

MINUTES

YOLO COUNTY PLANNING COMMISSION

April 19, 1995

1. CALL TO ORDER

Chair Pollock called the meeting to order at 8:40 a.m.

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

MEMBERS ABSENT: Lea

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

2. ADOPTION OF THE MINUTES OF THE PREVIOUS MEETING

Commission Action:

The Minutes of the March 8, 1995, Planning Commission Meeting were approved as correct.

MOTION: Gray SECOND: Walker

AYES: Gray, Heringer, Pollock, Walker, and Lang

NOES: None

ABSENT: Lea

ABSTAIN: Webster

Commission Action:

The Minutes of the March 16, 1995, Planning Commission Meeting were approved with corrections to page 2, paragraph 9, should be added to read including the need for additional information regarding the setbacks that the Reclamation District or other agencies having jurisdiction may require.and a correction on page 3, paragraph 8 should read Bryson.

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

Commission Action:

The Minutes of the March 22, 1995, Planning Commission Meeting were approved as correct.

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

3. 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.

No one came forward to address the Commission.

4. CORRESPONDENCE

Chair Pollock acknowledged receipt of the items of correspondence received in the packet and at the beginning of the meeting.

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 95-027 - Certified Local Government Grant Application to include the creation of a map of the County's historic resources in the computerized Geographic Information System (GIS). The new map will show County Assessor Parcels and all known historic resources in the unincorporated area of the County. A Categorical Exemption has been prepared for this item. Applicant: County of Yolo/Historical Advisory Committee (J. Bencomo)

The Staff Report was given by John Bencomo. He added for the benefit of the new commissioners that this Commission serves a dual purpose as a Planning Commission as well as a Historical Commission for the County.

Commissioner Walker asked that assuming after the map has been completed, and the County has identified these various historical locations in the County, to what extent do those identifications intrude on the rights of the individual to dispose of or change those properties as they feel is appropriate.

John Bencomo answered that the historic resources which are to be included in the GIS, are actually already identified in the County adopted resource listing, so it will not change it. What it does do is give us a better vehicle for identifying them.

The Public Hearing was opened at this time.

No one came forward to address the Commission.

Commission Action:

The Planning Commission recommends that the Board of Supervisors take the following actions:

1. **CERTIFY** the Categorical Exemption prepared for the project in accordance with the California Environmental Quality Act and Guidelines (Exhibit "A");
2. **ADOPT** the attached Resolution approving the filing of an application for the National Historic Preservation Grants-in-Aid Program (Exhibit "B");
3. **APPROVE** the attached Certified Local Government Grant Application (1995), providing for the development of a Geographical Information System (GIS) of Yolo County's Historic Resources (Exhibit "C").

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

2. That the occupants of the proposed **temporary mobile home** shall be restricted to the owner of the subject property who is 72 years of age. The property owner and occupants of the subject dwelling shall be required to submit an affidavit every two years to this agency for review and approval, for the purpose of insuring the continued compliance with the adopted conditions of approval.
3. The existing mobile home shall be converted to a **temporary mobile home** and shall be used as a temporary residence for an aged parent and shall not be sold, rented or conducted as a business.
4. The applicant shall obtain a building permit for the new mobile home which is to be used as a principal dwelling unit.

Fire Department Requirements

5. The applicant shall meet all the fire protection, on-site water storage and access requirements of the Dunnigan Fire District.
6. Landscaping shall be of non-flammable vegetation within 30 feet of buildings.
7. Addressing for the mobile home 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 mobile home.

Environmental Health Department Requirements

8. The septic system for the mobile home shall meet all the requirements of the Environmental Health Department.

FINDINGS

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

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

- a) The requested conversion of the existing mobile home to a "temporary mobile home" is listed as a conditional use in the zone regulations or elsewhere in this chapter;

The subject property is located in the A-1 Zone and a temporary mobile home is listed as a conditional use. Since the proposed conversion of the existing mobile home to a temporary mobile home is similar to the other residential uses allowed in the A-1 Zone, a Use Permit may be granted for allowing it as a temporary residence for a family member. The granting of the Use Permit will allow the owner to continue to live independently on the site and continue the farming operations on the site.

- (b) The requested conversion of the existing mobile home to a "temporary mobile home" is essential or desirable to the public comfort and convenience;

The conversion of the existing mobile home will allow an aged owner to receive the necessary care while continuing to live independently on the subject site. The principal dwelling unit (proposed mobile home) will allow the applicants to live on the subject property and maintain the property as a family farm. The proposal will also be consistent with the existing residential/agricultural use of the subject property and will be similar to the permitted and conditional uses in the Agricultural Zone in which the property is located. In addition, the proposal will also serve as a cost effective method of meeting the County's share of the State mandated affordable housing requirements for a special population group (the elderly).

- (c) The requested conversion of the mobile home to a "temporary mobile home" use will not impair the integrity or character of the neighborhood nor be detrimental to the public health, safety, or general welfare;

The clustering of the existing and proposed mobile homes along with the other accessory structures on the property will avoid encroachment into the agricultural areas of the property and avoid adverse impacts to the agricultural use of the property. 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. The proposal will promote the use of the property as a family farm and will be similar to the residential/agricultural uses of the surrounding properties.

- (d) The requested conversion of the mobile home to a "temporary mobile home" will be in conformity with the General Plan;

The proposal will be consistent with the General Plan policies regarding residential land uses in the agricultural areas because it promotes the preservation of the family farm by providing housing for family members engaged in farming and promotes affordable housing for an elderly owner by allowing her to live independently on the site and receive the necessary care.

- (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 88 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 safety/sanitation standards will be insured by the Fire and Health Departments.

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6.3 95-004 - A request to split a 455 acre Agricultural Preserve Contract resulting in 3 separate contracts of 80 acres, 160 acres and 214 acres. Also a request for a Tentative Parcel Map to create the parcels. Property is located on CR 19, 1/2 mile west of CR 94B in an Agricultural Preserve (AP) zone. A Negative Declaration has been prepared for this item. Applicant: Pheasant Glen Golf Course (D. Flores)

David Flores gave the Staff Report.

Commissioner Webster asked Staff for more clarification as to why it would be more appropriate to create two parcels instead of three.

Director Jenkins and David Flores answered that although the creation of three parcels is in general conformance with the original Use Permit proceedings in 1991, Staff still feels that farming as one unit would be more appropriate instead of two smaller, separate parcels.

Commissioner Webster was concerned whether Parcel 3, where the winter wheat would be grown, would lie fallow after the harvest, and if so what control measures would there be to prevent dust blowing and any other kinds of environmental impacts. It was answered by Staff that it would probably lie fallow.

Commissioner Gray wanted assurances that the vineyard would be maintained.

Director Jenkins said that even if only two parcels are created, only four houses would be allowed to be built.

Commissioner Pollock asked the a condition be added that no further division of any parcel be allowed while the property is designated in an Agricultural Zone.

The Public Hearing was opened at this time.

Lee Humes, attorney for the applicant, said that this project would be a public benefit. He added that the project now includes an agricultural production plan. This is a substantially better project from the ag viability perspective.

Commissioner Webster asked what the motivation was for going toward agricultural production.

Lee Humes answered that it was their desire to do what the County wants and that it made more sense financially.

John Sweet, CEO of Pheasant Glen, said the main objectives of the project are to enhance the agricultural opportunities of the property. He also acknowledged that the vineyard was not in good condition, but it would be restored and maintained as a viable economic unit.

Commissioner Heringer asked who would be maintaining the roads. It was answered there were no specific conditions on road maintenance.

Lee Humes added that the Planning Commission would be reviewing this item again one year after the Golf Course commences operations.

Jim Taylor, Managing Partner of Arion Farms, said although he was in favor of the project, he had very immediate concerns with the possibility of mildew developing in the vineyard and spreading to his land.

Commissioner Walker said the applicant has clear responsibilities regarding the vineyard, that need to be defined.

Les DeWitt, a principal in the property, said they have the resources to spray the vineyards. The reason they decided to go ornamental was an economic decision.

Delbert Knight, adjoining property owner, said he also had no objection to the project but was more in favor of two parcels being created instead of three.

John Joyce, Director of Public Works, said they had no plans to pave County Road 18. He also added that the time to address any improvements to the County Road would have been when the Use Permit was approved.

Commissioner Lang said that problems on the Golf Course will arise when dusting or spraying occurs due to the wind blowing.

Dick Patera, President of Emerald Golf Investments, compared the old Golf Course Plan with the new one.

A discussion by the Commission regarding the creating of two parcels rather than three ensued.

Tom Muller, a partner in Emerald Golf Investments, said that if only two parcels are created it won't kill the project, but it would make it more difficult.

Commissioner Webster said she concluded that golf courses and agricultural land are not mutually compatible.

Ray Perkins, County Agricultural Commissioner, was asked about the addition of the condition of approval which would enforce the maintenance of the vineyard.

The Public Hearing was closed at this time.

A discussion ensued by the Commission regarding the creation of two parcels as opposed to three.

CONDITIONS OF APPROVAL

The following "Conditions of Approval" are recommended for Tentative Parcel Map No.4239. The original "Conditions of Approval" for the Pheasant Glen Golf Course (Zone File No.3969) as adopted by the Yolo County Planning Commission on November 6, 1991 are still in effect and applicable.

Yolo County Public Works:

1. The Final Parcel Map, as described within this report (TPM-4239), shall be filed with the Director of the Yolo County Department of Public Works within two years from the date of the Planning Commission's approval of the tentative parcel map, or said tentative map (TPM-4239) shall be deemed null and void without further action.
2. The Final Map shall be prepared with the Basis of Bearings being the California Coordinate System, Zone 2, NAD 83.
3. ~~Tentative Parcel Map No. 4239 indicates ownership to the rancho line to the south, therefore~~ The final map shall include dedication with additional right of way ~~south~~ north of the centerline of County Road 19, for a total of not to exceed thirty feet from the centerline.
4. Prior to recordation, the applicant or successors in interest shall submit to the Yolo County Public Works Department all outstanding fees established by the current Fee Schedule to cover the costs incurred by the County for the Final processing of said map.
5. Any necessary roadway slope easements shall be included in the final parcel map.
6. The applicant shall provide a grading plan to the Public Works Department demonstrating that no increase in storm water runoff into roadside ditches will occur, and will not restrict natural storm drainage flows onto or away from this parcel.
7. The applicant shall obtain an encroachment permit from the Department of Public Works for road and driveway construction.

Community Development Agency:

8. Within sixty (60) days of the approval of the ~~recommended action Final Map,~~ the applicant shall submit, for review and approval to the Community Development Agency, the revised agricultural preserve legal descriptions to be incorporated into the revised Land Use Contracts for the subject properties prior to consideration of the amendment to Agreement No. 69-190 by the Board of Supervisors.
9. After approval of the legal descriptions by the Community Development Agency, the applicant shall transmit the above information to the Yolo County Counsel's Office and shall execute ~~three (3)~~ two (2) new contracts as reflected in this report.
10. Prior to recording of the Final Map, the applicant shall provide documentation (Letter from the County Assessor) to the Director of the Community Development Agency indicating reinstatement of Parcel 2 ~~and 3~~ into the Williamson Act.

- (A) No more than three residential dwelling units, necessary for management staff of the Golf Course, shall be permitted on Parcel 1, and no more than one residential dwelling unit shall be permitted on Parcel 2 without subsequent approval of the Planning Commission.
- (B) Prior to approval of the Final Parcel Map, the applicant shall either remove the vineyard or implement farming practices normally associated with the maintenance of a commercial vineyard. Prior to April 27, 1995, the applicant shall submit a vineyard maintenance plan to the County Agricultural Commissioner and will modify the plan as necessary to conform to all laws and regulations pertaining to vineyard maintenance and agricultural chemical applications. Applicant shall implement the plan as approved by the Agricultural Commissioner on the time schedule included in the approved plan commencing immediately and continuing for so long as may be required by the Agricultural Commissioner. The Agricultural Commissioner shall report to the Planning Director as he deems necessary on implementation of the maintenance plan. Compliance with the plan shall be a condition of the Tentative Map and shall be included in the Subdivision Improvements Agreement accompanying the Final Map.

Fish and Game:

11. A California Department of Fish & Game Code Section 2081 authorization Management agreement shall be executed prior to approval of a Final Map and/or payment if required of mitigation fees to a Yolo County fish and wildlife mitigation account shall be made prior to issuance of building\grading permits.

Environmental Health:

12. The applicants shall retain a soils engineer to conduct an in-depth evaluation on the feasibility of using septic systems for the proposed golf course facility. No construction or soil movement shall be allowed prior to resolution of the septic issue.
13. Any well water ~~constructed~~ used for human consumption shall meet local and state environmental health requirements.
14. The storage and use of hazardous materials must meet local and State requirements. Applicant shall contact the Yolo County Office of Emergency Services for details.
15. The existing leach field for the shop shall be relocated or property lines adjusted to meet health department setback requirements. Map shall not be finalized until leach field location is approved by environmental health.

Failure to comply with the **CONDITIONS OF APPROVAL** as approved by the Planning Commission may result in the following:

- * **legal action;**
- * **non-issuance of future building permits.**

FINDINGS

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

In accordance with Section 8-2.408. of Article 4 of Title 8 and provisions of the Blue Ribbon Ordinance No.1157, the Planning Commission finds:

- (1) That the parcels created are consistent with the zone by preserving the agricultural use from the encroachment of nonagricultural uses;

The proposed split is consistent with the minimum acreage requirement as established in the Blue Ribbon Ordinance No.1157.

The applicants have indicated their intent to continue farming the remainder parcels from the golf course parcel (currently in vineyard and future winter wheat). This statement and the fact that surrounding lands are currently under contract, prevents the encroachment of nonagricultural uses other than the possibility of construction of no more than three (3) on Parcel 1 and one (1) on Parcel 2 ~~one (1) single family home on each parcel~~ which is currently allowed under the proposed zoning and parcel size.

- (2) That the parcels tend to maintain the agricultural economy;

The applicant has stated that they intend to continue farming the parcels, which includes the vineyard and future wheat production. This statement, and the fact that surrounding lands are currently under contract, supports the finding that the parcels tend to maintain the agricultural economy.

- (3) That the parcels tend to assist in the preservation of prime agricultural lands;

The proposed split will continue the preservation of agricultural lands as classified by the Soil Survey of Yolo County by the introduction of dry farming to Parcel 2 (160 acres) and continuing the grape vineyard (80 acres).

- (4) That the parcels preserve lands with public value as open space;

The subject property is being utilized for open space and vineyard and currently under the Conservation Reserve Program. The possibility of allowing one (1) single-family homesite on each parcel, as currently allowed under Title 8 of the Yolo County Code, will not significantly degrade the public value of open space of the subject parcels.

- (5) That the proposed use is consistent with the General Plan;

The applicants have stated that they intend to continue farming the Parcel 2 and remain under the Williamson Act. Parcel 1 will be for the development of the golf course. This statement, and the fact that surrounding lands are currently under contract, supports the finding that the proposed split is consistent with the preservation of agriculture as mandated by the Yolo County General Plan.

- (6) That the proposed contracts in question were created in conformity with and complies with all the requirements of the Subdivision Map Act of the State.

The Community Development Agency staff and the Yolo County Public Works and Transportation Department have reviewed the application for conformance with the Subdivision Map Act.

- (7) That the two parcels are at least 20 acres in size of irrigated land.

Assessor's Parcel No. 25-280-04 is currently irrigated. Water is available to the property by the means of four active wells, and two standby wells. Parcels will be ~~80 acres, 160 acres~~ 240 and 214 acres respectively.

Subdivision Map Act / Parcel Map:

Section 66463(a) Except as otherwise provided for in this code, the procedure for processing, approval, conditional approval, or disapproval and filing of parcel maps and modifications thereof shall be as provided by local ordinance.... The Planning Commission finds that:

- (a) That the proposed map is consistent with the applicable general and specific plans as specified in Section 65451.

As discussed in the General Plan Review Section of this report, the proposed project was determined to be consistent with the Yolo County General Plan.

- (b) That the design or improvements of the proposed subdivision are consistent with applicable general and specific plans.

As discussed in the General Plan Section of this report, the approval of this request would allow for the inherent right to the development of a homesite and associated improvements that were determined to be consistent with the General Plan.

- (c) That the site is physically suitable for the type of development proposed.

The proposed site is in compliance with the minimum lot area requirements and will have to meet all requirements imposed by the County Environmental Health and Public Works Department.

- (d) That the site is physically suitable for the proposed density of development.

The proposed site area is in compliance with the zoning requirements relative to the proposed construction of a golf course and future homesites for ~~employees~~ management staff and agricultural operations and as such would meet the density requirement for the area.

- (e) That the design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

The proposed subdivision (parcel map) was reviewed for any potential environmental impacts and determined to be void of any significant impacts, as discussed in the attached Negative Declaration, Exhibit "D". The golf course development proposal was addressed in a separate EIR, and mitigation measures will be adhered to as this development proceeds.

(f) That the design of the subdivision or type of improvements are not likely to cause serious public health problems.

The proposed map and subsequent improvements (i.e., construction of a golf course and appurtenant structures) do not appear to pose any serious health impacts, however, any proposed development on the property will be reviewed by the County Environmental Health Department for approval.

(g) That the design of the subdivision and the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed division.

The proposed subdivision will not pose any detrimental impacts to any existing public easements, and access is available to each parcel from County Road 18 or 19.

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The Commission took a lunch recess at 1:50 and reconvened with the following item.

6.4 94-036 - A request for a General Plan Amendment and Zone Code Amendment on an 160 acre property in the Agricultural Preserve (AP) zone to permit a parachute drop zone, and skydiving facilities including a training & viewing structure, meeting rooms, parachute packing, maintenance, repair and equipment sales building, snack stand with beer and wine sales, RV hook-ups (10 spaces) and camping facilities. Property is located on the NW corner of CR 29 and CR 96, NE of the Yolo County Airport. A Mitigated Negative Declaration has been prepared. Applicant: O'Brien (M. Hamblin)

Mark Hamblin gave the Staff Report. He added that the parking lot in the project would not be asphalted because it would be easier to revert back to agricultural use if the need arises. He also made the amendment to Exhibit "F", line 12, should read " General Plan Policy LU 73 is added to the AG designated areas of the General Plan.

Commissioner Pollock was concerned that there be a sufficient number of parking spaces for use when large events take place.

Mark Hamblin indicated that there would be 60-80 parking spaces and large events would only occur once or twice a year with temporary parking arrangements to be worked out between the owner and the applicant.

Commissioner Pollock asked that parking be prohibited on the County Road.

The Public Hearing was opened at this time.

Dan O'Brien, General Manager of Prestar, said for a "win-win" situation it would be advisable to take skydiving off the airport property.

John Spare, of JMS Designs, gave an overview of the project and the different buildings that would be required.

Commissioner Webster asked if this was typical of drop zones to have all these amenities. It was answered yes.

Commissioner Walker discussed the target area with the architect.

A rather long discussion concerning the requirement by PG & E regarding orange marker balls being installed on all high voltage lines surrounding the parachute drop area.

The hours of the operation were discussed among Staff, the applicant and the Commission. It was agreed that night skydiving would be limited to two hours after sunset.

Commissioner Gray said he came to appreciate the actual economic development value that this skydiving operation brings to Yolo County.

John Roberts, of Friends of the Yolo County Airport, addressed the power line issue.

Commissioner Walker said that the orange marker balls should be looked at as a service to the parachuters.

The applicant said that they want to comply with the PG & E requirement regarding the orange marker balls, but they do not want to be singled out.

Steve Legue, Attorney with McKensey and Albritten, said that under the Wire Strike Education Prevention Act, the utilities are required to do an analysis and to install marker balls where there is a danger to aviation.

Commissioner Webster asked if a model avigation easement had been adopted yet.

Paul Kramer left the meeting at 3:30.

Duane Chamberlain, owner of the property, spoke about the tower on his property.

Commissioner Walker left the meeting at this time.

The Public Hearing was closed at this time.

Commissioner Gray asked that Director Jenkins work with the applicant and PG & E to determine the number and cost of the orange balls as referred to under Mitigation #29 and #30.

Commission Action:

The Planning Commission recommends that the Board of Supervisors take the following actions:

- (1) **CERTIFY** the Negative Declaration prepared for the project in accordance with the California Environmental Quality Act and Guidelines (CEQA);
- (2) **ADOPT** the "FINDINGS" for this project as presented in the staff report;
- (3) **ADOPT** the General Plan Amendment to the Yolo County General Plan to permit a parachute drop zone with incidental skydiving facilities within the AG (agricultural) General Plan land use designation subject to standards put forth in the amendment as shown in **Exhibit "F"** - PreStar General Amendment;
- (4) **ADOPT** the Zone Code Amendment (PreStar Zone Code Amendment) to the A-P (agricultural preserve) Zone to permit a parachute drop zone with incidental skydiving facilities as a conditional use within the zone (**Exhibit "G"** - PreStar Zone Code Amendment);
- (5) **APPROVE** the Conditional Use Permit to permit a parachute drop zone and incidental skydiving facilities involving: training & viewing structures; meeting rooms; parachute packing, maintenance, repair and related equipment sales building; snack stand including on-premises beer and wine sales; recreational vehicle hook-ups & camping facilities provided for skydiving participants and their families; etc. on an 4 acre portion of the property shown in subject to the conditions listed under "CONDITIONS OF APPROVAL" presented in the staff report and modified by the Commission.

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

CONDITIONS OF APPROVAL

- (1) The applicant shall secure plan check approval and permits from the Yolo County Environmental Health Department for the following: on-site sewage disposal system; a small public drinking water system; food facility; ~~and the campsite and recreational vehicle parking (RV)~~ prior to the issuance of a building permit.
- (2) The applicant shall obtain the appropriate state licenses and permits for the oxidation pond (sewage disposal) from the California Regional Water Quality Control Board and, the RV park for the California Department of Housing and Community Development ~~prior to issuance of building permits by the Yolo County Community Development Agency, Building Division.~~
- (3) The applicant shall obtain an encroachment permit from the Yolo County Department of Public Works and Transportation prior to any work, including alteration to the existing curb and gutter, within the county public right-of-way.
- (4) The property owner shall dedicate to the County of Yolo an additional 12 feet of road right-of-way along County Road No. 29 for a total of 42 feet from the center line of the right-of-way of County Road No. 29, and 10 feet on County Road No. 96 for a total of 30 feet from the center line of right-of-way of County Road No. 96. The dedication is to take place prior to the issuance of a building permit and to the satisfaction of the Yolo County Department of Public Works and Transportation.
- (5) Twenty-four foot (24') width of the driveway to the skydiving facility shall be ~~paved and~~ constructed to County Standards to accommodate vehicular movement from County Road No. 29. On-site parking consisting of all-weather surface shall be provided to accommodate employees, customer and visitors and shall be installed prior to the final inspection on the skydiving facility by the Yolo County Community Development Agency, Building Division.
- (6) The applicant shall record an "Avigation and Noise Easement" covering the subject property prior to a final inspection for the facility by the Yolo County Community Development Agency, Building Division. Said easement shall be recorded as a separate instrument and approved as to form by the County Counsel of Yolo County and the Airport Manager of the Yolo County Airport. A copy of the recorded document shall be submitted to the Yolo County Community Development Agency prior to the final inspection. Said easement shall be recorded in the Office of the Yolo County Clerk/Recorder at the applicant's expense.
- (7) Handicap requirements shall be provided for all non-residential use buildings and includes but is not limited to access to buildings, the parking lot, and any existing structure if

a change of occupancy occurs. The applicant shall secure plan check approval and permits from the Yolo County Community Development Agency, Building Division.

~~(8) The property owner shall obtain a building permit for the wooden tower/observation deck constructed in 1992 on his property at 34530 County Road No. 29 prior to the issuance of a building permit for the skydiving facility. The property owner shall submit engineered plans and calculations prepared by an engineer licensed in the State of California to the Yolo Community Development Agency, Building Division.~~

(9) The applicant shall identify in a written statement the intended use and occupancy of the bunk house on the site for the skydiving facility prior to the issuance of a building permit. Said written statement shall be submitted to the Yolo County Community Development Agency, Building Division and to the Fire Inspector for the West Plainfield Fire Protection District.

(10) The Conditional Use Permit (Z.F. No. 94-036) shall commence within two (2) years from the date of the ~~Planning Commission's~~ Board of Supervisor's approval of the Use Permit or said permit shall be deemed null and void without further action.

Mitigation

THE FOLLOWING CONDITIONS ARE ENVIRONMENTAL MITIGATION MEASURES TO REDUCE THE CUMULATIVE AND/OR PROJECT SPECIFIC IMPACTS CULMINATING FROM THE POTENTIAL LAND USE DISCUSSED IN THE NEGATIVE DECLARATION.

AS SUCH, ANY MODIFICATION TO THESE CONDITIONS CAN ONLY BE MADE IF: (1) IT DOES NOT REDUCE THE EFFECTIVENESS OF THIS CONDITION AS AN ENVIRONMENTAL MITIGATION MEASURE, OR (2) A NEW ENVIRONMENTAL DOCUMENT IS PREPARED TO REFLECT THE CHANGED PROJECT DESCRIPTION AND/OR CONDITIONS.

Earth

1. Development of the 4 acre site shall involve clustering of structures so as to limit the amount of soil being overcovered and/or compacted for the project and shall involve the existing overcovering and compaction that has occurred for the structures currently on the property.

2. The applicant shall submit a grading plan for the project to the Yolo County Department of Public Works and Transportation and the Yolo County Community Development Agency for approval prior to the issuance of a grading or building permit for the project.

3. Areas of concentrated water runoff shall be protected from erosion.

4. A landscape plan incorporating erosion control measures for the project site shall be prepared by a landscape architect, contractor or irrigation designer licensed in the State of California. The landscape plan shall be compliance with the California Model Water Efficient Landscape Ordinance as required by Assembly Bill 325, effective January 1, 1993, which is already required for new commercial and residential development.

Air

5. Tarpaulins or other effective covers should be used for haul trucks during the construction period.
6. Materials subject to being windblown during the construction period are to be covered, anchored, watered, protected, etc. so as to prevent the spreading of the material.
7. Construction areas and the county right-of-way are to be wet swept.
8. Grading shall not occur when winds speeds exceed 20 miles per hour over a 1 hour period.
9. Construction equipment and engines shall be properly maintained in accordance to air quality/pollution management standards.
10. Construction practices are to minimize vehicle idling.
11. If air quality standards for the Sacramento area are exceeded in May through October during the construction period, the construction schedule is to be arranged to minimized the number of vehicles and equipment operating at the same time.

Water

12. All perimeter parcels and lots are to be protected against surface runoff from the subject property in a manner acceptable to the Yolo County Department of Public Works and Transportation, and the Yolo County Community Development Agency.
13. A drainage plan for the 4 acre project site is to be included with the plans submitted for the building permit. The drainage plan shall be prepared by a registered civil engineer in the State of California and submitted to the Yolo County Department of Public Works and Transportation, and the Yolo County Community Development Agency for approval.

Fish & Game

14. Prior to granting of an entitlement to initiate grading on the subject property, 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.
15. All new development shall maintain a setback of at least one hundred feet (100') from the top of the bank from Union School Slough. Where there is no discernable bank, the set back shall be measured from the line closest to the slough where riparian vegetation is permanently established.
16. The development of the project shall not involve the removal of trees that may provide suitable nesting for the Swainson's hawk.

Noise

17. The incidental skydiving facilities shall be operated during daytime to ~~one~~ two hours past sunset for sky diving.

18. Landscaping required for the project site shall consider the installation of a combination of barriers, buffers, berms to act as noise attenuators.

19. Development of the 4 acre site shall involve clustering of structures. Structures are to be used as noise barriers for other structures.

20. The 4 acre site shall involve placing as much distance as possible between the 4 acre development and noise sensitive uses (i.e. residences) occurring on neighboring properties.

21. Buildings for human occupancy to be constructed/placed on the subject property shall be designed and/or constructed to limit intruding noise so that interior noise levels do not exceed 45 dB CNEL with windows closed in any habitable room (i.e. acoustical architectural design, sound insulation, sound walls, buffering, etc.).

Light & Glare

22. Any sources of light and glare from the 160 acre subject property shall be designed and/or constructed (i.e shielded, directed, etc.) to not intrude onto neighboring properties, the county public right-of-way or into the airspace.

Road Dedication

23. The Yolo County Department of Public Works and Transportation is requesting the dedication of an additional 12 feet of road right-of-way along County Road No. 29 for a total of 42 feet from the center line of the right-of-way of County Road No. 29, and 10 feet on County Road No. 96 for a total of 30 feet from the center line of right-of-way of County Road No. 96. The dedication is to take place prior to the issuance of a building permit. The dedication of rights-of-ways will bring these county roads into compliance with the adopted standards and will accommodate the features necessary to provide safety and capacity for these roads. A paved twenty-four foot (24') wide driveway, constructed to County Standards is required to accommodate vehicular movement from County Road No. 29. On-site parking will be provided to accommodate employees, customer and visitors.

Air Traffic

24. Any use on the subject property which would generate smoke which could attract large concentration of birds, or which may otherwise affect safe air navigation shall be prohibited.

25. Any use on the subject property which would generate electrical interference that may be detrimental to the operation of aircraft and/or airport instrumentation shall be prohibited.

26. Any sources of light and glare from the 160 acre subject property shall be design and/or constructed (i.e shielded, directed, etc.) to not intrude onto neighboring properties, the county public right-of-way or into the airspace.

Fire Protection

27. Landscaping shall be of non-flammable vegetation within 30 feet of the buildings.

28. The driveway leading to the recreational vehicle hook-ups and campground area shall be a minimum of 20 feet wide with an all-weather surface of ~~roadbase gravel, concrete or asphalt~~ capable of supporting a 40,000 pound load. The driveway shall maintain an unobstructed verticle clearance of 13 feet 6 inches the entire length of the driveway. The terminus of the driveway shall have a turnaround circle with a 30 foot radius or a 20 X 60 foot rectangle forming a "T" at the end of the driveway allowing fire apparatus to rapidly change direction. The driveway shall be subject to the approval of the Fire Chief of the West Plainfield Fire Protection District. The driveway shall be installed prior to the occupancy of the RV park to the satisfaction of the Director of the Yolo County Community Development Agency.

Health & Safety Hazard

29. The applicant shall work with representatives of PG&E to establish a safety program which all parachutist will have to participate on a routine basis. The program shall include but not be limit to informing parachutists of the location of PG&E's high voltage lines and the potential of serious injury or death should contact occur.

30. Orange marker balls shall be installed on all high voltage lines surrounding the parachute drop area. The installation of the orange marker balls shall occur at specified locations identified in the safety program established between PG&E and PreStar. Said marker balls shall be installed prior to a final inspection for the skydiving facility by the Yolo County Community Development Agency, Building Division.

Cultural Resources

~~31. The applicant shall have an archaeological resources study conducted on the development area (4 acre site) prior to the issuance of a building permit. The archaeological resources study is to be conducted by an professional archaeologist certified by the Society of California Archaeology (SCA) and/or the Society of Professional Archaeology (SOPA). A copy of the study is to submitted to the Yolo County Community Development Agency. The Director of the Yolo County Community Agency shall be notified immediately of the discovery of archaeological materials.~~

32. If archaeological materials are uncovered during grading, trenching or other construction operations, earthwork within 100 feet of the discovery of the materials shall be stopped until a professional archaeologist certified by the Society of California Archaeology (SCA) and/or the Society of Professional Archaeology (SOPA) has had an opportunity to evaluate the significance of the find and suggest appropriate mitigation measures if necessary. The Director of the Yolo County Community Agency shall be notified immediately of the discovery of archaeological materials.

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

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

FINDINGS

(Evidence to support the required findings is shown in italics)

General Plan Amendment

The Yolo County Planning Commission has determined that it is in the public interest to amend the Yolo County General Plan and finds:

The project attempts to relocate a skydiving facility which is a people oriented recreational operation that is not an aviation intensive use off of the county airport (approximately one mile away) next to its parachute drop zone. The relocation of the skydiving facilities will permit skydivers to land at the skydiving facility.

The County does not permit skydivers landing access on-airport, due to safety and liability concerns. The County airport's liability insurance carrier will not provide coverage for unrestricted on-airport skydiving landings (i.e. demonstrations, competitions, contests, etc.).

The on-airport skydiving facility/off-airport parachute drop zone will provide greater opportunity for family and friends to observe skydivers in action, strengthen the teaching/training process of students, and attract new customers, international teams, and bids to host premiere skydiving events.

The draft General Plan Amendment and Change of Zone Ordinance is very limited nature (PreStar, Inc. only) and provides for the relocation of an already existing skydiving facility within the "Area of Influence" of the county airport next to its existing parachute drop site and not the introduction of a new commercial recreational operation into the area.

Change of Zone

In accordance with Section 8-2.3005, Article 30, Chapter 2, the Yolo County Planning Commission finds:

(a) That the public health, safety, and general welfare warrant the change of zones or regulations, and such change in the zones or regulations is in conformity the Master Plan (General Plan);

The off-airport skydiving facility is to be located on property that is designated AG (agricultural) by the General Plan, zoned A-P (agricultural preserve) and under a Williamson Act contract. The intent of the agricultural designation and the Williamson Act is to preserve and protect agricultural lands from urban encroachment and to discourage its premature and unnecessary conversion to urban uses. The Williamson Act permits local governments to allow public outdoor recreational uses on contracted lands (provided the use is consistent with the designated general plan and zone) and further states that recreational uses are

compatible with land under Williamson Act contract absent a contrary finding by the Board after a notice and hearing.

The Board of Supervisors may impose conditions on land or land uses to be placed within preserves to permit and encourage compatible uses of land, particularly public outdoor recreational uses.

The project will relocate a people oriented recreational operation that is not an aviation intensive use off of the county airport.

The relocation of the skydiving facility will minimize skydivers and observers to noise exposure generated from stationary and mobile operations conducted at the Yolo County Airport.

The on-airport skydiving facility/off-airport parachute drop zone will provide greater opportunity for family and friends to observe skydivers in action, strengthen the teaching/training process of students, and attract new customers, international teams, and bids to host premiere skydiving events.

Conditional Use Permit

In accordance with Section 8-2.2804 of Chapter 2, Title 8 the Planning Commission finds the following:

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

The adoption of the Zone Code Amendment (PreStar Ordinance) by the Board of Supervisors would permit as a conditional use a parachute drop zone with incidental skydiving facilities within the A-P (agricultural preserve) Zone at this site.

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

This request involves the relocation of an existing skydiving facility on the airport to an off-site location nearby. The on-airport skydiving facility/off-airport parachute drop zone will provide greater opportunity for family and friends to observe skydivers in action, strengthen the teaching/training process of students, and attract new customers, international teams, and bids to host premiere skydiving events. The project's relocation moves a people oriented recreational operation that is not an aviation intensive use off of the county airport.

- (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 off-airport skydiving facility is to located on property that is designated AG (agricultural) by the General Plan, zoned A-P (agricultural preserve) and under a Williamson Act Contract. The project's relocation moves a people oriented recreational operation that is not an aviation intensive use off of the county airport.

The intent of the agricultural designation and the Williamson Act is to preserve and protect agricultural lands from urban encroachment and to discourage its premature and unnecessary conversion to urban uses. The Williamson Act permits local governments to allow public outdoor recreational uses on contracted lands (provided the use is consistent with the designated general plan and zone) and further states that recreational uses are compatible with land under Williamson Act contract absent a contrary finding by the Board after a notice and hearing.

The Board of Supervisors may impose conditions on land or land uses to be placed within preserves to permit and encourage compatible uses of land, particularly public outdoor recreational uses.

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

The adoption of the General Plan Amendment (PreStar General Plan Amendment) by the Board of Supervisors would permit parachute drop zone with incidental skydiving facilities provided for public viewing and/or participation where such facilities are to be located within or adjacent to an existing grouping or agricultural buildings subject to standards put forth in the PreStar General Plan Amendment within the AG (agricultural) land-use designation of the county General Plan.

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

Comments received on the project from responsible and effected agencies during the public review process identified potential concerns. However, through the implementation of the "Conditions of Approval" and mitigation measures established for the project, adequate utilities, access roads, drainage, sanitation, and/or other necessary facilities will be adequately provided.

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6.5 A discussion of the "Rules of Order" for the Planning Commission.

Commission Action:

There was no action on this item.

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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) A discussion on setting a date for the next Planning Commission Meetings. It was established the next meetings would be May 10, May 24, and June 14.
- (2) An update on the Greengate appeal. The Board of Supervisor's upheld the "no build" restriction and denied the parcel split.

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.

There was no report by the Commission.

9. ADJOURNMENT

The meeting was adjourned at 4:00 p.m. and the next meeting of the Yolo County Planning Commission is scheduled for May 10, 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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