

# BOARD OF SUPERVISORS

## AGENDA

Meetings are located at:  
Yuba County Government Center  
Board Chambers, 915 Eighth Street  
Marysville, California



Agenda materials are available at the Yuba County Government Center, 915 8<sup>th</sup> Street, the County Library, 303 Second Street, Marysville, and [www.co.yuba.ca.us](http://www.co.yuba.ca.us). Any disclosable public record related to an open session item and distributed to all or a majority of the Board less than 72 hours prior to the meeting is available for public inspection at Suite 109 of the Government Center during normal business hours.

**JUNE 14, 2011**

**8:30 A.M. YUBA COUNTY WATER AGENCY**

**9:30 A.M. YUBA COUNTY BOARD OF SUPERVISORS - Welcome to the Yuba County Board of Supervisors meeting. As a courtesy to others, please turn off cell phones, pagers, or other electronic devices, which might disrupt the meeting. Thank you.**

I. **PLEDGE OF ALLEGIANCE** - Led by Supervisor Nicoletti

II. **ROLL CALL** - Supervisors Vasquez, Nicoletti, Griego, Abe, Stocker

III. **PUBLIC COMMUNICATIONS**: Any person may speak about any subject of concern provided it is within the jurisdiction of the Board of Supervisors and is not already on today's agenda. The total amount of time allotted for receiving such public communication shall be limited to a total of 15 minutes and each individual or group will be limited to no more than 5 minutes. Prior to this time speakers are requested to fill out a "Request to Speak" card and submit it to the Clerk of the Board of Supervisors. Please note: No Board action can be taken on comments made under this heading.

IV. **COUNTY DEPARTMENTS**

A. **Board of Supervisors**

1. Appoint one technical representative to the Bi-County Solid Waste Independent Hearing Panel with term ending January 19, 2014. (Ten minute estimate) (235-11)
2. Consider position on Assembly Bill 1178 Solid Waste: Place of Origin and take action as appropriate. (Fifteen minute estimate) (No background material) (236-11)
3. Consider reopening letter of support dated April 5, 2011 supporting Three Rivers Levee Improvement Authority Feather River Floodway Corridor project. (Fifteen minute estimate) (237-11)

V. **ORDINANCES AND PUBLIC HEARINGS**: If you challenge in court the action or decision of the Yuba County Board of Supervisors regarding a zoning, planning, land use or environmental protection matter made at any public hearing described in this notice, you may be limited to raising only those issues you or someone else raised at such public hearing, or in written correspondence delivered to the Yuba County Board of Supervisors at, or prior to, such public hearing.

A. **Ordinance** - Hold public hearing, waive reading, and adopt urgency ordinance adopting interim zoning provisions to ensure that physical development in the county occurs in conformity with the General Plan and amending Section 13.20.300 adding fees for administrative permits. (60 minute estimate) (238-11)

VI. **CORRESPONDENCE** - (239-11)

- A. Letter from County Auditor Controller enclosing independent audit and financial records for District 10 Hallwood Community Services District for year ending June 30, 2010.
- B. Letter from United States Census Bureau regarding online accessibility of Profile of General Population and Housing Characteristics 2010.
- C. Letter from California Regional Water Quality Control Board enclosing a Notice of Public Hearings for the Sacramento River and San Joaquin River Basins, and the Tulare Lake Basin.

- VII. **BOARD AND STAFF MEMBERS' REPORTS:** This time is provided to allow Board and staff members to report on activities or to raise issues for placement on future agendas.
- VIII. **CLOSED SESSION:** Any person desiring to comment on any matter scheduled for this closed session may address the Board at this time.
- A. Personnel pursuant to Government Code §54957 - Public Appointment/Instructions/Library Director
- B. Personnel pursuant to Government Code §54957(a) - Labor Negotiations - DDA/DSA/MSA/YCEA/Unrepresented and County of Yuba
- IX. **ADJOURN**

## NO COMMITTEE MEETINGS

**06/14/2011 - 5:00 P.M. Wheatland City/County Liaison Committee**  
**Wheatland City Hall**  
**111 C Street**  
**Wheatland, California**

In compliance with the American with Disabilities Act, the meeting room is wheelchair accessible and disabled parking is available. If you have a disability and need disability-related modifications or accommodations to participate in this meeting, please contact the Clerk of the Board's office at (530) 749-7510 or (530) 749-7353 (fax). Requests must be made one full business day before the start of the meeting.

To place an item on the agenda, contact the office of the Clerk of the Board of Supervisors at (530) 749-7510.

### **PUBLIC INFORMATION**

**PUBLIC COMMUNICATIONS:** Members of the public shall be allowed to address the Board of Supervisors on items not appearing on the agenda which are of interest to the public and are within the subject matter jurisdiction of the Board, provided that no action shall be taken unless otherwise authorized by law. The total amount of time allotted for receiving such public communication shall be limited to a total of 15 minutes and each individual or group will be limited to no more than 5 minutes.

**AGENDA ITEMS:** The opportunity of the public to be heard on an item shall be provided during the consideration of that item. In the interest of time, the Board has limited the length of such comment or input on each item to 15 minutes total, with a limit of no more than 5 minutes per person or group. The period for public comments on a particular item may be extended upon a majority vote of the Board. These time limits do not apply to applicants appearing before the Board on behalf of their applications.

**ACTION ITEMS:** All items on the Agenda under the headings "Consent," "County Departments," Ordinances and Public Hearings," "Items of Public Interest," and "Closed Session," or any of them, are items on which the Board may take any action at this meetings.

**PUBLIC HEARINGS:** All members of the public shall be allowed to address the Board as to any item which is noticed on the Board's agenda as a public hearing. The Board has limited each person or group input to no more than 3 minutes. Any person or group may provide the Board with a written statement in lieu of or in supplement to any oral statement made during a public hearing. Written statements shall be submitted to the Clerk of the Board.

**ORDINANCES:** Ordinances shall not be passed within five days of their introductions, nor at other than a regular meeting or at an adjourned regular meeting. The Board of Supervisors will address ordinances at first readings. The public is urged to address ordinances at first readings. Passage of ordinances will be held at second readings, after reading the title, further reading is waived and adoption of the ordinance is made by majority vote. An urgency ordinance may be passed immediately upon introduction. The Board reserves the right to amend any proposed ordinances and to hold a first reading in lieu of a second reading.

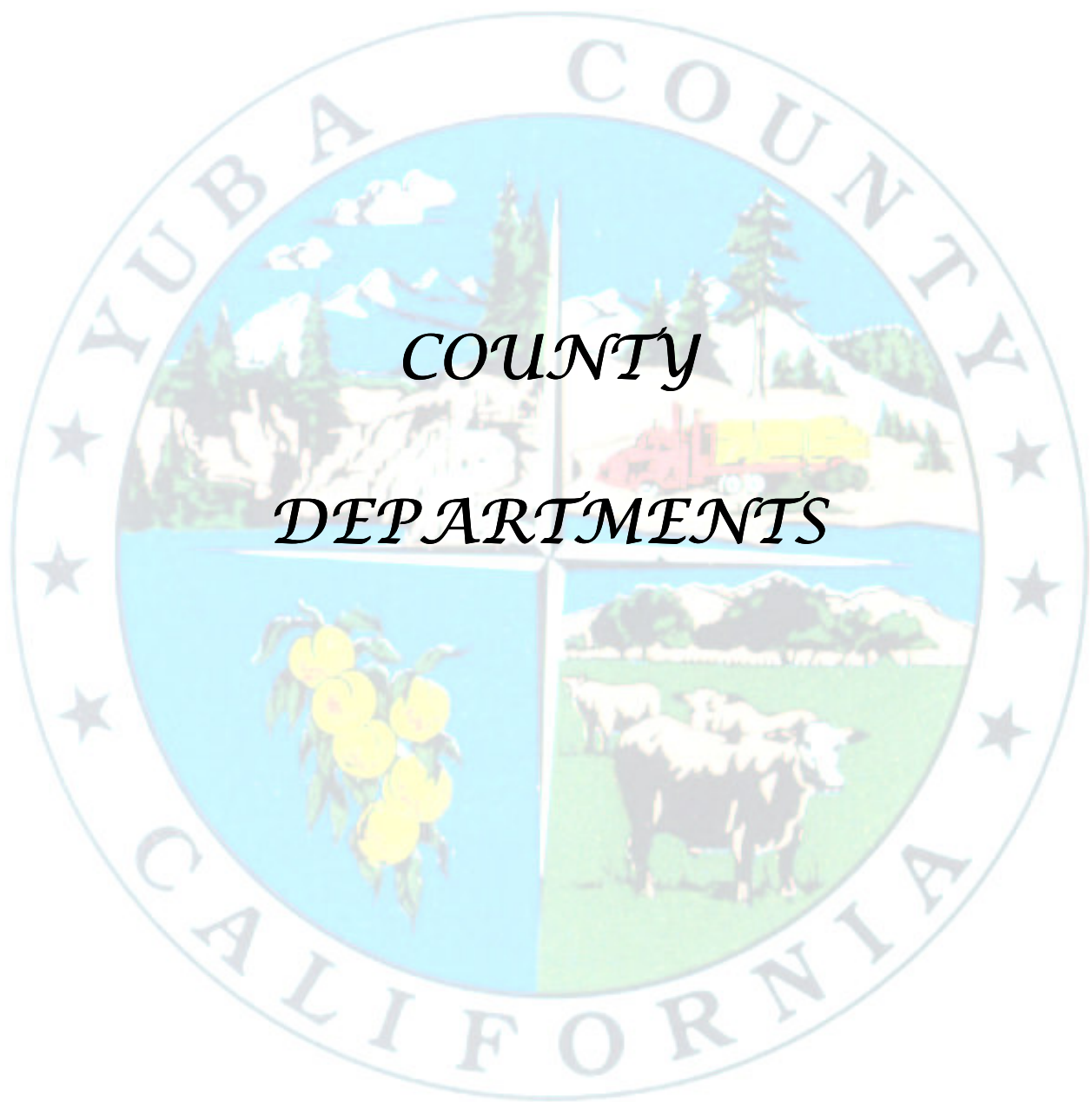
**INFORMATIONAL CORRESPONDENCE:** The Board may direct any item of informational correspondence to a department head for appropriate action.

**SCHEDULED LUNCH BREAK:** Between the hours of 12:00 noon and 1:00 p.m. and at the discretion of the Chair, the Board will recess one hour for lunch.

**SPECIAL MEETINGS:** No public comment shall be allowed during special meetings of the Board of Supervisors, except for items duly noticed on the agenda.

**PUBLIC INFORMATION:** Copies of §6.7 shall be posted along with agendas.

**End**



*COUNTY*  
*DEPARTMENTS*

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**To:** Board of Supervisors

**From:** Donna Stottlemeyer, Clerk of the Board

A handwritten signature in black ink, appearing to read "Donna Stottlemeyer", is written over the "From:" line.

**Subject:** Bi-County Solid Waste Independent Hearing Panel

**Date:** June 14, 2011

## **Recommendation**

Appoint one technical representative to the Bi-County Solid Waste Independent Hearing Panel with term ending January 19, 2014.

## **Background and Discussion**

The Local Appointment List of all Boards/Commissions/Committees is continually posted indicating vacancies, appointees, terms of office, qualifications and meeting information and is updated regularly. This is an unscheduled vacancy due to the resignation of Mr. Randy Cagle in March 2011. Applications have been received from Dennis Green and Terry Schmidtbauer and are attached for your review and consideration.

In light of the expressed interest, it would be appropriate to make an appointment at this time.

## **Fiscal Impact**

None. Members of the panel serve without compensation.

## **Committee Action**

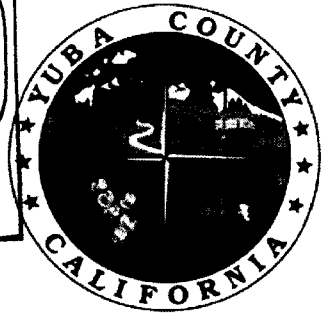
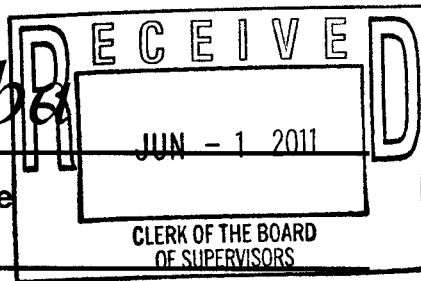
Brought directly to the Board for consideration.

attachments

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# The County of Yuba

Application for Board/Commission/Committee  
Appointed by the Board of Supervisors



RETURN APPLICATION WITH ORIGINAL SIGNATURE TO  
CLERK OF THE BOARD OF SUPERVISORS  
YUBA COUNTY GOVERNMENT CENTER  
915 EIGHTH STREET, SUITE 109  
MARYSVILLE, CA 95901  
(530) 749-7510

*Bi-County Solid Waste Independent Hearing Panel*

PLEASE FILL IN NAME OF BOARD/COMMISSION/COMMITTEE ON WHICH YOU WOULD LIKE TO SERVE

APPLICANT NAME:

*Dennis Green*

MAILING ADDRESS:

PHYSICAL ADDRESS:

TELEPHONE:

EMAIL ADDRESS:

OCCUPATION/PROFESSION:

*Retired*

SUPERVISOR/ DISTRICT  
NUMBER:

*Roger Abe - District 4*

REASONS YOU WISH TO

SERVE ON THIS BODY:

*To assist my community as a volunteer.*

QUALIFICATIONS:

*See attached page*

LIST PAST AND CURRENT

PUBLIC POSITIONS HELD:

*See attached page*

DO YOU HAVE ANY CRIMINAL CONVICTION THAT MAY BE CONSIDERED A CONFLICT OF INTEREST WITH THE COMMITTEE YOU WISH TO SERVE UPON? ☐ YES ☒ NO

IF YES, PLEASE EXPLAIN. NOTE: THAT A FELONY CONVICTION SHALL PRECLUDE YOU FROM SERVICE.

I UNDERSTAND THAT IF APPOINTED TO A BOARD/COMMISSION/COMMITTEE AND WHAT MAY BE CONSIDERED A CONFLICT OF INTEREST ARISES, THAT I HAVE A DUTY TO GIVE WRITTEN NOTICE OF SUCH TO THE COUNTY.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

*Dennis Green*

SIGNATURE

*5/27/11*

DATE

#### THIS SECTION FOR OFFICE USE ONLY

☐ NO VACANCY CURRENTLY EXISTS ON ABOVE-MENTIONED BODY. APPLICANT NOTIFIED.

☐ APPLICANT APPOINTED: \_\_\_\_\_

☐ OTHER: \_\_\_\_\_

**Qualifications:**

2001 – 2010: Chief of the Environmental Compliance Division of the Environmental Management Department, Sacramento County.

Program Manager responsible for the implementation of 12 environmental compliance programs including hazardous materials, hazardous waste, underground/above ground storage tanks, California accidental release prevention program (Cal-ARP), small water systems, wells, septic systems, site assessment and mitigation actions, emergency response and solid waste (LEA).

As the LEA, I was responsible for the oversight regarding the ongoing operations of three landfills, three transfer stations, numerous composting facilities and closure activities for numerous former landfills.

Extensive experience in bringing cases before a hearing panel (Sacramento County utilized the services of the State Office of Administrative Hearings in lieu of a panel).

1994 – 2001: Associate Waste Management Specialist, Waste Management and Recycling Department, Sacramento County.

Responsible for household hazardous waste collection programs in Sacramento County. Developed the waste acceptance policy and protocols for the county's Kiefer Landfill and two transfer stations.

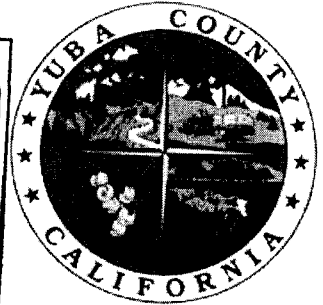
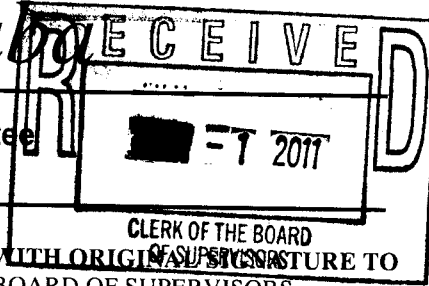
1991 – 1994: Chief of the Environmental Management Office, Travis AFB, Vacaville, California

Responsible for all environmental programs for Travis AFB including all Superfund cleanup activities on the base. Worked with consultants to develop EPA accepted closure procedures for the base's two former landfills.



# The County of Yuba

Application for Board/Commission/Committee  
Appointed by the Board of Supervisors



RETURN APPLICATION WITH ORIGINAL SIGNATURE TO  
CLERK OF THE BOARD OF SUPERVISORS  
YUBA COUNTY GOVERNMENT CENTER  
915 EIGHTH STREET, SUITE 109  
MARYSVILLE, CA 95901  
(530) 749-7510

B1 - County Solid Waste Independent Hearing Panel  
PLEASE FILL IN NAME OF BOARD/COMMISSION/COMMITTEE ON WHICH YOU WOULD LIKE TO SERVE

APPLICANT NAME:

TERRY SCHMIDTBALER

MAILING ADDRESS:

PHYSICAL ADDRESS:

TELEPHONE:

EMAIL ADDRESS:

OCCUPATION/PROFESSION:  
SUPERVISOR/ DISTRICT  
NUMBER:

ENVIRONMENTAL HEALTH MANAGER  
JOHN Nicoletti - District 2

REASONS YOU WISH TO

SERVE ON THIS BODY:

I believe I can provide technical assistance  
to make sound decisions for my county.

QUALIFICATIONS:

SEE ATTACHED. 26+ YEARS EXPERIENCE  
IN ENVIRONMENTAL HEALTH, INCLUDING 11 YEAR IMPLEMENTING LEA.

LIST PAST AND CURRENT

PUBLIC POSITIONS HELD:

NONE

DO YOU HAVE ANY CRIMINAL CONVICTION THAT MAY BE CONSIDERED A CONFLICT OF INTEREST WITH THE COMMITTEE YOU WISH TO SERVE UPON? ☐ YES ☒ NO

IF YES, PLEASE EXPLAIN. NOTE: THAT A FELONY CONVICTION SHALL PRECLUDE YOU FROM SERVICE.

I UNDERSTAND THAT IF APPOINTED TO A BOARD/COMMISSION/COMMITTEE AND WHAT MAY BE CONSIDERED A CONFLICT OF INTEREST ARISES, THAT I HAVE A DUTY TO GIVE WRITTEN NOTICE OF SUCH TO THE COUNTY.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

SIGNATURE

DATE

#### THIS SECTION FOR OFFICE USE ONLY

☐ NO VACANCY CURRENTLY EXISTS ON ABOVE-MENTIONED BODY. APPLICANT NOTIFIED.

☐ APPLICANT APPOINTED: \_\_\_\_\_

☐ OTHER: \_\_\_\_\_

## Terry Schmidtbauer, REHS

### *Qualifications*

1. Solano County Department of Resource Management, Environmental Health Services Division
  - A. Environmental Health Manager, February 2004 to present:
    - Serve as the Director of Environmental Health for Solano County and on the Department of Resource Management's senior management team. Plan, organize and direct the activity for the Environmental Health Services Division responsible for implementing food protection, recreational health, body art, environmental lead screening, liquid waste, solid waste, waste tire, water supply, land use, housing and institution, vector, biosolids, confined animal facility, hazardous materials, hazardous waste, fuel storage and cleanup, site mitigation, and emergency response programs.
    - Direct the implementation of the Solano County Local Enforcement Agency (LEA), including permitting and enforcement activities at landfills and compost facilities.
    - Prepare and present reports, ordinances and resolutions to the Board of Supervisors for consideration. Provide the board and other governmental agencies, commissions and community groups with meaningful technical information on complex environmental health issues to assist with policy decisions or for general information to address concerns.
    - Developed the Solano County Solid Waste Independent Hearing Panel Procedure Manual for approval by the Board. Represent the Solano County LEA at hearings of the Solano County Solid Waste Independent Hearing Panel.
  - B. Environmental Health Supervisor, June 1999 to February 2004:
    - Supervise staff within the solid waste (LEA), liquid waste, water supply, confined animal facility and biosolids program.
    - Interacted with community groups, regulated industry, academia, and general public regarding the environmental health programs I oversaw.
    - Prepared and presented staff reports, resolutions and ordinances to the Board of Supervisors. Provided technical information to other regulatory bodies.
2. Sutter County Health Department, Environmental Health Division
  - A. Interim Director (Environmental Health) February 1992 through June 1992:
    - Directed the activity of the Environmental Health Division in implementation of food protection, recreational health, liquid waste, solid waste, land use, water supply, housing and institution and vector programs.
    - Provided technical information to the Health Administrator and board members. Served as the department's representative to the Liquid Waste Appeals board and Local Solid Waste Task Force.
    - Wrote and implemented policies and procedures.
  - B. Environmental Health Specialist, Jan. 1987 through Feb. 1992 and June 1992 through Feb. 1994:  
Implemented food protection, recreational health, liquid waste, solid waste, water supply, rabies, vector and housing and institution programs.
3. Contra Costa Environmental Health  
Environmental Health Specialist I & II, February 1994 to June 1999:  
Performed site evaluations, plan reviews, issued permits and performed construction inspection for liquid waste and water supply programs. Performed food facility inspections.
4. Orange County Environmental Management Agency, Construction Materials Laboratory.  
Engineering Aid I, II, and III, March 1985 through January 1987:  
Assisted Public Works engineers in the roads division by collecting samples of materials used in construction of road projects or by performing field tests to ensure that materials met minimum standards. Duties included interacting with contractors, reading plans and performing a variety of tests.

# The County of Yuba

OFFICE OF THE BOARD OF SUPERVISORS



237-11

915 8<sup>th</sup> Street, Ste. 109  
Marysville, California 95901  
(530) 749-7510  
(530) 749-7353 FAX

April 5, 2011

Mr. Paul Brunner, Director  
Three River Levee Improvement Authority  
1114 Yuba Street, Suite 218  
Marysville, CA 95901

**RE: The Yuba County Parks Master Plan and the Feather River Floodway Corridor**

Dear Mr. Brunner:

In February 2008, the Yuba County Board of Supervisors adopted its first ever Parks Master Plan, marking the first of many steps toward improving the overall livability and vitality of our community. The plan used a comprehensive community needs assessment of the County's parks and recreation network to help determine the eventual direction of the program.

One significant consideration to come out of the plan is the region's lack of adequate trails, despite an abundance of ideal topography throughout our County. The Feather River Floodway represents a major piece of this equation and has tremendous potential to serve as a multi use trail extending from the southern end of the County into its population centers of Olivehurst, Linda, and Marysville.

With our recent completion of major improvements at the Star Bend Boat Ramp, including adequate paved parking and ten campsites, it has become an ideal staging area for access at the southern end of this proposed project. Hikers, bicyclists, and equestrian enthusiasts would be able to access the recreation area at Star Bend and travel northward along the low maintenance corridor. The boat launch facility accommodates all types of watercraft, including canoes and kayaks, which can safely enter the river and navigate the Feather River northward along the floodway to the additional proposed access points.

By encouraging public access rather than restricting it, the risk of unauthorized entry would be diminished, along with the propensity for damage and vandalism to associated facilities, including important wildlife mitigation areas. The floodway will inevitably attract good stewards of the property who will naturally keep a vigilant watch for illicit activities.

SUPERVISORS

Consistent with and in continuous pursuit of the Parks Master Plan, Yuba County pledges its support for the proposal set forth by the Three Rivers Levee Improvement Authority. The Feather River Floodway Corridor, created primarily to protect the citizens of the region, can also serve to enhance their lives in an equally fulfilling role. The Yuba County Board of Supervisors has great hope and anticipation that the Feather Floodway Corridor will soon become a critical piece of the County's Parks Master Plan; a cornerstone to our regional trails and open space network.

Sincerely,

A handwritten signature in black ink, appearing to read 'Roger Abe', with a stylized flourish at the end.

Roger Abe, Chairman  
Board of Supervisors



*ORDINANCES  
AND  
PUBLIC HEARINGS*

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# The County of Yuba

## Community Development & Services Agency

**Kevin Mallen, Director**

Phone - (530) 749-5430 • Fax - (530) 749-5434

915 8<sup>th</sup> Street, Suite 123

Marysville, California 95901

[www.co.yuba.ca.us](http://www.co.yuba.ca.us)



**BUILDING**  
749-5440 • Fax 749-5616

**CODE ENFORCEMENT**  
749-5455 • Fax 749-5464

**ENVIRONMENTAL HEALTH • CUPA**  
749-5450 • Fax 749-5454

**HOUSING AND COMMUNITY SERVICES**  
749-5460 • Fax 749-5464

**PLANNING**  
749-5470 • Fax 749-5434

**PUBLIC WORKS • SURVEYOR**  
749-5420 • Fax 749-5424

**FINANCE AND ADMINISTRATION**  
749-5430 • Fax 749-5434

**TO:** BOARD OF SUPERVISORS

**FROM:** WENDY HARTMAN, PLANNING DIRECTOR *W. Hartman*

**SUBJECT:** ADOPT AN URGENCY ORDINANCE ADOPTING INTERIM ZONING PROVISIONS TO ENSURE THAT PHYSICAL DEVELOPMENT IN THE COUNTY OCCURS IN CONFORMANCE WITH THE 2030 GENERAL PLAN

**DATE:** JUNE 14, 2011

### ***Recommendation:***

That the Board of Supervisors adopt an urgency ordinance adopting interim zoning provisions to ensure that physical development in the County occurs in conformance with the 2030 General Plan and that the Board approve the Guidelines provided in Attachment 2 for Determining General Plan Conformity.

### ***Background:***

The County has completed a comprehensive update of the Yuba County General Plan and certification of the General Plan Environmental Impact Report. The General Plan serves as the development guide for the County and is long-range (20 years) in scope. A primary implementing tool of the General Plan policies and goals are the development codes contained in Yuba County Ordinance Title XI Planning and Title XII Zoning Code.

State of California Government Code §65860 and various court cases requires consistency between the zoning regulations and the general plan. The General Plan Update will require adoption of numerous changes to the Zoning Ordinance in order to implement the updated General Plan.

### ***Discussion:***

Adoption of an interim zoning ordinance ensures that development will be consistent with the 2030 GP goals and policies. The following are salient features of the interim ordinance:

1. Guidelines for determining General Plan conformity: These guidelines will include Board of Supervisors adopted guidelines and "best fit" zones for the various land use designations (Attachment 2).

2. Determination of General Plan conformity by CDSA Director: Provides guidance to determine if a use is appropriate for the GPU land use designation, goals, objectives, and policies.
3. Planning Entitlement Process: Provides a description of the planning entitlement process for scenarios based on the degree of conformity to the GPU.
4. Administrative Approval Determinations: Establishes an Administrative Approval process.
5. General Plan Consistency Findings: Sets forth findings that provide the basis for determining if a specific development proposal is consistent with the GPU.
6. New Definitions: Provides definitions of agricultural related uses (farmers market, farm store, produce stands) encouraged by the General Plan that are not in the current zoning ordinance:

Staff is requesting that the interim zoning ordinance be adopted as an urgency ordinance in order to prevent a lapse in consistency between the General Plan and Zoning Ordinance. Upon Board adoption, the urgency interim zoning ordinance would become effective immediately for a period of 45 days and could be extended as necessary.

**Committee Action:**

While urgency ordinances are not typically presented to a committee for recommendation, this item was discussed at a workshop with the Planning Commission on May 18, 2011 to bring the Commission up to date on the proposed UDC/CAP and Interim Zoning Ordinance and receive initial comments to be forwarded to the Board of Supervisors. The Commission's primary concern was whether the interim zoning ordinance was going to change the current zoning designation of people's property or affect their ability to split their property. *The interim ordinance will not change the current zoning designation of properties. Land owners that currently have more land than required by their base zoning designation will still be able to subdivide their property consistent with the requirements of the Subdivision Map Act, Chapter 11.15 of the Yuba County Code, and minimum parcel size of their base zoning designation.*

Comments from the public at the Planning Commission Workshop included questions on whether there was going to be public and Planning Commission involvement in the update of the zoning ordinance, did the interim ordinance impact the ability for projects within the Planning Reserve to move forward; and comments regarding General Plan policies. *The comprehensive update of the zoning ordinance and other development codes (Unified Development Code - UDC) will occur through the Strategic Growth Council grant that the County was recently awarded. Similar to the General Plan update process, the update of the zoning ordinance (UDC) will include a variety of workshops and public hearings with the public, Planning Commission, Advisory Committee, and Board of Supervisors. Processing projects within the Planning Reserve will occur as outlined in the General Plan.*

**Environmental Determination:**

The Board of Supervisors certified an EIR for the 2030 General Plan on June 7, 2011. Since certification of the EIR, none of the conditions described in Public Resources Code section 21166 or California Environmental Quality Act Guidelines sections 15162 or 15163, calling for preparation of a subsequent or supplemental EIR, have occurred. The interim ordinance establishes a General Plan consistency determination process for discretionary and ministerial permits, pending adoption of applicable programs and ordinances to implement the 2030 Yuba County General Plan. As such, it has no potential to result in any incremental direct or indirect



physical changes in the environment beyond those disclosed and analyzed in the certified General Plan EIR.

***Fiscal Impact:***

Adoption of the Urgency Ordinance will not have an impact on the general fund.

***Attachments:***

1. Urgency Ordinance
  - a. Interim Zoning Ordinance (Chapter 12) & Changes to Chapter 13: Fees
2. Guidelines for Determining General Plan Conformity

**ORDINANCE NO. \_\_\_\_\_**  
**AN URGENCY ORDINANCE OF THE YUBA COUNTY**  
**BOARD OF SUPERVISORS ADOPTING**  
**INTERIM ZONING PROVISIONS TO ENSURE THAT**  
**PHYSICAL DEVELOPMENT IN THE COUNTY**  
**OCCURS IN CONFORMITY WITH THE GENERAL PLAN AND AMENDING**  
**SECTION 13.20.300 ADDING FEES FOR ADMINISTRATIVE PERMITS**

The following ordinance consisting of three (3) sections was duly and regularly passed and adopted by the Board of Supervisors of the County of Yuba, State of California, at a regular meeting of the Board of Supervisors held on the \_\_\_\_\_ day of, \_\_\_\_\_ 20\_\_\_\_\_, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

\_\_\_\_\_  
**Chairperson of the Board of Supervisors**  
**County of Yuba, State of California**

**ATTEST: DONNA STOTTLEMEYER**  
**Clerk of the Board of Supervisors**

**By:** \_\_\_\_\_

**APPROVED AS TO FORM**  
**Angil Morris-Jones, County Counsel**

By: Mania Bryant - Bellard

**THE BOARD OF SUPERVISORS OF THE COUNTY OF YUBA, STATE OF CALIFORNIA DOES ORDAIN AS FOLLOWS:**

Section 1. Findings and Declarations

1. On June 7, 2011, the County of Yuba Board of Supervisors (hereinafter "Board") adopted the 2030 General Plan following the certification of a Final Environmental Impact Report (hereinafter "EIR") and adoption of findings of fact and a statement of Overriding Considerations pursuant to the California Environmental Quality Act (CEQA).
2. The General Plan is an update of the 1996 Yuba County General plan and includes changes to land use classifications and new policies not contained in the 1996 General Plan.
3. Pursuant to Government Code Section 65356, the General Plan was adopted by resolution, and it took effect on June 7, 2011.
4. To ensure consistency between the zoning ordinance (Title XII of the County Code) and the General Plan, the County must update the zoning ordinance to be consistent with the General Plan land use designations and policies.
5. Additionally, the General Plan modified some policies, deleted other policies, and added new policies to those found in the 1996 General Plan. To implement and ensure consistency with the policies in the General Plan, the County will need to revise a number of Titles of the Yuba County Code, including but not limited to Development Code (Title XI) and Zoning Ordinance (Title XII).
6. Pursuant to General Plan Action CD5.1 the County will update the County's land use regulations to ensure their consistency with the General Plan. Because this work and revisions of the zoning, subdivision, and other ordinances are projected to take up to 18 months, this interim ordinance is necessary to ensure that development inconsistent with the General Plan does not occur pending the adoption of ordinances and programs implementing the General Plan.
7. Government Code section 65858 authorizes the Board of Supervisors to protect the public health, safety, and welfare by adopting an interim ordinance as an urgency measure or prohibit uses that may be in conflict with zoning and other land use regulations that are under consideration. The Board of Supervisors finds that without consistency between the General Plan and zoning ordinance as required by Government Code section 65860 there is a current and immediate threat to the public health, safety, or welfare, and that the approval of additional development permits such as subdivisions, use permits, variances, buildings permits, or any other

applicable entitlement would result in a threat to public health, safety, or welfare.

This urgency interim ordinance is necessary to protect the public health, safety and welfare by prohibiting the issuance of permits unless such permits or entitlements are subject to review and consistency with the 2030 General Plan.

8. An urgency ordinance is necessary for the immediate preservation of the public peace, health, and safety in that the issuance of development permits which are inconsistent with the General Plan inhibits community-desired development patterns and prevents the General Plan from acting as the constitution for development within the County, a foundation upon which all land use decisions are to be based. Further, where such zoning inconsistencies exist, the inconsistency with the General Plan violates the provisions of Government Code Section 65860. Authority for establishing interim zoning measures is afforded by Government Code Section 65858.
9. It is the intent of the Board of Supervisors to require such a consistency determination as part of the permit decision-making process until applicable implementing ordinances/programs of the General Plan have been adopted. Consistency determinations shall be made by the Director of the Community Development and Services Agency and as set forth in "Attachment A" hereof and by this reference incorporated herein as though set forth in full.
10. Since certification of EIR, none of the conditions described in Public Resources Code section 21166 or California Environmental Quality Act Guidelines sections 15162 or 15163, calling for preparation of a subsequent or supplemental EIR, have occurred. The interim ordinance establishes a General Plan consistency determination process for discretionary and ministerial permits, pending adoption of applicable programs and ordinances to implement the 2030 Yuba County General Plan. As such, it has no potential to result in any incremental direct or indirect physical changes in the environment beyond those disclosed and analyzed in the certified General Plan EIR. The determination that no subsequent EIR is required is based on substantial evidence in the record of proceeding.

Section 2. Section 12.01(A) of Chapter 12 of Title XII, the Yuba County Zoning Ordinance Code, is hereby added and Section 13.20.300 of Title XIII, the Yuba County Consolidated Fee Ordinance is hereby amended as reflected in Attachment "A" hereof, and by this reference incorporated herein as though set forth in full.

Section 3. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be unconstitutional and invalid, such decision shall not affect the validity

of the remaining portion of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and every section, subsection, sentence, clause or phrase thereof, irrespective of the fact any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

Section 4. Pursuant to findings and declarations set forth in this ordinance, the Board declares that this ordinance is necessary as an urgency measure for the protection of public health, safety and welfare and shall take effect immediately upon its passage for the reasons set forth herein. This ordinance shall expire 45 days thereafter unless extended pursuant to law.

## **Chapter 12.01(A)**

### **GENERAL PROVISIONS AND GENERAL PLAN CONFORMITY**

#### **Sections:**

- 12.01(A).010 Title of Zoning Ordinance.**
- 12.01(A).020 Title of General Provisions.**
- 12.01(A).030 Conformity with General Plan required.**
- 12.01(A).040 Exceptions to requirement for General Plan conformity.**
- 12.01(A).050 General Plan prevails over Zoning Ordinance and Subdivision Regulations.**
- 12.01(A).060 Guidelines for determining General Plan conformity.**
- 12.01(A).070 Determination of General Plan conformity by CDSA Director.**
- 12.01(A).080 Application form and fees.**
- 12.01(A).090 Appeal of Director's determination.**
- 12.01(A).100 Planning Entitlement Process**
- 12.01(A).110 Administrative Approval**
- 12.01(A).120 General Plan Consistency Findings**
- 12.01(A).130 New Definitions**

#### **12.01(A).010 Title of Zoning Ordinance.**

This title shall be known as the Yuba County Zoning Ordinance Title XII, may be cited as such, and will be referred to herein by such title or as "Zoning Ordinance."

#### **12.01(A).020 Title of General Provisions.**

The provisions of Chapters 12.01(A) through 12.01 shall be known as the General Provisions of the Zoning Ordinance.

#### **12.01(A).030 Conformity with General Plan required.**

Except as otherwise provided by Section 12.01(A).040, no activities or facilities shall be established, substituted, expanded, constructed, altered, moved, , or otherwise changed, and no lot lines shall be created or changed, except in conformity with the Yuba County General Plan. To the extent that there is an express conflict between the Yuba County General Plan and the Zoning Ordinance, this requirement shall supersede the requirement for conformity with the Zoning Ordinance stipulated in Section 12.01.050.

#### **12.01(A).040 Exceptions to requirement for General Plan conformity.**

The provisions of this chapter shall not be construed to preclude the operation, maintenance, and occupancy of any activity or facility that existed lawfully prior to the effective date of this chapter. Such activities and facilities shall be subject to the nonconforming use regulations set forth in Chapter 12.10 ARTICLE 6. NONCONFORMING USES.

**12.01(A).050 General Plan prevails over Zoning Ordinance and Subdivision Regulations.**

Until the Zoning Ordinance is updated, land use designations, zoning controls and subdivision controls specified by the Zoning Ordinance and Subdivision Regulations shall apply, except where such action would expressly conflict with the Yuba County General Plan. Where an express conflict does arise, the General Plan policies and land use designations shall apply. An “express conflict” shall be deemed to be any situation where a proposal clearly conforms with the General Plan but is not permitted by the Zoning and/or Subdivision Regulations, or where a proposal clearly does not conform with the General Plan but is permitted, administratively permitted, or conditionally permitted by the Zoning and/or Subdivision Regulations. The provisions of Sections 12.01(A).060 through 12.01(A).070 shall be used to determine whether an express conflict exists and the provisions of Sections 12.01(A).80 through 12.01(A).120, as applicable, shall then be followed.

**12.01(A).060 Guidelines for determining General Plan conformity.**

The Board of Supervisors shall adopt guidelines for determining the General Plan conformity of any specific proposal. Such guidelines shall address activity and facility types, density and intensity of development, and relevant General Plan policies. They shall also identify the “best fit” zones of the Zoning Regulations, and other possible zones, corresponding to the land use classifications of the General Plan.

**12.01(A).070 Determination of General Plan & Zoning Ordinance conformity by Community Development & Services Agency Director.**

The Community Development & Services Agency Director (CDSA Director) or his or her designee shall determine whether any specific proposal conforms to the General Plan. The Director shall use the guidelines adopted pursuant to Section 12.01(A).060 in making this determination. The Community Development & Services Agency Director shall also determine if the zoning district where the proposal is located allows for the proposed use.

- (1) Determination of Zoning and/or Subdivision Ordinance compliance for unlisted uses. If a proposal or proposed use is not specifically listed or identified as allowed by Zoning, the CDSA Director may determine that the proposal is consistent with the Zoning Ordinance if:
  - a. The common functional, product or compatibility characteristics and activities associated with the proposal are consistent with one of the use types identified in Title XII listed as a principally permitted use type within that zoning district; and
  - b. The proposed use will be consistent with the goals, objectives and policies of the General Plan.
  - c. The CDSA Director may forward questions about permitted uses directly to the Planning Commission for an interpretation at a public hearing as outlined in Section 12.01.040.
  - d. The Director shall maintain a written record of all such determinations.

**12.01(A).080 Application form and fees.**

Any interested party may submit a request for a General Plan conformity determination on an application form provided by the Planning Department. The completed and signed application must be submitted to the Planning Department along with payment of a fee as set forth by Section 13.20.300, and provision of any other information required by the Community Development & Services Agency Director in order to determine conformity with the General Plan. A conformity determination

application is not required when a specific proposal is clearly consistent with the General Plan, General Plan Land Use Diagram, and Zoning Ordinance. The specific proposal shall be subject to all provisions of the zone, including but not limited to any required conditional use permit.

**12.01(A).90 Appeal of Director's determination.**

Decisions of the Community Development & Services Agency Director may be appealed in writing within ten calendar days to the Board of Supervisors in accordance with Section 2.25.050.

**12.01(A).100 Planning Entitlement Process**

Table 1 outlines and provides a description of the planning entitlement process for five scenarios based on the degree of conformity to the 2030 General Plan and compliance with the Zoning and/or Subdivision Ordinances. Table 2 outlines whether an administrative approval, minor conditional use permit, or conditional use permit (CUP) is required.

**Table 1: Planning Entitlement Process**

Scenario No.	General Plan 2030	Zoning and/or Subdivision	Planning Entitlement Process
1	Proposal conforms to 2030 General Plan	Proposal is allowed by Zoning and/or Subdivision Ordinance	<p>The permitting process for the proposal shall be consistent with the requirements and entitlement process as set forth in the Zoning and Subdivision Ordinances.</p> <p>Minor expansion of existing uses may be processed as an administrative approval as outlined in Table 2.</p>
2	Proposal conforms to 2030 General Plan	Proposal is not allowed by Zoning and/or Subdivision Ordinance	<p>The permitting process for the proposal would vary and is described in the following subsections A and B:</p> <p>A. The proposal could require an administrative approval, minor conditional use permit, or conditional use permit as outlined in Table 2 and can make the General Plan Consistency Findings listed in Section 12.01(A).120.</p> <p>B. The project proponent may apply for a rezone. Any such rezoning shall be for a "best fit district" corresponding to the general plan land use designation in which the proposal is located. If such a rezoning is approved, then the proposal shall be subject to all provisions of the zoning district.</p>
3	2030 General Plan is silent or not clear regarding conformity of the proposal	Proposal is allowed by Zoning and/or Subdivision Ordinance	<p>The proposal would be required to make General Plan consistency findings as listed in Section 12.(A).120, and the proposal shall be consistent with requirements and entitlement process as set forth in the Zoning and Subdivision Ordinances.</p> <p>Minor expansion of existing uses may be processed as an administrative approval as outlined in Table 2.</p>



4	2030 General Plan is silent or not clear regarding conformity of the proposal	Proposal is not allowed by Zoning and/or Subdivision Ordinance	The proposal would be required to make General Plan consistency findings as listed in Section 12.(A).120, and would require a rezoning. Any such rezoning shall be for a "best fit district" corresponding to the general plan land use designation in which the proposal is located. If such a rezoning is approved, then the proposal shall be subject to all provisions of the zoning district.
5	The proposal does not conform to the 2030 General Plan	The proposal is not allowed by Zoning and/or Subdivision Ordinance	The proposal would need to be modified to conform to the General Plan and then processed pursuant to Scenario 2 Planning Entitlement Process.

**Table 2: Administrative Approval or Conditional Use Permit Required**

Proposal/Use Type	Administrative Approval Zoning Administrator (AP)	Minor CUP Zoning Administrator	Major CUP Planning Commission
<b>Expansion of an existing conditional use permit</b>	0-25% expansion of use or facilities (does not include regional facilities)	25.1-50% (does not include regional facilities)	Additions/expansions in excess of 50%
<b>Expansion of a nonconforming use</b>	expansion of use when there is no increase in building footprint	Up to 25 % expansion of an existing facility/structure	Expansions in excess of 25%
<p><b>Home Based Businesses:</b> Shall comply with Chapter 12.95 except as provided in this Table. Off street parking shall be provided as determined by the Community Development &amp; Services Agency Director based on the requirements of Chapter 12.85 and characteristics of the specific business.</p> <p>Home Based Businesses that meet <u>all</u> of the requirements of Chapter 12.95 do not require approval of either an AP or CUP.</p>	<p>Allow up to 1 non-resident employee</p> <p>Does not exceed 4 vehicle trips/hr and no more than 16 vehicle trips/day (business related)</p> <p>Sales and display areas of up to 300 ft<sup>2</sup> may be permitted.</p> <p>Within A/RR, AE, &amp; RRE development standard 12.95.010(3) does not apply.</p>	<p>Within A/RR, AE, &amp; RRE zone districts:</p> <ul style="list-style-type: none"> <li>• up to 3 employees</li> <li>• does not exceed 8 vehicle trips/hr and no more than 32 vehicle trips/day (business related)</li> <li>• Requires less than 10 parking spaces</li> <li>• Business is conducted outdoors or sales area exceeds 300 ft<sup>2</sup></li> </ul>	<p>Uses that exceed the thresholds of a minor CUP are not typical home-based businesses and shall be located in zone districts that allow for commercial uses.</p>

<b>Agricultural Businesses</b> (shall be compatible with surrounding neighborhood)	Produce stands up to 500 ft <sup>2</sup>  Certified farmers markets located on developed site with established parking	Farm stores requiring less than 10 parking spaces  Agricultural processing (may have sales/display areas up to 300ft <sup>2</sup> of non-agricultural products)  Noncertified farmers markets located on developed site with established parking  Certified & noncertified farmers markets on undeveloped sites	Agricultural processing with sales/display areas in excess of 300 ft <sup>2</sup> of non-agricultural products  Farm stores requiring more than 10 parking spaces  Agriculturally based businesses within the AE & A/RR zone districts not currently listed in the Zoning Ordinance
<b>Other Uses</b>	Not applicable	Less than 10 required parking spaces & does not exceed 30 vehicle trips/p.m. peak hr and 10% of current roadway volume.	Exceeds 10 required parking spaces or 30 vehicle trips/p.m. peak hr and 10% of current roadway volume..

Note: Projects designated as Planning Reserve within the 2030 General Plan shall be processed in accordance with General Plan Policy CD13.4.

#### **12.01(A).110 Administrative Approval**

An administrative Permit is a request for a minor land use action that has minimal potential of negatively affecting surrounding properties and is typically exempt under the California Environmental Quality Act (CEQA). Given the ancillary nature of these types of uses, the only improvement standards required are those mandated by state or federal law or Title 10 of the Yuba County Code. All development standards related to setbacks, site coverage, and height restrictions shall also apply.

- (1) The Planning Director or his or her designated representative acting as the Zoning Administrator may waive the requirements for a public hearing and make decisions on applications for an administrative approval when the proposal meets all of the following criteria:
  - a. The proposal does not exceed development thresholds set forth in ARTICLE 9. ZONING ADMINISTRATOR and Section 12.01(A).120.
  - b. The proposal complies with all development standards for the zone except as allowed by Section 12.01(A).110 and 12.01(A).100 Table 2.
  - c. The proposal complies with noise standards set forth in CHAPTER 8.20 NOISE REGULATIONS.
  - d. All other existing uses or structures on the parcel are in compliance with the Yuba County Ordinance Code.

- e. The proposal can make all General Plan Consistency Findings in Section 12.01(A).120.
- (2) Application for an administrative approval permit shall be made to the Planning Department in writing on a form prescribed by the Planning Department. Said application shall be accompanied by a fee set by Section 13.20.300. The approving authority for an administrative permit shall be the Zoning Administrator, and following public notice pursuant to Government Code §65091, may waive the requirement for a public hearing if the project is exempt from the California Environmental Quality Act (CEQA). If a public hearing is requested or required, the Zoning Administrator shall schedule and notice the permit for a public hearing by the Staff Development Committee.
    - a. Requests for a public hearing shall be made to the Planning Department in writing on a form prescribed by the Planning Department and accompanied by a fee set by Section 13.20.300. Requests for public hearing shall be made within ten days of the date listed on the public notice.
  - (3) The approving authority may approve, approve with conditions, or deny an Administrative Permit. The approving authority shall make the following findings to approve an administrative permit:
    - a. The proposed use or development is consistent with the Yuba County General Plan and any applicable Specific Plan or Community Plan;
    - b. The proposed use or development conforms with all applicable standards and requirements of this Title; and
    - c. The location, size, design, and operating characteristics of the use or development is compatible with and shall not adversely affect or be materially detrimental to the health, safety, or welfare of persons residing or working in the area, or be detrimental or injurious to public or private property or improvements.
  - (4) Appeals: Decisions of the Zoning Administrator or Staff Development Committee regarding an Administrative Permit may be appealed in writing within ten calendar days to the Board of Supervisors in accordance with Section 2.25.050.

#### **12.(A).120 General Plan Consistency Findings**

The three General Plan Consistency Findings listed below provide the basis for determining if a specific development proposal is consistent with the 2030 General Plan. The findings require that the proposal is appropriate with characteristics of the surrounding neighborhood and consistent with the designated General Plan land use designation and applicable General Plan policies. Also, it is required that the proposal promotes the implementation of the General Plan. Approving Authority in making a determination if a specific development proposal is consistent with the 2030 General Plan shall find as follows:

- (1) The proposal is clearly appropriate in consideration of the characteristics of the surrounding area;

- (2) The proposal is clearly consistent with the intent and desired character of the relevant land use designations(s) or the 2030 General Plan and any associated General Plan policies; and
- (3) The proposal will clearly promote implementation of the 2030 General Plan.

**12.(A).130 New Definitions**

Section 12.01(A).100 introduces several new terms that are not currently defined in Chapter 12.05. When making zoning compliance determinations the Community Development & Services Agency Director may also utilize the American Planning Association "A Planners Dictionary" for uses and definitions not included in this Title. Below are new definitions not currently listed in Chapter 12.05 and minor revisions to existing definitions provided in Chapter 12.05:

- (1) Farmers Market shall mean a temporary location where seasonal agricultural products are sold by producers directly to consumers. Farmer's Markets shall occur no more than three days per week on any one site, shall have direct access to a County Maintained Road, shall provide adequate area for vehicles to enter and exit site without impeding public right of way, provide onsite parking, shall not interfere with other permitted uses on the site, and are limited to operating during daylight hours.
  - a. Certified Farmers Markets shall be operated in accordance with the California Food & Agriculture Code regulations governing Certified Farmers' Markets.
  - b. In addition to any required land use entitlements, farmers markets shall obtain all required permits/clearances from the County Agricultural Commissioner and Environmental Health Department.
- (2) Farm Store shall mean a permanent structure, intended to be used for the display or sale of unprocessed and processed agricultural products grown and/or processed in the Yuba Sutter area and sold directly to consumers. Farm stores are limited to a maximum of 300 square feet of retail/display area for non -agriculturally related goods such as but not limited to prepackaged beverages and snacks; promotional materials; and other local products/crafts.
- (3) Produce Stands shall mean a temporary or permanent structure up to 500 ft<sup>2</sup> in size or occupying up to 500 ft<sup>2</sup> of an existing permitted structure to be used for the display or sale of unprocessed agricultural products sold directly to consumers from a farm site which includes products grown on site as well as unprocessed agricultural products from neighboring farms. "Unprocessed" for the purposes of this section shall be defined as an agricultural product in its raw or natural state such as but not limited to fruits, vegetables, eggs, raw meats, honey, and olive oil. Free standing produce stands that are exempt from Title 10 do not require an Administrative Permit.

- (4) 12.05.020(114) Retail store shall mean a business of selling goods, wares or merchandise directly to the ultimate consumer. Sales/display areas less than 300 square feet in area and ancillary to a permitted use are not considered retail for the purposes of this Title.

**Portions of Chapter 13 Section 13.20.300 shall be amended  
as follows:**

**The following Planning fees shall be added:**

<b>NAME OF FEE</b>		<b>FEE FY11/12</b>
Administrative Permit (no hearing)		\$420.00
Administrative Permit additional fee for hearing (applicant)		\$210.00
Request for Administrative Permit Hearing		\$105.00

### GUIDELINES FOR DETERMINING GENERAL PLAN CONFORMITY

Section 12.01(A).060 of the Interim Ordinance requires that the Board of Supervisors approve guidelines that will be used to assist County staff in making General Plan conformity determinations. The following draft guidelines are provided to the Board for consideration. If approved by the Board, these Guidelines will be used by the Community Development & Services Director as the basis for determining whether a specific proposal is consistent with the General Plan.

The Guidelines include three sections which have been taken directly from the 2030 General Plan:

- **Section A** includes Table 1 and Table 2 from the Community Development Element. These two tables provide information on the eight (8) land use classifications that are used in the 2030 General Plan and their associated intent, allowable uses, and intensity/density of allowed uses.
- **Section B** includes a table (Table 3) which provides a summary of key goals and policies related to allowed uses and is meant to be a base line for determining whether a specific proposal is consistent with the 2030 General Plan goals and policies.
- **Section C** is taken from Appendix A of the 2030 General Plan (Land Use – Zoning Consistency). This Table (Table 4 Best Fit Zones) identifies the zoning designations that are most compatible with the eight (8) General Plan land use categories.



## 2030 General Plan Land Use Framework

The following sections describe allowable land use for the unincorporated County. Yuba County's 2030 General Plan envisions reinvestment in existing developed portions of Linda and Olivehurst, along with new developments in designated specific plan and community plan areas. Along with development, the County has provided for conservation of important land-based natural resources, as described in this Element and in the Natural Resources Element.


### General Plan Land Use Designations and Diagram

Following is a description of Yuba County's General Plan land use designations, allowable land uses, and development density and intensity standards.

The designations are intentionally written to be both comprehensive and broad, allowing great flexibility in implementation, according to the goals and policies presented throughout this General Plan. The Yuba County Zoning Ordinance is the primary implementation tool for regulating more precise land use and development standards (density, intensity, setbacks, minimum lot size, etc.). Adopted specific plans and community plans also provide more precise direction regarding land use and development, with some specific plans superseding the County's zoning for the subject plan area.

Land use designations are described in Table Community Development-1. The location of the County's General Plan land use designations is presented in Exhibit Community Development-2. Please also refer to Appendix A, which contains a matrix correlating land use designations with appropriate existing zoning district designations.

**Table Community Development -1**  
**General Plan Land Use Designations, Intent, and Allowable Uses**






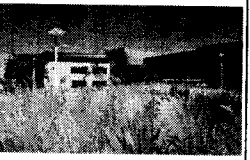
LAND USE DESIGNATION	INTENT AND ALLOWABLE USES
<b>Valley Neighborhood</b> 	<p><b>Intent:</b> This is a mixed-use land use designation that allows a wide variety of residential, commercial, public and quasi-public, open space uses. The intent is to provide for the full range of housing types, commercial and public services, retail, offices, civic uses, recreational amenities, and other components of a complete neighborhood in valley portions of the County.</p> <p><b>Allowable uses:</b></p> <ul style="list-style-type: none"> <li>▪ <b>Residential:</b> detached and attached single-family residences, small-lot single-family homes, second units, apartments, condominiums, and other types of housing in single-use and mixed-use formats.</li> <li>▪ <b>Commercial:</b> retail, commercial services, cultural and entertainment uses, offices, and other compatible commercial uses, both basic (export) and non-basic (neighborhood/community-serving). Light industrial uses may be allowed, provided compatibility and performance standards are met.</li> <li>▪ <b>Public and quasi-public:</b> Schools, child care, agency offices and service centers, health clinics, fire stations, law enforcement stations, infrastructure, places of worship, community halls and centers, and other cultural and civic land uses.</li> <li>▪ <b>Open space:</b> Active and passive parkland, linear parks, recreation facilities, multi-use recreation and stormwater management facilities, natural areas, drainage swales, community gardens, and other types of open space-oriented uses.</li> </ul>





# YUBA COUNTY GENERAL PLAN

**Table Community Development -1**  
**General Plan Land Use Designations, Intent, and Allowable Uses**

LAND USE DESIGNATION	INTENT AND ALLOWABLE USES
<b>Commercial Mixed Use</b> 	<p><b>Intent:</b> Accommodate a mix of non-residential uses with opportunities for higher-density residential development in a mixed-use setting. This designation allows both vertical mixed use (different uses in one building) and horizontal mixed use (different uses adjacent to one another).</p> <p><b>Allowable uses:</b> commercial retail and services, offices, business support services, light industrial, medical services, higher-density residential development, and public facilities and infrastructure.</p>
<b>Employment</b> 	<p><b>Intent:</b> Facilitate development of job-producing land uses and regional entertainment.</p> <p><b>Allowable uses:</b> sports, entertainment, cultural, and recreational uses; light and general industrial, manufacturing, research and development, warehousing, transportation / logistics, offices, agriculture related and agricultural processing, and other employment-generating uses; educational, medical, and other institutional uses; employee housing; public facilities and infrastructure; and retail, services, and workforce housing that is secondary to, and supportive of the primary employment-generating use.</p>
<b>Rural Community</b> 	<p><b>Intent:</b> Provide rural residential opportunities with supportive services and tourism-oriented uses consistent with the General Plan and as defined in community plans.</p> <p><b>Allowable uses:</b> residential; grazing, agricultural, forestry, and other natural resource-oriented commercial uses; agricultural processing; agriculture and natural resource-oriented tourism uses; local retail and commercial services; educational, medical, and other institutional uses; community halls and other cultural and civic land uses; parks and recreation facilities, multi-use recreation and stormwater management facilities, natural areas, and other types of open space-oriented uses; and public facilities and infrastructure.</p>
<b>Natural Resources</b> 	<p><b>Intent:</b> Conserve and provide natural habitat, watersheds, scenic resources, cultural resources, recreational amenities, agricultural and forest resources, wetlands, woodlands, minerals, and other resources for sustainable use, enjoyment, extraction, and processing.</p> <p><b>Allowable uses:</b> mining; agriculture, including viticulture and other types of cultivation; forestry; natural open space and nature preserves; mitigation banks, parks and recreational uses, and other natural-resource oriented uses; public facilities and infrastructure, including levees, levee borrow areas, and related facilities; and residential uses that are secondary to the primary natural resource-oriented use.</p> <p>Please also refer to the Natural Resources Element, which depicts major types of Open Space to be provided throughout the County during this General Plan time horizon.</p>
<b>Public / Quasi-Public</b> 	<p><b>Intent:</b> Provide for major public and quasi-public uses of all types. This designation is intended to account for some of the major public institutions in the County. But, there are also many other public uses and publicly owned lands incorporated into Valley Neighborhoods and Natural Resource areas.</p> <p><b>Allowable uses:</b> Public and quasi-public uses, such as schools and other educational facilities, parks, open space, hospitals, clinics, daycare centers, nature preserves, public facilities and infrastructure, and other public uses.</p>
<b>Employment Village</b> 	<p><b>Intent:</b> Facilitate development of job-producing uses in the Highway 65 corridor in a mixed-use environment.</p> <p><b>Allowable uses:</b> primary uses include light and general industrial, manufacturing, research and development, warehousing, rail-dependent uses, transportation/logistics, offices, agriculture related and agricultural processing; cultural, educational, medical, and other institutional uses; and recreation, open space, public facilities, and infrastructure. Retail, services, and housing (and mixed-use with housing) is allowed east of Bradshaw Road if such uses contribute to, or construct infrastructure needed to serve the primary employment-generating uses.</p>
<b>Planning Reserve</b>	<p><b>Intent:</b> Provide for long-term future population and employment growth needs.</p> <p><b>Allowable uses:</b> Allowable land use within the Planning Reserve Area shall be regulated according to allowable uses for the underlying land use designation.</p>



**Table Community Development-2  
Allowable Density and Intensity**

LAND USE DESIGNATION	LAND USE ALLOWABLE DENSITY/INTENSITY	
Valley Neighborhood	Residential	Between 3 and 40 units per gross acre
	Commercial, including light industrial (where compatible)	0.2 to 1.0 FAR
	Public and quasi public	Up to 1.0 FAR
	Open Space	N/A
	Mixed Use	Mixed-use projects may use either of 2 approaches to comply with the General Plan's density & intensity standards: <ul style="list-style-type: none"> <li>Combine proposed residential &amp; nonresidential building space and regulate according to the FAR allowed in the applicable zoning district/community plan designation/specific plan designation.</li> <li>Regulate the residential portion of the site by the allowed density in the applicable residential zoning district/community plan designation/specific plan designation and the nonresidential portion according to allowed intensity in the applicable nonresidential zoning district/community plan designation/specific plan designation.</li> </ul>
Commercial Mixed Use	Commercial, including light industrial	0.2 to 1.0 FAR
	Residential	Between 10 and 40 units per acre
	Mixed Use	Mixed-use commercial and residential projects may use either of 2 approaches to comply with the General Plan's density & intensity standards: <ul style="list-style-type: none"> <li>Combine proposed residential &amp; nonresidential building space and regulate according to the FAR allowed in the applicable zoning district/community plan designation/specific plan designation.</li> <li>Regulate the residential portion of the site by the allowed density in the applicable zoning district/community plan designation/specific plan designation and the nonresidential portion according to allowed intensity in the applicable nonresidential zoning district/community plan designation/specific plan designation.</li> </ul>
Employment	Nonresidential	Up to 1 FAR
	Residential	Between 16 and 40 units per acre (ancillary to primary employment-generating use).
	Mixed Use	Mixed-use commercial and residential projects may use either of 2 approaches to comply with the General Plan's density & intensity standards: <ul style="list-style-type: none"> <li>Combine proposed residential &amp; nonresidential building space and regulate according to the FAR allowed in the applicable zoning district/community plan designation/specific plan designation.</li> <li>Regulate the residential portion of the site by the allowed density in the applicable zoning district/community plan designation/specific plan designation and the nonresidential portion according to allowed intensity in the applicable nonresidential zoning district/community plan designation/specific plan designation.</li> </ul>
Employment Village	Nonresidential	Up to 1 FAR
	Residential	Between 3 and 40 units per gross acre (east of Bradshaw Road)
	Mixed Use	Mixed-use commercial and residential projects may use either of 2 approaches to comply with the General Plan's density & intensity standards



# YUBA COUNTY GENERAL PLAN

**Table Community Development-2  
Allowable Density and Intensity**

LAND USE DESIGNATION	LAND USE ALLOWABLE DENSITY/INTENSITY	
		(east of Bradshaw Road): <ul style="list-style-type: none"> <li>Combine proposed residential &amp; nonresidential building space and regulate according to the FAR allowed in the applicable zoning district/community plan designation/specific plan designation.</li> <li>Regulate the residential portion of the site by the allowed density in the applicable zoning district/community plan designation/specific plan designation and the nonresidential portion according to allowed intensity in the applicable nonresidential zoning district/community plan designation/specific plan designation.</li> </ul>
Rural Community	Residential	Overall density of 1 unit per 5 acres within Rural Communities, consistent with the relevant Community Plan. Dwellings should be clustered on smaller lots around Rural Centers. Residential development at the edges of Rural Community Boundary areas should generally occur on larger lots (of 20 acres or more). Refer to policies under the heading "Rural Areas" for guidance on lot size for clustered projects.
	Commercial	Up to 0.5 FAR
	Public and quasi public	Up to 0.5 FAR
	Open Space	N/A
	Mixed Use	Mixed-use projects may use either of 2 approaches to comply with the General Plan's density & intensity standards: <ul style="list-style-type: none"> <li>Combine proposed residential &amp; nonresidential building space and regulate according to the FAR allowed in the applicable zoning district/community plan designation/specific plan designation.</li> <li>Regulate the residential portion of the site by the allowed density in the applicable residential zoning district/community plan designation/specific plan designation and the nonresidential portion according to allowed intensity in the applicable nonresidential zoning district/community plan designation/specific plan designation.</li> </ul>
Natural Resources	Residential	Up to 1 unit and 1 second unit per parcel is allowed except for agricultural employee housing, which does not have a specific density limit, but is dependent on environmental site conditions, health and safety regulations, and availability of water, sewer, and other utilities.
	Non-residential	Up to 0.5 FAR
Public / Quasi-Public	Up to 1.0 FAR	
Planning Reserve	Density and intensity of development within the Planning Reserve shall be regulated according to the density and intensity allowed in the underlying land use designation.	

Notes: Gross acreage and net acreage are commonly used measurements of land area in planning and zoning. A gross acre is all land (including streets and rights-of-way) designated for a particular use, while net acreage excludes streets and other public rights-of-way, and other areas not included within proposed lots for development. Gross acreages are more often used in general plan land use designations, and net acreages are typically used in zoning codes and other types of development standards. This General Plan uses gross acreage to regulate residential density. The County will allow the FAR standards presented in this Community Development Element to be applied either before or after public streets or other non-developed areas are considered. Please refer to the Zoning Ordinance, which provides much more specific guidance on lot size, lot coverage, allowable building height, and other development standards that affect achievable densities and development intensities. The allowable density and intensity will vary, depending on the specific uses that are developed and the location of proposed use. In addition to the standards in this table and in the Zoning Ordinance, the allowable density and intensity is contingent on performance of the proposed uses related to water demand, wastewater demand, drainage, electricity, and other public infrastructure and service characteristics, as well as the current or planned availability of public infrastructure and services. The allowable intensity, use, and project configuration is also dependent on demonstration of compatibility with surrounding uses relative to light, glare, noise, air pollutant emissions, truck traffic, and other factors. Policies addressing these issues are included in the balance of the General Plan.

**TABLE 3 GOALS AND POLICIES**

The following goals and policies related to allowed uses are a base line when determining specific project conformity with the General Plan goals and policies. In addition to the following goals and policies, a specific proposal must also conform with additional General Plan goals and policies relevant to the proposal regarding issues such as project design and impact mitigation.

GOALS	POLICIES
GOAL CD1 Valley Growth Management: <i>Provide for efficient valley development patterns.</i>	<i>Policies: CD1.1; CD1.3; CD1.4</i>
GOAL CD2 Reinvestment: <i>Promote growth and reinvestment in existing developed unincorporated communities.</i>	<i>Policies: CD2.1; CD2.2; CD2.3</i>
GOAL CD3 Separating Land Uses: <i>Development patterns that minimize the adverse effects of incompatible land uses.</i>	<i>Policies: CD3.1; CD3.2; CD3.3; CD3.4</i>
GOAL CD4 Commercial and Employment Centers: <i>Accessible, convenient, and successful community retail, service, and employment centers.</i>	<i>Policies: CD4.6</i>
GOAL CD5 Valley Neighborhoods: <i>Valley Neighborhoods provide a long-term, high quality of life for the County's existing and future residents.</i>	<i>Policies: CD5.1; CD5.3; CD5.5</i>
GOAL CD6 Neighborhood Centers: <i>Provide higher-density housing, neighborhood services, and retail in pedestrian-friendly Neighborhood Centers.</i>	<i>Policies: CD6.1; CD6.2; CD6.3; CD6.4; CD6.5; CD6.6</i>
GOAL CD7 Mixed-Use Corridors: <i>Revitalize Yuba County's Mixed-Use Corridors to better serve existing Valley Neighborhoods.</i>	<i>Policies: CD7.3; CD7.6</i>
GOAL CD9 Rural Areas: <i>Preserve and enhance the rural character through development and conservation in Yuba County's Rural Communities and open space areas.</i>	<i>Policies: CD9.2; CD9.5; CD9.6; CD9.7; CD9.9; CD9.11</i>
GOAL CD13 Phasing and Location of Development: <i>Phasing and location of development that promotes efficient public infrastructure and services.</i>	<i>Policies: CD13.1; CD13.3; CD13.4; CD13.5; CD13.6</i>

GOALS	POLICIES
GOAL CD19 Freedom of Travel Mode Choice: <i>Roadway design, development patterns, and circulation systems that encourage walking, bicycling, and transit use.</i>	<i>Policies: CD19.1; CD19.2; CD19.3</i>
GOAL HS1 Flood Protection: <i>Reduce flood risk for the County's people and property.</i>	<i>Policies: HS1.1; HS1.2; HS1.3; HS1.4; HS1.6</i>
GOAL HS4 Airports: <i>Avoid land use conflicts with, and reduce exposure of people and property to risks from the County's airports.</i>	<i>Policies: HS4.2</i>
GOAL HS5 Greenhouse Gas Emissions & Climate Change: <i>Provide greenhouse-gas efficient development patterns and successfully adapt to future changes in Yuba County's climate.</i>	<i>Policies: HS5.3; HS5.4</i>
GOAL HS10 Noise and Vibration: <i>Ensure that noise does not substantially reduce the local quality of life.</i>	<i>Policies: HS10.10; HS10.11; HS10.14; HS10.16</i>
GOAL HS11 Healthy Communities: <i>Improve the overall health of Yuba County's residents.</i>	<i>Policies: HS11.1; HS11.5</i>
GOAL NR1 Recreational Areas: <i>High-quality, accessible public recreational open space.</i>	<i>Policies: NR1.6; NR1.7; NR1.8; NR1.15</i>
GOAL NR2 Urban Greening: <i>Improve Yuba County's urban areas and the environment through development of green public spaces.</i>	<i>Policies: NR2.1; NR2.2</i>
GOAL NR3 Farmland: <i>Provide for long-term, vibrant local agricultural operations.</i>	<i>Policies: NR3.1; NR3.8; NR3.9; NR3.11; NR3.13; NR3.14</i>
GOAL NR4 Forestry: <i>Ecologically and economically sustainable local forestry and timber harvest operations.</i>	<i>Policies: NR4.1; NR4.2; NR4.7</i>
GOAL NR8 Soil and Mineral Resources: <i>Provide for sustained mining operations as a fundamental component of the local economy.</i>	<i>Policies: NR8.1; NR8.3</i>
GOAL NR9 Visual Resources: <i>Preservation of Yuba County's important visual resources.</i>	<i>Policies: NR9.1; NR9.2; NR9.3</i>

**TABLE 4: BEST FIT ZONES FOR THE GENERAL PLAN LAND USE DESIGNATION**

ZONES THAT CORRESPOND TO GENERAL PLAN LAND USE DESIGNATION	VALLEY NEIGHBORHOOD	COMMERCIAL MIXED USE	EMPLOYMENT	EMPLOYMENT VILLAGE	RURAL COMMUNITY	NATURAL RESOURCES	PUBLIC/ QUASI-PUBLIC	PLANNING RESERVE
"AE" Exclusive Agricultural Zone	H	H	H	H	X	X	I	H
"A/RR" Agricultural/Rural Residential Zone	H	H	H	H	X	O <sup>1</sup>	I	H
"RRE" Rural Residential Estate Zone	I	I	I	I	X	I	I	I
"R-1" Single-Family Residential Zone	X	I	I	X	O	I	I	I
"R-2" Medium Density Residential Zone	X	I	I	X	O	I	I	I
"R-3" High Density Residential Zone	X	X	O	X	I	I	I	I
"NC" Neighborhood Commercial Zone	X	O	O	X	I	I	I	I
"RC" Rural Commercial Zone	O	O	O	O	X	I	I	I
"C" General Commercial Zone	O	X	O	O	O	I	I	I
"M-1" General Industrial Zone	O	O	X	X	I	I	I	I
"M-2" Extractive Industrial Zone	I	I	I	I	I	X	I	I
"I/C" Industrial/Commercial Zone	I	I	X	X	I	I	I	I
"M-3" Light Industrial Zone	O	O	X	O	I	I	I	I
"PF" Public Facilities Zone	X	X	X	X	X	O	X	O
"RZ" Recreational Zone	O	O	X	O	O	O	I	I
"S/E" Sports/Entertainment Zone	I	I	X	I	I	I	I	I
"TPZ" Timberland Preserve Zone	I	I	I	I	H	X	I	I
"FP-1" Floodplain Zoning	O	O	O	O	O	X	X	O
"PR" Planning Reserve	O	O	O	O	O	I	I	O
"AP" Airport Zone—Yuba County Airport	O	O	O	O	O	O	X	O
"BAFB" Beale Air Force Base Zone	O	O	O	O	O	O	X	O
"BAPZ" Brownsville Airport Zone	I	I	I	I	O	O	X	I
"SP-1" Specific Plan-East Linda	X	O	I	I	I	I	O	I
"RPZ" Resource Preserve Zone	I	I	I	I	O	X	X	I
"PUD" Planned Unit Development	O	O	O	O	O	I	I	I
Smartville/Timbuctoo Community Boundary (STCB)	I	I	I	I	X	I	I	I

X = Zoning is consistent with the 2030 General Plan.

O = Zoning is consistent if proposed use is found to be consistent with goals, policies and actions of the 2030 General Plan

H = Zoning is consistent if used as a holding zone prior to approval of development.

I = Zoning is inconsistent with the 2030 General Plan

<sup>1</sup>Small rural residential properties (i.e. parcels typically ranging from 1-5 acres in size) existing at the time of adoption of the 2030 General Plan are considered consistent with the Natural Resources land use designation.

# The County of Yuba

AUDITOR - CONTROLLER



DEAN E. SELLERS

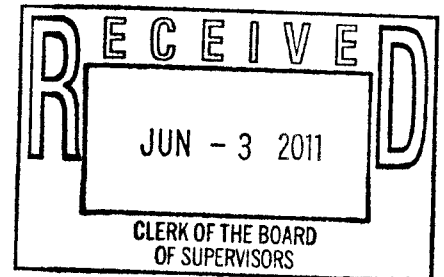
915 8<sup>TH</sup> Street, Suite 105  
Marysville, CA 95901-5273  
(530) 749-7810

June 3, 2011

Board of Supervisors  
County of Yuba  
915 8<sup>th</sup> Street Suite 109  
Marysville CA 95901

Honorable Members:

COPY OF REFERENCED  
DOCUMENT ON FILE WITH  
CLERK OF THE BOARD



An Independent Audit of the financial records for the following agency has been completed for the year(s) specified:

DISTRICT 10 HALLWOOD CSD

JUNE 30, 2010

Yours truly,

Dean E. Sellers,  
Auditor-Controller

DES/mrj  
Enclosure (1)

BOS CORRESPONDENCE A



**UNITED STATES DEPARTMENT OF COMMERCE**  
**Economics and Statistics Administration**  
**U.S. Census Bureau**

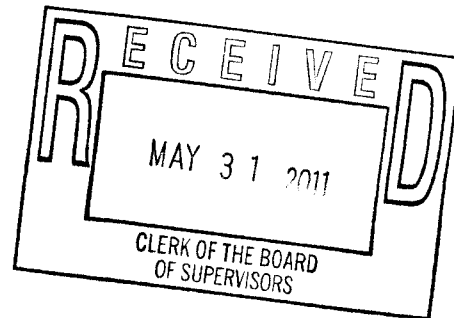
Washington, DC 20233-0001

OFFICE OF THE DIRECTOR

May 26, 2011

00228  
CO06115

Mr. John R Nicoletti  
Chairman  
915 8th St Ste 109  
Marysville CA 95901



Dear Chairman Nicoletti:

I am writing to thank you for your efforts to help make the 2010 Census a success. The 23<sup>rd</sup> Census of the United States was a massive and important undertaking, and I realize that it could not have been achieved without your support. I am pleased to provide you with instructions to assist you in obtaining information from the 2010 Census on your community.

We have enclosed detailed instructions for finding the new ***Profile of General Population and Housing Characteristics: 2010*** online. This profile provides a look at your community's population count, age and sex distribution, race, Hispanic or Latino origin, household relationships, group quarters population, housing occupancy and home ownership status. A profile is available for all states, counties, minor civil divisions, places, American Indian and Alaska Native areas, the Hawaiian home lands, and municipios in Puerto Rico. The enclosed instructions guide you through finding these data on our American FactFinder website at <http://factfinder2.census.gov>. We also invite you to explore these data on our interactive map at <http://2010.census.gov/2010census/popmap/>.

We will release additional data products from the 2010 Census through 2013. For more information on these upcoming products, please visit: <http://www.census.gov/population/www/cen2010/glance/>.

If you have any difficulty in obtaining your Demographic Profile data online, please call our Customer Service staff at 1-800-923-8282 for assistance. Our Regional Offices and the State Data Centers also serve as a great resource for you. To find the offices that serve your community, please visit <http://www.census.gov/regions/> or <http://www.census.gov/sdc/index.html>.

Again, I want to thank you for your support during the Census enumeration. I hope you find the data products meaningful.

Sincerely,

Robert M. Groves  
Director

Attachment

**BOS CORRESPONDENCE B**



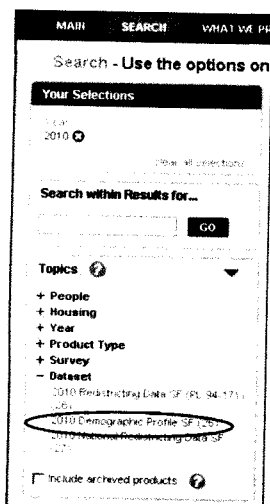
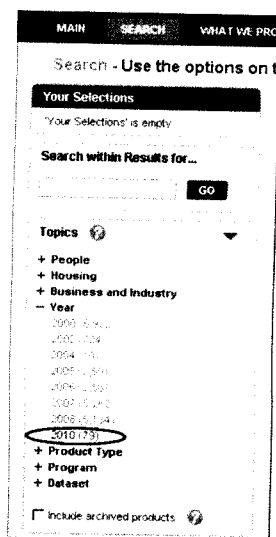
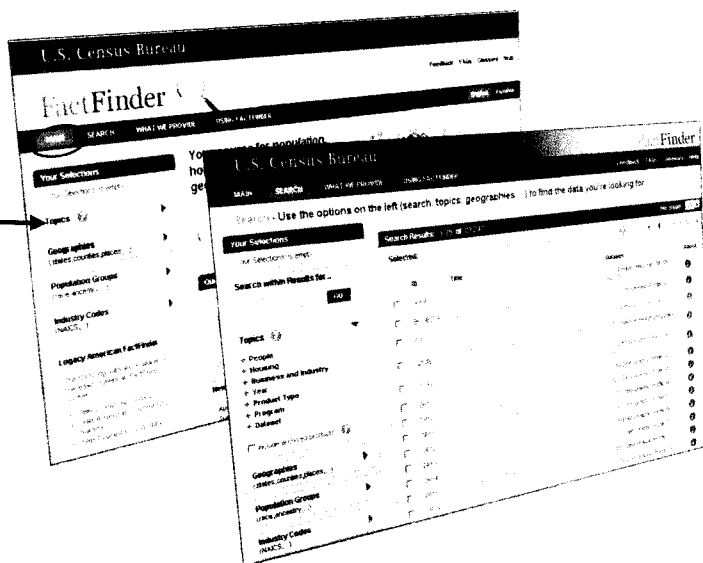
## How do I access Census information for my community?

1. Visit American FactFinder at: <http://factfinder2.census.gov>

2. Begin Your Search

From the Main page:

- Select Topics on left
- The Search Results page displays



3. Select a Year & Dataset

Expand Year:

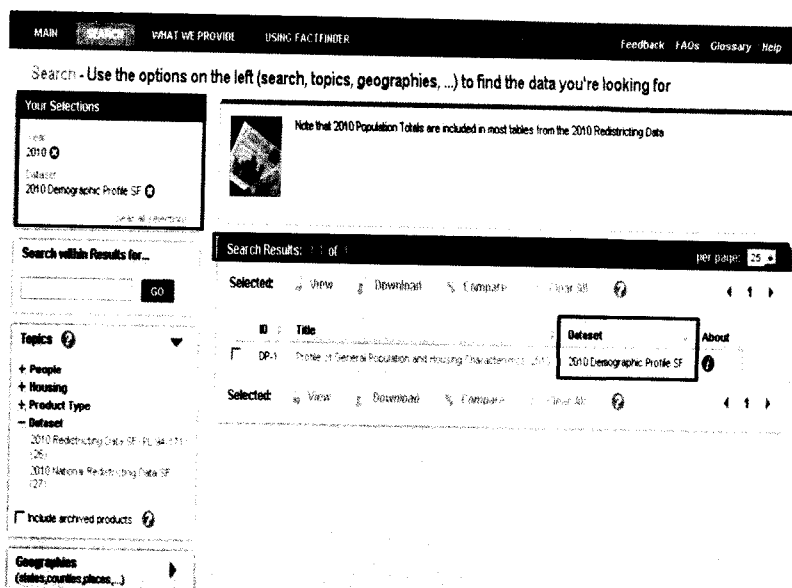
- Select "2010"

Expand Dataset:

- Select "2010 Demographic Profile SF"

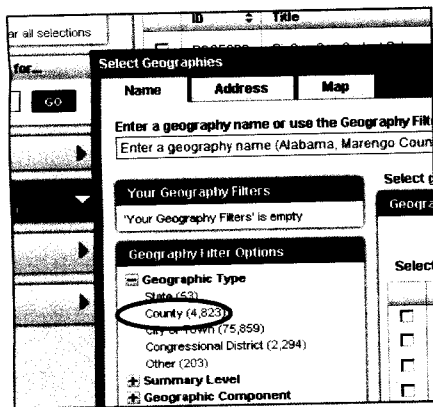
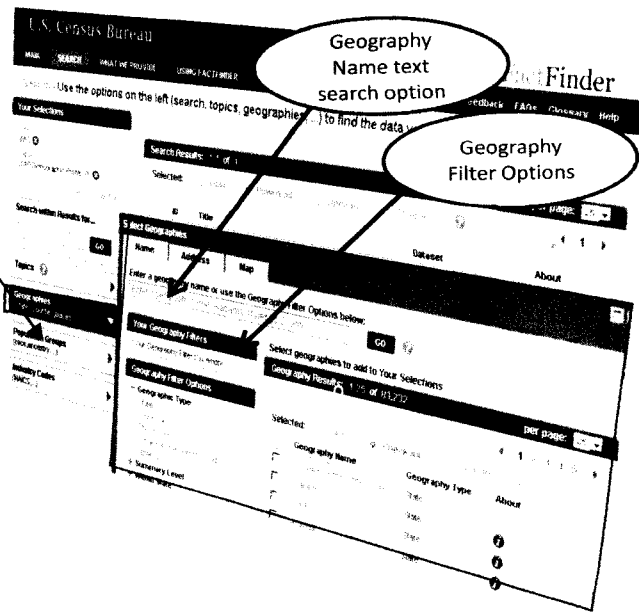
"Your Selections" and "Search Results" are updated.

- The 2010 Demographic Profile Summary File table is the first item in the "Search Results" list



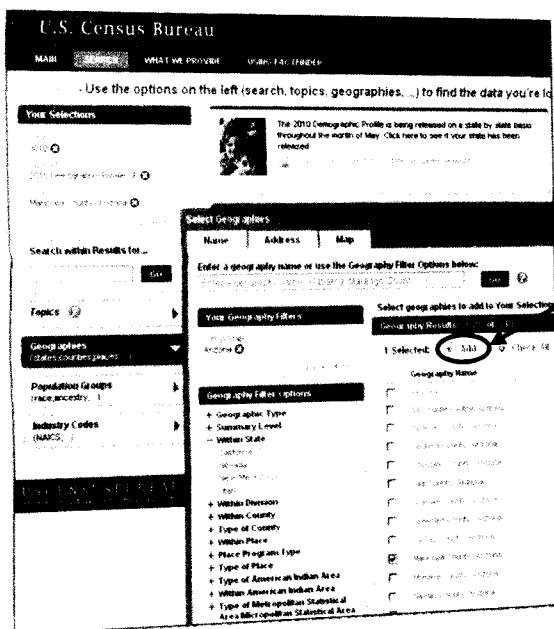
### 3. Select Your Geography

- Select Geographies – This will open the gray-bordered Select Geographies overlay window
- Use the Geography Name text search option or Geography Filter Options to select Geographies



#### EXAMPLE: Find data for Maricopa County, Arizona

- Use the Geography Filter Options to select your Geography type
- Select the **Geographic Type County**



#### Expand Within State:

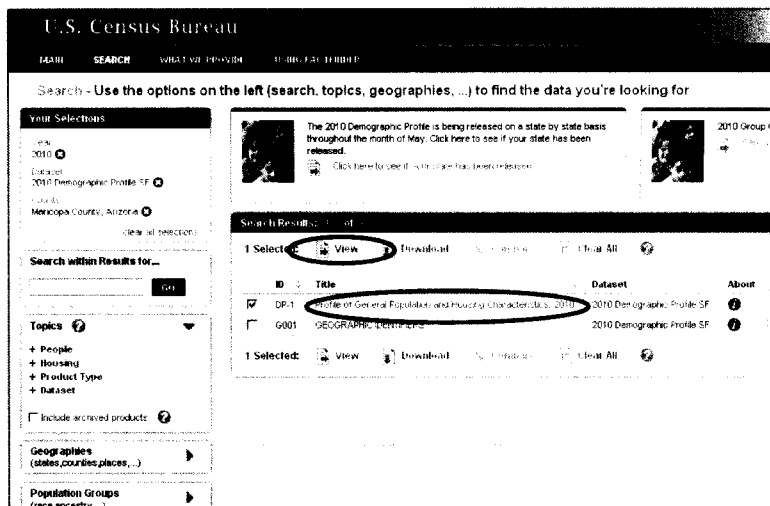
- Select "Arizona"
- Check box next to "Maricopa County"
- Click Add
- "Your Geography Filters" and "Geog Results" are updated

#### IMPORTANT NOTE:

- Close the gray-bordered Select Geographies overlay window

## Select and View Search Results

- Select the Demographic Profile Summary File table from the "Search Results" list:
  - Click on Profile of General Population and Housing Characteristics: 2010 to view the table
  - OR
  - Use the checkbox and the View button to view the table



- The selected table is displayed
- Use the "Actions" menu options to:
  - Modify Table**
  - Bookmark**
  - Download**

*TIP: Use the Download option to download the table in a database compatible format from the Search Results page.*

  - Create Map** (only applies when you have two or more of the same geography types selected (i.e., two or more counties, two or more states, etc.)
  - View Table Notes** (If available)

U.S. Census Bureau

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AMERICAN

FactFinder

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Results - Click Back to Search to select other tables or geographies

← BACK TO SEARCH

Result 1 of 1

VIEW ALL

DP-1

Profile of General Population and Housing Characteristics: 2010 ⓘ  
 2010 Demographic Profile Data

Table View

Map View

Actions:

Modify Table

Bookmark

Download

Create a Map

View Table Notes

NOTE: For more information on confidentiality protection, nonsampling error, and definitions, see <http://www.census.gov/prod/cen2010/profiletd.pdf>.

GEO: Maricopa County, Arizona

Subject	Number	Percent
SEX AND AGE		
Total population	3,817,117	100.0
Under 5 years	282,770	7.4

## NOTICE OF PUBLIC HEARING

concerning

Non-Regulatory Amendments to the Water Quality Control Plans for the Sacramento River and San Joaquin River Basins, and the Tulare Lake Basin, to Provide a Cost Estimate and Potential Sources of Financing for the Long-Term Irrigated Lands Regulatory Program

The Central Valley Regional Water Quality Control Board (Central Valley Water Board or Board) will hold a public hearing to consider adopting amendments to the Water Quality Control Plans for the Sacramento and San Joaquin River Basins, and the Tulare Lake Basin (Basin Plans). The proposed amendments will provide a cost estimate and potential sources of financing for its Long-Term Irrigated Lands Regulatory Program (ILRP). The alternatives for the Long-Term ILRP are described in the Final Program Environmental Impact Report certified by the Board by Resolution R5-2011-0017. After hearing testimony, the Central Valley Water Board may choose to act on the proposal, or may choose to continue or close the hearing and vote on the proposal at a future meeting. The public hearing, to be conducted during the Central Valley Water Board meeting, is scheduled at the time and location noted below:

Date: 12/13/14 October 2011 (the exact date will be identified in the meeting agenda at least 10 days prior to the meeting)

Time: 8:30 am

Place: Regional Water Quality Control Board office  
11020 Sun Center Drive, Suite 200  
Rancho Cordova, CA 95670

A draft staff report will be prepared to describe the rationale for the proposed amendments. Beginning 1 July 2011, interested persons may download the draft staff report for the proposed Basin Plan amendments in PDF format from the Central Valley Water Board's Internet website at

[http://www.waterboards.ca.gov/centralvalley/water\\_issues/basin\\_plans/](http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/)

A copy of these documents can also be obtained by contacting or visiting the Central Valley Water Board's offices in Rancho Cordova or Fresno:

11020 Sun Center Drive, #200, Rancho Cordova, California 95670-6114  
weekdays between 8:00 a.m. and 5:00 p.m. [Brett Stevens -916-464-4642]

1685 "E" Street, Suite 100, Fresno, California 93706-2007 weekdays between 8:00 a.m. and 5:00 p.m. [Pam Buford - 559-445-5576]

Written comments must be submitted by **15 August 2011** if they are to receive a written response. After the deadline, staff will not accept written comments

unless the Board Chair determines such comments should be accepted.  
Comments shall be addressed to:

Attn: Brett Stevens  
Central Valley Regional Water Quality Control Board  
11020 Sun Center Drive, #200  
Rancho Cordova, CA 95670

At the hearing, staff will summarize written comments and will present a final recommendation for Board consideration. Interested persons will be provided the opportunity to present oral comments to the Central Valley Water Board at the hearing, and are expected to orally summarize their written submittals. Oral testimony will be limited in time by the Board Chair.

Confirmation of the hearing date and any questions regarding the proposed amendments should be directed to Brett Stevens at (916) 464-4642 number or [bstevens@waterboards.ca.gov](mailto:bstevens@waterboards.ca.gov). The hearing facilities will be accessible to persons with disabilities. Individuals requiring special accommodations are requested to contact Kiran Lanfranchi-Rizzardi at (916) 464-4839 at least five working days prior to the meeting. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.


Questions regarding this amendment should be directed to Brett Stevens at (916) 464-4642 or [bstevens@waterboards.ca.gov](mailto:bstevens@waterboards.ca.gov). Future notifications regarding this amendment will be made through the mailing list for the Irrigated Lands Regulatory Program. Persons wishing to subscribe to the electronic mailing list can do so through our website by clicking on the "Subscribe" button on the right side of our webpage at:

[http://www.waterboards.ca.gov/resources/email\\_subscriptions/reg5\\_subscribe.shtml](http://www.waterboards.ca.gov/resources/email_subscriptions/reg5_subscribe.shtml)

[Note: Check the box titled "Irrigated Lands Regulatory Program"]

If you have already signed up for the mailing list in the past, you need not sign up a second time. Or, you may fill out the attached form to receive future notifications regarding this amendment via US mail.

Please bring the above information to the attention of anyone you know who would be interested in this matter.

  
Kenneth D. Landau, Assistant Executive Officer

27 May 2011



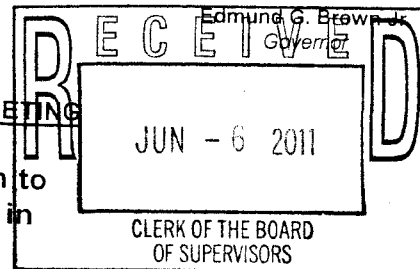
# California Regional Water Quality Control Board Central Valley Region

Katherine Hart, Chair



Linda S. Adams  
Acting Secretary for  
Environmental Protection

11020 Sun Center Drive, #200, Rancho Cordova, California 95670-6114  
(916) 464-3291 • FAX (916) 464-4645  
<http://www.waterboards.ca.gov/centralvalley>



## **NOTICE OF PUBLIC SCOPING/EARLY CONSULTATION MEETING**

**Amending the Sacramento/San Joaquin Basin Plan to  
Revise Groundwater Beneficial Use Designations in  
the Hodson/Littlejohns Fault Zone Area  
Located near Copperopolis in Calaveras County**

**NOTICE IS HEREBY GIVEN** that staff of the Central Valley Regional Water Quality Control Board ("Central Valley Water Board" or "Board") are seeking early public consultation regarding a proposal to amend the Water Quality Control Plan for the Sacramento River and San Joaquin River Basins (the "Basin Plan"). The proposal would revise groundwater beneficial use designations in the Hodson/Littlejohns Fault Zone Area (the "Project Area").

### **BACKGROUND**

Highly saline groundwater is found in certain portions of the Salt Spring Valley in western Calaveras County. The Basin Plan currently requires that the Board protect this groundwater so that it can be utilized for various uses, including municipal and domestic supply. Due to the high salt concentrations, the groundwater in portions of this area may not support these uses.

Additional information regarding the proposal is available for download in PDF format from the Board's website at:

[http://www.waterboards.ca.gov/centralvalley/water\\_issues/basin\\_plans/hodson\\_littlejohns\\_fault\\_zone/index.shtml](http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/hodson_littlejohns_fault_zone/index.shtml)

Copies of these documents can also be obtained by contacting or visiting the Board's office at: 11020 Sun Center Drive, #200, Rancho Cordova, California 95670-6114 weekdays between 8:00 a.m. and 5:00 p.m.

### **PUBLIC SCOPING/EARLY CONSULTATION MEETING PURPOSE**

At the meeting, Board staff will provide an overview of the environmental conditions in the Project Area. The public is invited to comment on possible regulatory actions, alternatives<sup>1</sup>, and the significant environmental impacts that could be associated with modifying designated groundwater beneficial uses in the Project Area.

Public comments will help the Board refine the scope of its environmental analysis. Prior to amending the Basin Plan, the Board must conduct an environmental analysis under the California Environmental Quality Act<sup>2</sup>. The Board's Basin Planning program has been designated as a certified regulatory program<sup>3</sup>, and therefore, the Board will conduct its environmental analysis pursuant to regulatory requirements found at California Code Regulations, title 23, section 3775 et seq. The Board will not amend the Basin Plan without first circulating its environmental analysis for further public comment.

<sup>1</sup> The Board is also considering other regulatory options, such as the adoption of site-specific objectives or the implementation of a containment zone at a portion of the Project Area.

<sup>2</sup> Pub. Resources Code § 21000 et seq.

<sup>3</sup> Cal. Code Regs., tit. 14, §15251(g).

***California Environmental Protection Agency***

**Written comments for the Public Scoping/Initial Consultation Meeting should be submitted to Gene Davis no later than 14 July 2011** (contact information provided below). All written comments will be included in the final administrative record.

**Public Scoping/Early Consultation Meeting Time and Location:**


<b>Location</b>	Stockton State Office Building, Auditorium 31 E. Channel Street Stockton, CA 95202
<b>Date</b>	23 June 2011
<b>Time</b>	10:00 am to 11:30 am

The facilities will be accessible to persons with disabilities. Individuals requiring special accommodations are requested to contact Gene Davis at (916) 464-4687 at least 5 working days prior to the meeting. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922

**Contact information:**

Central Valley Water Board  
Attn: Gene Davis  
11020 Sun Center Drive, # 200  
Rancho Cordova, CA 95670  
(916) 464-4687  
Email: [gmdavis@waterboards.ca.gov](mailto:gmdavis@waterboards.ca.gov)

Please bring the above information to the attention of anyone who might be interested in this matter. Also, this is the only notification you will receive by mail on this Basin Planning effort. If you are interested in receiving additional information on this issue, please subscribe to the "Hodson-Littlejohns Fault Zone Groundwater" email notification service through our webpage at: [http://www.waterboards.ca.gov/resources/email\\_subscriptions/reg5\\_subscribe.shtml](http://www.waterboards.ca.gov/resources/email_subscriptions/reg5_subscribe.shtml) or complete and return the attached form.

  
Kenneth D. Landau, Assistant Executive Officer

1 June 2011



Linda S. Adams  
Acting Secretary for  
Environmental Protection

**California Regional Water Quality Control Board**  
**Central Valley Region**  
Katherine Hart, Chair

11020 Sun Center Drive, #200, Rancho Cordova, California 95670-6114  
(916) 464-3291 • FAX (916) 464-4645  
<http://www.waterboards.ca.gov/centralvalley>



Edmund G. Brown Jr.  
Governor

## **Notice of Public Scoping Meeting**

Amendment to the Central Valley Water Quality Control Plans to add a Variance Policy and an Interim Program for Addressing Salt

**NOTICE IS HEREBY GIVEN** that the Regional Water Quality Control Board, Central Valley Region (Regional Water Board) staff will hold public scoping meetings to seek input on the environmental information that should be considered in the development and adoption of amendments to the Water Quality Control Plan for the Sacramento River and San Joaquin River Basins and the Water Quality Control Plan for the Tulare Lake Basin (Basin Plans) to add a policy for granting variances as described in federal water quality standards regulations (Title 40 Code of Federal Regulations section 131.13) and to incorporate an interim program for regulating salt discharges.

### **BACKGROUND**

The California Water Code allows Regional Water Boards the ability to adopt time schedules to achieve water quality objectives and to include time schedules in waste discharge requirements. However, compliance schedules may be included in NPDES permits only under certain conditions. It is useful for the Regional Water Board to have a mechanism to adopt NPDES permits when discharger compliance with the water quality standards is infeasible at the present time and the Regional Water Board would like to maintain the current water quality standards as goals rather than removing uses that may be ultimately attainable.

At this time, the Regional Water Board is interested in exploring variances from water quality standards for salt while work is in-progress on a comprehensive salinity and nitrate management program called CV-SALTS (Central Valley Salinity Alternatives for Long-Term Sustainability). Dischargers regulated by waste discharge requirements but not NPDES permits are not subject to the same compliance schedule regulations as NPDES dischargers; however, the Regional Water Board is interested in including non-NPDES dischargers in the interim program for consistency.

### **PUBLIC SCOPING MEETING CONDUCT AND SCHEDULE**

This meeting and workshop will provide participants with: (1) an opportunity to comment on the appropriate scope and content of the proposed amendments and environmental documents to be prepared pursuant to CEQA (Public Resources Code section 21000 et seq.) and the Regional Water Board's certified regulatory program for basin planning (California Code of Regulations, Title 14, section 15251, subdivision (g); and Title 23, section 3775 et seq.); and (2) an overview of the conditions in the project area.

Following the workshop, staff will review written comments received, prepare a summary of scoping comments and a draft staff report for public comment. **Written comments should be submitted to Betty Yee no later than 15 July 2011** (contact

***California Environmental Protection Agency***



information provided below). Comments provided at the workshop will be reviewed and considered prior to Regional Board consideration of any proposed amendment.

**CEQA Scoping Meeting Time and Location:**

**Location**    **Regional Water Quality  
Control Board Office**  
11020 Sun Center Drive, # 200  
Rancho Cordova, CA 95670

**Location**    **State Building**  
2550 Mariposa Mall, Rm 1036  
Fresno, CA 93721

**Date:**        24 June 2011

**Date:**        5 July 2011

**Time:**        10:00 AM to 12:00 PM

**Time:**        1:00 PM to 3:00 PM


The facilities will be accessible to persons with disabilities. Individuals requiring special accommodations are requested to contact Betty Yee at least 5 working days prior to the meeting. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.

**Contact Information**

Questions regarding this issue should be directed to Betty Yee at (916) 464-4643 or byee@waterboards.ca.gov. To continue receiving notifications regarding this basin plan amendment, you must subscribe to the "**Variance**" mailing list through our webpage at: [http://www.waterboards.ca.gov/lyrisforms/reg5\\_subscribe.html](http://www.waterboards.ca.gov/lyrisforms/reg5_subscribe.html) or complete the attached form and return it to Betty Yee, California Regional Water Quality Control Board, Central Valley Region, 11020 Sun Center Drive, #200, Rancho Cordova, CA 95670.

Additional information regarding the proposed amendment is available for download in PDF format from the Regional Water Board's Internet website at [http://www.waterboards.ca.gov/centralvalley/water\\_issues/basin\\_plans/variances/](http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/variances/). Copies of these documents can also be obtained by contacting or visiting the Regional Water Board's office at 11020 Sun Center Drive, #200, Rancho Cordova, California 95670-6114 weekdays between 8:00 a.m. and 5:00 p.m.

Please bring the above information to the attention of anyone you know who would be interested in this matter.

  
\_\_\_\_\_  
Kenneth D. Landau, Assistant Executive Officer

31 May 2011

## Continued Notifications

To continue receiving notifications regarding the issues in the attached notice(s), you **must** sign up for the electronic mailing list or complete the form below and return it to:

Betty Yee  
Regional Water Quality Control Board  
11020 Sun Center Drive, #200  
Rancho Cordova, CA 95670

If you have any questions, you can contact Betty Yee at (916) 464-4643 or [byee@waterboards.ca.gov](mailto:byee@waterboards.ca.gov).

*If you do not subscribe to the electronic mailing list or return this form, you will not receive any further notice regarding these amendment(s).*

Persons wishing to subscribe to the electronic mailing list can do so through our website by clicking on the "Subscribe" button on the right side of our webpage at:

<http://www.waterboards.ca.gov/centralvalley/>

This Continued Notifications only applies to the basin plan amendment(s) described on the attached notice(s). If you are **not** interested in any of these amendment(s), do nothing and you will remain on the basin plan mailing list for future amendments.

Name \_\_\_\_\_  
Affiliation \_\_\_\_\_  
Address \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Phone Numbers \_\_\_\_\_  
E-mail \_\_\_\_\_

- 
- ☐ Irrigated Lands Regulatory Program  
☐ Variance Policy and Interim Salt Policy  
☐ Groundwater in the Hodson/Littlejohns Fault Zone Area
- 

- \_\_\_\_\_ Yes, please send notifications on the item(s) checked above to my postal address.  
\_\_\_\_\_ Yes, please send notifications on this item(s) checked above to my e-mail address.  
\_\_\_\_\_ I have received multiple paper notifications; please remove duplicates from your database.  
\_\_\_\_\_ No, I am not interested in these issues but would like to remain on the mailing list.  
\_\_\_\_\_ You can send notifications to my e-mail address.  
\_\_\_\_\_ Continue sending notifications to my postal address.  
\_\_\_\_\_ No, I am not interested in Basin Plan Amendments; please remove me from this mailing list.

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Betty Yee  
Regional Water Quality Control Board  
11020 Sun Center Drive, #200  
Rancho Cordova, CA 95670

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