

**RESOLUTION**



**WHEREAS**, the County has prepared the Development Code update which includes zoning regulations and Zoning Map update to implement the 2030 General Plan pursuant to Government Code Sections 65850 and 65860; and

**WHEREAS**, the Board of Supervisors adopted the East Linda Specific Plan (ELSP) in 1990 (OA 90-01 and SP89-01). Since 1990, ELSP has been amended numerous times and in many instances no longer reflects the land use assumptions made in 1990 such as different noise contours for Beale AFB, changes in school and park locations, or the Highway 70 Bypass running through the area. In addition, the ELSP included 13 different residential zone districts to provide a range of housing types and densities. The Development Code update provides for a similar range of densities within three residential zoning districts. Further the ELSP was incorporated into the County's Zoning Ordinance (Ordinance 1044) and is not a stand-alone planning document. Therefore, adoption of the Development Code and Zoning Map update will replace the zoning designations and development standards of all property within the ELSP. As such the East Linda Specific Plan should be rescinded. The community of East Linda should be retained as a geographical reference to the unincorporated community.

**WHEREAS**, The Board adopted the Olivehurst Sustainable Community and Economic Revitalization Plan (OSKER) as a visioning document to be included in the Development Code update in January 2013. The OSKER Plan reviewed the Olivehurst Avenue Specific Plan (OASP) and identified areas that should be rezoned both within the OASP area as well as surrounding areas of the Olivehurst Community as part of the Development Code update. In addition, the OASP was adopted on March 19, 1996 as part of the establishment of the Redevelopment Agency (Resolution 96-43). With the State of California eliminating redevelopment agencies along with the changes identified in the OSKER Plan, the OASP is no longer consistent with the General Plan and Development Code and should be rescinded.

**WHEREAS**, the 2030 General Plan evaluated community boundary designations and within the area of the River Highlands Community Plan adopted a smaller community boundary and renamed the area as the Smartsville Rural Community. As such, the Development Code and Zoning Map update reflect the community boundaries adopted by the 2030 General Plan and therefore the area known as the River Highlands Community Plan no longer exists. Therefore, as part of the Development Code update, the River Highlands Community Plan should be rescinded.

**WHEREAS**, Section 65354 of the State of California Government Code states that the local agency's planning commission shall make a written recommendation on the adoption or amendment of a zoning ordinance (Development Code) and Zoning Map; and,

**WHEREAS**, the County of Yuba initiated an update to the Zoning and Development Codes (Development Code) in 2011, which consisted of numerous public meetings, stakeholder meetings, Development Code Update Advisory Committee meetings, and meetings with the Planning Commission and the Board of Supervisors; and,

**WHEREAS**, the County determined that the Zoning Ordinance, Development Code and Zoning Map Update (referred to herein as the "Development Code and Zoning Map Update" and the "Project") was a project requiring review pursuant to the California Environmental Quality Act (CEQA), Public Resources Code 21000 et seq., and that an Initial Study and Negative Declaration have been prepared to evaluate the potential environmental effects of the project; and,

**WHEREAS**, a Notice of Availability was released for public and agency review and comment, with public review period starting April 29, 2015, and ending on May 19, 2015; and,

**WHEREAS**, the Planning Commission considered the Project during a noticed public hearing on May 20, 2015 considered recommendations to the Board of Supervisors regarding the Project;

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

1. The foregoing recitals are true and correct.
2. The Planning Commission bases its recommendation upon the testimony and information presented at the hearing, including consideration of the Initial Study and Negative Declaration and all evidence in the whole record pertaining to the Project.
3. The Planning Commission recommends that the Board of Supervisors finds that the Development Code and Zoning Map implement the 2030 General Plan for future development of the County.
4. The Planning Commission hereby recommends that the Yuba County Board of Supervisors adopt the Development Code and Zoning Map Update.
5. The Planning Commission further recommends that the Yuba County Board of Supervisors rescind Ordinance 1044, Resolution 1993-191, and Ordinance 1144: East Linda Specific Plan; Resolution 96-43: Olivehurst Avenue Specific Plan; and, Ordinance 1145: River Highlands Community Plan.

**PASSED AND ADOPTED** at a regular meeting of the Planning Commission of the County of Yuba, State of California, on the \_\_\_\_\_ day of \_\_\_\_\_ 2015, by the following vote.

**AYES:**  
**NOES:**  
**ABSENT:**  
**ABSTAIN:**

\_\_\_\_\_  
CHAIR  
Yuba County Planning Commission

ATTEST:  
Jason Kopping  
Planning Commission Secretary

APPROVED AS TO FORM:  
Angil P. Morris-Jones  
County Counsel

BY: \_\_\_\_\_

BY:  \_\_\_\_\_