Fax: (530) 822-4694

Following the close of the public comment period, the City Council will consider this IS/ND and the comments thereto in determining whether to approve the proposed project.

1.4 Incorporated by Reference

According to Section 15150 of the CEQA Guidelines, an ND may incorporate by reference all or portions of another document that is a matter of public record. The incorporated language will be considered to be set forth in full as part of the text of the ND. All documents incorporated by reference are available for review at, or can be obtained through, the City of Yuba City Development Services Department located at the address provided above. The following documents are incorporated by reference:

- Carollo. 2011. *City of Yuba City 2010 Urban Water Management Plan*. June 2011.
- Dyett & Bhatia. 2004. *City of Yuba City General Plan*. Adopted April 8, 2004.
- Yuba City. 2011. *Yuba City Bicycle Master Plan*. Adopted February 1, 2011.

2.0 Project Description

2.1 Project Location

The City of Yuba City is located in the northeast portion of Sutter County, California, and is bordered to the east by the Feather River. Surrounding cities include Linda and Marysville. The City is approximately 15 square miles and supports a population of 65,000 residents. The major roadways that traverse the City are California State Route 20 (SR 20) and California State Route 99 (SR 99). Figure 1 shows the regional location of the City of Yuba City. Figure 2 shows the local vicinity of the City of Yuba City, including the City's adopted Sphere of Influence.

2.2 Project Background

In 2007, the California Legislature enacted six interrelated bills, including Senate Bills (SB) 5 and 17, and Assembly Bills (AB) 5, 70, 162, and 156. The goal of these bills is to improve flood management and to strengthen the linkage between local land use planning decisions and flood management practices. Together, these flood regulations outline a comprehensive approach to improve flood management at the State and local levels.

The SB 5 legislation requires that an Urban Level of Flood Protection (ULOP) be provided in specific locations in the Sacramento-San Joaquin Valley as defined by California Government Code Section 65007(h). The ULOP is defined as the level of protection that is necessary to withstand flooding that has a 1-in-200 chance of occurring in any given year using criteria consistent with, or developed by, the California Department of Resources (DWR). SB 5 also requires all cities and counties within the Sacramento-San Joaquin Valley, to make findings related to the ULOP standard or the national FEMA standard of flood protection before approving land use decisions.

Assembly Bill 70 (AB 70) was signed into law by the Governor of California in 2007 and the requirements of the bill have since been codified as Water Code 8307. The law states that a city or county may be required to contribute its fair and reasonable share of the property damage caused by a flood to the extent that the city or county has increased the state's exposure to liability for property damage by unreasonably approving new development in a previously undeveloped area that is protected by a state flood control project.

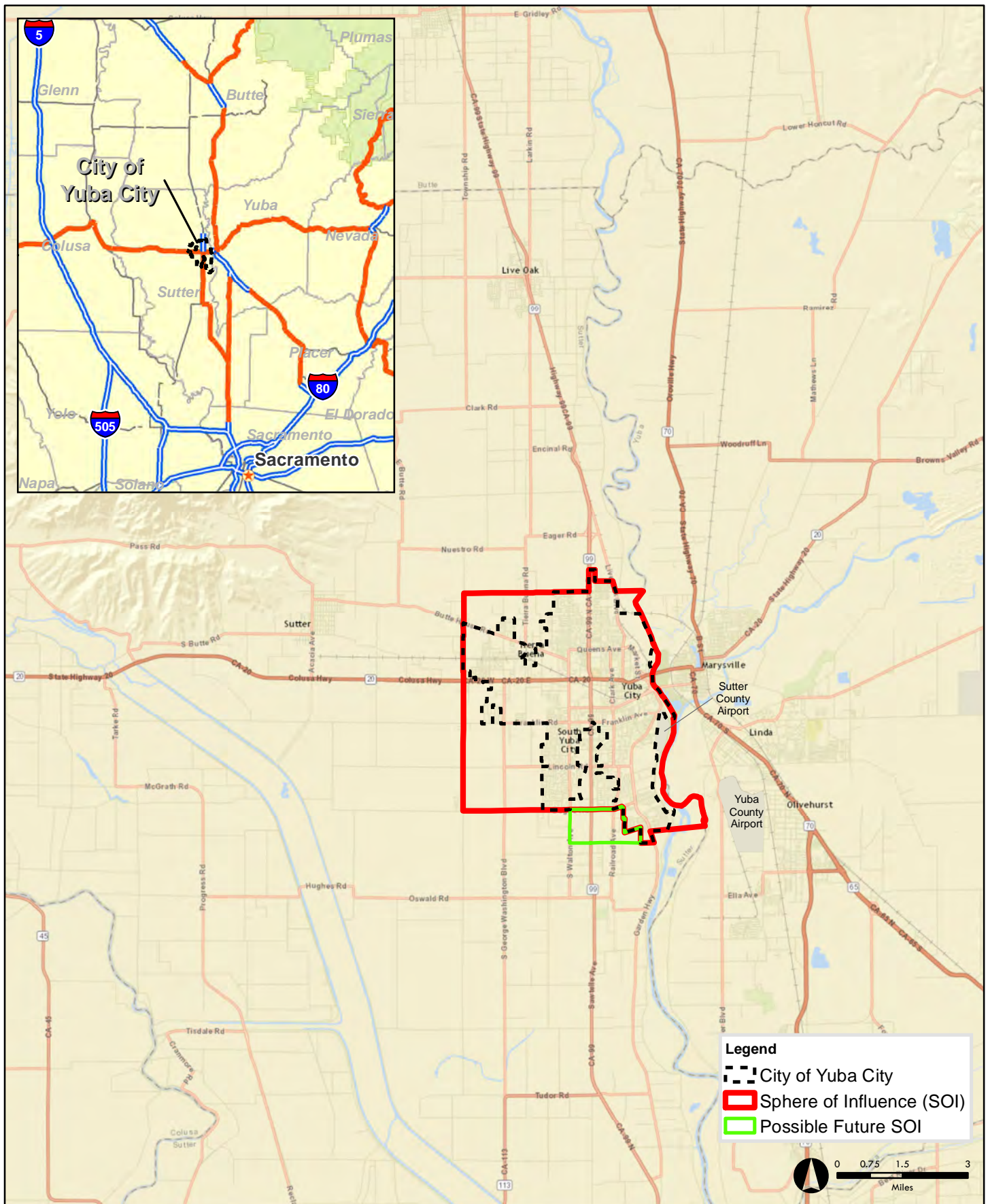
Assembly Bill 156 (AB 156) was signed into law by the Governor of California in 2007 and the requirements of the bill have since been codified as Water Codes 9121(c), 9140, and 9650. The laws state that on or before September 1 of each year after 2010, the department shall provide written notice to each landowner whose property is determined to be entirely or partially within a levee flood protection zone; on or before September 30 of each year, a local agency responsible for the operation and maintenance of a project levee shall prepare and submit to the department, in a format specified by the department, a report of information for inclusion in periodic flood management reports prepared by the department relating to the project levee; and commencing July 1, 2008, the allocation or expenditure of funds by the state for the upgrade of a project levee, if that upgrade is authorized on or after July 1, 2008, that protects an area in which more than 1,000 people reside shall be subject to a requirement that the local agency responsible for the operation and maintenance of the project levee and any city or county protected by the project levee, including a charter city or charter county, enter into an agreement to adopt a safety plan within two years. If a city or county is responsible for the operation and maintenance of the project

levee, the governing body shall approve a resolution committing to the preparation of a safety plan within two years.

Assembly Bill 162 (AB 162) was signed into law by the Governor of California on October 7, 2007 and the requirements of the bill have since been codified as Government Code Section 65302. The law states that when a local jurisdiction updates its Housing Element on or after January 1, 2009, a jurisdiction also must:

- Update its Land Use Element to: *Identify and annually review those areas subject to flooding. Consider the location of water and natural resources that are used for the purposes of groundwater recharge and stormwater management.*
- Update its Conservation Element to: *Identify rivers, creeks, streams, flood corridors, riparian habitat, and land that may accommodate floodwater for purposes of groundwater recharge and stormwater management.*
- Update its Safety Element to: *Identify information regarding flood hazards and to establish a set of comprehensive goals, policies, and objectives, and feasible mitigation measures to protect communities from unreasonable risk of flooding.*

In response, the proposed General Plan Amendments would amend the City of Yuba City General Plan Land Use Element, Environmental Conservation Element, Public Utilities Element, and Noise and Safety Element, as well as Title 6 Public Works, Chapter 9 Flood Damage Prevention Ordinance and several chapters within Title 8 Planning and Zoning Code of the City's Municipal Code to bring the City into compliance with SB 5 (as amended by SB 1278 and AB 1965)) and SB 17, as well as AB 5, 70, 156 and 162.



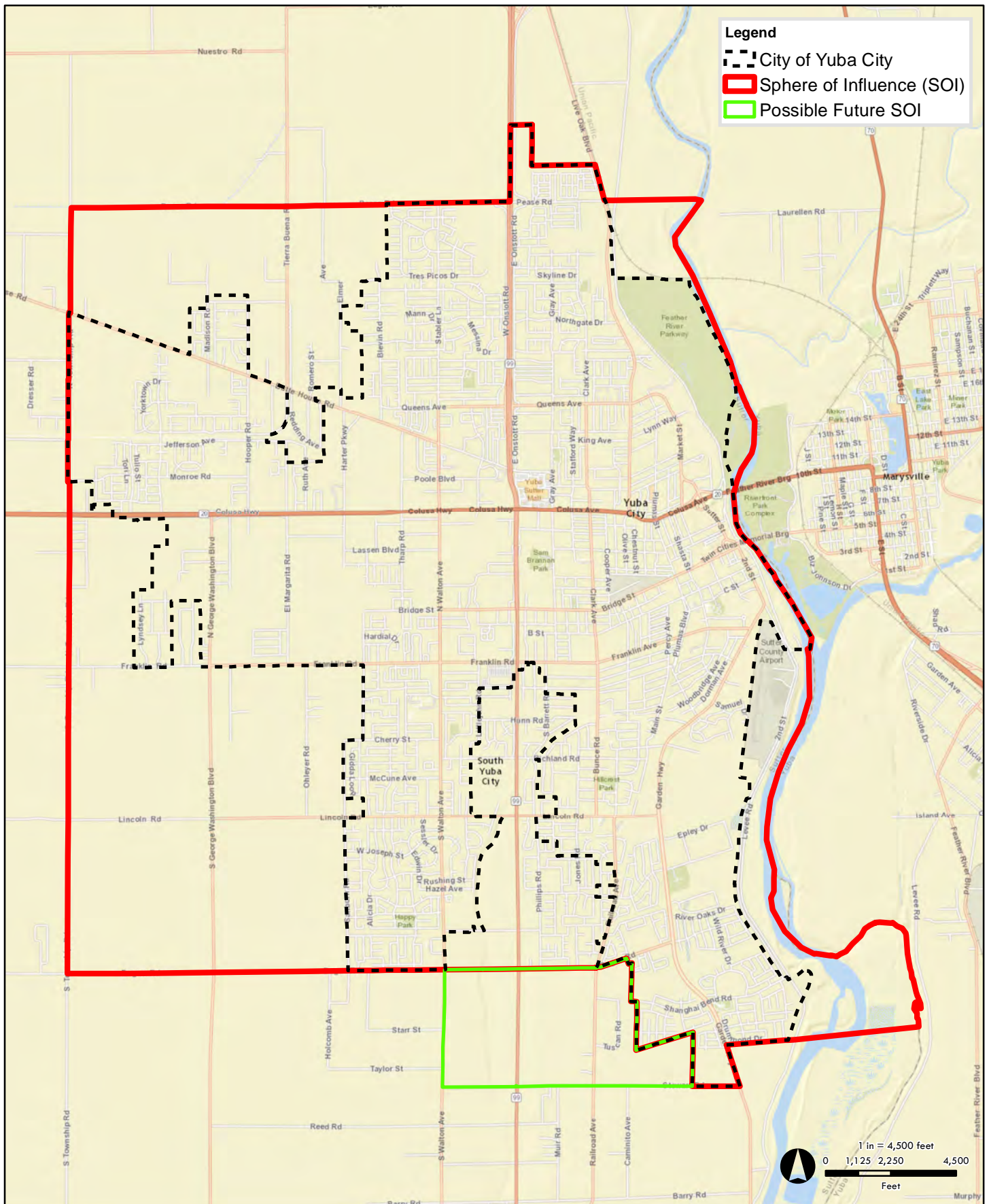
Source: ESRI, 2016



FIGURE 1
General Location Map

100046219

City of Yuba City Draft Initial Study/Negative Declaration



Source: ESRI, 2016

ATKINS

FIGURE 2
Local Vicinity

100046219

City of Yuba City Draft Initial Study/Negative Declaration

2.3 Project Components and Objectives

The project consists of General Plan Amendments and Municipal Code Revisions. The proposed General Plan Amendments are a program-level planning document for the City of Yuba City to use moving forward to provide a ULOP, as discussed in Section 2.2. The Municipal Code Revisions would implement the General Plan Amendments. Neither the General Plan Amendments nor the Municipal Code Revisions contain a specific or proposed land-use development plan, changes to the General Plan Land Use Diagram or changes to the Zoning Map; as such approval and implementation of the General Plan Amendments and Municipal Code Revisions would not precipitate any subsequent land-use development or redevelopment projects.

2.3.1 General Plan Amendments

The General Plan Amendments are summarized below within the context of each individual element. The General Plan Amendments are provided as Appendix A.

Land Use Element Update

The draft Land Use Element update includes revisions to Section 3.4 (Pattern of Development, Growth & Expansion). These revisions are intended to provide consistency with the new flood hazard information included in the Safety Element.

Environmental Conservation Element Update

The draft Conservation Element update includes revisions to Section 8.1 (Open Space) and Section 8.5 (Water Quality). These revisions are intended to manage floodplain areas and protect water resources. As required by AB 162, the draft Conservation Element update also includes a new map of areas which can support groundwater recharge.

Noise and Safety Element Update

The draft Noise and Safety Element update includes revisions to Section 9.3 (Drainage, Stormwater, and Flooding) and Section 9.4 (Emergency Response). These revisions are intended to improve flood management and strengthen the linkage between local land use planning decisions and flood management practices. Specifically, new and amended policies require that new development and certain land use entitlements provide 200-year flood protection consistent with the ULOP criteria. New policies also require continued coordination with local, regional, State, and federal agencies to maintain an adequate flood management information base, as well as use of the best available flood hazard information. The draft Noise and Safety Element update also includes required information or references related to Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRMs).

2.3.2 Municipal Code Revisions

The Municipal Code Revisions implement the new and amended General Plan policies. As required under SB 5, findings that certain land use decisions meet the ULOP criteria are required to be made prior to approval. The requirements for floodplain management findings and new definitions have been added to Title 6 Public Works, Chapter 9 Flood Damage Prevention Ordinance and several chapters within Title 8 Planning and Zoning Code of the City's Municipal Code. The Municipal Code Revisions are included in Appendix B.

3.0 Environmental Checklist and Impact Evaluation

Environmental Factors Potentially Affected: The environmental factors checked below would be potentially affected by this project, involving at least one impact that is "Less than Significant with Mitigation Incorporated," as indicated by the checklist on the following pages.

- | | | |
|-------------------------------------------------------------|-----------------------------------------------------------|--------------------------------------------------|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture & Forestry Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology/Soils |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology/Water Quality |
| <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Population/Housing | <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation/Traffic | <input type="checkbox"/> Utilities/Service Systems | |
| <input type="checkbox"/> Mandatory Findings of Significance | | |

Determination: On the basis of this initial evaluation:

- ☒ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☐ I find that, although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on the attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that, although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

 Arnaldo Rodriguez
 Development Services Director
 City of Yuba City

 Date

3.1 Aesthetics

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Would the project:

a) Have a substantial adverse effect on a scenic vista?

Less-than-Significant Impact

The General Plan Amendments and Municipal Code Revisions do not propose any specific development proposals or infrastructure construction. However, potential development projects such as levee improvements and expansion of flood management infrastructure are included in the General Plan Amendments. Any future development projects pursuant to the General Plan Amendments would be subject to all applicable City regulations and requirements, as well as subject to further CEQA analysis of project-specific impacts. The City of Yuba City's zoning regulations, standard development conditions, and design guidelines address site and building design. Therefore, the General Plan Amendments and Municipal Code Revisions would not result in any substantial visual impacts on the physical environment and impacts would be less than significant.

b) Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a State scenic highway?

No Impact

State scenic highways are those highways that are either officially designated as State Scenic Highways by the California Department of Transportation (Caltrans) or are eligible for such designation. According to the California Scenic Highway Mapping System, there are no officially designated or eligible highways within the project area (Caltrans, 2011). Therefore, no impact would occur.

c) Substantially degrade the existing visual character or quality of the site and its surroundings?

Less-than-Significant Impact

The General Plan Amendments and Municipal Code Revisions do not propose any specific development proposals or infrastructure construction that would substantially degrade the existing visual character or quality of Yuba City. However, potential development projects such as levee improvements and expansion

of flood management infrastructure are included in the General Plan Amendments. Any future development projects pursuant to the General Plan Amendments would be subject to all applicable City regulations and requirements, as well as subject to further CEQA analysis of project-specific impacts. Therefore, development resulting from the General Plan Amendments and Municipal Code Revisions would not result in any substantial degradation to the existing visual character or quality of the site. Impacts would be less than significant.

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Less-than-Significant Impact

The General Plan Amendments and Municipal Code Revisions do not propose any specific development proposals or infrastructure construction that would create a new source of light or glare. However, potential development projects such as levee improvements and expansion of flood management infrastructure are included in the General Plan Amendments. Therefore, the General Plan Amendments and Municipal Code Revisions would not result in any substantial light or glare that would affect day or nighttime views and impacts would be less than significant. In addition, any future development projects pursuant to the General Plan Amendments would be subject to all applicable City regulations and requirements, as well as subject to further CEQA analysis of project-specific impacts.

3.2 Agriculture and Forestry Resources

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997), prepared by the California Department of Conservation, as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the State's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4256), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Would the project:

- a) **Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?**

Less-than-Significant Impact

The City contains soils designated by the California Department of Conservation (CDC), Division of Land Resources (DLRP), as Prime Farmlands and Farmland of Statewide Importance (CDC DLRP, 2014). These lands are located primarily in the extreme western portion of the City and adjacent to urban development.

The General Plan Amendments and Municipal Code Revisions do not propose any specific development proposals or infrastructure construction that would convert farmland to a non-agricultural use. However, potential development projects such as levee improvements and expansion of flood management infrastructure are included in the General Plan Amendments. Any future development projects pursuant to the General Plan Amendments would be subject to all applicable City regulations and requirements, as well as subject to further CEQA analysis of project-specific impacts. Therefore, implementation of the General Plan Amendments and Municipal Code Revisions would be less than significant.

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

Less-than-Significant Impact

Refer to Section 3.2(a) above, which discusses the General Plan Amendments and Municipal Code Revisions' potential impact on agricultural land. The General Plan Amendments and Municipal Code Revisions would not result in any substantial impacts on agricultural land and impacts would be less than significant.

The City does not contain any land that is subject to a Williamson Act contract, which is designed to retain prime agriculture and open space by providing tax incentives for property owners (CDC DLRP, 2013). Therefore, implementation of the General Plan Amendments and Municipal Code Revisions would not conflict with a Williamson Act contract.

c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4256), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?

No Impact

The City's land cover is designated as "Urban" and "Agriculture" on the Fire and Resource Assessment Program (FRAP) State of California Land Cover Map (California Department of Forestry and Fire Protection [Cal Fire], 2006), which identifies forest land and rangeland coverage in California. This designation does not constitute forest land or timberland. There is no land with existing zoning of forest land or timberland within the City. Therefore, the implementation of the General Plan Amendments and Municipal Code Revisions would not conflict with existing zoning, or cause rezoning of forest land or timberland.

d) Result in the loss of forest land or conversion of forest land to non-forest use?

No Impact

As discussed in Section 3.2(c) above, there are no areas designated as forest land within the City. Therefore, the General Plan Amendments and Municipal Code Revisions would not result in the loss of forest land or conversion of forest land to non-forest use. No impact would occur.

e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?

Less-than-Significant Impact

Refer to Section 3.2(a) and (b), above, which discuss the General Plan Amendments and Municipal Code Revisions' potential to impact farmland or agriculturally zoned land. As identified in these sections, the General Plan Amendments and Municipal Code Revisions would result in a less-than-significant impact

with respect to the loss of farmland or conflict with agriculturally zoned land. As discussed in Section 3.2(c) and (d), above, the City does not have land cover designated as forest land. Therefore, the implementation of the General Plan Amendments and Municipal Code Revisions would not convert forest land to non-forest use.

3.3 Air Quality

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or State ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The Feather River Air Quality Management District (FRAQMD) is the local agency charged with administering local, State, and federal air quality management programs for Yuba and Sutter Counties. The FRAQMD's jurisdiction is located in Northern California in the Northern Sacramento Valley Air Basin. The major pollutants of concern in the Northern Sacramento Valley are ozone (O₃) and particulate matter (PM). According to the Northern Sacramento Valley Planning Area (NSVPA) 2015 Triennial Air Quality Attainment Plan, Sutter County, in which the City of Yuba City is located, was designated as a nonattainment-transitional district that does not exceed the State ozone standards more than three times at any monitoring location in a single calendar year (Sacramento Valley Air Quality Engineering and Enforcement Professionals [SVAQEPP] 2015).

Would the project:

a) Conflict with or obstruct implementation of the applicable air quality plan?

Less-than-Significant Impact

The General Plan Amendments and Municipal Code Revisions do not propose any new development or activities that would cause new operational or long-term air pollutants emissions or change current air quality conditions. As discussed in Section 3.3(b), below, the project would not violate air quality standards or contribute substantially to an existing or projected air quality violation. Therefore, the

General Plan Amendments and Municipal Code Revisions would not conflict with or obstruct the NSVPA's Air Quality Plan and would result in a less-than-significant impact.

b) Violate any air quality standards or contribute substantially to an existing or projected air quality violation?

Less-than-Significant Impact

The General Plan Amendments and Municipal Code Revisions would not add any new vehicle trips or otherwise increase VMT. The General Plan Amendments would not change energy sources of the City. The General Plan Amendments include potential development projects such as levee improvements and flood management infrastructure capacity augment. However, those projects would be subject to CEQA screening before constructed, and would not involve extensive use of large internal-combustion equipment that would contribute substantial air emissions. For reference, the FRAQMD's recommended thresholds of significance for construction-generated emissions is 4.5 tons per year of oxides of nitrogen. A preliminary emissions analysis using the CalEEMod emissions model, version 2013.2.2, was conducted to estimate a maximum construction scenario that would still be less than the FRAQMD's recommended thresholds. The analysis indicates that construction using the following equipment parameters would result in less-than-significant emissions generation:

- 8 graders
- 8 rubber-tired dozers
- 7 tractors/loaders/backhoes
- 7 hours of use per equipment per day
- 50 total working days

The analysis scenario involves more equipment at a greater use than would occur to implement development under the General Plan Amendments. Therefore, the impact would be less than significant.

c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or State ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

Less-than-Significant Impact

The General Plan Amendments and Municipal Code Revisions would not add any new operational vehicle trips or otherwise increase VMT. The project would not change energy sources of the City. The General Plan Amendments include potential development projects such as levee improvements and flood management infrastructure capacity augment. However, those projects would be subject to CEQA screening before constructed, and would not involve extensive use large internal-combustion equipment that would contribute substantial air emissions or contribute to a cumulatively considerable net increase of any criteria pollutant for which the region is in nonattainment. As discussed in Section 3.3(b), above, the project would not violate air quality standards or contribute substantially to an existing or projected air quality violation. Therefore, the impact would be less than significant.

d) Expose sensitive receptors to substantial pollutant concentrations?

Less-than-Significant Impact

The General Plan Amendments and Municipal Code Revisions do not propose any specific development proposals or infrastructure construction. However, potential development projects such as levee improvements and expansion of flood management infrastructure are included in the General Plan

Amendments. The General Plan Amendments would not result in new receptors, such as residential or school development, that may be exposed to existing pollutant sources. As discussed in Section 3.3(b), above, the project would not violate air quality standards or contribute substantially to an existing or projected air quality violation. The General Plan Amendments and Municipal Code Revisions would not result in new sources of substantial emissions, or substantially increased emissions. Therefore, the impact would be less than significant.

e) Create objectionable odors affecting a substantial number of people?

Less-than-Significant Impact

The General Plan Amendments and Municipal Code Revisions do not propose strategies or measures that would directly or indirectly result in the creation of objectionable odors. General Plan Amendments include potential construction activities, such as levee improvements; however, those potential activities would not result in substantial generation of objectionable odors. Therefore, the impact would be less than significant.

3.4 Biological Resources

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Would the project:

- a) **Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?**

Less-than-Significant Impact

The General Plan Amendments and Municipal Code Revisions do not propose any new development or activities. Current General Plan Policies 8.4-I-1 and 8.4-I-2 encourage management and maintenance of

sensitive habitat through the promotion of environmentally sensitive project siting and design. Policy 8.4-I-1 requires protection of sensitive habitat areas and special-status species in new development site designs and assessments of biological resources prior to approval of any development within 300 feet of any creeks, sensitive-habitat areas, or areas of potential sensitive-status species. Policy 8.4-I-2 provides additional requirement to preserve oak trees and other native trees that are of a significant size. Any projects pursuant to the General Plan Amendments and Municipal Code Revisions would be evaluated for conformance to these policies to ensure that riparian habitat or sensitive natural communities are not adversely affected. Therefore, the impact would be less than significant.

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

Less-than-Significant Impact

Current General Plan policies and implementation programs are consistent with the Feather River Parkway Plan and ensure that riparian habitat and sensitive natural communities are protected. Furthermore, the General Plan Amendments 8.1-G-2 and 8.1-I-3 promote the enhancement of open space features and habitat protection. Any projects pursuant to the General Plan Amendments and Municipal Code Revisions would be evaluated for conformance to these policies to ensure that riparian habitat or sensitive natural communities are not adversely affected. Therefore, the impact would be less than significant.

c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

Less-than-Significant Impact

Current General Plan Policies 8.4-I-1 and 8.4-I-2 ensure that wetland resources are managed and maintained through the promotion of environmentally sensitive project siting and design, compliance with Section 404 of the Clean Water Act, prohibiting development within the protection zone along the Feather River, and the provision of a buffer zone for parkway enhancement projects that occur near wetland areas. Policies 8.5-I-3, 8.5-I-6, and 8.5-I-7 reduce construction- and operation-related water quality impacts to waterways and wetlands in the City, especially Feather River, by requiring the implementation and enforcement of appropriate federal, State, and local water quality regulations, and the prohibition of pollutant discharge into waterways, drainages, and groundwater basins. Any projects pursuant to the General Plan Amendments and Municipal Code Revisions would be evaluated for conformance to these policies to ensure that wetlands are not adversely affected and impacts would be less than significant.

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Less-than-Significant Impact

A very small portion of the land area in the City is considered natural, and, therefore, provides few suitable habitats for special-status species. Among the most important natural areas for fish and riparian habitat in the City is the Feather River riparian habitat. As such, the City recently began the preparation of a strategic master plan for the 750-acre Feather River corridor. Current General Plan Policy 8.4-I-1 requires

protection of sensitive habitat areas and special-status species in new development site designs and assessments of biological resources prior to approval of any development within 300 feet of any creeks, sensitive habitat areas, or areas of potential sensitive-status species. Additionally, Policy 8.4-I-5 establishes wildlife corridors in conjunction with implementation of the Feather River Parkway Plan to minimize wildlife-urban conflicts. Policy 8.4-I-6 works with the California Department of Fish and Wildlife and other agencies to enhance and preserve fisheries in the Feather River. Implementation of General Plan Policies 8.1-I-1 through 8.1-I-4 further reduce impacts to the movement of native resident or migratory wildlife species through creating open space buffer around the City's urban growth areas, using open space in new development at the edge of the urban growth area to help create greenbelts that delineate the edge of urban areas, implementing open space features in the Feather River Parkway Plan, and encouraging restoration of degraded open space areas in the Feather River Parkway planning area to an environmentally valuable and sustainable condition. And as discussed above, existing General Plan policies ensure that riparian habitat and sensitive natural communities are protected. Therefore, any development pursuant to the General Plan Amendments and Municipal Code Revisions would be evaluated for conformance to these policies to ensure that riparian habitat or sensitive natural communities are not adversely affected. The impact would be less than significant.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Less-than-Significant Impact

City municipal code currently provides for the protection of trees. In addition, existing General Plan Policy 8.4-I-2 provides for the conservation of oak trees and other native trees that are of a significant size in the City. Projects that implement the General Plan Amendments would be subject to all applicable federal, State, and regional policies and regulations related to the protection of important biological resources. Specifically, development would be required to comply with the federal Endangered Species Act, Migratory Bird Treaty Act, Clean Water Act, California Endangered Species Act, California Fish and Wildlife Code, California Wetlands Conservation Policy, and California Department of Fish and Wildlife Lake or Streambed Alteration Program. Projects would be required to comply with the provisions of each of these federal, State, and regional laws, regulations, or plans and this impact would be less than significant.

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan?

No Impact

The Yuba-Sutter Resource Conservation Plan (YSRCP), which is both a federal Habitat Conservation Plan (HCP) and State Natural Communities Conservation Plan (NCCP), is the applicable habitat conservation plan for areas within Yuba and Sutter counties. Development of the YSRCP is still in progress, with only the list of covered species and covered activities identified. However, the current YSRCP Planning Area map shows boundaries that exclude the City and the City's sphere of influence (CDFW, 2016). Therefore, the General Plan Amendments and Municipal Code Revisions would not conflict with a habitat conservation plan. No impact would occur.

3.5 Cultural Resources

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Would the project:

- a) Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.5?**

Less-than-Significant Impact

Current General Plan Policies 8.3-I-2, 8.3-I-3 and 8.3-I-5 incorporate specific measures to identify, register, protect, and preserve historic resources into the City planning and environmental review processes. These policies require monitoring of ground-disturbing activities in archaeologically and culturally sensitive areas, as well as evaluation by a qualified archaeologist of cultural resources found prior to or during construction and application of appropriate mitigation measures. Implementation of these policies reduce impacts to historic resources to a less-than-significant level by requiring the scientific recovery and evaluation of any historic resources encountered, which would ensure that important scientific information that could be provided by these resources regarding history or prehistory is not lost. Therefore, potential impacts to historic resources as a result of implementation of the General Plan Amendments and Municipal Code Revisions would be less than significant.

- b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5?**

Less-than-Significant Impact

The City is situated on lands that were likely inhabited by various Native American tribes. Also, there are sites that have historic value. The region within which Yuba City lies is part of a valley that was formerly composed of extensive wetlands and broad, shallow lakes. Because of this location and availability of resources, it is believed that different tribes occupied the area on a year-round basis for approximately 10,000 years. However, due to siltation of the area over the years, prehistoric sites have been buried at such depths that very little, if any, evidence remains at the surface. Original land clearing and a hundred years of farming have further diminished any likely archaeological sites.

Current General Plan Policies 8.3-I-4, 8.3-I-5 and 8.3-I-6 incorporate specific measures to identify, protect, and preserve cultural resources into the City planning and environmental review processes. These policies require monitoring of ground-disturbing activities in archaeologically and culturally sensitive areas, as well as evaluation by a qualified archaeologist of cultural resources found prior to or during construction and application of appropriate mitigation measures, and consultation, as appropriate, with Native American Tribes before resumption of development activities. Implementation of these policies reduce impacts to archaeological resources to a less-than-significant level by requiring the scientific recovery and evaluation of any archaeological resources encountered, which would ensure that important scientific information that could be provided by these resources regarding history or prehistory is not lost. Therefore, potential impacts to archaeological and Native American resources as a result of implementation of the General Plan Amendments and Municipal Code Revisions would be less than significant.

c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

No Impact

There are no unique paleontological resources or geologic features in the City. Therefore, implementation of the General Plan Amendments and Municipal Code Revisions would result in no impact.

d) Disturb any human remains, including those interred outside of formal cemeteries?

Less-than-Significant Impact

Human burials, in addition to being potential archaeological resources, have specific provisions for treatment in Section 5097 of the California Public Resources Code. Disturbing human remains could violate the health code, as well as destroy the resource. Current General Plan Policies 8.3-I-4, 8.3-I-5 and 8.3-I-6 incorporate specific measures to identify, protect, and preserve cultural resources into the City planning and environmental review processes. These policies also require monitoring of ground-disturbing activities in archaeologically and culturally sensitive areas, as well as evaluation by a qualified archaeologist of cultural resources found prior to or during construction, application of appropriate mitigation measures, and consultation, as appropriate, with Native American Tribes before resumption of development activities. These policies provide substantial protection to human burials by protecting and ensuring the appropriate treatment of the archaeological contexts within which these burials would be most likely to be encountered. Therefore, the potential impacts to human remains by any projects pursuant to the General Plan Amendments and Municipal Code Revisions would be reduced to less than significant.

3.6 Geology and Soils

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in onsite or offsite landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Would the project:

- a) **Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:**
 - i) **Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.**

Less-than-Significant Impact

According to the Yuba City General Plan, no active earthquake faults are known to exist in Sutter County, although active faults in the region could produce ground motion in Yuba City (Dyett & Bhatia, 2004). The closest known fault zone is the Bear Mountain Fault Zone, located approximately 20 miles northeast of Yuba City (California Geological Survey [CGS], 2015). Because the distance from the City to the closest known active fault zone is large, the potential for General Plan Amendments and Municipal Code Revisions to expose people or structures to substantial adverse effects from fault rupture is low.

In addition, the General Plan Amendments and Municipal Code Revisions would not result in an increased demand for housing and contains no housing component. Therefore, the project would not result in an increase in population that could be exposed to rupture of a known earthquake fault. However, future development under the General Plan Amendments would include potential reconstruction of levees and stormwater and flood management infrastructure expansion. These structures could be affected by effects of fault rupture. Therefore, impacts associated with rupture of a known fault would be less than significant.

- ii) **Strong seismic ground shaking?**

Less-than-Significant Impact

Any potential future development projects under General Plan Amendments and Municipal Code Revisions would be subject to the Uniform Building Code (UBC) and the California Building Code (CBC), therefore the design and construction of the structures would be engineered to withstand the expected ground acceleration that may occur in Yuba City from regional active faults. Proper engineering and adherence to the UBC and CBC guidelines would minimize the risk to life and property from potential ground motion. Therefore, impacts associated with strong seismic ground shaking would be less than significant.

- iii) **Seismic-related ground failure, including liquefaction?**

Less-than-Significant Impact

Liquefaction is a phenomenon where loose, saturated, and relatively uncohesive soil deposits lose strength during strong ground motions. Primary factors controlling the development of liquefaction include intensity and duration of ground accelerations, characteristics of the subsurface soil, *in situ* stress conditions, and depth to groundwater. According to the Yuba City General Plan, no active earthquake faults are known to exist in Sutter County, although active faults in the region could produce ground motion in Yuba City (Dyett & Bhatia, 2004). Therefore, impacts associated with seismic-related ground failure, including liquefaction, would be less than significant.

iv) Landslides?***Less-than-Significant Impact***

According to the Yuba City General Plan, no active earthquake faults are known to exist in Sutter County, although active faults in the region could produce ground motion in Yuba City (Dyett & Bhatia, 2004). Since the potential for ground shaking is low to moderate and regional topography is relatively flat, it is unlikely that landslides would occur in Yuba City. Therefore, impacts associated with landslides would be less than significant.

b) Result in substantial soil erosion or loss of topsoil?***Less-than-Significant Impact***

According to the Yuba City General Plan, the potential erodibility of soil in Yuba City is considered slight, since the topography is generally flat and annual precipitation levels and wind velocities are low (Dyett & Bhatia, 2004). Furthermore, any potential future development projects under General Plan Amendments and Municipal Code Revisions would be subject to the City's General Plan implementation policy (Section 9.2-I-6), which requires erosion control of graded areas with revegetation or other acceptable methods (Dyett & Bhatia, 2004). In addition, the Regional Water Quality Control Board requires Stormwater Pollution Prevention Plans (SWPPP) prior to construction. SWPPPs have extensive erosion control measures to ensure that erosion is limited to the fullest extent feasible. Compliance with the General Plan and construction period SWPPP would ensure a less-than-significant impact.

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in onsite or offsite landslide, lateral spreading, subsidence, liquefaction, or collapse?***Less-than-Significant Impact***

As discussed in Section 3.6 Impacts (a-b), impacts associated with landslides and liquefaction would be less than significant. According to the Yuba City General Plan, subsidence hazard overall is low in Yuba City since the Sacramento and Feather Rivers provide significant groundwater recharge and since most residents do not rely on groundwater for drinking water supply. In addition, there are no natural gas or oil withdrawals in the City (Dyett & Bhatia, 2004). Therefore, the General Plan Amendments and Municipal Code Revisions would have a less-than-significant impact.

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1997), creating substantial risks to life or property?***Less-than-Significant Impact***

Expansive soils have the potential to significantly shrink or swell with changes in moisture content. According to the Yuba City General Plan, the extreme southwestern corner of the City is the only area with expansive soils (Dyett & Bhatia, 2004). Any projects that may be developed in this portion of the City under General Plan Amendments and Municipal Code Revisions would be subject to applicable engineering and City building code requirements, which would ensure that they are developed in a way that minimizes the possible effects of expansive soils. Compliance with existing code regulations would ensure a less-than-significant impact.

- e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste disposal systems where sewers are not available for the disposal of wastewater?**

No Impact

The General Plan Amendments do not include policies that would lead to development projects with septic tanks or alternative wastewater systems. In addition, the Municipal Code Revisions do not address or modify requirements on septic tanks or alternative wastewater systems. Therefore, no impact would occur.

3.7 Greenhouse Gas Emissions

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Would the project:

- a) **Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?**

Less-than-Significant Impact

The General Plan Amendments and Municipal Code Revisions do not propose any specific development proposals or infrastructure construction that would generate greenhouse gas emissions either directly or indirectly. However, potential future development projects such as levee improvements and expansion of flood management infrastructure are included in the General Plan Amendments. Any future development projects pursuant to the General Plan Amendments would be subject to all applicable City regulations and requirements, as well as subject to further CEQA analysis of project-specific impacts.

The FRAQMD has not adopted recommended threshold of significance for greenhouse gas emissions. For reference, a preliminary emissions analysis was conducted using CalEEMod to estimate a maximum construction scenario that would still be less than the FRAQMD's recommended thresholds of significance for criteria air pollutants (refer to Section 3.3(b)). The maximum-activity construction scenario that would result in less-than-significant criteria pollutants would also generate approximately 301 metric tons of carbon dioxide equivalents (MTCO₂e). The analysis scenario involves more equipment at a greater use than would occur to implement individual potential future development under the General Plan Amendments. Construction-period greenhouse gas emissions from potential future projects would be temporary in nature, limited in scope and duration, and would have a less than significant impact on the environment.

- b) **Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?**

No Impact

Significant impacts would occur if the proposed project conflicted with or interfered with implementation of any existing GHG reduction plan that is projected to achieve greenhouse gas reduction targets. The City is in the process of developing a GHG reduction plan (*Draft City of Yuba City Resource Efficiency Plan*); however this plan has not been adopted. Therefore, the primary reduction plan is Sacramento Area Council of Governments' (SACOG) Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP/SCS).

The General Plan Amendments associated with flooding hazards do not propose any specific development proposals or infrastructure construction that would affect land use and increase population growth and associated vehicle miles traveled, which would interfere with implementation of the MTP/SCS. In addition, any future development projects pursuant to the General Plan Amendments would be subject to all applicable City regulations and requirements, as well as subject to further CEQA analysis of project-specific impacts. Therefore, the General Plan Amendments would not interfere with implementation of the MTP/SCS. No impact would occur.

3.8 Hazards and Hazardous Materials

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Would the project:

- a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?**

Less-than-Significant Impact

The General Plan Amendments and Municipal Code Revisions would not result in the routine transport, use, or disposal of hazardous materials. Construction activities associated with levee improvements or stormwater and flood management facilities expansion projects included in the General Plan Amendments may require use of common but potentially hazardous construction materials, including vehicle fuels, paints, cleaning materials, and caustic construction compounds. If incorrectly transported, handled, or disposed of, these substances could pose a potential health risk to construction workers and to the general public. However, the transport and handling of these common, potentially hazardous materials at the project site would occur in accordance with California Occupational Safety and Health Administration (Cal OSHA) guidelines. Further, such materials would be disposed of in accordance with California Department of Toxic Substances Control (DTSC) and County regulations. Adherence to federal, State, and local regulations regarding the use and disposal of hazardous materials and wastes would reduce to a less-than-significant level the potential for impacts to human health and safety and the environment in relation to the handling, disposal, and transport of hazardous construction materials. Therefore, the General Plan Amendments and Municipal Code Revisions would have a less-than-significant impact on this environmental issue.

- b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?**

Less-than-Significant Impact

The General Plan Amendments would likely require potential future construction projects, including levee improvements and reconstruction, and stormwater and flood management facilities expansion. These construction activities may dispose hazardous construction materials, and if they are not properly handled and released into the environment in large enough quantities, these materials could pose a threat to construction workers and public safety. However, demolition and construction activities involving hazardous materials removal are heavily regulated, and construction workers must comply with applicable federal and State safety regulations. Compliance with such regulations would reduce the risk on the surrounding environment and worker health to a less-than-significant impact.

- c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?**

Less than Significant Impact

As discussed in Section 3.8 Impacts (a-b), any potential future development projects under the General Plan Amendments and Municipal Code Revisions would be subject to federal, State, and local regulations regarding the use and disposal of hazardous materials and wastes. Therefore, indirect effects associated with potential future projects, including sites within one-quarter mile of an existing or proposed school, would have a less than significant impact due to compliance with such regulations.

- d) Be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment?**

Less-than-Significant Impact

According to the DTSC EnviroStor and California State Water Resources Control Board (SWRCB) GeoTracker databases, there are approximately 160 hazardous materials/waste cleanup and/or permitted sites in City of Yuba City (DTSC, 2016; SWRCB, 2016). Any potential future development projects under General Plan Amendments and Municipal Code Revisions would be subject to environmental review, which would include a search of appropriate databases (i.e., EnviroStor, GeoTracker) to determine whether the proposed site is a listed hazardous materials site and the status of the site (i.e., whether further evaluation or cleanup action is required or if the case has received regulatory closure and no further action is required). If located on a listed hazardous materials site, the proposed project would be required to comply with applicable federal, State, and local regulations related to hazardous materials, which would ensure there would be minimal risk of significant hazard to the public or the environment. Therefore, this impact would be less than significant.

- e) For a project located within an airport land use plan, or, where such a plan has not been adopted, within two miles of a public use airport, would the project result in a safety hazard for people residing or working in the project area?**

Less-than-Significant Impact

The eastern portion of Yuba City is located within the airport influence areas of the Sutter County Airport and Yuba County Airport (Airport Land Use Commission [ALUC], 1994, 2011). The potential future projects under General Plan Amendments include levee improvements and reconstruction, and stormwater and flood management facilities expansion, and these potential projects would not be likely to pose an aviation safety hazard. Moreover, the Comprehensive Land Use Plans (CLUPs) adopted by the Sutter County and Yuba County airports designate safety zones around the airport prohibiting certain types of land uses within the airport safety areas. These safety zones define the areas within which the ALUC guidelines are applied and address safety compatibility planning issues and alternatives. Any projects to be constructed within the planning areas would be required to be reviewed and approved by the Sacramento Area Council of Governments (SACOG), which acts as the ALUC for Sacramento, Sutter, Yolo, and Yuba counties. If any potential future project under the General Plan Amendments is determined to present a safety hazard, appropriate design revisions and/or mitigation measures would be required to reduce this impact to less than significant on a project level and reduce or avoid the safety hazard to the satisfaction of the ALUC. Therefore, there would be no increased safety risk to aircraft or to persons residing or working in the project area as a result of the General Plan Amendments and Municipal Code Revisions.

- f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?**

No Impact

There are no private airports or airfields located within the City limits of Yuba City. The closest private airstrip is the Vanderford Ranch Company Airport, located approximately six miles southwest of the City. Therefore, the General Plan Amendments and Municipal Code Revisions would not result in a safety hazard associated with a private airstrip. No impact would occur.

g) Impair implementation of or physically interfere with an adopted emergency plan or emergency evacuation plan?

Less-than-Significant Impact

The General Plan Amendments and Municipal Code Revisions do not propose any specific development proposals or infrastructure construction. However, potential development projects such as levee improvements and expansion of flood management infrastructure are included in the General Plan Amendments. Potential future projects include levee improvements and reconstruction, and stormwater and flood management facilities expansion; so, it is possible that future projects would require temporary road closures during their construction, which could adversely affect evacuation during an emergency event or emergency response. However, these potential future projects would mostly be far from high density residential and commercial areas, and any closures would be short term, and alternate routes would be provided as necessary. It is unlikely that these actions would significantly interfere with adopted emergency response or evacuation plans. Furthermore, all potential future projects would be subject to further CEQA analysis of project-specific impacts. Therefore, this impact would be less than significant.

h) Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

No Impact

According to the Yuba City General Plan, the Yuba City Fire Department (YCFD) provides fire protection and suppression services and responds to structural and wildland fires in the City (Dyett & Bhatia, 2004). As of June 2008, Cal Fire has determined that there are no Very High Fire Hazard Severity Zones in Yuba City or Sutter County (Cal Fire, 2008). Therefore, there would be no impact.

3.9 Hydrology and Water Quality

Would the project:		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
a)	Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level that would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation onsite or offsite?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding onsite or offsite?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	Create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f)	Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g)	Place housing within a 100-year flood hazard area, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h)	Place structures that would impede or redirect flood flows within a 100-year flood hazard area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i)	Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j)	Expose people or structures to inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Would the project:

a) Violate any water quality standards or waste discharge requirements?

Less-than-Significant Impact

General Plan Amendments and Municipal Code Revisions do not propose any specific development proposals or infrastructure construction. However, potential development projects such as levee improvements and expansion of flood management infrastructure are included in the General Plan Amendments. As shown in Section 3.10(b), the General Plan Amendments are consistent with the City's General Plan. Development of projects in the City pursuant to the General Plan Amendments would be subject to General Plan policies, which require new construction to utilize best management practices such as site preparation, grading, and foundation designs for erosion control to prevent sediment runoff into waterways, specifically the Feather River, per Policy 8.5-I-7. Therefore, the impact would be less than significant.

b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level that would not support existing land uses or planned uses for which permits have been granted)?

Less-than-Significant Impact

General Plan Amendments policies 8.5-I-2 and 8.5-I-3 require new development to preserve areas that provide important groundwater recharge and propose the development of a regional groundwater sustainability plan. Therefore, projects pursuant to the General Plan Amendments and Municipal Code Revisions would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge. The impact would be less than significant.

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation onsite or offsite?

Less-than-Significant Impact

General Plan Amendment 8.1-G-2 and 8.5-I-2 promote the enhancement of open space feature of the Heather River, including drainages, and require new development to preserve natural drainage areas. Furthermore, current General Plan Policies 8.5-I-7, 9.3-I-3 and 9.3-I-6, require projects to conduct a drainage study and work with Sutter County to establish drainage areas that serve the entire Planning Area for any new development. Compliance with current requirements and implementation of proposed General Plan Amendments and Municipal Code Revisions would reduce any risk of substantial erosion or siltation to less than significant.

d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding onsite or offsite?

Less-than-Significant Impact

Refer to discussion in Section 3.9(c) above.

- e) Create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?**

Less-than-Significant Impact

Refer to discussion in Sections 3.9(a) and (c) above.

- f) Otherwise substantially degrade water quality?**

Less-than-Significant Impact

Refer to discussion in Section 3.9(a) above.

- g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?**

No Impact

General Plan Amendment 8.1-I-5 prohibits new urban development in designated floodplain areas therefore, there would be no impact. The Municipal Code Revisions assist in implementing the General Plan Amendments; therefore, there would be no impact.

- h) Place structures that would impede or redirect flood flows within a 100-year flood hazard area?**

No Impact

Refer to discussion in Section 3.9(g) above.

- i) Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?**

Less-than-Significant Impact

There are 10 dams located outside Sutter County that could cause significant flooding should failure occur, among which there are six dams that are located on the Feather River and Yuba River. Failure of any one of these dams could cause significant flooding in Yuba City. These dams are under the jurisdiction of the California Department of Water Resources (DWR), Yuba County Water Agency, Pacific Gas & Electric, and the Corps of Engineers. General Plan Amendments 8.1-I-5, 9.3-I-3 and 9.3-I-14 prohibit new urban development in designated floodplain areas and promote levee improvements. Therefore, the General Plan Amendments and Municipal Code Revisions would minimize the effects of flooding to existing and prospective development and impacts would be less than significant.

- j) Expose people or structures to inundation by seiche, tsunami, or mudflow?**

No Impact

A seiche is the periodic oscillation of a body of water resulting from seismic shaking. The City is not close to any big lakes so seiche is unlikely to happen to the City. A tsunami is a very large ocean wave caused by an underwater earthquake or volcanic eruption. The City is located inland from the Pacific Ocean, so people or structures in the City would not be exposed to inundation by tsunami. Mudflows are shallow water-saturated landslides that travel rapidly down slopes carrying rocks, brush, and other debris. Landslides are unlikely to happen due to the relatively flat topography. Thus, it is unlikely that Yuba City would be subject to inundation by a seiche, tsunami, or mudflow. Therefore, there is no impact.

3.10 Land Use and Planning

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the General Plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Would the project:

a) Physically divide an established community?

Less Than Significant Impact

The General Plan Amendments requires land uses planning to fully consider flood risks. However, the established communities should be located in identified low flood risk areas, so the General Plan Amendments would be unlikely to change existing land use designations. If any established community is further identified within new high flood risk area, the community may be physically divided, but all the division activities would be subject to further CEQA analysis of project-specific impacts. The Municipal Code Revisions assist in implementing the General Plan Amendments. Therefore, the impacts would be less than significant.

b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the General Plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

Less-than-Significant Impact

The General Plan Amendments are an addition to the Yuba City General Plan to be consistent with SB5 and AB 162 to better identify flood risks and provide a more comprehensive and detailed framework for land-based policy decisions to build a safe City. All of the policies in the City's General Plan were written to maximize efficient use of resources, maintain a high quality of life, enhance job opportunities, promote sustainability, and facilitate access to transportation facilities. Any potential construction activities under the General Plan Amendments would be required to be consistent with General Plan policies to obtain approval. The Municipal Code Revisions assist in implementing the General Plan Amendments. Therefore, the General Plan Amendments and Municipal Code Revisions are consistent with the General Plan and the impact is considered less than significant.

c) Conflict with any applicable habitat conservation plan or natural community conservation plan?***No Impact***

As discussed in Section 5.4(f), the Yuba-Sutter Resource Conservation Plan (YSRCP) is the applicable habitat conservation plan for areas within Yuba and Sutter counties. Development of the YSRCP is still in progress, with only the list of covered species and covered activities identified. However, the current YSRCP Planning Area map shows boundaries that exclude the City and the City's sphere of influence (CDFW, 2016). Therefore, any potential projects under the General Plan Amendments and Municipal Code Revisions would be located outside of the YSRCP's Planning Area and not subject to YSRCP policies or requirements. As a result, there would be no impact.

3.11 Mineral Resources

Would the project:		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
a)	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Would the project:

- a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?**

No Impact

Loss of the availability of mineral resources generally is due to the placement of incompatible land uses, which either directly or indirectly make the resource inaccessible for future extraction. The Yuba City General Plan does not recognize any mineral resource zone within the City's boundary, and no mineral extraction facilities currently exist in the vicinity of the City. Additionally, the City is currently mostly occupied by residential land uses, which generally are considered incompatible with mineral extraction facilities. Therefore, implementation of the General Plan Amendments and Municipal Code Revisions would not result in the loss of availability of a known mineral resource. No impact would occur.

- b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?**

No Impact

Refer to discussion in Section 3.11(a) above.

3.12 Noise

Would the project result in:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Would the project:

- a) **Expose persons to or generate noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?**

Less-than-Significant Impact

The General Plan Amendments and Municipal Code Revisions do not propose any specific development proposals or infrastructure construction. However, potential development projects such as levee improvements and expansion of flood management infrastructure are included in the General Plan Amendments and may result in a temporary increase in noise during construction. Current General Plan Policy 9.1-I-2 requires a noise study and mitigation for all projects that have noise exposure greater than “normally acceptable” levels. Any future development projects pursuant to the General Plan Amendments would be subject to all applicable City regulations and requirements, as well as subject to further CEQA analysis of project-specific impacts. The Municipal Code Revisions assist in implementing the General Plan Amendments. Therefore, the General Plan Amendments and Municipal Code Revisions would not result in any substantial noise impacts and impacts would be less than significant.

b) Expose persons to or generate excessive groundborne vibration or groundborne noise levels?***Less-than-Significant Impact***

The General Plan Amendments and Municipal Code Revisions do not propose any specific development proposals or infrastructure construction. However, potential development projects such as levee improvements and expansion of flood management infrastructure are included in the General Plan Amendments and may result in a temporary increase in vibration during construction. Any future development projects pursuant to the General Plan Amendments would be subject to all applicable City regulations and requirements, as well as subject to further CEQA analysis of project-specific impacts. Therefore, the General Plan Amendments and Municipal Code Revisions would not result in any substantial vibration impacts and impacts would be less than significant.

c) Cause a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?***Less-than-Significant Impact***

The General Plan Amendments and Municipal Code Revisions do not propose any specific development proposals or infrastructure construction. However, potential development projects such as levee improvements and expansion of flood management infrastructure are included in the General Plan Amendments and may result in a temporary increase in noise during construction. Any future development projects pursuant to the General Plan Amendments would be subject to all applicable City regulations and requirements, as well as subject to further CEQA analysis of project-specific impacts. Therefore, the General Plan Amendments would not result in any substantial noise impacts and impacts would be less than significant.

d) Cause a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?***Less-than-Significant Impact***

The General Plan Amendments and Municipal Code Revisions do not propose any specific development proposals or infrastructure construction. However, potential development projects such as levee improvements and expansion of flood management infrastructure are included in the General Plan Amendments and may result in a temporary increase in noise during construction. Current General Plan Policy 9.1-I-2 requires a noise study and mitigation for all projects that have noise exposure greater than “normally acceptable” levels. Any future development projects pursuant to the General Plan Amendments would be subject to all applicable City regulations and requirements, as well as subject to further CEQA analysis of project-specific impacts. Therefore, the General Plan Amendments and Municipal Code Revisions would not result in any substantial noise impacts and impacts would be less than significant.

e) For a project located within an airport land use plan, or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?***Less-than-Significant Impact***

The eastern portion of Yuba City is located within the airport influence areas of the Sutter County Airport and Yuba County Airport (Airport Land Use Commission [ALUC], 1994, 2011). The General Plan Amendments and Municipal Code Revisions do not propose any specific development proposals or infrastructure construction. However, potential development projects such as levee improvements and

expansion of flood management infrastructure are included in the General Plan Amendments and may result in a temporary increase in noise during construction. Current General Plan Policy 9.1-I-2 requires a noise study and mitigation for all projects that have noise exposure greater than “normally acceptable” levels. Any future development projects pursuant to the General Plan Amendments would be subject to all applicable City regulations and requirements, as well as subject to further CEQA analysis of project-specific impacts. Therefore, the General Plan Amendments and Municipal Code Revisions would not result in any substantial noise impacts and impacts would be less than significant.

f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

No Impact

There are no private airports or airfields located within the City limits of Yuba City. The closest private airstrip is the Vanderford Ranch Company Airport, located approximately six miles southwest of the City. Therefore, the General Plan Amendments and Municipal Code Revisions would not result in excessive noise levels associated with a private airstrip. No impact would occur.

3.13 Population and Housing

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Would the project:

- a) **Induce substantial growth in an area either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?**
- b) **Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?**
- c) **Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?**

No Impact

The General Plan Amendments and Municipal Code Revisions do not propose any specific development projects or infrastructure construction that would result in an increase in population, housing, or jobs; therefore, the project would not induce substantial growth, increase demand for housing, or displace substantial numbers of people. There would be no impact on population and housing.

3.14 Public Services

Would the project:

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
a) Result in substantial adverse physical impacts associated with the provision of or need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:				
i. Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii. Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv. Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
v. Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Would the project:

a) Result in substantial adverse physical impacts associated with the provision of or need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any public services:

i) Fire protection?

ii) Police protection?

iii) Schools?

iv) Parks?

v) Other public facilities?

No Impact

The General Plan Amendments and Municipal Code Revisions do not propose any specific development projects or infrastructure construction that would change resident population or total jobs in the City. Demand for public services, including all the services above, is based on service population, which is a total of resident population and jobs. Thus, the General Plan Amendments and Municipal Code Revisions would not affect the demand for public services. No impact would occur.

3.15 Recreation

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Would the project:

- a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?**

No Impact

The General Plan Amendments and Municipal Code Revisions would not include any site-specific designs or proposals, grant any entitlements for development, or change resident population or total jobs in the City. Since demand for parks and recreational facilities is based on population and there would be no population increase as a result of the General Plan Amendments, there would be no need for the construction or expansion of recreational facilities that might have an adverse physical effect on the environment. Therefore, no impact would occur.

- b) Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?**

No Impact

No new recreational facilities or expansion of existing facilities are proposed as part of the General Plan Amendments or Municipal Code Revisions, nor would be warranted or required for implementation of the General Plan Amendments or Municipal Code Revisions. Therefore, no impact would occur.

3.16 Transportation/Traffic

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including, but not limited to, intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Would the project:

- a) **Conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including, but not limited to, intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?**

Less Than Significant Impact

The General Plan Amendments and Municipal Code Revisions would not directly increase traffic in relation to the existing traffic load and capacity of the system. However, the potential future construction activities under the General Plan Amendments, for example levee improvements, may temporarily increase traffic volumes. But these activities would be short term and intermittent, and all future proposed projects

would be subject to further CEQA analysis of project-specific impacts. Therefore, the General Plan Amendments and Municipal Code Revisions would have a less than significant impact.

- b) Conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?**

Less Than Significant Impact

Refer to Section 3.16 Impact (a). The General Plan Amendments and Municipal Code Revisions would likely have a temporary and intermittent effect in congestion because of potential construction activities, but the impact would be less than significant.

- c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?**

No Impact

The General Plan Amendments and Municipal Code Revisions would not result in changes in air traffic. As such, no impact would occur.

- d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?**

No Impact

The General Plan Amendments and Municipal Code Revisions do not include any potential constructions that would substantially increase hazards, nor would it construct incompatible uses. Furthermore, any future development projects under the General Plan Amendments would be subject to all applicable City regulations and requirements, as well as subject to further CEQA analysis of project-specific impacts, which would occur with or without the General Plan Amendments. The City of Yuba City's zoning regulations, standard development conditions, and design guidelines address site and building design. Therefore, the General Plan Amendments and Municipal Code Revisions would not result in any substantial increase in hazards due to design features or incompatible uses. No impact would occur.

- e) Result in inadequate emergency access?**

Less Than Significant Impact

As discussed above in Section 3.8 Impact (g), the General Plan Amendments and Municipal Code Revisions would likely require potential future construction projects, so it is possible that future projects or actions could require temporary road closures during their construction, which could adversely affect evacuation during an emergency event or emergency response. However, any closures would be short term, and alternate routes would be provided as necessary. It is unlikely that these actions would significantly interfere with adopted emergency response or evacuation plans. Furthermore, all future potential projects would be subject to further CEQA analysis of project-specific impacts. Therefore, this impact would be less than significant.

f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

No Impact

Existing and planned bicycle facilities are identified in the Yuba-Sutter Bikeway Master Plan (Fehr & Peers, 1995). The General Plan Amendments and Municipal Code Revisions would not directly have any impacts on transportation facilities. Therefore, the General Plan Amendments and Municipal Code Revisions would not decrease the performance or safety of any alternative transportation facility. No impact would occur.

3.17 Utilities and Service Systems

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, State, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Would the project:

- a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?**

No Impact

The General Plan Amendments and Municipal Code Revisions would not include any site-specific designs or proposals, grant any entitlements for development, or change resident population or total jobs in the City. Therefore, the General Plan Amendments and Municipal Code Revisions would not result in additional sources of wastewater. The project would not exceed the wastewater treatment requirements of the Central Valley Regional Water Quality Control Board. No impact would occur.

b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

No Impact

Yuba City owns, operates, and maintains a wastewater collection, treatment, and disposal system that provides sewage service for the entire area served by the City water supply, except for those customers utilizing septic tanks (Carollo, 2011). However, the General Plan Amendments and Municipal Code Revisions only focus on flood risk control and do not change the City's current water demand, so would not require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities. Therefore, no impact would occur.

c) Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Less-than-Significant Impact

Per General Plan Amendments Policy 9.3-I-16, due to changes in climate, precipitation, or extreme weather event, stormwater and flood management infrastructure expansion may be required. However, those potential projects would require additional CEQA analysis to determine the extent of possible impacts based on project-specific information. The Municipal Code Revisions assist in implementing the General Plan Amendments. Therefore, the General Plan Amendments and Municipal Code Revisions would have a less-than-significant impact.

d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

No Impact

The General Plan Amendments and Municipal Code Revisions would not cause an increase in population. Thus, no new water supplies would be required. Therefore, no impact would occur.

e) Result in determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

No Impact

Refer to discussion in Section 3.17 Impact (b) above.

f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

No Impact

The General Plan Amendments and Municipal Code Revisions would not result in an increase in population. Thus, a significant increase in solid waste generation is not expected. Therefore, no impact would occur.

g) Comply with federal, State, and local statutes and regulations related to solid waste?

No Impact

The General Plan Amendments and Municipal Code Revisions do not recommend any strategy or measure that does not comply with applicable solid waste regulations. Therefore, no impact would occur.

3.18 Mandatory Findings of Significance

Does the project:

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Does the project:

- a) **Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?**

Less-than-Significant Impact

As discussed in Section 3.4 (Biological Resources), the General Plan Amendments and Municipal Code Revisions would not result in development in areas of sensitive biological habitat, wetlands, or riparian areas, nor would it interfere with wildlife movement. Continued compliance with existing regulations would ensure that future projects would have a less-than-significant impact on plant and wildlife species and their habitat. Furthermore, future projects intended to implement General Plan Amendments would be subject to applicable federal, State, and local regulations that protect such resources. This impact is less than significant

As discussed in Section 3.5 (Cultural Resources), the General Plan Amendments and Municipal Code Revisions would have no direct impact on prehistoric and historic resources. Continued compliance with existing regulations would ensure that the project would have a less-than-significant impact on prehistoric and historic resources. Furthermore, future projects to implement the General Plan Amendments and

Municipal Code Revisions would be subject to further CEQA analysis of project-specific impacts. This impact is less than significant.

- b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)**

Less-than-Significant Impact

The General Plan Amendments and Municipal Code Revisions would not result in any adverse environmental impacts that are cumulatively considerable. The purpose of the General Plan Amendments is to reduce flood risks and improve community safety, which would have beneficial cumulative environmental effects. All impacts evaluated throughout this initial study are considered to be no impact or less than significant. Therefore, it is unlikely that any impact would substantially contribute to a significant cumulative impact.

- c) Have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?**

Less-than-Significant Impact

The General Plan Amendments and Municipal Code Revisions would not result in substantial adverse effects on human beings, either directly or indirectly. All impacts evaluated throughout this initial study are considered to be no impact or less than significant. Therefore, it is unlikely that any impact would substantially contribute to a significant adverse effect on human beings.

4.0 References

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