

MINUTES

YOLO COUNTY PLANNING COMMISSION

January 4, 1995

1. CALL TO ORDER

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

MEMBERS PRESENT: Gray, Lea, Kay, Pollock, Webster, Spiess, and Kristoff

MEMBERS ABSENT: None

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

Commission Action:

Approved the minutes of the December 7, 1994 with a correction on page 48, paragraphs nine and ten to read Vigfus Asmundsen. Another change on page 50, paragraph one, to read five-20 acre parcels or five-5 acre lots.

MOTION: Gray SECOND: Kay
AYES: Gray, Kay, Pollock, Webster, Kristoff, Spiess
NOES: None
ABSENT: None
ABSTAIN: Lea

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

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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 at this time.

4. CORRESPONDENCE

Vice Chair Pollock acknowledged receipt of the items of correspondence listed on the agenda and the addition of several letters and memos that were handed out prior to the Planning Commission Meeting.

The Commission acknowledged, with regret, the resignation of Commissioner Kay.

Director Jenkins explained the River Tech Study document and a copy of the court's decision on the Cache Creek Aggregate Use Permit. He added that the Planning Commission will be receiving comments during the Public Hearing at the February 1, 1995 Planning Commission meeting.

A letter from Kay Backer, Chair of the Sacramento County Policy Planning Commission, pertaining to a joint meeting of the Planning Commissions from the six county region was acknowledged.

A letter mailed directly to the Commissioners from Lee Humes, representing the Greengate Land Corporation was also acknowledged.

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.

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6. REGULAR AGENDA

6.194-054 - A request for a Conditional Use Permit to establish a 3rd homesite and legalize an existing temporary mobile home within the (A-P) Agricultural Preserve Zone. Property is located on CR 25, east of CR 96A. A Categorical Exemption has been prepared for this proposal. Applicant: Linda Hennigan and Eleanor Emison. (D. Flores)

Dave Flores requested this item be continued until the February 1, 1995 meeting date.

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Audrey Garner, resident of Knights Landing, stated that the houses do not appear to be "upgraded" homes.

Jeff Gilbert, Fire Chief of Knights Landing, had concerns about water (fire flow) and access issues.

A lengthy discussion ensued concerning access.

Wallace Edson, resident of Knights Landing, stated that he was growing very weary of the amount of meetings continually taking place.

Frank Marquez, property owner behind the subdivision, explained that there was no other parking available except for the access way.

Gail Vipert, surrounding property owner and real estate agent, was in full support of the subdivision.

Marianne Nix, resident of Knights Landing, read a letter written by her husband.

David Jones, Legal Services of Northern California, suggested that all of the Mark Hope Organization projects be considered as one project.

Jim Kareofelas, said that the proposed 27 lot subdivision is not within the Knights Landing Service District boundary.

Commission Action:

- (1) **CERTIFIED** the Negative Declaration prepared for the project in accordance with the California Environmental Quality Act and Guidelines (CEQA);
- (2) **ADOPTED** the "FINDINGS" for this project as presented in the staff report;
- (3) **APPROVED** Tentative Subdivision Map No. 4221 subject to the conditions identified under "CONDITIONS OF APPROVAL" as modified.

MOTION: Spiess
SECOND: Kay
AYES: Gray, Lea, Kay, Pollock, Kristoff, Webster, Spiess
NOES: None
ABSENT: None
ABSTAIN: None

CONDITIONS OF APPROVAL

A.DEVELOPMENT

Final Map

- 1.The Final Map for TSM No. 4221 shall identify the Knights Landing Community Service District's existing water and sewer services easement across the back of Parcels 1-7.
- 2.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.

Public Improvements

- 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. The property owner may be required by the Yolo County Department of Public Works and Transportation to sign an agreement and post a bond for public improvements if the property owner is determine to be conducting extensive street and drainage work in the county public right-of-way.
- 4.The applicant in accordance with the agreement(s) for the seven unit residential project with the Knights Landing Community Service District shall pay the cost for furnishing and installing two fire hydrants and their infrastructure to service the subject site and the vicinity at locations approved by the Knights Landing Community Service District. Installation of said fire hydrants shall take place prior to the final inspection on the fourth house to be constructed for the subdivision.

Residential Construction

- 5.The minimum front yard requirement for the site shall be twenty feet.
- 6.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).
- 7.The applicant shall submit a comprehensive landscape plan drafted by a landscape ~~engineer~~ 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 fronting the county right-of-way, shall have at least one fifteen gallon canopy type street tree(s) installed per residence. The front yard landscaping shall be installed prior to final certificate of occupancy.

8. Any existing plumbing and/or electrical services that cross over property lines created by Subdivision Map Number 4221 shall be removed prior to the issuance of 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.
9. The developer shall fence the back property line of Parcels 5, 6, and 7 along the private vehicular access easement prior to the final inspection for a single family residence on the parcels. Said fence shall have a minimum height of six feet.

B. 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.

Air Quality/Air Emissions

1. Tarpaulins or other effective covers ~~should~~ 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 and state public right-of-way are to be wet swept.
4. Grading shall not occur when winds speeds exceed 20 miles per hour over a one 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.

Surface Runoff/Drainage

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8. 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.

9. 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.

10. 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

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

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

13. The applicant in accordance with the agreement(s) for the seven unit project with the Knights Landing Community Service District is to provide a one time fee of \$1,000.00 per residential unit for the construction of a new sewer pond to service the District.

14. The applicant in accordance with the agreement(s) for the seven unit residential project with the Knights Landing Community Service District is to pay a one time fee of \$2,000.00 per residential unit for the construction of a domestic water well and pump facility for the District.

15. The applicant in accordance with the agreement(s) for the seven unit residential project with the Knights Landing Community Service District is to pay the cost for furnishing and installing a ten inch water main from Fourth Street to Front Street.

16. The applicant in accordance with the agreement(s) for the seven unit residential unit 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

17. The residences to be placed on the subject properties 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 & Glare

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

Traffic Circulation

19. Proposed street improvements and widening along Railroad Street shall be subject to the approval of the Director of the Yolo County Department of Public Works and Transportation.

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

21. If required, Street improvements shall include ~~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 seven 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.

24. Street lights to service the seven 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 prior to the final inspection for the first residence on the seven unit residential project.

Recreation

~~1. The applicant in accordance with the agreement(s) for the seven 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.~~

Low Income Housing

25. The applicant, in accordance with the requirements of the Yolo County General Plan for residential projects, is to provide one unit of low income housing for sale or rent or provide in lieu property or pay to a low income housing fund account, a fee or other equivalent security agreed upon by the Community Development Director or the Planning Commission per residential unit at the time of issuance of the building permit.



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

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 designated LD (Low-Density) residential by the plan. This is a residential density category which assumes an average of at least 6 units per net acre.

The applicant has submitted a Tentative Subdivision Map (TSM No. 4221) to divide a 1.3 acres into 7 parcels. The applicant is proposing to construct 7 single family units 1400 to 1600 square feet approximately in size. The proposed residential density of 6 units per acre will permit a type of residential density and development that can be serviced by the existing Knights Landing Community Service District given the current system's limited infrastructure (water, sewer, fire flow).

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

The proposed subdivision map request is consistent with the LD (low density) category as defined by the Comprehensive General Plan for the Town of Knights Landing. The low density category assumes an average of a least 6 units per net acre, "and would make use of a variety of small lot sizes. The concept of small lots for single family detached housing (including 2-Bedroom entry level housing) is intended as a means of encouraging affordable purchase housing as an off-set to dependence on apartment development for moderate income households."

The applicant has submitted a Tentative Subdivision Map (TSM No. 4221) to divide a 1.3 acre into 7 parcels with a purposed residential density of 6 units per acre. The purposed residential density of 6 units per acre will permit a type of residential density and development that can be serviced by the existing Knights Landing Community Service District given the current system's limited infrastructure (water, sewer, fire flow).

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

The applicant has submitted a Tentative Subdivision Map (TSM No. 4221) to divide an undeveloped 1.3 acre site into 7 parcels with approximate gross areas involving the following: Parcel 1 - 6,300 sq. ft., Parcel 3 - 6,300 sq. ft., Parcel 4 - 6,225 sq. ft., Parcel 5 - 6,746 sq. ft., Parcel 6 - 6,746 sq. ft., Parcel 7 - 6,084 sq. ft. and one single family unit per lot and will represent a residential density of 6 units per acre that will permit the type of residential density and development that can be serviced by the existing Knights Landing Community Service District given the system's limited infrastructure (water, sewer, fire flow).

The Knights Landing Community Service District has provided a "will serve" letter indicating that they will allow the applicant to purchase seven (7) hook-ups to the community service system.

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

The applicant has submitted a Tentative Subdivision Map (TSM) No. 4221 to divide an undeveloped 1.3 acre site into 7 parcels (one single family unit per lot) that will represent a residential density of 6 units per acre and will permit the type of residential density and development that can be serviced by the existing Knights Landing Community Service District given the existing system's limited infrastructure (water, sewer, fire flow).

The Knights Landing Community Service District has provided a "will serve" letter indicating that they will allow the applicant to purchase seven (7) hook-ups to the community service system.

(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. 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).

Commissioner Lea abstained from the following item due to a potential conflict of interest.

Mike Luken gave the Staff Report. He explained the "financing parcel" option which was offered to the applicants. At the time that a certain event occurs, such as a sale of the property or when the property is no longer occupied by an individual, the split approved by the Planning Commission reverts to acreage.

Lee Humes, attorney for the applicant, explained the "commitment letter" offered by the applicants. He elaborated on the history and the ultimate goals of the applicants.

Commissioner Gray stated he could not find a compelling reason why the Commission should breach a "no build" restriction.

A question and answer session between the Commission and Mr. Humes ensued.

Commissioner Webster said that the land is currently farmed and could continue to be farmed without the proposed improvements.

Mike Engles, the applicant, elaborated on how the improvements would allow them to do a crop rotation on a three year basis.

William Chapman, the great-grandson of the builder of the Victorian house, had concerns about the Commission adhering to their original decision.

Boyce White, farmer, stated that the proposed leveling of the hill, which backs up to his property, could cause problems for him.

Sarah Hrdy, a neighboring landowner, stated that during the original Burris decision, no one objected to it because they felt that they would be protected from further encroachment.

Charlie Rominger, of the Yolo County Farm Bureau, added that the agricultural improvements that Mr. Engles spoke about could be done without a parcel split.

Angelo and Paul Ferro, owners of the Victorian property, stated that prior to the purchasing of their land, they asked if any building would be allowed in the neighboring property and were assured that there was a "no build" restriction in force.

Commissioner Pollock asked Mr. Humes why the applicants bought the property knowing there was a "no build" restriction on it.

Lee Humes and Mike Engles explained they had made the commitment to the IRS to buy both the acreage and the Victorian house, but the deal with house fell through. He also stated that he thought that the "no build" restriction could be modified.

Director Jenkins stated that he was very clear when he spoke with Mr. Engle about the "no build" restriction in 1992.

The Public Hearing was closed at this time.

Commissioner Spiess apologized that the record of the original decision did not reflect what was really meant.

Commission Action:

- 1. **CERTIFIED** a Negative Declaration as the appropriate level of environmental review for the project.
- 2. **ADOPTED** the FINDINGS for **DENIAL** of the request to remove or modify the "no build condition as presented in this Report.
- 3. **CONCEPTUALLY APPROVED THE REQUEST DENY THE REQUEST** for a Tentative Parcel Map and Agricultural Preserve Contract Split for the separation of a 196.58 acre parcel into two parcels totalling 116.51 and 80.07 acres pending the formulation of Findings and Conditions of Approval by Staff at the next scheduled Planning Commission meeting.

MOTION:Gray
 SECOND:Kay
 AYES:Gray, Kay, Kristoff, and Spiess
 NOES:Pollock and Webster
 ABSTAIN:Lea
 ABSENT:Lea

FINDINGS

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

Negative Declaration

In order to certify the Negative Declaration for this project as the appropriate level of environmental review under the California Environmental Quality Act (CEQA), the Planning Commission finds:

That based on the Initial Study, Negative Declaration, mitigations proposed and any comments received there is no evidence that the project will have a significant effect upon the environment.

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A 20 minute lunch break was called at 12:35 p.m.

6.4A discussion of Williamson Act Contracts with Alan Flory, County Assessor.

A discussion took place between the Commission and the County Assessor concerning Non-renewals and tax reimbursements.

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Commissioner Spiess stressed the point that communication with the people that are signatory to those agreements has not occurred over time. The law has been changed several times and has not been communicated to the individuals.

Alan Flory explained that due to the necessity of having a minimum of 100 acres to have a preserve, several different owners had entered into the contracts. If a person wants to do a non-renewal, they must have the signatures of **all** the owners before it can be done.

Commissioner Gray stated that Yolo County has one of the best examples of Williamson Act Contracts. He also suggested that a task force be formulated to help in giving people the notice they require.

Commissioner Spiess said that the our own system needs to be defined, before anyone can comply with it.

Director Jenkins explained that a large part of the problem is a fundamental lack of understanding of the Williamson Act regulations and knowing the difference between Assessor's Parcels and Legal Parcels.

Commission Action:

The Planning Commission hereby recommends to the Board of Supervisors that they receive and consider a report prepared by the County Assessor, Alan Flory, dated June 7, 1994, and his testimony that was presented here today and that the County Board of Supervisors consider creating a task force to streamline the handling and processing of Williamson Act Contracts and Non-renewals and that this Commission believes that the results of this task force's worth could affect significant amounts of revenue to the County and that it will lead to clearer communication to affected property owners under Williamson Act Contracts and help to reduce future liabilities. We also recommend that the Board of Supervisors give the appropriate County agency the authority and responsibility for the administration of Williamson Act Contracts.

MOTION:GraySECOND:Spiess
AYES:Gray, Lea, Kay, Pollock, Kristoff, Webster, and Spiess
NOES:None
ABSTAIN:None
ABSENT:None



6.594-063 - A request to split a 231 acre Agricultural Preserve Contract into one 80 acre and one 151 acre Agricultural Preserve Contract. Also a request for a Lot Line adjustment and a Variance to the minimal parcel size in the A-P zone. Subject property is located on CR 99

in Woodland. A Negative Declaration has been prepared for this proposal. Applicant: Robert and Nancy Lea. (D. Flores)

Dave Flores gave the Staff Report. He also indicated that the property would be coming out of the Williamson Act Contract in 1999.

The Public Hearing was opened at this time.

Rich Geness of Laugenour and Meikle, Civil Engineers, representing the applicants, explained the reason for the request is to reconfigure the existing parcels to conform to the existing field boundaries and to separate the class 1 soils from the balance of the property.

Commissioner Spiess stated that if the other parcel is created, it would have to have access, otherwise it would be land locked even if it were under common ownership.

Commissioner Webster left the meeting at 3:45 p.m.

The motion was made to conceptually approve the Lot Line Adjustment but to continue the request for the Agricultural Preserve Contract split.

The Public Hearing was closed at this time.

Commission Action:

1. **Certified** that the attached Negative Declaration is the appropriate level of environmental review for this project.
2. **Adopted** the proposed FINDINGS for this project as presented in the staff report;
3. ~~**Approve** a request to divide the existing 231 acre Williamson Act Land Use Contract into two separate contracts resulting in an 80 acre parcel and a 151 acre parcel subject to the conditions listed under CONDITIONS OF APPROVAL.~~
4. **Approved** a lot line adjustment to reconfigure three existing parcels to conform with current farming operation boundaries with the conditions that the applicant file the necessary legal descriptions for the Lot Line adjustments.
5. **Approved** the Zone Variance which establishes a subminimal parcel (51.67 acres) in the Agricultural Preserve Zone
6. And that the request to divide the existing Williamson Act Land Use Contract be continued until the February 1, 1995 Planning Commission meeting.

MOTION: Spiess
SECOND: Kay
AYES: Gray, Kay, Pollock, Kristoff, Spiess
NOES: None
ABSTAIN: Lea
ABSENT: Lea and Webster

Lot Line Adjustment

In accordance with Yolo County Code §8-1.452 [Ordinance 939, effective November 18, 1982] the Board of Zoning Adjustment finds:

1. That the application is complete;

The application was deemed complete by the Community Development Agency.

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

The applicants are the owners of the parcels to be adjusted and have consented by signatures found on the application submitted.

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

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

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

Easements will be dedicated for all parcels to receive access and water rights to the Yolo County Flood Control canal system.

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

The parcels to be adjusted will take access off County Road 89. A reservation for a 20 foot ingress/egress easement shall be dedicated at the time that the Parcel 2 is sold in the future.

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

After analysis of the application by the Community Development Agency, Yolo County Public Works and Transportation Department and Yolo County Environmental Health Department indicated that the design of the resulting parcels will comply with existing requirements as to the area, improvements and design, flood and water drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability, environmental protection, and all other requirements of State laws and this Code and is in conformity with the purpose and intent of the General Plan and zoning provisions.

Variance

In accordance with Section 8-2.2904, Article 29 of Title 8, the Board of Zoning Adjustment has determined the following:

(1) That any variance granted shall be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is situated;

Other properties within the same vicinity of this parcel (directly west of the Lea's properties) are subminimal in size ranging between 20 to 39 acres.

(2) That because of special circumstances applicable to the subject property, including size, shape, topography, location, or surroundings, the strict application of the provisions of this chapter is found to deprive the subject property of privileges enjoyed by other properties in the vicinity and under the identical zone classification; and

The result of the variance and lot line adjustment will provide the applicants the opportunity to begin the initial planting of their walnut orchard, and the remainder parcel (80 acres) will remain in row crops. Staff believes that by adjusting the property lines, this process will eliminate current subminimal parcels in the A-P zone (19.30 & 27.76 acres respectively). Although the parcel will remain subminimal (51.67 acres) in the A-P zone, staff considers this parcel to be a viable farming unit.

(3) That the granting of such variance will be in harmony with the general purpose and intent of this chapter and will be in conformity with the Master Plan.

As indicated earlier, the applicants have stated that they intend to continue farming of the three parcels. 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.



6.694-040 - Continued hearing for miscellaneous amendments to the Yolo County Zoning Regulations. Applicant: Yolo County Community Development Agency. (M. Luken)

Mike Luken presented the amendments to the Yolo County Zoning Regulations.

A discussion pertaining "senior" flats, second units, and correct verbiage took place.

The Public Hearing opened at this time.

Mike Goodin, an Esparto resident, asked the Commission why these amendments took so long.

Commissioner Gray explained that the Community Development Director, Staff and County Counsel have had to take a number of items, put them all together and do them all at once.

The Public Hearing was closed at this time.

Commission Action:

The Planning Commission recommends that the Board of Supervisors:

1. **CERTIFY** a Negative Declaration as the appropriate level of environmental review for the project.
2. **ADOPT** the FINDINGS for approval of the request as presented in this Report.
3. **ADOPT** the attached Draft Ordinance (Exhibit "A") amending the Yolo County Zoning Code to Permit split as amended.

MOTION: Spiess
SECOND: Kay
AYES: Gray, Kay, Pollock, Kristoff, and Spiess
NOES: None
ABSENT: Webster and Lea
ABSTAIN: None

The following changes were made by the Commission:

SECTION 15. Section 8-2.2414 (Definition and Criteria for Establishment of Senior Flat Housing) is added to Article 24 (General Provisions) of Chapter 2 of Title 8 of the Yolo County Code to read as follows:

(b)Criteria for Establishment of Senior Flat Housing.

The Zoning Administrator may issue a Conditional Use Permit for a "Senior Flat Housing" dwelling unit to be constructed which is attached to or detached from a primary residence on a parcel in the A-P (Agricultural Preserve), A-E (Agricultural Exclusive), A-1 (Agricultural General), R-S (Residential Suburban), RRA (Residential, Rural, Agricultural), R-1 (Single Family), R-2 (Single Family or Duplex), R-3 (Multi-Family Residential) and R-4 (Apartment-Professional) zones. The dwelling unit must meet the following criteria:

- (2)The area of floor space of the attached dwelling or detached dwelling unit does not exceed ~~twelve hundred (1200)~~ fourteen hundred (1400) square feet; and

SECTION 16. Section 8-2.2415 (Definition and Criteria for Establishment of Second Unit Housing) is added to Article 24 (General Provisions) of Chapter 2 of Title 8 of the Yolo County Code to read as follows:

(a)Definition: Second Unit Housing

"Second Unit" means an attached or a detached residential dwelling unit which provides complete independent living facilities for one or more persons. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family dwelling is situated. The unit must comply with the Criteria for Establishment of Second Unit Housing as set for in Section 8-2.2415 (B) (Criteria for Establishment of Second Unit Housing) of Article 24 (General Provisions) of Chapter 2 of Title 8 of the Yolo County Code.

(b)Criteria for Establishment of Second Units in Residential (R) Zones

The Zoning Administrator may issue a Conditional Use Permit for a "second unit" dwelling unit to be constructed or which is attached to a detached from, a primary residence on a parcel in the R-S (Residential Suburban), RRA (Residential, Rural, Agricultural), R-1 (Single Family), R-2 (Single Family or Duplex), R-3 (Multi-Family Residential) and R-4 (Apartment-Professional) zones. The dwelling unit must meet the following criteria:

- (9)Approval by the Water and Sewer Purveyor ~~Director of the Yolo County Health Services Agency – Environmental Health Division~~ where a private sewage disposal system is being used, if required.

SECTION 45. Subsection 8-1.902(e)(3) (Final Maps-Form) of Article 9 of Chapter 1 of Title 8 of the Yolo County Code are amended to read as follows:

PARCEL AND SUBDIVISION MAPS - STATE PLAN COORDINATE REQUIREMENTS

(5)A certificate for execution by the ~~Planning Commission Secretary~~ Director of the Community Development Agency;

FINDINGS

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

According to §8-2.3005, Article 30 of Title 8 of the Yolo County Code, the Planning Commission recommends that the Board of Supervisors find that:

1.The public health safety and general welfare warrant this change of zones; and

The adoption of the proposed ordinance will improve the availability of different types of affordable housing, reduce burdensome permitting requirements, produce uniformity with state law and protect the financial interests of the County of Yolo.

2.That the proposed amendment to the Zoning Regulations is in conformity with the Yolo County General Plan;

The adoption of the proposed ordinance will bring the County into compliance with its Housing Element and state Housing Element Law. The amendment to the "merger of parcels" provision of the land development ordinance will allow an improved means to bring parcels in the unincorporated county area into conformance with the General Plan. Indemnification requirements will protect the financial interests of the County, an administrative requirement of the Yolo County General Plan.



7.DIRECTOR'S REPORT

Director Jenkins updated the Commission on the following:

(1)Esparto Community Plan Update and the Infrastructure Study.

(2)Dunnigan Draft Plan.

It was the general consensus that items one and two be placed on the Agenda for February 1, 1995 for an update.

(3)Habitat Management Plan now has adequate funding to continue and will be completed by the end of the year.

(4)Cache Creek processing EIR's for three separate short term applications. The Board of Supervisors also authorized Syar to file a short term application.

(5)Technical Studies for Cache Creek is expected to be completed by May 1, 1995.

8.COMMISSION REPORTS

The Commissioner Pollock asked that the appointment of the Chairman and Vice Chair be placed on the Agenda for February 1, 1995.

Commissioner Gray asked about the "Rules of Order" for the Commission.

Commissioner Spiess gave his farewell to the Commission.

Commissioner Pollock presented Resolutions to Commissioner Spiess and to Curzon Kay.

9.ADJOURNMENT

The Planning Commission meeting was adjourned at 4:40 p.m. The next meeting of the Yolo County Planning Commission is scheduled for February 1, 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.

Respectfully submitted by,

Stephen L. Jenkins, Director
Yolo County Community Development Agency

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MINUTES

JANUARY 4, 1995