

MINUTES

YOLO COUNTY PLANNING COMMISSION

March 8, 1995

1. CALL TO ORDER

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

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

MEMBERS ABSENT: Webster

STAFF PRESENT: Stephen L. Jenkins, Director  
John Bencomo, Principal Planner  
Paul A. Kramer, Jr., County Counsel  
Mark Hamblin, Associate Planner  
Dave Flores, Senior Planner  
Mike Luken, Senior Planner  
Linda Caruso, Administrative Clerk

2. ADOPTION OF THE MINUTES OF THE PREVIOUS MEETING

Due to the lack of time between meetings, the Minutes of the February 23, 1995, Planning Commission were not available for this meeting.

3. THE ELECTION OF THE PLANNING COMMISSION SECRETARY

**Commission Action:**

The motion was made to elect Community Development Director, Stephen L. Jenkins, as the Planning Commission Secretary.

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

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ABSTAIN: None

#### 4.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.

Mariane Nix, resident of Knights Landing, addressed the Commission concerning the alley between 2nd and 3rd Street in Knights Landing.

#### 5.CORRESPONDENCE

Chair Pollock acknowledged receipt of the items of correspondence listed on the agenda and the addition of other memos and letters received after the packet mailing.

#### 6.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.

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#### 6.REGULAR AGENDA

6.194-010 - A request for a Conditional Use Permit for wastewater treatment ponds and a wastewater transmission pipeline. Pond is located south of CR 17, east of CR 102; Pipeline is located from the intersection of CR 18 and CR 100B, east to CR 17 and CR 102 in an AP (Agricultural Preserve) Zone. An Environmental Impact Report has been prepared for this item. Applicant: Spreckels Sugar (M. Luken)

The Staff Report was given by Mike Luken.

The Public Hearing was opened at this time.

Elizabeth Robinson, Vice President and General Attorney of Spreckels Sugar Company, was in concurrence with the Conditions of Approval recommended by Staff.

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Arnold Daglia, Plant Manager, answered questions of the Commission regarding impact of the wastewater ponds on groundwater.

Commissioner Pollock asked the applicant how the wastewater was to be disposed of.

Arnold Daglia, answered that it was disposed of by approximately 20% evaporation, 15% percolation, and 65% into the root stock of the plant.

The Public Hearing was closed at this time.

Commissioner Gray stated that the Commission should feel comfortable in supporting this project.

**Commission Action:**

1. **CERTIFIED** an Environmental Impact Report prepared by the City of Woodland that encompasses the proposed project as the appropriate level of environmental review for the project.
2. **ADOPTED** the proposed Findings for APPROVAL of the Project as presented in the staff report.
3. **APPROVED** a Conditional Use Permit (ZF#94-010) as presented in the Staff Report, subject to the proposed Conditions of Approval.

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

CONDITIONS OF APPROVAL

***CONDITIONS (#1-8) ARE ENVIRONMENTAL MITIGATION MEASURES TO REDUCE THE CUMULATIVE AND/OR PROJECT SPECIFIC IMPACTS CULMINATING FROM THE CONSTRUCTION OF SAID USE, AS DISCUSSED IN THE ENVIRONMENTAL IMPACT REPORT (EIR).***

***AS SUCH, ANY MODIFICATION TO THIS CONDITION 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.***

**Biology**

- 1.As a condition of approval of any conditional use permit issued for the replacement wastewater ponding site, the Applicants, their Successors or Assignees shall prepare and implement a

Wildlife Habitat Mitigation Plan to the satisfaction of the Community Development Director of the County of Yolo which contains, at a minimum, the following components:

- 1.1 Establishment of a minimum of 15 acres of continuous or semi-continuous cat-tail/ tule marsh with 80 percent or greater canopy cover.
  - 1.2 Establishment of a minimum of 5 acres of continuous or semi-continuous willow scrub or willow/cottonwood riparian woodland with 40 percent or greater canopy cover.
  - 1.3 Maintenance of a minimum of 35 acres of mudflats and shallow submerged flats (less than one foot in depth) during the calendar year. The 35 acres minimum requirement shall be calculated on an average annual basis. For example, if the ponds contain an average of 10 acres per month of mudflats and shallow submerged flats for 6 months of the year, during the following 6 months the ponds shall contain an average of 60 acres per month of mudflats and shallow submerged flats.
  - 1.4 Management of the replacement wastewater pond operation to provide the maximum acreage of mudflats and shallow submerged flats during April-May and August-September which factory operations will allow. It should be noted that the availability and timing of process water to the ponds will continue to be entirely dependent on factory operations. However, construction of the new ponds and pipeline shall be phased to ensure that water supply shall be simultaneously transferred from the existing to the new ponds.
- E. No dewatering of the existing wastewater ponds until the performance standards for vegetation in the replacement wastewater ponds have been achieved and verified in writing from the California Department of Fish and Game.
- F. In the event of conflict with agencies having jurisdiction over the replacement wastewater ponds, the Wildlife Habitat Mitigation Plan objectives may be amended to address such conflicts.
2. Prior to the approval of a any grading or building permit for any structure, the Applicant, their Successor's or Assignees, shall execute a California Department of Fish and Game 2081 authorization and payment, if required, of mitigation fees to a Yolo County fish and wildlife mitigation account.

#### **Noise**

3. All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers. The construction contracts shall require that all equipment and noise mufflers are in proper working order.

#### **Water**

4. The Applicant, their Successor's or Assignees, shall test the soil below the existing Spreckels wastewater ponds for formaldehyde after the ponds are relocated. If formaldehyde is detected in the soil, the shallow groundwater downgradient of the ponds shall be retested for this contaminant. Any contaminated soil shall be disposed of in accordance with local and state requirements.

#### **Wastewater**

5. The Applicant, their Successor's or Assignees, shall submit a closure plan for the surface ponds to the Regional Water Quality Control Board.

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6.The Applicant, their Successor's or Assignees, shall obtain a Waste Discharge Permit from the Regional Water Quality Control Board(RWQCB) who is responsible for issuing the Waste Discharge Permit for new ponds and for monitoring the ponds to ensure water quality. The RWQCB shall ensure that the replacement ponds have sufficient capacity to handle the wastewater generated by the sugarbeet factory and that they maintain an oxygen level to the satisfaction of the Regional Water Quality Control Board.

### **Hazardous Materials**

7.The responsible party(ies) shall clean up the site either to the standard deemed safe by the Yolo County environmental health department for the intended use or to residential standards. If the site is cleaned up to less than residential standards, the Applicant shall place a deed restriction on the property which discloses the existing cleanup level and requires re-evaluation of the site by the Yolo County environmental health department if the intended use of the site changes.

8.If detected through soil sampling:

A.The Applicant, their Successor's or Assignees, shall choose one or a combination of the following clean-up methods:

Option 1: The Applicant, their Successor's or Assignees, shall hire a qualified and licensed contractor to excavate and haul the lead-contaminated soil to the Class I hazardous waste landfill facility in Kettleman, California.

Option 2: The Applicant, their Successor's or Assignees, shall hire a qualified and licensed contractor to remediate the lead-contaminated soils on-site, utilizing a treatment facility designed for lead recovery and the recycling of the recovered lead. The treatment technology must be approved by Cal-EPA.

B.The remedial action plan shall be approved and the cleanup shall be supervised by the Yolo County Environmental Health Department. The cleanup level shall be established by the Yolo County environmental health department, after consultation with Cal-EPA.

C.The responsible parties may prepare a Preliminary Endangerment Assessment, pursuant to Cal-EPA guidelines after the remedial action is complete and shall submit the PEA to Cal-EPA for their review and concurrence.

### **Review and Coordination of Construction of Ponds/Pipeline**

9.Final design of the wastewater treatment ponds and wastewater transmission pipeline will be submitted for review and approval of the Community Development Agency, Yolo County Public Works and Transportation Department and the County Administrator's Office.

### **Traffic/Circulation (Yolo County Public Works and Transportation Department )**

10.Prior to any construction or grading for the proposed wastewater pipeline, the Applicant, their Successor's or Assignees shall pay a franchise fee, if required by the County, to the County of Yolo for the use of the County Right-of-Way for the pipeline. The Applicant, their Successor's or Assignees shall contact the County Administrator's Office to initiate the negotiation of said franchise fee.

11. Prior to any construction or grading, the Applicant, their Successor's or Assignees, shall file a Record of Survey of said pipeline with the Yolo County Public Works and Transportation Department of which the basis of bearings shall be the State Plane Coordinate System.
12. Prior to any construction or grading for the pipeline, the Applicant, their Successor's or Assignees must obtain an Encroachment Permit from the Yolo County Public Works and Transportation Department , and pay a fee to cover the County's construction inspection time.
13. No trenching shall be done across County Road 102. Any pipeline crossing County Road 102 must be bored or jacked under the road, with boring pits offset from the road shoulder so as to not interfere with traffic or constitute a traffic hazard.
14. Pipeline crossing of minor roads may be done by trenching. The roadway must be restored to existing condition to the satisfaction of the Director of the Yolo County Public Works and Transportation Department, or at a minimum of three inches (3") of asphalt concrete over twelve (12") of aggregate base compacted to ninety-five percent (95%).
15. Any pipeline installed parallel to the public road must be at least six feet clear (clear distance) away from the edge of pavement and at least three feet (3') (clear distance) below the lowest point of the roadside ditch or shoulder.
16. No construction work on or near public roadways may proceed until satisfactory traffic control warning devices have been installed according to CALTRANS standards, and have been inspected and approved by the Yolo County Public Works and Transportation Department
17. Permission to use the public right-of-way is granted, subject to the above conditions, with the understanding that operation and maintenance of the pipeline is the sole responsibility of Spreckels Sugar Company, its Successor's or Assignees, and that the County of Yolo is not responsible for any damage to the pipeline caused by its own roadway maintenance operations or by actions of the members of the public.

## FINDINGS

### ***[A SUMMARY OF THE EVIDENCE TO SUPPORT EACH FINDING IS IN ITALICS]***

#### **Environmental Impact Report (Approval by Responsible Agency)**

In accordance with California Government Code §15096 (California Environmental Quality Act-CEQA) the Planning Commission finds that:

- A. The City of Woodland Environmental Impact Report (SCH#91063105, prepared by the Planning Center, adequately discusses the environmental impacts of this project. As conditioned, this project will not have a significant impact on the environment.

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*The County of Yolo actively participated in the preparation of the Environmental Impact Report (EIR) for this project in coordination with the City of Woodland. As identified in the Final EIR and in the conditions of approval in the Staff Report, measures proposed in the EIR have mitigated all impacts of the relocation of the wastewater treatment ponds and the wastewater pipeline to impact levels less than significant.*

### **Conditional Use Permit**

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 that:

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

*The proposed wastewater treatment ponds facility and pipeline are allowed with the approval of a conditional use permit, pursuant to Section 8-2.404 (h) and (o) of Article 4 of the Yolo County Zoning Regulations.*

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

*The continued operation of Spreckels Sugar Company is a benefit to the agricultural economy of Yolo County and is a valuable employer in the Woodland Area.*

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 proposed project as conditioned was determined to result in less than significant impacts and with minimal detriment to the character of area surrounding the site and proposed pipeline alignment.*

E.The requested use will be in conformity with the General Plan and can make the following findings:

1)The use is directly related to agricultural land use (cultivation of agricultural plants or the raising of animals, and

*Spreckels Sugar Company processes sugar beets. A portion of these sugar beets are grown locally within Yolo County.*

2)The use will not diminish nor prevent agricultural use on site or on adjoining agricultural lands.

*Wastewater Ponds have been determined by the Yolo County Planning Commission to be an "Agricultural Use".*

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

*Spreckels Sugar Company will only remove ninety-five acres of the total Tooby Ranch from row crop production. The remaining acreage will continue to be actively farmed and a vital part of the use of the property.*

*As conditioned, the proposed project was determined to be in compliance with all applicable General Plan policies (refer to General Plan Review Section within this report).*

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

*The proposed project as described within the Project Description Section of this report will provide all required infrastructure and structural improvements.*

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6.2ZF 4150 - Request for Approval of Access to create four single-family homesites. Property is located at the southwest intersection of CR 29 and CR 95, 6 miles northwest of Davis in an A1 (Agricultural General) Zone. A Mitigated Negative Declaration has been prepared for this item. Applicants: Galen Chamberlain, William and Deborah Conard, and Central Anesthesia Service Exchange. (M. Luken)

Mike Luken gave the Staff Report. He explained that SACOG inadvertently used an incorrect noise contour map for the preparation of the 1992 Comprehensive Land Use Plan Update.

Austin Wiswell, Manager of the Yolo County Airport, explained that technically, single family home sites are compatible land use in the overflight zone. The three issues the airport considers are noise impacts, safety, and population density.

A discussion took place concerning avigation easements.

Director Jenkins stated that there was no intent by the County to apply avigation easements to every property surrounding the airport unless a project seeks discretionary permits from the County.

Commissioner Lang asked if there have been many complaints due to noise by the residents around the airport. Austin Wiswell replied that most of the complaints have come from new residents to the area.

The Public Hearing was opened at this time.



Duane Chamberlain, owner of the property, stated that he was surrounded by lots with homesites on three sides.

Scott Stone, a farmer, rancher, and agricultural real estate broker, stated that this request is consistent with the zoning guidelines, regulations and the General Plan. He stated that both the Conards and the Chamberlains would agree to an avigation easement.

Jerry Hedrick, resident near the airport, stated that noise is not a concern in contrast to what the Airport Manager said. The noise issue is well taken care of in terms of what is permitted by the Comprehensive Land Use Plan.

Wayne Berlin addressed the Commission.

The Public Hearing was closed at this time and was followed by a discussion by members of the Commission.

**Commission Action:**

1. **CERTIFIED** a Mitigated Negative Declaration from the California Environmental Quality Act (CEQA) as the appropriate level of environmental review for this project;
2. **ADOPTED** the Findings for the ~~DENIAL~~ **GRANTING** of the project as modified in Exhibit J of this Staff Report;
3. ~~DENY~~ **APPROVED** an Approval of Access to construct four single-family dwellings on the four parcels in the A-1 (Agricultural General) Zone as modified in this report.

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

CONDITIONS OF APPROVAL

**Flood Control**

1. ~~Prior to issuance of a building permit for any of the four parcels, the applicant, their successor's or assignees, shall submit for review and approval of the Yolo County Flood Control and Water Conservation District (YCFCWCD) a dedicated perpetual right-of-way easement to YCFCWCD for the purpose of maintaining the irrigation canal. Said easement shall be recorded at the applicant's expense with the Yolo County Recorder's Office. The applicant shall provide the Community Development Agency with a certified copy of said recorded document before the application for a building permit on any on the four parcels.~~

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### **West Plainfield Fire Department**

1. Prior to issuance of a building permit for any of the four parcels and to provide adequate access to the subject property, the applicants, their successor's or assignees, shall construct an all weather Private Vehicular Access Road, to the specifications set forth by California Public Resources Code §4290 (CDF Firesafe Regulations)

### **Yolo County Public Works and Transportation Department**

2. Prior to issuance of a building permit for any of the four parcels, the applicants, their successor's or assignees, shall submit for review and approval an encroachment permit to the Yolo County Public Works and Transportation Department. This permit shall contain, at a minimum, the following component(s):

- 1.5 Paving (to County of Yolo Standard Specifications) of the PVAE for approximately 20 feet where it joins County Road 95 to eliminate the safety problem when loose gravel gets onto County Road 95.

3. Prior to issuance of a building permit for any of the four parcels, the applicant, their successor's or assignees, shall agree and consent to participation in, and waive objection to enter into a maintenance agreement for the perpetual maintenance and upkeep of a private road from County Road 95 extending east to serve all four parcels. Said private road shall be an all weather Private Vehicular Access Road, to the specifications set forth by California Public Resources Code §4290 (CDF Firesafe Regulations). The applicant, their successor's or assignees and the owners of the parcels to the east would be responsible for the total cost of said private road, maintenance agreement and any permits to construct said private road.

### **Yolo County Airport Manager**

4. Prior to issuance of a the first building permit for any of the four parcels, the applicants, their successor's or assignees, shall complete an Avigation Easement for each 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.

### **California Department of Fish and Game (CDFG)**

5. Prior to the approval of a grading or building permit for any of the four parcels, the Applicants, their successor's or assignees, shall execute a California Department of Fish and Game (CDFG) Code Section 2081 Authorization, and shall make payment, if required, of mitigation fees to a Yolo County fish and wildlife mitigation account.

### **Yolo County Community Development Agency-Building Division**

6. Prior to approval of a building permit for any of the homesites, the applicant shall obtain plan check approval and permits for on-site sewage disposal systems and a water well.

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FINDINGS FOR APPROVAL OF THE PROJECT

In accordance with Yolo County Code §8-2.260 the Planning Commission Finds that:

1.The Private Vehicular Access Easement (PVAE) is adequate to serve the subject property, emergency vehicles and the proposed homesites will not adversely effect the health, safety or general welfare of Yolo County.

*The Private Vehicular Access Easement will be constructed to California Department of Forestry & Fire Protection (CDF) Fire Safe Standards which will ensure safe usage for normal and emergency vehicular use. The constructions of a four homesites are consistent with the Yolo County General Plan, Zoning Ordinance and with Board of Supervisors Policy (Minute Order 77-24) and will not adversely affect the health, safety or general welfare of Yolo County.*

2.The applicant has submitted substantial evidence supporting continued agricultural operation of the parcels.

*The applicant submitted a copy of the agricultural lease agreement at the Planning Commission Meeting.*



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

6.3A preview of a proposal by Curt Nizzoli regarding a Nascar Racetrack and related facilities in the Elkhorn area.

Curt Nizzoli gave his presentation and passed out maps outlining the proposal. He added that the project would generate a large economic impact to the entire region.

A discussion by the Commission and the applicant followed.

The fact that tax dollars generated by this project would go to Sacramento County, the amount of pollution, and other issues were discussed.

Commissioner Lea brought up potential traffic problems that would occur if this project would be allowed.

Commissioner Gray advised the applicant to come back with an application and a plan.



6.4A discussion concerning the "Rules of Order" for the Planning Commission.

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**Commission Action:**

To continue this item until the next Planning Commission Meeting.



6.594-119 - A consideration of a General Plan Amendment from Low Density-Planned Development (minimum 6 units per acre) to Medium Density-Planned Development (minimum 12 units per acre on an approximate 1.8 acre property. Property is located on the south side of Ridge Cut Road at Hunter Street in Knights Landing in an R-1 (residential, one family) Zone. A Negative Declaration has been prepared for this item. Applicant: County of Yolo (M. Hamblin)

Director Jenkins gave of the history of this application.

The Staff Report was given by Mark Hamblin.

Commissioner Walker indicated that the residents of Knights Landing should have the main say in what is taking place in their community.

Commissioner Gray said that we have an obligation to ensure towns provide their regional fair share of affordable housing.

Elizabeth Kemper, of LAFCO, explained that the Mark Hope's application for annexation requires a Negation Declaration to be certified by March 10, 1995. After this date the LAFCO application would be deemed null and void and the applicant would have to reapply.

A discussion ensued concerning density.

Commissioner Lea said there were many "vacation rental trailers" being used year round by families in Knights Landing. She was concerned these were not factored in when the Plan was adopted.

The Public Hearing was opened at this time.

Mary Lieser, resident of Knights Landing, was concerned with the zone change of this project.

Ken Reiff, representing the owner, gave the owner's point of view on this project.

Commissioner Gray asked that this item be continued so a workshop could be established to work with the residents of Knights Landing.

David Jones, attorney with Legal Services of Northern California, explained how the Housing Element is revised every five years. He also explained the housing requirements of State law and the County Housing Element.

A lengthy discussion took place concerning down zoning and "in lieu of" fees.

Dave MacMurtry, attorney for Mark Hope, asked the Commission to move ahead on this project.

Wayne Berlin, resident of Woodland, said that upscale housing should be built in Knights Landing.

Mary Edson, resident of Knights Landing, had concerns of safety in regards to the canal located behind the proposed project.

James Kareofelos, resident of Knights Landing, spoke about densities.

Audrey Garner, resident of Knights Landing, said if a survey of Knights Landing low income residents were done, the county would be surprised at the outcome.

After more discussion, the Public Hearing was closed.

**Commission Action:**

(1)**CERTIFIED** the Negative Declaration prepared for the project in accordance with the California Environmental Quality Act and Guidelines (CEQA);

**AND** to **CONTINUE** to consider the following items until the March 16, 1995, Planning Commission Meeting to be held at the Knights Landing Community Center at 7:00 p.m.:

A.**ADOPT** the "FINDINGS" for this project as presented in the staff report;

B.**ADOPT** the general Plan Amendment of the Comprehensive General Plan for the Town of Knights Landing to Medium Density-Planned Development (minimum 12 units per acre);

C.**ADOPT** a Change of Zone to the R3-PD (Multiple-Family Residential-Planned Development) to include specific development standards.

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

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Commissioners Lea and Gray left the meeting at 3:00 p.m.

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6.694-027 - A consideration of a General Plan Amendment from Medium Density-Planned Development (9 units per acre); a Change of Zone to the R1/PD (single family Residential) standards within the zone designation, and the removal of a WF (Waterfront) Zone designation; a Tentative Subdivision Map (TSM #4193) to divide a 3 acre property into 27 parcels for residential development. Property is located on the eastside of Railroad Ave between Fourth Street and Seventh Street in Knights Landing. A Negative Declaration has been prepared for this item. Applicant: Mark Hope Organization (M. Hamblin)

The Staff Report was given by Mark Hamblin.

Commissioner Walker had concerns on whether the gravel around the railroad ties would become incorporated with the soil around the proposed homesites.

Commissioner Pollock was disappointed that this project was not postponed until the Infrastructure Study was completed.

Director Jenkins agreed with Commissioner Pollock, however, he explained that the Infrastructure Report does not relate to this piece of property since it is outside of the Service District Boundaries. In addition, the project had received a "Will Serve" letter from the Knights Landing Services District.

The Public Hearing was opened at this time.

Dave MacMurtry, attorney for Mark Hope, said that the average sales price of the proposed homes would range from \$121,000 to \$129,000.

Mark Hope, applicant and president of the Mark Hope Organization, addressed the Commission's concern whether or not there will be duplexes or half-plexes as part of the project.

Paul Kramer, County Counsel, left the meeting at 3:35.

James Kareofelos, resident near Knights Landing, said in his opinion, the Service District acted prematurely in giving a "Will Serve" letter.

Wallace Edson, resident of Knights Landing, had concerns about drainage.

Tom Brown, resident of Knights Landing, was concerned about parking.

Mary Edson, had questions about Railroad Avenue and the right-of-way.

Mary Leiser, resident of Knights Landing, suggested that Railroad Avenue needed to remain wide.

Kim Jacobson, resident of Knights Landing, had concerns about parking, width of the street and traffic.

Don Miller, resident of Knights Landing, asked if Mark Hope would be paying for the well.

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Sid Bridges, resident of Knights Landing, was in full support of the subdivision and gave the Commission several letters of endorsement from others in support.

Stacy Erickson, former resident of Knights Landing, said she was very interested in purchasing one of the proposed homes.

David Jones, of Legal Services of Northern California, said the Mitigated Negative Declaration describes the Hope project(94-027) and rezone project (94-119) as one project.

A discussion followed concerning the Tentative Parcel Map and the Final Map.

A recess was called at 4:45 p.m.

Audrey Garner, resident of Knights Landing, had concerns about the deletion of a portion of the Waterfront Zone.

Jeff Gilbert, Fire Chief of Knights Landing, asked for clarification of the "granny unit".

Warren King, asked who could rent "granny units".

Ralph White, of the Fire Protection District, asked exactly how many hookups there would be for the proposed project. It was answered that there would be 27 hookups, plus, on two lots there would be "granny units".

Mariane Nix, resident of Knights Landing, said that the "granny unit" would cause the Service District bill to be double in those units.

The Public Hearing was closed at this time.

Commissioner Pollock said the whole Knights Landing General Plan process has been very lengthy.

**Commission Action:**

The Planning Commission recommend 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 Comprehensive General Plan for the Town of Knights Landing from Medium Density-Planned Development (minimum 12 units per acre) to Low Density-Planned Development (minimum 9 units per acre) as shown in **Exhibit "B"** - General Plan Resolution Amending Knights Landing General Plan;

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- (4)**ADOPT** the General Plan Amendment to remove the WF (Waterfront) combining designation as shown in **Exhibit "B"** - General Plan Resolution Amending Knights Landing General Plan;
- (5)**ADOPT** the Change of Zone to redesignate the R1-PD to PD-47 (Planned Development Number 47) as shown in **Exhibit "C"** - PD-47 Ordinance;
- (6)**ADOPT** the Change of Zone to delete (WF) Waterfront Overlay Zone as shown in **Exhibit "C"**;
- (7)**APPROVE** Tentative Subdivision Map No. 4193 subject to the conditions identified under "CONDITIONS OF APPROVAL" as modified.

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

CONDITIONS OF APPROVAL

A.DEVELOPMENT

Final Map

- 1.The Final Map shall be prepared with at least two points tied in to the State Plane Coordinate System in NAD 27 or NAD 83.
- 2.The Final Map shall show the location of any public utility easement.
- 3.Railroad Avenue shall not be designed as shown on page IV-13 of the General Plan.

Public Works

- 4.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.
- 5.The street right-of-way for Fourth Street and Railroad Street shall be sixty (60) feet with a street width of 40 feet from face of curb to face of curb. All other streets shall be designed to the satisfaction of the Yolo County Department of Public works and Transportation. Sidewalk widths are to be 5 feet minimum from face of curb to back of walk. Utility easements shall be shown on the subdivision map. Handicap ramps shall be constructed at each street corner. Sufficient right-of-way shall be dedicated to accommodate the handicap ramp.

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Streets shall be constructed with a structural section designed by a registered civil engineer. In lieu of a pavement design, the structural section shall be 3 inches of asphalt on 10 inches of aggregate base. Fourth Street shall be constructed to provide full improvements on the southerly one-half of the street, plus one 10 foot lane on the north side. Said improvements and dedications shall be approved by the Yolo County Department of Public Works and Transportation prior to the recording of the Final Map.

6. Prior to recordation of the Final Map the developer shall submit for approval by the Yolo County Department of Public Works and Transportation plans for the, street light locations, and on-site signing and striping.
7. The applicant shall submit a grading and drainage plan for the project site to the Yolo County Department of Public Works and Transportation for their approval prior to the recording of the Final Map. Said grading and drainage plan shall be prepared by a civil engineer registered in the State of California. All railroad ballast shall be removed from the property.

#### Residential Construction

8. The applicant shall provide each lot within the subdivision with service hook-ups for water, sewage disposal, natural gas and/or electric service, telephone, and cable television (if a franchise is available).
9. The applicant shall submit a comprehensive landscape plan drafted by a landscape architect registered in the State of California in accordance to the State of California Model Water Efficient Landscape Ordinance to the Yolo County Community Development Agency, Building Division for approval prior to the issuance of a building permit. Landscaping shall emphasize maximum street and parking shade, solar efficiency, low maintenance, low irrigation, visual harmony and drought tolerance. Residential lots shall have at least one (1) fifteen gallon (15) canopy type street tree(s) installed per residence. Front yard landscaping shall be installed prior to the issuance of a Certificate of Occupancy. Said landscaping shall be installed in accordance to the State of California Model Water Efficient Landscape Ordinance prior to the issuance of a Certificate of Occupancy.
10. Any existing plumbing and/or electrical services that cross over property lines created by Subdivision Map Number 4193 shall be removed prior to the issuance of a building permit for a residence. Permits from the Yolo County Community Development Agency, Building Division shall be obtained for the removal of existing lines and for new lines to serve the project.
11. The applicant shall fence the rear yard of the properties.

#### B. MITIGATION

**MINUTES**

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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.

#### Air Quality/Air Emissions

1. Tarpaulins or other effective covers are to be used for haul trucks during the construction period.
2. 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.
3. Construction areas and the county public right-of-way are to be wet swept.
4. Grading shall not occur when winds speeds exceed 20 miles per hour over a 1 hour period.
5. Construction equipment and engines shall be properly maintained in accordance to air quality/pollution management standards.
6. Construction practices are to minimize vehicle idling.
7. 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.
8. In order to substantially lessen the significant adverse air quality impact identified in the Knights Landing General Plan EIR, the applicant shall submit a plan to the satisfaction of the Community Development Director and the Air Quality Control Management Officer before the first Certificate of Occupancy which shows that the applicant has taken all feasible measures necessary to achieve a 50% reduction in projected NOX and TOG emission generated by the proposed project. Measures to reduce emissions may include such means as direct reductions, off-sets, or credits, etc.

#### Surface Runoff/Drainage

9. All perimeter parcels are to be protected against surface runoff from the subject site by methods approved by the Yolo County Department of Public Works and Transportation, and the Yolo County Community Development Agency.

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10. A drainage plan for the project site(s) 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.

11. Storm water/surface water drainage infrastructure (i.e. curbs, gutter, drainage pipes, detention pond, etc.) shall be constructed as required and subject to the approval of the Yolo County Department of Public Works and Transportation.

#### Water & Sewer Services

12. The applicant in accordance with the agreement(s) for the 27 unit residential project with the Knights Landing Community Service District is to pay all costs for water service connections to the existing main lines.

13. The applicant in accordance with the agreement(s) for the 27 unit residential project with the Knights Landing Community Service District is to construct a domestic water well to District standards and complete construction of the water supply system at a date satisfactory to the District.

14. The applicant in accordance with the agreement(s) with the Knights Landing Community Service District for the 27 unit residential unit is to pay for the cost for furnishing and installing a ten (10) inch water main from the well north of Fourth Street.

15. The applicant in accordance with the agreement(s) for the 27 unit residential project with the Knights Landing Community Service District is to contribute a one time fee of \$500.00 per residential unit to provide for the purchase and installation of an auxiliary power supply for a water well pump to service the District.

#### Noise Levels

16. The residences constructed 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. sound insulation, sound walls, buffering, etc.).

#### Light and Glare

17. Any sources of light and glare from the subject properties shall be designed and/or constructed to not intrude onto neighboring properties.

Housing Element (Affordable Housing)

18. The applicant shall comply with "Program Two: Affordable Housing Requirements For New Residential Development" of the Yolo County Housing Element, adopted October 1, 1991 of the Yolo County General Plan by providing 10% of residential units to be constructed by the project for affordable to low-income households. Specifically;

Developer shall provide 4 units for rent or sale at a price such that their monthly housing cost is affordable to households at or below 50% of the County median income as established by HUD. A permanent deed restriction shall be recorded for each unit limiting the occupancy of the unit to a household at or below 50% of the median income and limiting the rent or sales price of each unit so that the monthly housing cost of the renter or purchaser is no more than 30% of 50% of median income. Monthly housing cost for a rental unit is defined as rent, utilities and other monthly charges. Monthly housing cost for a for-sale unit is the monthly tax, insurance, and principle and interest charge for any debt required to purchase the house. Down payments in excess of 5% of the affordable unit cost shall not be required to purchase the units. Developer shall also include a deed restriction providing for annual monitoring of the units' compliance with this condition by the County or its designee.

19. The project shall contain a mixture of single family residences and 8 duplex living units and/or half-plex living units housing units, (contained in four buildings of two units each) and 2 granny/senior housing units attached to the primary residence, ~~and/or designate individual single family residences~~ to address the affordable housing ratios set forth in the adopted Yolo County Housing Element. The Conditions, Covenants, and Restrictions (CC&R's) for the project shall designate the granny/senior housing unit for individual(s) 62 years in age or older, unless amended by the County or State.

Traffic Circulation

20. Proposed street improvements and widening, and the installation of traffic signs if required, along Railroad Street shall be subject to the approval of the Director of the Yolo County Department of Public Works and Transportation.

21. If required, street improvements are to be constructed to comply with the Americans With Disabilities Act (i.e. handicap ramps in sidewalks at public road intersections, etc.).

Public Service Delivery System

22. Any fire district fees shall be paid prior to the issuance of a building permit for a residence, if required by the Knights Landing Fire Protection District.

23. The applicant in accordance with the agreement(s) for the 27 unit residential project with the Knights Landing Community Service District and the Knights Landing Fire Protection District is to pay the cost for furnishing and installing additional fire hydrants and their infrastructure to service

the subject site and the vicinity at locations approved by the Fire Chief of the Knights Landing Fire Protection District and the Knights Landing Community Services District.

24. Street lights to service the 27 unit residential property and vicinity shall be installed at locations approved by the Yolo County Department of Public Works and Transportation and the Knights Landing Community Service District and be shown on a site plan to be submitted with the building permit and prior to the building permit's issuance.

25. The applicant in accordance with the agreement(s) for the 27 unit residential projects with the Knights Landing Community Service District is to pay a park fee of \$400.00 per residential unit at the time of issuance of the building permit.

26. The 27 unit residential project site annexation area is adjoined to the ~~west~~ east by Reclamation District No. 730. The subdivider shall contact Reclamation District No. 730 to discuss the Reclamation District's requirements, if any.

### Energy

27. The use of vegetation and landscaping shall be used to shade structures from heat gain and prevent paved surfaces from storing heat during the day and reduce the sun's energy reflected off the ground onto building surfaces.

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

**.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 Comprehensive General Plan for the Town of Knights Landing of the Yolo County General Plan and finds:

*The project proposes a General Plan Amendment from Medium Density-Planned Development minimum 12 units per acre to Low Density-Planned Development that assumes an average of a 9 units per net acre, and makes use of a variety of small lot sizes for new single family detached housing (including 2-Bedroom entry level housing) that is intended as a means of encouraging affordable housing for moderate income households.*

*The project also involves the removal Waterfront Commercial/Recreation (WF) from parcels located on the west side of Railroad Street between Second Street and Front Street. The WF combining General Plan designation was adopted along the waterfront area of the Town in May, 1992. This designation also included the applicant's 7 lot single family residential project (Tentative Subdivision Map No. 4221) which is zoned R1. The applicant is attempting to provide larger upscale housing on the 7 lot project site to cater to the "move up buyer" or the next level of housing beyond entry market within the community as a means of addressing the community's shortfall within this housing type. The project does not involve any waterfront commercial/recreation activities as required under this General Plan designation. Tentative Subdivision Map No. 4221 was approved at the January 4, 1995 meeting of the Planning Commission. This item is necessary to correct this oversight.*

### 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 site is currently zoned R1-PD (Single Family Residential-Planned Development). The applicant has submitted a Change of Zone to designate the site Planned Development 47 (PD-47) in order to include detailed development standards for a 27 lot single family residential project with an average of 9 units per net acre and assist the community in the necessary acquisition of water and sewer infrastructure.*

*The Board of the Knights Landing Community Service District in recognition of the public health, safety, and welfare concerns currently impacting the district and the additional service demands presented by this project have worked with the applicant (Mark Hope) for the past months to define the required infrastructure for the project and the community. The improvements to be provided by the applicant are presented in the District's "will serve" letter - **Exhibit "E"** of this staff report.*

*The project also involves the removal Waterfront Commercial/Recreation (WF) combining zone from parcels located on the west side of Railroad Street between Second Street and Front Street. The WF combining zone was adopted along the waterfront area of the Town in May, 1992. This zoning also included the applicant's 7 lot single family residential project (Tentative Subdivision Map No. 4221) which is zoned R1. The applicant is attempting to provide larger upscale housing on the 7 lot project site to cater to the "move up buyer" or the next level of housing beyond entry market within the community as a means of addressing the community's shortfall within this housing type. The project does not involve any waterfront commercial/recreation activities as required under the zone. Tentative Subdivision Map No. 4221 was approved at the January 4, 1995 meeting of the Planning Commission. This item is necessary to correct this oversight.*

Subdivision Map

In accordance with the Section 66474.61, Article 1, Chapter 1 of the state Subdivision Map, the Yolo County Planning Commission finds:

(a) That the proposed map is consistent with the applicable general and specific plan as specified in Section 65451 of the Subdivision Map Act;

*The map is consistent with the applicable provisions of the adopted Comprehensive General Plan for The Town of Knights Landing. The site is currently designated MD (Medium-Density) residential by the plan. This is a residential density category which assumes an average of at least 12 units per net acre on a variety of small lot sizes. This request is to redesignate the site to Low-Density Planned Development (LD-PD) which will assume an average of at least 9 units per acre.*

(b) That the design or improvement of the proposed subdivision is consistent with applicable general and specific plans;

*If approved the proposed Low-Density Planned Development designation and land-use will be consistent with the adopted Knights Landing General Plan designation for the site. In accordance with the Low-Density designation the project will make use of a variety of small lot sizes for single family detached housing (including 2-Bedroom entry level housing) as a means of encouraging affordable purchase housing as an off-set to dependence on apartment development for moderate income households. The applicant's project as designed proposes 27 residential lots averaging a gross approximate lot area of 5,000 square feet on the 3 acre site with and an average of at least 9 units.*

(c) That the site is physically suitable for the type of development;

*The 3 acre property is an abandoned elevated railroad strip of property averaging a 100 foot depth with an average width of 50 feet that has public road frontage along Railroad Avenue. The applicant is proposing to create a variety of small lot sizes (average gross of 5,000 square feet) that will contain single family detached housing and is intended as a means of encouraging affordable purchase housing for individuals with a moderate income level.*

*The Knights Landing Community Service District has indicated that the applicant will have to provide necessary sewer and water infrastructure in order for the district to service the project. The applicant has purchased twenty-seven (27) hook-ups from the Community Service District. The Department of Public Works and Transportation has indicated dedications, road improvements, and storm water drainage improvement will be required.*

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

*The proposed development on the 3 acre property will represent a residential density of 9 units per acre and permit the type of residential density and development that can be serviced by*

*the required infrastructure improvements in the applicants "will serve" letter with the Knights Landing Community Service District.*

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

*The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. The 3 acre project site is a former railroad right-of-way located along Railroad Street in the community of Knights Landing. The site Mitigation conditions have been established for the described project and outlined in the Mitigated Negative Declaration. The implementation of the mitigation measures outlined in the environmental document, should satisfactory reduce all foreseeable "significant effects on the environment" to a less than significant level as required by the California Environmental Quality Act and Guidelines (CEQA).*

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

*The design of the subdivision or type of improvements are not likely to increase the existing water, sewer, fire flow situation affecting the community and create a serious public health problem.*

*The applicant, in agreement with his "will serve" letter for his 27 service hookups to the community service system will be providing the Knights Landing Community Services District a combination of money and specific infrastructure improvements (new public water well, expansion to sewage ponds, etc.) to assist the district in its concerns.*

*Yolo County Department of Public Works and Transportation has indicated that improvements involving street right-of way, width, sidewalk (including handicap ramps), and storm water drainage are to be constructed for the project to their standards. The applicant may be required to enter into an agreement and post a bond to construct the public improvements if extensive street and drainage work in the county right-of-way is to occur.*

(g) That the design of the subdivision or 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 subdivision.

*The design of the subdivision or 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 subdivision. Easement(s) are to be shown on the Final Map.*

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6.7An appeal of a decision of the Community Development Director regarding compliance with development standards for construction of a single family house in Knights Landing. (Chuck Townsend)

The Staff Report was given by Stephen Jenkins. He stated the reason for denial was due to the garage not recessed as required by Development Standard #10 of the adopted Knights Landing General Plan.

The Public Hearing was opened at this time.

Chuck Townsend contended the General Plan which is being cited is not relative to this particular plan.

Mary Lieser, of the Knights Landing Advisory Committee, said this was exactly the type of housing that the citizens of Knights Landing want.

Mariane Nix, of Knights Landing Advisory Committee, was in full support of this type of development.

**Commission Action:**

To instruct the Community Development Director to process the building permit, assuming that health and safety issues are in compliance, that we ask the Community Development Director to further amend the General Plan to delete Development Standard #10, and to refund the Appeal Fee. The Commission found that the "public purpose" being served by this action is to reassure the public that if there are disagreements over the intent and exact wording of the General Plan, then the Planning Commission is more than willing to hear the disagreement and judge whether or not a refund should be made.

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



**8.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)The Zoning Administrator approved three items on March 3, 1995.
- (2)The approval by the Board of Supervisors of the Pylman/Heringer and the Borchard application.
- (3)A meeting regarding "granny unit" Ordinances with the residents of Knights Landing, Esparto, and Dunnigan to be held on March 8, 1995 at 7:30 p.m. and Clarksburg on March 9, 1995 at 7:30 p.m.

## 9.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.

Chair Pollock updated the Commission on the following:

- (1)Cache Creek Workshop attended by Commissioners Lang, Lea and Pollock.
- (2)A tour of Knights Landing attended by Commissioners Lea and Pollock.
- (3)A brief discussion took place concerning availability of Commissioners during the Planning Commission meetings.

## 9.ADJOURNMENT

The next meeting of the Yolo County Planning Commission is scheduled for March 16, 1995 at 7:00 p.m. in Knights Landing.

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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SLJ:jac

**MINUTES**

**MARCH 8, 1995**