

MINUTES

YOLO COUNTY PLANNING COMMISSION

June 14, 1995

1. CALL TO ORDER

Chair Pollock called the meeting to order at 8:35 a.m.

MEMBERS PRESENT: Heringer, Lea, Pollock, Walker, Gray, Webster and Lang

MEMBERS ABSENT: None

STAFF PRESENT: Stephen L. Jenkins, Director
Paul Kramer, County Counsel
Linda Peirce, Contract Planner
John Bencomo, Principal Planner
David Flores, Senior Planner
Mike Luken, Senior Planner
Laxmi Srinivas, Associate Planner
Mark Hamblin, Associate Planner
Linda Caruso, Commission Secretary

2. ADOPTION OF THE MINUTES OF THE PREVIOUS MEETING

Commission Action:

The Minutes of the May 24, 1995, Planning Commission Meeting were approved with no corrections.

MOTION: Walker SECOND: Lea
AYES: Heringer, Lea, Pollock, Walker, Webster and Lang
NOES: None
ABSENT: Gray
ABSTAIN: None

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PUBLIC REQUESTS

The opportunity for members of the public to address the Planning Commission on any subjects relating to the Planning Commission, but not relative to items on the present agenda was opened by the Chairman. The Planning Commission reserves the right to impose a reasonable limit on time afforded to any individual speaker.

Marianne Nix, resident of Knights Landing, spoke on the high costs of the infrastructure study. She also had complaints on the way the Mark Hope Project construction was being handled. She said roads were being closed and water was being shut off without prior notification. She continued to say that Mark Hope also stopped payment on the check for the Service District.



4. CORRESPONDENCE

Chair Pollock acknowledged receipt of the items of correspondence received in the packet and at the beginning of the meeting. She also acknowledged receipt of an invitation to visit Teichert Aggregates Mining Site.



5. CONSENT AGENDA

Items on the Consent Agenda are believed by staff to be non-controversial and consistent with the Commission's previous instructions to staff. All items on the Consent Agenda may be adopted by a single motion. If any commissioner or member of the public questions an item, it should be removed from the Consent Agenda and be placed in the Regular Agenda.

There were no items on the Consent Agenda.



6. REGULAR AGENDA

- 6.1 95-012 - Request for a Conditional Use Permit to allow construction of a building for an abattoir (custom slaughter operation) on an 80 acre property. Property is located on the east side of CR 105, 1 mile south of CR 36, near Davis in an A-1 (Agricultural General) zone. A Categorical Exemption has been prepared. Applicant: Julie and Chuck MacDonald (M. Hamblin)

Mark Hamblin gave the Staff Report. He also made the correction to the Staff Report regarding the size of the building should be 60' x 30'. He also made an amendment to Condition #2. It should read "and shall be limited to an average of five (5) animals per day.

Commission Walker asked how the viscera and offal would be disposed.

Commissioner Webster said it was strange that the permit is based on the size of the operation. Where is the cutoff between what constitutes a business and what constitutes a hobby.

John Bencomo, Principal Planner, answered that the term "hobby" is probably not the most accurate. The distinction is whether it is an accessory to the existing agricultural use versus a primarily industrial use.

The Public Hearing was opened at this time.

James Cordano, representative for the applicants, said that all waste will be taken off the site daily. Animals, primarily sheep, goats, and cattle, would be kept in a corral. There would be no storage of slaughtered animals on the property at this time, however there are future plans for putting in a cooler.

Chuck MacDonald, the applicant said that cutting and wrapping would be done for an extra cost. He also added that the plant would have to be approved by the State.

Commissioner Lea asked that a condition restricting the slaughter of horses and ponies be added to the Conditions of Approval.

The Public Hearing was closed at this time.

Commissioner Walker asked what provisions there would be for ensuring that certain conditions included in the approval process would be adhered to.

Chuck MacDonald, indicated that the abattoir would also be governed by the State of California. An inspector will come by and inspect the plant periodically.

Commission Action:

- (1) **CERTIFIED** the project as Categorically Exempt in accordance with Class 3, Section 15303(c) of the California Environmental Quality Act and Guidelines (CEQA) (**Exhibit "D"** - Notice of Exemption);
- (2) **ADOPTED** the proposed "FINDINGS" for this project as presented in the staff report;
- (3) **APPROVED** the requested Conditional Use Permit subject to the conditions listed under "CONDITIONS OF APPROVAL" presented in the staff report as modified.

MOTION: Heringer SECOND: Gray
AYES: Gray, Lea, Heringer, Pollock, Walker, and Lang
NOES: Webster

ABSENT: None
ABSTAIN: None

CONDITIONS OF APPROVAL

Planning Division

- (1) No retail sales to the general public (i.e. meat market) shall take-place on the site.
- (2) All slaughter and preparation activities shall be conducted within an enclosed building, and shall be limited to ~~a maximum~~ an average of five (5) animals per day. Slaughtering of horses and ponies shall be prohibited.
- (3) This Conditional Use Permit (Z.F. #95-012) shall commence within one (1) year from the date of the Planning Commission's approval of the Use Permit or said permit shall be deemed null and void without further action.
- (4) In accordance with Yolo County Code §8-2.2415, the applicant shall agree to indemnify, defend, and hold harmless the County or its agents, officers and employees from any claim, action, or proceeding (including damage, attorney fees, and court cost awards) against the County or its agents, officers, or employees to attack, set aside, void, or annul an approval of the County, advisory agency, appeal board, or legislative body concerning the permit or entitlement when such action is brought within the applicable statute of limitations. The County shall promptly notify the applicant of any claim, action or proceeding and that the County cooperate fully in the defense. If the County fails to promptly notify the applicant of any claim, action, or proceeding, or if the County fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold the County harmless as to that action. The County may require that the applicant post a bond in an amount determined to be sufficient to satisfy the above indemnification and defense obligation.

Building Division

- (5) Prior to the issuance of a building permit by the county the applicant shall submit the appropriate building plans for the abattoir to the California Department of Food and Agriculture for their approval prior to their submittal to the Yolo County Community Development Agency, Building Division. A copy of said approved building plans or a letter stating building plan(s) were approved from the California Department of Food and Agriculture shall be submitted to the Yolo County Community Development Agency, Building Division.
- (6) The applicant shall obtain building permit(s) from the Yolo County Community Development Agency, Building Division for the construction of the abattoir on the site.
- (7) Any construction and/or placement of building(s) within Flood Zone A shall be in compliance with the Yolo County Flood Damage Prevention Regulations (Ordinance No. 1143).

(8) Prior to the issuance of the building permit the applicant shall file an application for a business license with the Yolo County Community Development Agency, Business License Division.

Environmental Health Services

(9) The operation shall have a washable surface (concrete, etc.) in the slaughter and clean up area that is approved by the Yolo County Environmental Health Services and shown on the building plans for the abattoir.

(10) All wastewater shall be collected and properly disposed through the septic system. Off-site disposal of wastewater is prohibited.

(11) The domestic water well shall be tested and the water shall be bacteriologically free. The water shall also be tested for chemicals. Copies of the water test results shall be submitted to the Yolo County Environmental Health Services prior to the issuance of a building permit.

(12) Waste material shall be properly managed to prevent unsanitary nuisances that include but are not limited to noise, vectors, odors, dust, and surface or ground water contamination or pollution.

(13) The proposed operation shall comply with the United States Department of Agriculture (USDA) requirements and guidelines for the slaughtering of animals.

Air Quality Management District

(14) The applicant shall comply with applicable air quality requirements for the Yolo/Solano Air Quality Management District for the abattoir. The applicant shall contract the Yolo/Solano Air Quality Management District prior to the issuance of the building permit.

Department of Public Works & Transportation

(15) The applicant shall obtain an encroachment permit from the Yolo County Department of Transportation and Public Works if an additional drive approach is to be constructed along the county right-of-way to service the abattoir.

Failure to comply with the "CONDITIONS OF APPROVAL" as approved by the Planning Commission may result in either or all of the following:

- . **the revoking of the Use Permit;**
- . **legal action;**
- . **non-issuance of future building permits.**

FINDINGS

[Supporting evidence has been indented and italicized]

In accordance with Section 8-2.2804 of Article 27 of the Yolo County Zoning Regulations the Planning Commission (acting as the Board of Zoning Adjustment) finds:

- a. The requested use is listed as a conditional use in the zone regulations or elsewhere in this chapter;

Commercial uses of primary and essential service to the agricultural use of the area, agricultural processing plants, and/or animal feed and sales yards within the A-1 Zone are subject to conditional use permit approval by the Planning Commission (Section 8-2.604.(b)(e)(t) Chapter 2, Title 8).

- b. The requested use is essential or desirable to the public comfort and convenience;

The raising of livestock is an accepted agricultural related industry within Yolo County. The applicant provides a service to the livestock industry by providing custom low-volume slaughter services involving goats, sheep and cattle to individuals.

- c. The requested use will not impair the integrity or character of the neighborhood nor be detrimental to the public health, safety or general welfare;

The proposed project on the 80 acre property will not impair the integrity or character of the rural agricultural setting of the surrounding area.

The Yolo County Health Services Agency, Environmental Health Services Division has prescribed conditions to limit waste material from being properly managed to prevent unsanitary nuisances that include but are not limited to noise, vectors, odors, dust and surface and ground water contamination or pollution.

The applicant is to construct the abattoir in accordance with the California Department of Food and Agriculture permitting authority. Evidence of said approval from the California Department of Food Agriculture is to be submitted to the Yolo County Community Development Agency, Building Division prior to issuance of a building permit.

The subject site is within a Flood Zone A6. Construction of the abattoir within this Flood Zone shall be in compliance with the Yolo County Flood Damage Prevention Regulations (Ordinance No. 1143).

- d. The requested use will be in conformity with the General Plan;

The proposed project is determined to be in conformance with the following applicable provision of the General Plan - LU 18. Agricultural Area Uses which states that the findings for approval shall include, but is not limited to:

- . *The use is directly related to agricultural land use (cultivation of agricultural plants or the raising of animals, and;*

The applicant is proposing to construct of a 40' X 24' (960 sq. ft.) building for operation as a low-volume custom slaughter operation on an 80 acre property to service the livestock industry.

- . *Will not diminish nor prevent agricultural use on site or on adjoining agricultural lands, and;*

The project will not diminish nor prevent the agricultural use on the site or adjoining agricultural land. A 5 acre portion of the property is not farmed. The 5 acre portion has the existing house and corrals, and is where the proposed slaughter house and a proposed barn are to be constructed. Abattoir and barn are to located 75 feet from the County Road No. 105. The remaining 75 acres of the site is being use for cultivation of crops (alfalfa). The properties surrounding the site are also involved with cultivation of crops.

- . *The use can be developed in the area without significant reduction of cultivation, growth, and harvesting of the indigenous agricultural products.*

The use can be developed in the area without significant reduction of cultivation, growth, and harvesting of agricultural products on the site. The applicant is locating buildings and the structures (barn, corrals, slaughter house and existing residence with driveway) on a 5 acre portion of the 80 acre site that fronts County Road No. 105. The balance of the site is being use for cultivation of crops.

- e. Adequate utilities, access roads, drainage, sanitation, and/or other necessary facilities will be provided.

The project has public road frontage along County Road No. 105. An encroachment permit may be necessary if the applicant proposes to obtain a second access for vehicles in order to service the proposed slaughter house. No additional public service facilities are necessary. Utilities currently service the site. The Yolo County Health Services Agency, Environmental Health Services Division has prescribed conditions to limit waste material from becoming an unsanitary nuisance. Construction of the abattoir within this Flood Zone is to be in compliance with the Yolo County Flood Damage Prevention Regulations (Ordinance No. 1143).



- 6.2 95-006 - Request for a modification of a Conditional Use Permit to allow for expansion of sewer ponds in the Town of Madison. Property is located on CR 89 and Highway 16 in an

A-1 (Agricultural General) zone. A Negative Declaration has been prepared. Applicant: Madison Service District (M. Luken)

Commissioner Lea abstained from this item.

Mike Luken gave the Staff Report.

Commissioner Webster had concerns about what measures would be taken to protect the children in the bordering Migrant Farmworkers Camp from the wastewater ponds.

Mike Luken indicated that a 1070 feet of replacement fencing would be installed along State Highway 16 and he would recommend including barbed wire on the top.

Commissioner Lang was concerned as to whether or not the Migrant Farmworker Camp would be treated the same as a subdivision.

A discussion on the necessity of landscaping to buffer and screen the plant took place.

Mike Luken explained the Community Development Block Grant (CDBG) program. It will not be known whether or not the grant will be received until July 21, 1995.

The Public Hearing was opened at this time.

Brian Bonino, of Laugenour and Meikle Engineers, explained the project to the Commission.

Commissioner Heringer asked what was done with the waste material and it was answered by Mr. Bonino, that the sludge remains on the bottom of the pond. It has been tested and it has not been necessary to remove it as of yet.

Janice Anguay, the Chairman of the Board of the Madison Service District, gave the history of the sewage treatment ponds.

Tony Lopes, the Maintenance Director, said with the use of chemicals, sludge is kept to a minimum. He also addressed the safety and landscaping issues.

Brian Bonino was agreeable to the landscaping requirement, but said that time would be a problem.

The Public Hearing was closed at this time.

Commissioner Pollock said that the landscaping requirement would have to be restricted to the area by pond #6 and #7

Mike Luken added the landscape plan must be done immediately in order for the grant to be utilized by the Madison Service District.

Commission Action:

1. **ADOPTED** the FINDINGS for **APPROVAL** of the request as presented in this Report.
2. **CERTIFIED** a Mitigated Negative Declaration as the appropriate level of environmental review for the project.
3. **APPROVED THE REQUEST** for Modification of Conditional Use Permit and construction of Phase I of the Madison Sewer Plant Expansion as presented and modified in this report.

MOTION: Gray SECOND: Webster
 AYES: Heriger, Gray, Pollock, Walker, Webster, and Lang
 NOES: None
 ABSENT: None
 ABSTAIN: Lea

CONDITIONS OF APPROVAL

ZF 2934 (Previous Modification of Madison CSD Sewer Plant)

1. That the contractors for the construction of the Madison Sewage Treatment Facility sprinkle down the soil to reduce dust drifting over the Migrant Camp's homes, the adjacent agricultural crops and the Madison Town Area.
- ~~2. The Madison CSD shall declare a moratorium on new development until the (prior) expansion is completed (PRIOR EXPANSION WAS COMPLETED IN 1978).~~
2. The applicant shall restrict construction to daytime hours.
3. The applicant shall instruct trucks associated with construction of the sewer pond expansion ~~to not disturb residents~~ to avoid utilizing surface street within the Town of Madison.
4. The Sewage Treatment Facility shall not exceed its capacity and cause a nuisance.

Current Application (ZF#95-006)

5. The proposed project (Phase 1) shall be in substantial conformance with the Site Plan contained in this report.
6. The applicant shall not construct Phase II without applying for an additional modification to the Conditional Use Permit.
7. Prior to granting of an entitlement to initiate grading on the subject property, or issuance of a building permit, the applicant shall submit grading and construction plans to the Community Development Agency for review and approval by the Community Development Agency and the Yolo County Public Works and Transportation Department.

8. The proposed project shall be constructed so as to provide flood protection from the 100-Year Storm Event. Said protection shall be demonstrated in construction/grading plans submitted above.
9. Prior to granting of an entitlement to initiate grading on the subject property, or issuance of a building permit the applicant shall submit evidence of approval of construction by the California Regional Water Quality Control Board.
10. Prior to granting of an entitlement to initiate grading on the subject property, or issuance of a building permit the project proponent shall pay the appropriate fee per acre in conjunction with a formal consultation pursuant to California Fish and Game Code Section 2081 which may involve securing a management agreement for the conversion of habitat for threatened and endangered species.
11. The applicant shall install and maintain perimeter landscaping to visually screen the Madison Sewer Treatment Plant on the side facing State Highway 16 and adjacent to the Madison Migrant Center. Prior to the granting of an entitlement to initiate grading on the subject property, or issuance of a building permit, the applicant shall submit a comprehensive landscaping plan for review and approval of the Director of the Community Development Agency. This landscaping plan shall conform to the State Model Water Efficient Landscape Ordinance. ~~The applicant shall install said landscaping within six (6) months of completion of the sewer pond expansion.~~ The applicant may submit a phasing plan for landscape installation to the satisfaction of the Director of the Community Development Agency. In the case of a phased landscaping plan, said phasing shall not exceed two (2) years. Prior to completion of Phase 1 of this project, the applicant shall install and maintain perimeter safety wire fencing for the entire Sewer Plant within one year of the approval of this action.
12. In accordance with Yolo County Code §8-2.2415, the applicant shall agree to indemnify, defend, and hold harmless the County or its agents, officers and employees from any claim, action, or proceeding (including damage, attorney fees, and court cost awards) against the County or its agents, officers, or employees to attack, set aside, void, or annul an approval of the County, advisory agency, appeal board, or legislative body concerning the permit or entitlement when such action is brought within the applicable statute of limitations. The County shall promptly notify the applicant of any claim, action or proceeding and that the County cooperate fully in the defense. If the County fails to promptly notify the applicant of any claim, action, or proceeding, or if the County fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold the County harmless as to that action. The County may require that the applicant post a bond in an amount determined to be sufficient to satisfy the above indemnification and defense obligation.

FINDINGS

That the Planning Commission, acting as the Board of Zoning Adjustment Finds:

- (a) That the requested use is in substantial conformance with the original approval of the project granted by the Planning Commission, acting as the Board of Zoning Adjustment.

The expansion of the Sewage Treatment Facility to include two additional stabilization ponds is on the original site of the permit granted for the original project expansion in 1976. At that time, the Planning Commission did foresee the need for future expansion of the sewage treatment facility. Therefore the proposed expansion is in substantial conformance with the original permit granted in 1976.

- (b) That the requested use is listed as a conditional use in the zone regulation or elsewhere in this chapter;

The requested use is listed as a public-quasi public use as defined in Yolo County Code §8-2.604(g)

- (c) That the requested use is essential or desirable to the public comfort and convenience;

The requested use must be completed to avoid serious health and safety problems associated with sewage effluent.

- (d) The requested use will not impair the integrity or character of the neighborhood nor be detrimental to the public health, safety, or general welfare;

The requested use will be under the permit authority of the California Regional Water Quality Control. This permit requires that the sewage treatment facility not cause a public nuisance as a result of odor, spillage or other nuisance factors.

- (e) The requested use will be in conformity with the General Plan;

The sewage treatment facility is located on a site that has not been under agricultural production. Therefore any potential conflict with the agricultural land use designation or the policies of the general plan has been mitigated.

- (f) Adequate utilities, access roads, drainage, sanitation, and/or other necessary facilities will be provided; and

The Madison CSD Sewer Treatment Facility retains adequate utilities, access roads, drainage, sanitation and other facilities necessary for its safe operation.



A ten minute recess was called at this time and reconvened with the following item.

- 6.3 95-021 - Request for a Conditional Use Permit to legalize and operate a full service dog training and boarding facility with an indoor office and training building, outdoor lighted field and a kennel for fifty dogs. Property is located at 34505 CR 29 in Woodland in an A-1 (Agricultural General) zone. A Categorical

Exemption has been prepared. Applicant:
Renee Lancaster (L. Srinivas)

The Staff Report was given by Laxmi Srinivas.

Director Stephen Jenkins arrived at this time.

Commissioner Webster was concerned about the noise levels due to barking dogs.

The Public Hearing was opened at this time.

Renee Lancaster, the applicant, addressed safety and noise issues, the Avigation easement and the dedication of additional right of way along County Road 29 for the Commission.

Director Jenkins updated the Commission on the status of the Avigation easement.

Commissioner Lea questioned the applicant about the amount of traffic the kennel would produce and whether or not she was agreeable to the road dedication.

Commissioner Walker inquired about waste removal.

Jamie Wilson, a partner of the applicant, discussed the road easement with the Commission.

Tom Tracy, the Assistant Director of Public Works, explained the requirements set by Public Works Department in Conditions 13 and 14.

Russ Spear, nearby property owner, said he will be building a home on the property north of subject site and is very concerned about the noise.

The Public Hearing was closed at this time.

Director Jenkins asked the applicant to clarify the firing of guns used in police dog training.

Commissioner Gray asked the applicant to monitor the number of times the use of training pistols will be used for the next two years.

The Public Hearing was closed at this time.

Commission Action:

- (1) **CERTIFIED** the Negative Declaration as the appropriate level of environmental review for this project in accordance with the California Environmental Quality Act and Guidelines (CEQA); and;
- (2) **ADOPTED** the Findings as presented in the staff report;

- (3) **APPROVED** the Conditional Use Permit (ZF 95-021), subject to the proposed Conditions of Approval as modified.

MOTION: Lea SECOND: Gray
AYES: Heriger, Gray, Lea, Pollock, Walker, Webster, and Lang
NOES: None
ABSENT: None
ABSTAIN: None

CONDITIONS OF APPROVAL

1. That the Use Permit is granted for the proposed project as described within this report (ZF 95-021), and shall be constructed in a manner consistent with the attached site plan (Exhibit "D").
2. After a two-year period, Yolo County Community Development staff shall conduct a compliance review to verify compliance with the conditions of approval for the Use Permit. The compliance review shall be presented to the Planning Commission for their review. Within 60 days of the Planning Commission Hearing, staff shall direct the applicant to submit an application along with the required fees for a Use Permit Modification if modifications or additions to the existing conditions of approval are warranted.
3. All the conditions of approval (listed as Conditions of Approval #1 to #18 in this report) and all the requirements of the other departments (Environmental Health, Animal Control, Public Works, Fire and Building Departments) shall be complied with. Failure to comply with the conditions of approval shall result in the revoking of the Use Permit, legal action and/or non-issuance of future renewals and/or building permits.
4. In case of complaints/violations regarding health, odor, noise, light, glare, waste etc. or non-compliance with the conditions of approval, the Commission may conduct a Public Hearing to consider revocation or modification of the Use Permit.
5. The applicant shall ensure that the noise levels due to barking are kept to a minimum with facility and management procedures. Prior to the issuance of a building permit, the applicant shall submit a copy of the Facility and Management procedures to the Planning Division.
6. The lighting for the training field shall be restricted to the hours of operation and training (from 8 a.m. to 10 p.m.). Only security and emergency lighting shall be allowed for night time use (between 10 p.m. and 8 a.m.).
7. The applicant shall apply for a Use Permit Modification for any future changes in the currently proposed use or to conduct dog shows in the future.
8. In accordance with Yolo County Code §8-2.2415, the applicant shall agree to indemnify, defend, and hold harmless the County or its agents, officers and employees from any claim,

action, or proceeding (including damage, attorney fees, and court cost awards) against the County or its agents, officers, or employees to attack, set aside, void, or annul an approval of the County, advisory agency, appeal board, or legislative body concerning the permit or entitlement when such action is brought within the applicable statute of limitations. The County shall promptly notify the applicant of any claim, action or proceeding and that the County cooperate fully in the defense. If the County fails to promptly notify the applicant of any claim, action, or proceeding, or if the County fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold the County harmless as to that action. The County may require that the applicant post a bond in an amount determined to be sufficient to satisfy the above indemnification and defense obligation.

Fire Department Requirements

9. The applicant shall meet all the fire protection, on-site water storage and access requirements of the West Plainfield Fire District.
10. Landscaping shall be of non-flammable vegetation within 30 feet of buildings.
11. Addressing for the proposed structures along the public road frontage shall be posted using 3.5" reflective numbers visible to the vehicular traffic prior to the final inspection for the proposed structures.

Environmental Health Department Requirements

12. The septic system and the proposed boarding areas/kennels shall meet all the requirements of the Environmental Health Department.

Public Works Requirements

13. Prior to issuance of a building permit, the applicant shall dedicate additional right of way along County Road 29 for a total of forty-two feet (42') from the center line.
14. The applicant shall pave the driveway apron along County Road 29.

Building Division

15. Handicapped access and parking shall be provided according to the requirements of the Building Division.
16. Prior to the issuance of a building permit, the applicant shall submit an application for a business license with the Yolo County Community Development Agency, Business License Division.

Yolo County Airport Requirements

17. Prior to issuance of a building permit, the applicants, their successor's or assignees, shall execute complete an Avigation Easement for each subject parcel. Said Avigation Easement shall be a standard easement developed by the Airport Manager (Yolo County General Services Agency) and approved by the Board of Supervisors. The applicant shall have the ability at their sole discretion to substitute a subsequent version of the County's Avigation Easement as may be approved by the Board of Supervisors.

Yolo County Flood Control and Water Conservation District

18. No obstructions shall be placed on or adjacent to the existing Flood Control and Water Conservation District easements on three sides of the subject property. Prior to the issuance of a building permit, the applicant shall submit a letter of approval for the project from the Flood Control and Water Conservation District.

FINDINGS

(A summary of the evidence to support each FINDING is shown in italics)

In accordance with Section 8-2.2804, Article 28 of Title 8, the Planning Commission has determined the following:

- a) The proposed dog training and boarding facility is listed as a conditional use in the zone regulations or elsewhere in this chapter;

The subject property is located in the A-1 B860 Zone. A kennel is listed as a conditional use under the Agricultural General (A-1) Zoning regulations. The proposed use will be similar to other agriculture related uses (like raising animals or using the subject property for grazing) that are allowed as permitted, conditional and accessory uses in the A-1 zone. The proposed use will also be similar to the agricultural/pasture uses of the surrounding properties. The operation will be restricted to approximately 25% of the total area of the property. The remaining area can be used for agricultural purposes and therefore the operation will not impact the existing residential/agricultural use of the property and the agricultural uses of the adjacent properties.

- (b) The proposed dog training and boarding facility is essential or desirable to the public comfort and convenience;

The proposed use has the potential to create objectionable odors and create an increase in noise levels due to barking. Placement of the proposed use in close proximity to residential/urban uses will create public nuisance problems due to noise, light, glare, odor etc.

Since the subject property is located in an unincorporated area and is surrounded by agricultural/pasture uses that are similar to the proposed use, the potential for the operation to become a public nuisance is significantly reduced. Compliance with the conditions of approval and the requirements of the Environmental Health and the Animal Control Departments will ensure that the operation does not create any public nuisances due to odor, waste, noise, light, glare, etc.

- (c) The proposed dog training and boarding facility will not impair the integrity or character of the neighborhood nor be detrimental to the public health, safety, or general welfare;

The proposed use of the subject property will be consistent with the agricultural zone in which the property is located because it will be similar to agriculture related uses like raising animals or using the subject property for grazing. Since the proposed use will be restricted to approximately 25% (4+ acres) of the total area of the property, the remaining area (approximately 16 acres) can be used for agricultural purposes and therefore, the operation will not preclude the existing and future agricultural use of the subject property and the surrounding properties.

The project's compliance with the requirements of all applicable responsible agencies (Environmental Health, Fire, Building Departments) will avoid detrimental impacts to the public health, safety, or general welfare and will ensure that the operation does not create any public nuisances due to odor, waste, noise, light, glare etc. The ALUC has determined that the proposed use is a compatible use within the Overflight Zone of the Yolo County Airport and therefore it will not interfere with the operations of the airport.

- (d) The proposed dog training and boarding facility will be in conformity with the General Plan;

The proposed use will be consistent with the General Plan policies regarding agriculture related land uses and land uses in the vicinity of airports because it is similar to the allowed agricultural uses (cultivation of agricultural crops and raising animals) in the A-1 Zone and it will not preclude the agricultural use of the subject site and adjacent properties.

- (e) Adequate utilities, access roads, drainage, sanitation, and/or other necessary facilities will be provided.

Utilities will be provided by Pacific Gas and Electric Co; Access to the property is from County Road 29 via an existing driveway; Adequate drainage will be addressed through proper grading of the property;

Solid waste disposal will be provided by a local hauler, and adequate health/safety/sanitation standards will be insured by the Fire, Building, Environmental Health and Animal Control Departments.



- 6.4 95-018 - Request for a Lot Line Adjustment to enlarge a 75 acre parcel to 91.5 acres and reduce a 22 acre parcel to 5.5 acres and a Conditional Use Permit to create a homesite on the 5.5 acre parcel. Property is located at 28150 Mace Blvd, approximately 2500 feet south of Montgomery Ave. near Davis in an A-1 (Agricultural General) zone. A Categorical Exemption has been prepared. Applicant: John Martin (D. Flores)

The Staff Report was given by Dave Flores.

Paul Kramer, County Counsel, arrived at this time.

The Public Hearing was opened at this time.

Chris Konevinski, representing the applicant, addressed the Commission.

The Public Hearing was closed.

Commissioner Pollock was concerned about creating a smaller parcel, but realized that smaller parcels already exist in the area.

Commission Action:

1. **Certified** a Class 3 and Class 5 Categorical Exemption as the appropriate level of environmental review for this project in accordance with the California Environmental Quality Act and Guidelines (CEQA); and
2. **Adopted** the proposed FINDINGS as presented in the staff report.
3. **Approved** the proposed lot line adjustment to enlarge a 75 acre parcel to 91.5 acres and reduce a 22 acre parcel to 5.5 acres subject to the conditions found under "CONDITIONS OF APPROVAL".
4. **Approved** the Conditional Use Permit for a 5.5 acre homesite parcel subject to the conditions found under "CONDITIONS OF APPROVAL".

MOTION: Gray SECOND: Lea
AYES: Heriger, Gray, Lea, Pollock, Walker, Webster, and Lang
NOES: None
ABSENT: None
ABSTAIN: None

CONDITIONS OF APPROVAL

1. **The property owner shall record**, at the property owner's expense, a map and legal description of the approved lot line adjustment within sixty (60) days from the date of the Yolo County Planning Commission's decision or said lot line adjustment shall be deemed null and void.
2. **The property owner shall provide** a recorded copy to the Community Development Agency within five (5) days of recordation of the lot line adjustment or said lot line adjustment will be deemed null and void.
3. **If the required CONDITIONS OF APPROVAL are not met**, a public hearing may be conducted by the Yolo County Planning Commission to consider revocation of this permit.
4. In accordance with Yolo County Code §8-2.2415, the applicant shall agree to indemnify, defend, and hold harmless the County or its agents, officers and employees from any claim, action, or proceeding (including damage, attorney fees, and court cost awards) against the County or its agents, officers, or employees to attack, set aside, void, or annul an approval of the County, advisory agency, appeal board, or legislative body concerning the permit or entitlement when such action is brought within the applicable statute of limitations. The County shall promptly notify the applicant of any claim, action or proceeding and that the County cooperate fully in the defense. If the County fails to promptly notify the applicant of any claim, action, or proceeding, or if the County fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold the County harmless as to that action. The County may require that the applicant post a bond in an amount determined to be sufficient to satisfy the above indemnification and defense obligation.

FINDINGS

(A summary of the evidence to support each FINDING is shown in italics.)

Lot Line Adjustment

In accordance with Yolo County Code §8-1.452 [Ordinance 939, effective November 18, 1982] the Yolo County Planning Commission finds:

1. That the application is complete;

The application was deemed complete by the Community Development Agency.

2. That all record title holders who are required by the Subdivision Map Act of the State to consent to a reversion to acreage have consented to the proposed lot line adjustment, and the Public Works Department has approved the proposal as complying with said Act;

The applicant is the owner of the parcels to be adjusted and has consented by signature found on the application submitted.

3. That the deed to be utilized in the transaction accurately describes the resulting parcels;

The Yolo County Public Works and Transportation Department has analyzed the application packet for correctness of the deed utilized.

4. That the lot line adjustment will not result in the abandonment of any street or utility easement of record, and that, if the lot line adjustment will result in the transfer of property from one owner to another owner, the deed of the subsequent owner expressly reserves any street or utility easement of record;

No easements are affected by the adjustment.

5. That the lot line adjustment will not result in the elimination or reduction in size of the access way to any resulting parcel, or that the application is accompanied by new easements to provide access to parcels in the location and of the size as those proposed to be created; and

The parcels to be adjusted will take access off Mace Blvd..

6. That the design of the resulting parcels will comply with existing requirements as to the area, improvements and design, flood and water drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability, environmental protection, and all other requirements of State laws and this Code and is in conformity with the purpose and intent of the General Plan and zoning provisions.

After analysis of the application by the Community Development Agency, Yolo County Public Works and Transportation Department and the Yolo County Environmental Health Department it was determined that the design of the resulting parcels will comply with existing requirements as to the area, improvements and design, flood and water drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability, environmental protection, and

all other requirements of State laws and this Code and is in conformity with the purpose and intent of the General Plan and zoning provisions.

Use Permit Findings for Homesite:

In accordance with Section 8-2.2804 (a) through (e) of the Yolo County Zoning regulations the Yolo County Planning Commission finds that:

(a) The requested use is listed as a conditional use in the zone regulations or elsewhere in this chapter;

Under Section 8-2.604(b) of the Yolo County Code, this use is permitted under a Conditional Use Permit.

(b) The requested use is essential or desirable to the public comfort and convenience;

The existing homesite benefits the agricultural parcel in allowing the owner to maintain the family agricultural operations.

(c) The requested use will not impair the integrity or character of the neighborhood nor be detrimental to the public health, safety, or general welfare;

The home complies with all applicable regulations for the zone and with the established Conditions of Approval. Therefore, the proposed lot line adjustment will not impair the integrity or character of the surrounding community.

(d) The requested use will be in conformity with the General Plan;

The approval for the use permit for the home is in conformity with Land Use Policy 17 of the Yolo County General Plan as it relates to residential uses for the family farm.

(e) Adequate utilities, access roads, drainage, sanitation, and/or other necessary facilities will be provided.

Adequate utilities, drainage and sanitation facilities are existing at the site.



6.5 Commission comments on the Notice of Preparation submitted by City of Woodland regarding their General Plan Update.

Director Stephen Jenkins gave the Staff Report. He also touched on key issues such as Joint Adoption of the General Plan between the County and the City, urban expansion onto prime agricultural soils, availability of water, flooding, and Conaway Ranch.

Commissioner Pollock agreed that Joint Adoption probably would not happen, but that something needs to be done.

The aesthetics of the area along Interstate 5, being the "Gateway to Woodland", were discussed .

Commissioner Walker said that growth figures and projections are meaningless. This involves planning.

Director Jenkins said that Yolo County does not attempt to accommodate projected growth.

Commissioner Gray was concerned that the direction of growth that Woodland appears to be taking is not only on prime ag land but on some of the finest soils in the world.

Commissioner Webster asked if there is a vision of the future and then does the planning follow to encompass the principals.

Commissioner Lang spoke about water issues.

Commission Action:

The Commission asked Director Jenkins to present their concerns to City of Woodland regarding issues that should be addressed in the EIR for the City's General Plan Update.



The Commission took a five minute recess at this time.

Commissioner Lea left the meeting at this time.

6.6 94-062 - Public Hearing to receive comments on the Draft EIR for the Short-term mining and reclamation project on the Woodland site. Property is located north of Cache Creek, east of Road 94B and South of Road 19 in A-1 (Agricultural General) and A-P (Agricultural Preserve) zones. Applicant: Teichert and Sons, Inc (L. Peirce)

Linda Peirce gave the Staff Report.

Randy Sater, of Teichert and Sons, showed exhibits and gave a presentation of the project.

Paul Kramer, County Counsel returned to the meeting at this time.

The Public Hearing was opened at this time.

Lois Linford, the National Resource Chair of the League of Women Voters of Woodland, was opposed to the project and read her written comments.

Walter Storz, nearby land owner, was concerned about the natural environment of Cache Creek, drainage inside the pits, rodents, taxes, devaluation of property and flooding.

The Public Hearing was closed at this time.

Commission Action:

1. Conducted a public hearing to receive oral and/or written comments from the public and the Commissioners regarding the adequacy of the Draft EIR.
2. Informed the public that the comment period for the Draft EIR closes on June 16, 1995 5:00 pm. a
3. Directed the consultant to prepare responses to all comments received and submit the Final EIR to the Commission and public.



7. DIRECTOR'S REPORT

A report by the Director on the recent Board of Supervisor's meetings on items relevant to the Planning Commission. An update of the Community Development Agency activity for the month. No discussion by other Commission members will occur except for clarifying questions. The Commission or an individual Commissioner can request that an item be placed on a future agenda for discussion.

Director Jenkins brought the Commission up to date on the following items:

- (1) Mark Hope's Project regarding problems arising during construction with the citizens of Knights Landing.

Director Jenkins left the meeting at this time and Principal Planner, John Bencomo, continued with the Director's Report.

- (2) Continued to update the Commission on an explanation of why a "hold" or "stop payment" was put on the Service District Fee check submitted by Mark Hope. He also added that the Building Department and Public Works would be looking into the matter.
- (3) The Commission asked Staff to Agendize the previous item and report back on the Mark Hope Project at the next Planning Commission Meeting.
- (4) The withdrawal of the Nascar Racetrack proposal.



8. COMMISSION REPORTS

Reports by Commission members on information they have received and meetings they have attended which would be of interest to the Commission or the public. No discussion by other

Commission members will occur except for clarifying questions. The Commission or an individual Commissioner can request that an item be placed on a future agenda for discussion.

- (1) Commissioner Heringer toured the Solano Gravel Pit.
- (2) Commissioners Pollock and Walker met with Randy Sater, of Teichert and Sons.
- (3) Commissioner Pollock announced the Habitat Conservation Plan Committee would meet again on June 22, 1995.

9. ADJOURNMENT

The meeting was adjourned at 2:30 p.m. and the next meeting of the Yolo County Planning Commission is scheduled for July 12, 1995 at 8:30 a.m. Any person who is dissatisfied with the decisions of this Planning Commission may appeal to the Board of Supervisors by filing with the Clerk of that Board within fifteen days a written notice of appeal specifying the grounds. The Board of Supervisors may sustain, modify, reject or overrule this decision. There will be an appeal fee payable to the Community Development Agency and the Clerk of the Board of Supervisors.

Respectfully submitted by,

Stephen L. Jenkins, Director
Yolo County Community Development Agency

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