

**SUTTER COUNTY LOCAL AGENCY FORMATION COMMISSION  
MINUTES**

Date: December 1, 2005  
Yuba City Council Chambers  
201 Civic Center Blvd., Yuba City

**1. CALL TO ORDER**

Chairperson White called the meeting to order at 4:00 p.m.

**2. ROLL CALL**

Members Present: Commissioners: Nelson, Hellberg, Richards, Islip, Hager, Munger and Chairperson White

Members Absent: None

Staff Present: Assistant Executive Officer Curt Coad, LAFCO Counsel Janet Bender, Senior Planner Doug Libby, and Office Assistant Gail Gould

**3. PLEDGE OF ALLEGIANCE**

Commissioner Hager led the audience, staff and Commission in the Pledge of Allegiance.

**4. APPROVAL OF MINUTES**

On motion by Commissioner Munger, seconded by Commissioner Islip, the minutes of October 27, 2005 were approved as submitted.

The motion was carried by a unanimous voice vote.

**5. PUBLIC HEARINGS**

Chairperson White stated a request had been received from a representative of Yuba City Unified School District to move #04-02 to the first item because the representative has to attend another meeting. It was the consensus of the Commission to move application #04-02 to the first item on the agenda.

**LAFCO-04-02: Yuba City Unified School District Reorganization No. 321 - A reorganization of territory requesting to annex 37.88 acres to the City of Yuba City and detachment of the land from County Service Area "G". The affected territory is located at the northwest corner of the intersection of Stewart Road and the Garden Highway; Assessor's parcel 23-101-036. (Item continued from the October 27, 2005, meeting)**

Senior Planner Libby summarized the previously circulated staff report.

Chairperson White opened the public hearing.

Baldev Johal, Deputy Superintendent of Yuba City Unified School District, stated it is critical to meet the growing needs for additional schools and this annexation is the future site of an elementary school. With the rapid growth in Yuba City we need to go forward as fast as possible. Also, the annexation will avail them of City services they need before this project can go forward.

Chairperson White closed the public hearing.

Senior Planner Libby stated that since this was heard out of order, this resolution and the following resolutions must be renumbered.

It was moved by Commissioner Nelson and seconded by Commissioner Islip to adopt Resolution No. 2005-09, making determinations and approving the reorganization of territory designated as Yuba City School District Reorganization No. 321. The motion was carried by a unanimous roll call vote.

**LAFCO-05-03: Tatla/Walker Reorganization No. 326 - A reorganization of territory proposing to annex 17.83 acres to the City of Yuba City and detachment of the land from County Service Area G. The City of Yuba City has requested to have the boundaries of the proposal expanded to include the land generally described as being located between Hooper Road and a point midway between Elmer Avenue and Blevin Road, lying between Vine Avenue on the south and the extension of Lizanne Drive on the north and comprises approximately 395± acres. (Item continued from the October 27, 2005, meeting)**

Senior Planner Libby summarized the previously circulated staff report and noted the area proposed for annexation is predominantly pre-zoned for single family residential uses and that the land is already zoned residentially by Sutter County. The density proposed is the same for both the City and County. The primary reason the area has not developed more is due to a lack of urban services such as sewer.

Commissioner Munger said he had concerns about the traffic flow in that area and would like the placement of traffic lights addressed. Chairperson White said traffic congestion was one of the questions previously raised by the schools.

Brian Trudgeon, with the city of Yuba City, stated they were looking at two areas on the map and both are considered master plan areas. Master plans will be prepared that will address water, sewer, drainage, and traffic. There is no way of knowing right now where traffic lights will go. Public hearing notices will be provided during the process of preparing the master plans for both of those areas prior to any development taking place.

Chairperson White asked if the residents would be able to comment on the master plans. Mr. Trudgeon replied there will be public hearings on the master plan before the City Planning Commission and City Council.

Chairperson White asked if the master plan area would be the complete annexation we are talking about here. Mr. Trudgeon replied it would.

Commissioner Nelson asked about the people who do not want to be part of the planning process and keep their land as it is. Mr. Trudgeon replied they may do that. The master plan will simply address the urban needs and the mechanism for financing infrastructure and affordable housing.

Chairperson White asked if someone using their land agriculturally could continue to do so in the future. Brian Trudgeon replied yes, as long as the use has not been interrupted for one year.

Commissioner Islip stated her main concern is the width and the traffic and asked if the roads were adequate now. Mr. Trudgeon replied they are right now, but if the land develops, they will not be adequate. He then discussed how the transportation system would be developed.

Chairperson White expressed concern about the roads west of Walton and south of Bridge, because sometimes the streets were blocked or partially blocked and the roadway half developed. Mr. Trudgeon said those were done before the new General Plan and new policies were implemented.

Commissioner Islip said she had concerns about Lincoln Road between Phillips and Highway 99. Mr. Trudgeon said, again, those were done prior to the adoption of the new General Plan. The developer now has to pay a fair share for development of the roads.

Chairperson White asked if it was the policy of the City to fully develop roads upon annexation. Brian Trudgeon replied it was.

Senior Planner Libby stated it was important to note that not too long ago many of the annexations before the Commission only proposed annexing the half-width on the roadways. Over the last several years, staff has proposed annexing the full width of roadways so those situations do not occur in the future.

Chairperson White stated that at the last meeting, there were several questions regarding the schools and that was continued to this meeting so a representative of the school district could be here. That representative is Baldev Johal, Deputy Superintendent of the Yuba City Unified School District. Chairperson White asked Mr. Johal what they plan on doing with the schools.

Mr. Johal replied in the last several years, they have constructed a new high school and elementary school that opened this fall and a new elementary school which opened last year. Most of the new construction is taking care of pre-

existing needs. Mr. Johal said it seems they are always playing catch-up. Mr. Johal stated the pace of development and new construction has increased so rapidly they find themselves in the interesting position of never getting quite close to having adequate school facilities. In the new master plan the developer must come and meet with the school district and discuss mitigation measures. The developer must be partners with the school district in developing the schools.

Chairperson White opened the public hearing and asked that the audience not reiterate testimony from the last meeting.

Randy Collins, of Reynen & Bardis, stated they proposed the original annexation. Mr. Collins said they met with several people, including the school district, and they are very open to discussing the opportunities for providing schools. Mr. Collins said he brought his civil engineer, who may be able to address some of the more specific questions regarding traffic improvements and traffic lights.

Devinder Tumber, 2179 Redding Avenue, Yuba City, stated he believed the City Council and planners have done an excellent job. He said he went around and talked to the majority of the farm owners he knows and everyone is for the annexation. He then showed an overhead with the people who are in favor of the annexation.

Bill Lindholm, Administrator of River Valley Christian Fellowship, 1764 Tierra Buena Road, Yuba City, stated they were annexed last July and very happy to be a part of the City of Yuba City. They are working with the City on some projects. They are in escrow to purchase three acres across from them to use for parking only for their church. He then gave two letters, written by residents in favor of the annexation, to Senior Planner Libby.

Joe Chima, 1581 Eden Way, Yuba City, stated he is supportive of the annexation. He then said we need to be supportive of business people.

Tom Tucker, 1495 Broadway, Marysville, stated he is a developer and is developing property adjacent to this proposed area; the Harter Specific Plan area. Mr. Tucker said he understands and heard a lot of the concerns and hopes he can put some of the concerns to rest. The City required they have a four-lane expressway as part of their development. When the City needed additional land, some of the owners of Harter donated over 20 acres of land to the City for infrastructure. In working with Yuba City staff, they will do a thorough job in planning this and it will eventually be a quality project.

David Lane, 1955 Elmer Avenue, Yuba City, stated he did not believe the mitigation measures on Item 6 of the Initial Study were enough. Standards for this property are 2 to 8 residences per acre. There is the possibility of 1,160 new homes. Mr. Lane discussed additional traffic trips per day, saying with the inclusion of commercial traffic, there could be 14,300 additional vehicle trips per day, effectively sealing off Butte House Road. Butte House Road is inadequate now and will be more so once the area is built-out. He also expressed concerns

about traffic on Elmer Road. A final concern raised by Mr. Lane was impacts to air quality as a result of subsequent development. Mr. Lane said in looking at traffic impacts in the environmental document, they have not been mitigated.

Rick Ballou, 2290 Elmer Avenue, Yuba City, stated he has a problem with growth only if it is not well planned and stated that Butte House is inadequate now and that there is no Pease interchange at Highway 99. Evacuation of that area would be impossible if it was ever required.

Richard Henrich, 1975 Elmer Avenue, Yuba City, stated he has lived there since 1972. He said at that time he had to divide the property to get the size lot he wanted and he was forced to donate a wide right-of-way on Elmer Avenue to the County. Now, they are saying Elmer Avenue is not adequate and they are going across his backyard taking his swimming pool and pool equipment and his leach lines with the new road. Mr. Henrich said he was not in favor of this.

Bob Mackensen, 1524 Grouse Way, Yuba City, stated all these annexations are essentially simultaneous. Now is the time to study this in a comprehensive way. Mr. Mackensen suggested this be continued to an evening or weekend so the working taxpayers can attend.

Lucy Campbell, 1855 Elmer Avenue, Yuba City, stated she was against this project because of the inadequacy of the roads.

Stephanie Ruscigno, 1660 Sharon Drive, Yuba City, stated we can't support what we have and why would we want to increase it so much. Traffic is very heavy now and the air quality is not good. This should be tabled for two years and the problems we have now are taken care of.

Chairperson White closed the public hearing.

Chairperson White asked for comments from George Musallam.

George Musallam, Public Works Director of Sutter County, stated he believes what we are dealing with right now is the annexation of the property, and there will be an extensive review of the actual development. The County works very closely with the City. One of the things they are looking at is the cumulative impacts. Drainage improvements will be built first.

Commissioner Hellberg said he would like Mr. Carter and Mr. Foltz to explain the policies the City has adopted and he would like to hear from City officials.

Brian Trudgeon stated in regard to the environmental document, Mr. Lanes is incorrect. This document specifically addressed the preannexation zoning of the property, and the annexation of the property, the detachment of it from the County into the City. There is no development project proposed. There was no evidence submitted to the City regarding future development.

Jeff Foltz, Yuba City Manager, stated LAFCO staff concurs with the environmental document. Mr. Foltz then talked about roadways, that what was enjoyed way back when in terms of the roadways must now be corrected. Mr. Foltz proceeded to discuss the new General Plan and the City's policies for development.

Commissioner Nelson clarified that the master plan takes a more detailed look at how things work than the General Plan.

Chairperson White closed the public hearing.

Commissioner Hellberg thanked Jeff Foltz for his discussion.

Chairperson White asked Senior Planner Libby about the sphere of influence. Senior Planner Libby replied the Yuba City sphere of influence in its current form was established in 1990. Senior Planner Libby said that to his knowledge an EIR was not done for establishing the sphere of influence boundary; however, the County discussed the sphere of influence boundary in its General Plan and accompanying EIR in its 1996 General Plan. It talked about the build out of the area and recognized this property for urban development. Subsequently, the City's General Plan also analyzed this area for urban development.

It was moved by Commissioner Hellberg and seconded by Commissioner Richards to adopt Resolution No. 2005-10, making determinations and approving the reorganization of territory designated as Tatla/Walker Reorganization No. 326. The motion was carried by a 6 to 1 roll call vote, with Commissioner Islip voting in opposition.

**LAFCO-05-04: South Butte House Road Reorganization No. 327 - A reorganization of territory proposing to annex 180± acres to the City of Yuba City and detachment of the land from County Service Area "G". The City of Yuba City has requested to expand the boundaries of the proposal in order to create a more logical governmental boundary. The enlarged area is generally described as being south of Butte House Road, east of Township Road, north of and including the existing bike/running path and west of the existing single family homes in Yuba City. The enlarged proposal totals 206± acres. (Item continued from the October 27, 2005, meeting)**

Senior Planner Libby summarized the previously circulated staff report.

Chairperson White stated he would like to hear from the City and County.

Brian Trudgeon, City of Yuba City, stated this area also and the 39 acres approved at the last meeting, as well as the area along Greene Lane, are all within the same master plan area. They received two of them--one for the 39 acres and one for the remaining piece, which you are looking at now. Those applicants will be getting together and working out everything between the two to

give us one master plan that addresses the entire 200 plus acres. Again, in that master plan we will address all infrastructure in accordance with the General Plan adopted as far as the ultimate development of Township Road, Butte House Road, and the intersections at 20 and Township. The City is now in the process of having a traffic study done that will address that entire area.

George Musallam, Public Works Director of Sutter County, stated the County will be looking at the traffic study and as a result of that study will be adding to the conditions of approval for tentative maps. Mr. Musallam said that the area of Dresser Road and Township Road has a drainage problem in a wet season and the development of this property will be a benefit for the area because it will help address those existing problem areas.

Chairperson White opened the public hearing.

Randy Collins, Reynen & Bardis, stated they have the same application and same general proposal for the property and was available to answer any questions.

Truth Snow, 2394 North Township Road, Yuba City, stated she had the same issues as last time. She said her property is not in the master plan for which she is happy. She talked about the traffic resulting from the KB Homes project on the frontage road. She said the City will not fix her road and was told it would be dealt with at a planning meeting on another thing. This needs to be brought up now.

Connie Williams, 2410 North Township Road, Yuba City, stated they have been hearing about the traffic study that will mitigate all problems in this area all year, but Mr. Trudgeon just said they are just starting it now. She asked when are they going to see this traffic study that mitigates all the problems on Township and Butte House Roads. She also asked when the houses were proposed to be built and how that coincides with the wastewater permits and the water lines that have to be run out there. Caltrans is doing a study at Township Road and Highway 20, but if houses are built before the infrastructure is in, it will be a great disservice.

Chairperson White closed the public hearing.

Commissioner Nelson discussed the responsibilities of LAFCO. He said the Commission is here to see if the annexation itself is appropriate by certain guidelines as set by LAFCO. They are not approving a project. This is a first step to the development of the land. Streets and roads and sewers are not LAFCO's responsibility at this particular level.

It was moved by Commissioner Hellberg and seconded by Commissioner Nelson to adopt Resolution No. 2005-11, making determinations and approving the reorganization of territory designated as South Butte House Road Reorganization No. 327. The motion was carried by a unanimous voice vote of the Commission.

6. **COMMENTS FROM THE PUBLIC**

None.

7. **ADJOURNMENT**

There being no further business before the Commission, the meeting was adjourned at 6:07 p.m.

Respectfully submitted,

Larry T. Combs  
Executive Officer

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