

MINUTES

YOLO COUNTY PLANNING COMMISSION

January 10, 1996

1. CALL TO ORDER

Chairperson Pollock called the meeting to order at 8:45 a.m.

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

MEMBERS ABSENT: Walker

STAFF PRESENT: Stephen L. Jenkins, Director
Brett Hale, Chief Building Official
John Bencomo, Principal Planner
Mark Hamblin, Associate Planner
David Flores, Senior Planner
Mike Luken, Senior Planner
Linda Caruso, Planning Commission Secretary

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2. ADOPTION OF THE MINUTES OF THE PREVIOUS MEETINGS

Commission Action:

The Minutes of the December 6, 1995 Planning Commission Meeting were approved with no corrections.

MOTION: Webster SECOND: Lea

AYES: Webster, Lea, Heringer, Pollock and
Lang

NOES: None

ABSENT: Walker

ABSTAIN: Gray

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PUBLIC REQUESTS

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

Tom Stallard, Chairman of the Yolo County Board of Supervisors, thanked the Commission for all the hard work they have done the previous year. He said that citizens of the County should be aware of all the fine work the Planning Commission does.



4. CORRESPONDENCE

Chair Pollock acknowledged receipt of the correspondence in the packet as well as items distributed at the beginning of the meeting.

Commissioner Webster commented on the "Right to Farm" Ordinance.

Commissioner Pollock commented on the letter from the Department of Transportation.

Director Jenkins said that David Morrison and the CAO would be preparing a response to the letter from the Department of Transportation.

Commissioner Gray said he found the letter addressed to James W. van Loben Sels from Fred Hempel, Division Administrator, very offensive. He said he wanted a retraction of the letter and a clarification of the facts. He added that it makes it appear as if Yolo County is not concerned about the environmental implications of the Commissions' decisions and actions.

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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

6.1 Election of the Chair and Vice chair of the Yolo County Planning Commission.

Commission Action:

Lynnel Pollock nominated James Gray for Chair and Nancy Lea for Vice Chair.

MOTION: Pollock SECOND: Webster

AYES: Pollock, Webster, Lea, Lang, Heringer
and Gray

NOES: None

ABSENT: Walker

ABSTAIN: None

Commissioner Gray assumed the Chair at this time.

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6.2 An interpretation by the Yolo County Planning Commission on the "no build" Conditions of Approval for TPM #3699.

Commission Action:

This item was taken off the Agenda at the request of the applicant.

MOTION: Pollock SECOND: Lea

AYES: Pollock, Lea, Gray, Heringer, Lang
and Webster

NOES: None

ABSENT: Walker

ABSTAIN: None

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6.3 A discussion by the Yolo County Planning Commission on Mobile/Manufactured Housing foundations.

The Staff Report was given by Brett Hale, the Chief Building Official. He explained the difference between the two foundation types. He said the main difference is that the permanent foundation meets all the uniform code requirements for seismic and wind loading and the temporary one does not meet the full seismic requirements. The permanent foundation is also recorded at the Recorder's Office and filed with the State.

Commissioner Lea asked if that since the 18613 foundation does not meet the seismic requirement, is there a greater risk of damage to the mobile home in the event of an earthquake than if it were put on a 18551 foundation. It was answered by Mr. Hale that there is that potential But that design for wind loads would meet a large part of the requirement.

Commissioner Lang asked if someone were to come in for a permit, would they be able to decide whether or not it could be on a permanent or temporary foundation.

Director Jenkins indicated that what Staff has done in the past is that if its a temporary permit then the Conditions of Approval would state that the applicant must install a temporary foundation.

Commission Lea suggested that the applicants be allowed to sign a document stating they know they will have to remove the mobile home after the permit is no longer in effect.

Commissioner Webster said the word "temporary" should be clarified because it pertains not only to time but to structure. She also agreed that applicants should have a choice due to the fact that safety is an issue. She added that the Planning Commission should not take the responsibility that is incumbent upon them when they say that every "temporary in time" home has to have a temporary "in structure" foundation.

Commissioner Pollock said that the applicants would have to make a determination if they wanted permanent foundation for financing purposes.

Commissioner Lea said the Commission may be able to satisfy the safety issue, but there may not be any way to satisfy the finance issue.

Commissioner Gray suggested that Staff should work on the creation of a handout informing applicants about the pros and cons of temporary and permanent foundations.

Building Official Brett Hale said that if a mobile home is defined as temporary, and not recorded with the State, fire sprinklers are not required.

Commission Action:

The Commission directed Staff to compose a handout indicating the various options open to the applicants. They also directed Staff to change the language of the standard Condition of Approval to include the option of allowing permanent foundations even though the mobile home is temporary.



6.4 A discussion on the Goals and Legislative Policies of the County.

Director Jenkins gave the Staff Report. He spoke about the strategy for updating the Yolo County General Plan. He said that the Housing Element must be updated in 1997. He added that the Board of Supervisors have talked about having joint meetings with the Planning Commission so that the Commission could be involved from the beginning.

Commissioner Webster said that although it is necessary for the Board and the Commission to be aware of what is going on in each group, she did not believe that the goal of the joint meetings should be to bring everyone to the same viewpoint.

Commissioner Gray said he hoped to see clarification of agricultural land use policies. He added that he would like to see agriculturally related industries in the County to stimulate the economy.

Director Jenkins said that AG Access is preparing a targeted industry study for the Overall Economic Plan at this time. He said it is important to find the best place to locate Agricultural Industry and to encourage and nurture those types of industries.

Commissioner Pollock said she was very happy to hear that emphasis now on AG economic development and agricultural support industries. She also said the County needs to require that minimum parcel sizes in certain areas to be larger. She went on to say that she would encourage joint meetings between the Board and the Commission because it is important to share information.

Commissioner Heringer said he did not want to disclose his insights or wisdom at this time.

Commissioner Lea said she also thought joint meetings would be helpful. At least the Board would understand the perspective that the Commission has and the Board would have a better perspective of the Commission. She also wanted to find a way to allow for smaller parcels for new farming operations without the risk of creating ranchettes.

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A five minute recess was called at this time.

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6.5 A status report on Knights Landing issues.

John Bencomo, Principal Planner, updated the Commission on Knights Landing. He spoke about the Hope Development, drainage issues, the Edson law suit, and the agreement with the Service District. He went on to say that the Community Development Agency is trying to promote better and more positive working relations with the Community.

Commissioner Pollock asked if Mark Hope would be able to sell the homes if he does not comply with the Conditions of Approval set forth by the Planning Commission. It was answered no by John Bencomo. She also had questions concerning the Triangle Piece.

Commissioner Gray congratulated John Bencomo for all his work with the Community of Knights Landing.



6.6 A status report on the update of the Dunnigan General Plan.

Mike Luken, Senior Planner, updated the Commission on the Dunnigan General Plan. He said that at the present time they are in the process of reviewing the second Administrative Draft EIR. He added that a Joint Meeting between the Board and the Planning Commission will be necessary to discuss the Environmental Impact Report before the actual hearing process begins.

Director Jenkins said that the focus of development in Dunnigan is having an increase in population of 3,000 to 4,000 people. The Board is discussing 40,000. Water will be needed.

Commissioner Gray said that public hearings should take place in Dunnigan. He added that he would be very interested in the review of jobs and housing balance.

Commissioner Pollock confirmed that the EIR is being funded by the Developers. Mike Luken answered that was correct and additionally 40% of the Infrastructure Study is funded by developers.

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6.7 A status report on the update of the Esparto General Plan.

David Flores updated the Commission on the Esparto General Plan. He gave the Commission a time line of upcoming meetings, hearings, etc. He also spoke about a Fiscal Study that will be needed.

Commissioner Gray asked if the citizens of Esparto were aware of the fact that they may have to fund the Fiscal Study. David Flores indicated that it was brought up several times at meetings.

Director Jenkins clarified that there was some level of Fiscal Analysis done in the EIR two or three years ago, but until the Infrastructure study was done, it wasn't known whether those numbers would be accurate.

Commissioner Pollock confirmed that the Citizens Advisory Committee have been notified of the time line.

Director Jenkins said there will be a public hearing held in Esparto.



6.8 A status report on the Yolo County Habitat Conservation Plan.

Mark Hamblin updated the Commission on the Draft Habitat Conservation Plan. He said this document has been four year in the making. He handed out a synopsis of the Plan. There will be a 60 day review period following the official January 11, 1996 release of the document. There will be workshops held by the individual cities to receive comments. The Planning Commission will hear comments on February 7, 1996.

Commissioner Gray spoke about fees or "in leu" of fees.

Director Jenkins said the Steering Committee members are discussing dedications and mitigations.



The following item was time set for 1:00 p.m.

6.9 95-077 - A workshop on equestrian related facilities. Applicant: Yolo County Community Development Agency (M. Luken)

Commissioners Webster and Heringer spoke at this time due to the fact that they would be leaving prior to the 1:00 p.m. time set item.

Commissioner Webster said that she was not so sure that the Commission has the overall agricultural policies under which the equestrian issue falls. She added that there is a huge difference in this County in the kinds of equestrian operations which are underway, ranging from Duffel Farms to a "Mom and Pop" operation, where they are primarily renting a horse or room for a horse.

Commissioner Heringer stated that the code is too restrictive. There have to be rules, of course. But when you charge \$1,800 for a permit for however many horses, I would think that we should have a very lenient policy toward families who want their children to ride or to keep horses. It is important for the recreational qualities of families to be maintained.

Director Jenkins said that if you keep horses for your own use or for your family's use, then it is allowed by right. There is no permit required and there is no cost.

A discussion on Accessory uses in the A-1 zone took place.

A lunch recess was called at 11:30 a.m. and reconvened with the continuation of this item.

Mike Luken, Senior Planner, gave the Staff Report. He explained the purpose of the meeting was to garner the opinion of individuals in the equestrian industry with regards to equestrian facilities that are existing or are going to be proposed in the future. There will be no action taken at this meeting. Additional meetings will be held at a later date. He added that over the past six to eight month, the Community Development Agency has received a number of formal complaints by public stable owners regarding Zoning Violations for commercial equestrian operations.

The Public Hearing was opened at this time.

Director Jenkins stated that the Yolo County Zoning Code does not have restrictions on the personal use of horses. The basic issue is to what intensity should we be concerned when outside people come in and use somebody else's property for boarding or training.

Commission Pollock asked if a commercial stable would be allowed in the Residential Suburban zone. It was answered no by Mike Luken.

Tom Tracy, Assistant Director of Public Works, clarified that the vehicle code allows horses on County Roads although it's not safe at night.

Commissioner Gray acknowledged receipt of several FAX's regarding this item.

Cheryl Filarsky, of Red Tail Farm, said she can't board horses due to the AP zoning. She only breeds horses, but she may have to board other people's mares while they are being serviced by her stallion. She was also concerned about the number of horses per acre issue.

Paul Kramer, County Counsel, arrived at the meeting at 1:40 p.m.

Michael Bolling, of Davis, explained the difference between boarding a horse for breeding purposes and public boarding.

Yvonne LeMate said she has been in the horse business for a long time. She spoke about the consideration made for the equestrian industry by the Blue Ribbon Task Force and Ordinance.

Carol Smith, of Rocky Road Ranch, said she has a Conditional Use Permit to operate a boarding stable. It was "grand fathered in". She hopes the Commission will allow her to continue her operation.

Marlene Carlson, of Horsequarters, addressed the public versus private stable issue. She said they have many restrictions placed on her because her operation is "legal". Some of these include taxes, reassessment, permits, and Workers' Compensation Insurance.

Brett Hale, Chief Building Official, spoke about agricultural building permits and defined agricultural buildings. He added that when the structure are open to the public for viewing or training, have offices or workshops, they no longer meet the intent of the Agricultural Building definition and would be subject to the standards contained within the code. It would not be exempt.

Bob Falkenberg, of Running F Ranch in Winters, said that there is a need to define a commercial operation versus a private stable.

Cliff Brown, of Double C Stables, said that boarding is boarding. It is done to make money, and that makes it commercial. He also does not agree with the horse per acre issue.

Lisa Von Uhlit, had concerns about whether people could go to one of these facilities and receive a lesson, because a person would still be able to ride your horse even though it's not considered a horse rental.

Eileen O'Farrell commented that she hoped that "special occasion" riding, such as Girl Scout

Troops, would be allowed. These are not activities which cause a nuisance.

Ernie Phanner, former Supervisor of Yolo County, thanked the Commission for taking the time and the thoroughness to listen to the plus' and minus' of the industry.

Cheryl Filarsky, added that she hoped the Commission would allow flexibly and allow "day" permits.

The Public Hearing was closed at this time.

Paul Fitsmorris, of Environmental Health, said that most problems are with manure, flies, and water supply. He added that as a whole there are very few complaints with commercial industry in Yolo County.

Vicky Fletcher, of the Yolo County Sheriff's Department, said there is no inspection policies for stable facilities. The only way her department would come into a certain situation is by receiving a complaint. There have been very few complaint in commercial facilities and those are no longer in business.

Director Jenkins asked for direction from the Commission in handling this issue as it's dealt with at the counter.

Commissioner Pollock said that she feels there definitely needs to be changes made. She would start with definitions, both for private and

public stables. All the scenarios that happen in a commercial facility should be included. There needs to be a clear line between a big commercial operation that needs the review process and a Conditional Use Permit versus the smaller, boarding facility where there are few horses. It should probably be based on the number of horses.

Commissioner Lea was concerned about the high cost of boarding fees.

Commissioner Gray said tiered permitting by size of the operation would be beneficial. He would like to see a draft ordinance sent out to all interested parties so they can comment again on the changes.

Commissioner Lang suggested an "Amnesty Program" so everyone could be brought into compliance.

Commissioner Lea also was in favor of the tiering method.

The Commission also discussed "Day Use" permits.

Commission Action:

A: Determine whether the existing Zoning Regulations adequately accommodate existing equestrian facilities.

Directed Staff to prepare a Code Amendment.

B: Determine whether the existing Zoning Regulation will accommodate new facilities and the changes in the equestrian industry.

Directed Staff to prepare a Code Amendment.

C: Provide input to enable Staff to compose a draft set of Standard Conditions of Approval or Performance Criteria for equestrian facilities.

Directed Staff to prepare Draft Standard Conditions of Approval, Performance Criteria, and a Tiered Permitting Process for Planning Commission consideration.



7. DIRECTOR'S REPORT

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

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

- (1) Goals for the remainder of the Fiscal Year.
- (2) Discussion on Joint Meetings regarding gravel.
- (3) The Pereirra applicationl being appealed to the Board.

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8. COMMISSION REPORTS

Reports by Commission members on information they have received and meetings they have attended which would be of interest to the Commission or the public. No discussion by other Commission members will occur except for clarifying questions. The Commission or an individual Commissioner can request that an item be placed on a future agenda for discussion.

There were no reports by the Commission.

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9. ADJOURNMENT

The meeting was adjourned at 3:35 p.m. The next regular meeting of the Yolo County Planning Commission is scheduled for February 7, 1996, at 8:30 a.m. at the Yolo County Planning Commission Chamber at 292 W. Beamer Street, Woodland, CA. 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 c:\mnts\jan.96