

MINUTES

YOLO COUNTY PLANNING COMMISSION

February 7, 1996

1. CALL TO ORDER

Chairperson Gray called the meeting to order at 8:40 a.m.

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

MEMBERS ABSENT: Webster

STAFF PRESENT: Stephen L. Jenkins, Director
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

MINUTES
PLANNING COMMISSION

YOLO COUNTY
FEBRUARY 7, 1996

Commission Action:

The Minutes of the January 10, 1996 Planning Commission Meeting were approved with no corrections.

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

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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.

No one came forward to address the Commission.

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4. CORRESPONDENCE

**MINUTES
PLANNING COMMISSION**

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Chairman Gray acknowledged receipt of the correspondence in the packet as well as items distributed at the beginning of the meeting.

- (1) Newsletter from the Clean Air Partnership
- (2) Flyer from SACOG
- (3) A memo on Mobile/Manufactured Housing Foundations
- (4) A letter from Caltrans
- (5) Copy of article in the Wall Street Journal regarding regional growth
- (6) A memo from the Office of the Deputy Attorney General - Sacramento
- (7) Annual report from the Delta Protection Commission
- (8) A petition dated January 16, 1996 regarding an economic analysis being completed prior to the issuing of permits for long-term off-channel gravel mining (A hearing has been scheduled by the Board of Supervisors on February 20, 1996.).
- (9) A letter from Sally Oliver dated February 6, 1996 regarding the Correll property. It was requested by the Commission that this matter be scheduled for a future Planning Commission Meeting.

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COMMENTS BY THE COMMISSIONERS

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Commissioner Walker wanted to state the following observations. "I've missed a number of meetings here in the last three or four months because of activities in one of our far northern counties. But during that time, I've had a great opportunity to read the activities of the Planning Commissions in Siskiyou and Shasta and some of those areas. And, of course, following the activities here. One thing has come through loud and clear. I think I should share that with you. I really believe that having analyzed all these things that I've read and observed, is that we are blessed with a Staff in Yolo County who really are dedicated to trying to do the kind of job that they feel is correct. And I would direct a special accolade to Steve Jenkins, because despite the fact that you're shot at with great frequency, I think that you are doing a spectacular job. And so my personal thanks for all that your attempting to do, despite the flack that you encounter. So, I thought that was at least worth sharing with you. We have our problems, but there are other places that are far less well off."

Commissioner Gray added "I would agree. We are blessed with a very good Staff. And Harry, if you're going to take up a collection for a bullet-proof vest for Steve, I'll contribute a little as well."

On behalf of Staff, Director Jenkins thanked the Commissioners for their kind comments.



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.

- 5.1 95-076 - A request for a Use Permit and Variance to allow for the temporary placement of a mobile home for a farm worker on a 19.2 acre parcel. Subject property is located at 24204 County Road 23 near County Road 22 in Esparto in an Agricultural Preserve (A-P) zone. A Categorical Exemption has been prepared for this item. Applicant: John Foster (D. Flores)

Commission Action:

The Planning Commission acting as the Board of Zoning Adjustment took the following actions:

- (1) **CERTIFIED** Staff's determination that the project is Categorical Exempt, in accordance with a Class 3, Section 15303 (a) of the California Environmental Quality Act and Guidelines (CEQA).
- (2) **ADOPTED** the FINDINGS for this project as presented in the staff report.

(3) **APPROVED** the Variance subject to the conditions identified under the “CONDITIONS OF APPROVAL” section of the staff report.

(4) **APPROVED** the Use Permit subject to the conditions identified under the “CONDITIONS OF APPROVAL” section of the staff report.

MOTION: Walker SECOND: Pollock

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

NOES: None

ABSENT: Webster

ABSTAIN: None

CONDITIONS OF APPROVAL

Planning Division:

(1) The mobile home to be located on the site shall be limited to a mobile home constructed or purchased after January 1, 1974, and certified under the National Mobile Home Construction and Safety Standards Act of 1974.

(2) The temporary mobile home use shall be subject to and comply with all the Zoning and Building Code provisions applying to residential structures in the subject zone.

- (3) The temporary mobile home shall be used as a temporary residence for a farm worker/family member and shall not be sold or conducted as a business.
- (4) The applicant shall obtain a building permit for the proposed mobile home and shall install a temporary or a permanent foundation for the mobile home.
- (5) The mobile home shall be occupied by an individual who is principally engaged in an agricultural operation on the site. The Use Permit shall expire immediately upon violation of this condition.
- (6) The property owner shall file for a renewal of this permit and pay any fees to the Yolo County Community Development Agency at least 60 days prior to the expiration of this temporary use permit (two years from the date of this approval). Failure by the applicant to renew this permit prior to the expiration date will result in revocation of the Use Permit and require the removal of the mobile home from the site.

Fire Department Requirements:

- (7) That the applicant shall comply with the requirements of the Esparto Fire Department including the provisions for all weather access drive and turn around.

(8) Landscaping shall be of nonflammable vegetation within 30 feet of buildings.

(9) Addressing for the new dwelling unit along the public road frontage will be posted using 3" reflective numbers visible to vehicular traffic prior to the final inspection for the principle dwelling unit.

County Counsel:

(10) In accordance with Yolo County Code §8-2.2415, the applicant shall agree to indemnify, defend, and hold harmless the County or its agents, officers and employees from any claim, action, or proceeding (including damage, attorney fees, and court cost awards) against the County or its agents, officers, or employees to attack, set aside, void, or annul an approval of the County, advisory agency, appeal board, or legislative body concerning the permit or entitlement when such action is brought within the applicable statute of limitations. The County shall promptly notify the applicant of any claim, action or proceeding and that the County cooperate fully in the defense. If the County fails to promptly notify the applicant of any claim, action, or proceeding, or if the County fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold the County

harmless as to that action. The County may require that the applicant post a bond in an amount determined to be sufficient to satisfy the above indemnification and defense obligation.

If the required Conditions of Approval(s) are not met or if significant public health or public safety hazards are identified in conjunction with the proposed project, a public hearing may be conducted by the Yolo County Planning Commission to consider revocation of this Use Permit.

FINDINGS

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

Environmental (CEQA) Findings:

In certifying the proposed Categorical Exemption for this project as the appropriate level of environmental review under CEQA, the Planning Commission acting as the Board of Adjustment finds:

That on the basis of the Initial Study and comments received, that there is no evidence that the project will have a significant effect on the environment.

Variance Findings:

In accordance with Section 8-2.2904, Article 29 of Title 8 , the Planning Commission, acting as the Board of Zoning Adjustment must make the following findings in order to approve the Variance as shown below:

(a) 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 vicinity of this parcel are of similar size (16 to 23 acres) which are either within the Agricultural General (A-1) or Agricultural Preserve (A-P) zoning designation. Therefore, the granting of a variance for the subject lot will not constitute a grant of special privilege.

(b) 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

As indicated, other lots within this community which are zoned A-P do not meet the minimum lot size requirement. The subject lot is surrounded by parcels

with similar lot sizes and\or uses. Therefore, the granting of a variance for the subject lot will not deprive the subject property of privileges enjoyed by other properties in the vicinity and under the identical zone classification.

(c) 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.

The granting of the variance for the subject lot will be consistent with the requirements of the zoning regulations as the request will provide housing for a farm laborer on the agricultural parcel, which is essential for a farming operation. This request will also be consistent with the Master Plan of the County in that the provision for farm housing is allowed for the purpose of preserving the high productivity of the land.

Use Permit Findings:

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

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

Under Section 8-2.404(f) of the Yolo County Code, this use is permitted under a Conditional Use Permit.

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

The proposed temporary mobile home benefits the agricultural parcel in allowing the owner to employ a farm worker to maintain the family agricultural operations.

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

The mobile home complies with all applicable regulations for the zone and with the established Conditions of Approval. Therefore, the Use Permit and Variance request will not impair the integrity or character of the surrounding community.

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

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

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

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



- 5.2 ZF 4128 - A request for an extension of a Use Permit for the Nicholls Golf Teaching Facility. Subject property is located on the southeast corner of County Road 102 and Gibson Road, west of Woodland in the Agricultural General (A-1) zone. A Negative Declaration has been prepared for this item. Applicant: Duke Nicholls/Gloria and Glen Barton. (D. Flores)

Commission Action:

1. **CERTIFIED** the Negative Declaration as the appropriate level of environmental review for this project in accordance with the California Environmental Quality Act and Guidelines (CEQA); and
2. **ADOPTED** the Findings as presented in the staff report.
3. **APPROVED** the Extension of the Conditional Use Permit (ZF-4128), subject to the Revised Conditions of Approval approved by the Planning Commission on December 8, 1993.

MOTION: Walker SECOND: Pollock

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

NOES: None

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PLANNING COMMISSION

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ABSENT: Webster

ABSTAIN: None

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CONDITIONS OF APPROVAL

1. The Extension of the original Use Permit (ZF#4128) shall be granted for a period of two years and this extension shall expire on December 8, 1997 unless renewed.

2. All the Conditions of Approval (listed as Conditions of Approval #3 to 35 in this report) for the original Use Permit (ZF#4128) shall be continued and complied with. Staff has included Condition No.36 which reflects the County Indemnification Clause which is required on all permits. Failure to comply with the conditions of approval for ZF#4128 shall result in the revoking of the extension, legal action and/or non-issuance of future building permits.

Agricultural Resources

3. The project proponent shall be required to coordinate golf course management and agricultural operations on adjoining lands.

Biological Resources

4. To the extent permitted by State and Federal agencies, creation of golf course habitat which is deemed to be acceptable foraging habitat for the Swainson's Hawk or other endangered or threatened species may be

credited against any required mitigation fees.

A Department of Fish and Game 2081 Authorization shall be executed prior to the approval of a Final Map, and payment if required of mitigation fees to a Yolo County fish and wildlife mitigation account shall be made prior to issuance of a grading permit or building permit.

5. Prior to any grading activity on-site in areas delineated as potential wetlands, the applicant shall obtain any necessary permits from the Army Corps of Engineers under Section 404 of the Clean Water Act. The proposed project shall be designed to avoid wetlands wherever feasible. If any threatened or endangered species are found, appropriate mitigation will be developed in consultation with CDBG to protect these species.

6. Project design shall explore the potential for wildlife habitat enhancement which could be achieved in conjunction with the project. Enhancement effects could occur as a result of tree species selection which promotes species diversity or could result from the type of management selected for turf and natural areas of the site.

Air Quality

7. Implement dust control measures. To the extent feasible, ensure prompt installation of site improvements to reduce the potential for dust emissions. The area disturbed by clearing, earth moving or excavation activities shall be minimized at all times. All material excavated or graded shall be sufficiently watered to prevent excessive amounts of dust. Watering shall occur at least twice daily with complete coverage, preferably in the later morning and after work is done for the day. If fill dirt is brought into the construction site, then tarps or soil stabilizers will be placed on the dirt piles to minimize dust problems. Before construction equipment leaves the construction site, all excessive dirt accumulations on the equipment will be washed off.

8. On-site construction vehicle speeds shall be limited to 15 mph so as to reduce impacts associated with dust. All clearing, grading, earth moving or excavation activities shall cease during periods of high winds greater than 30 mph averaged over one hour. All dust nuisances will be minimized by acceptable dust control procedures.

9. The period of time in which any particular area remains exposed shall be limited to the extent feasible. Construction activities

will be scheduled during typical dry periods. If storm activity occurs during construction, the project manager will limit all activities where runoff erosion could occur.

10. On-site equipment engines shall be maintained in good condition and in proper tune as per manufacturer's specifications. All on-site equipment shall receive periodic maintenance as required for efficient operation.
11. Secured bicycle parking facilities will be provided.
12. Project proponent shall agree to pay an "air quality mitigation fee" upon the adoption of any such ordinance establishing such a fee.

Traffic and Circulation

13. A right-turn lane and left-turn lane shall be provided on County Road 102 at the project entrance for safety purposes and be constructed in accordance with Yolo County Public Works standards.
14. Project proponent shall sign an agreement with the City of Woodland to participate in their pro rata share of the cost of the future installation of a traffic signal at the intersection of County Road 102 and Gibson Road. A signed copy of the agreement

shall be provided to the Yolo County
Community Development Agency for compliance
of the condition.

15. Encroachment permits will be required from
Yolo County Public Works Department for paved
driveway connection on County Road 102

Water Resources

16. The landscaping design, and irrigation required for the golf facility shall be in accordance with the State Water Efficient Landscaping Ordinance.

The project proponent shall plant and maintain additional screening vegetation at project site boundaries to reduce the project's visual and lighting impact on adjacent parcels. Landscaping plan shall be submitted to the Yolo County Community Development Director for review and approval.

17. Project proponent shall implement, on a continuing basis, a groundwater monitoring program involving periodic measurements of the on-site well water levels and shall report such measurements in writing to Yolo County Staff on an annual basis. The applicant shall also investigate the potential use of the sewage treatment affluent water as a source for landscaping.

18. Permits shall be obtained from the County Environmental Health Division and other applicable agencies for any new well that may be proposed and on-site wastewater treatment and disposal systems.

Drainage

19. The applicant shall prepare a Drainage Plan covering on-site conditions (and off-site to the extent that impacts are created by the project) with respect to drainage collection and retention facilities to be designed based on County drainage criteria and standards and submitted for approval by Yolo County Public Works Department. The Plan shall take into consideration all natural channels on the subject property and off-site channels of concern to the County Public Works Department.
20. In order to protect the quality of downstream drainage, grading and earth moving activities shall be restricted to the dry season. No disturbed areas will be left in an exposed condition over the rainy season.
21. Oil skimming drop inlet devices can be used to help protect quality of runoff.
22. Sophisticated irrigation systems including computer operated moisture sensors shall be used to help reduce runoff by avoiding over irrigating.
23. There shall be no removal of soil off-site from the subject property.
24. A grading plan shall be provided for review and approval of the Public Works Department

and Community Development Agency prior to any on-site grading activity.

Fire Protection/Emergency Services

25. All management personnel employed in the daily operations of the project shall be trained in basic CPR, First-Aid, and fire emergency procedures.
26. Fire sprinkler systems will be required for pro-shop/snack bar facility in accordance with the requirements of the Yolo County Building Division.
27. A on-site water supply will be required to meet fire flow demands of the proposed structures. Project proponent shall meet all requirements established by the Woodland Fire District as to fire hydrant and automatic sprinklers system requirements.
28. The project proponent shall establish a maximum distance of 150 feet from the parking lot to the farthest point of the exterior wall of the main building. This is based on the practical distance that a fire crew can extend attack lines to a fire.

Utilities

29. Pacific Gas and Electric Company owns and operates a 20" high pressure gas transmission line through the project area. Development plans shall be submitted to PG&E for review and approval and a consent agreement with the

owners be initiated with their company prior to construction.

Solid Waste

30. Grass clippings shall be retained on-site for mulching purposes and the snack shop will separate disposed materials for recycling purposes.

Cultural Resources

31. In the event that archaeological or historical resources are discovered during the development of the project, Yolo County Community Development Agency and a qualified archaeologist/historian shall be notified immediately so that appropriate mitigative actions may be taken, and construction halted until findings are made by an archeologist. If prehistoric archaeological deposits are discovered, local Native American organizations will be consulted and involved in making resource management decisions.

Monitoring of Conditions/Public Access

32. The Conditional Use Permit shall be reviewed by the Director of the Community Development Agency one year after the beginning of the golf learning center operations and brought back if necessary to the Planning Commission for modifications or clarifications if

needed. The Planning Commission may continue to require subsequent annual reviews at its discretion. The purpose of this review shall be to assess the compliance with the use permit conditions.

Law Enforcement

33. The golf course shall be fenced and gated with mitigation landscaping subject to the approval of the Director of the Community Development Agency.

Public Services

34. Copies of "Will serve" statements shall be provided to the Community Development Director from all affected utility and service districts prior to public use of the golf course or facilities.

Approval Tentative Parcel Map

35. Prior to approval of the Final Parcel Map, the applicant shall submit evidence to the Community Development Director that a document has been recorded stating that upon expiration of lease, the property will be re-merged as one parcel.

County Counsel

36. In accordance with Yolo County Code
□8-2.2415, the applicant shall agree to indemnify, defend, and hold harmless the County or its agents, officers and employees from any claim, action, or proceeding (including damage, attorney fees, and court cost awards) against the County or its agents, officers, or employees to attack, set aside, void, or annul an approval of the County, advisory agency, appeal board, or legislative body concerning the permit or entitlement when such action is brought within the applicable statute of limitations. The County shall promptly notify the applicant of any claim, action or proceeding and that the County cooperate fully in the defense. If the County fails to promptly notify the applicant of any claim, action, or proceeding, or if the County fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold the County harmless as to that action. The County may require that the applicant post a bond in an amount determined to be sufficient to satisfy the above indemnification and defense obligation.

FINDINGS

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

In accordance with Section 8-2.3205, Article 32 of Title 8, the Planning Commission has determined the following:

- (a) The circumstances under which the original Use Permit and Tentative Parcel Map were granted have not changed;

The applicant has agreed to the continuation of all the conditions of approval for the original Use Permit and Tentative Parcel Map and therefore, the circumstances under which the original Use Permit and Tentative Parcel Map were granted have not changed. Since the original Use Permit expired on December 8, 1994, the extension is being requested to confirm the continued validity of the Use Permit and Tentative Parcel Map while the financing of the project is near completion.

- (b) Such extensions shall be approved for no more than two (2) years.

Condition of Approval #1 grants the extension of the original Use Permit (ZF#4128) for a period of two years (until December 8, 1997).

The extension is to expire after two years (on December 8, 1997) unless renewed.

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6. REGULAR AGENDA

MINUTES
PLANNING COMMISSION

YOLO COUNTY
FEBRUARY 7, 1996

- 6.1 95-084 - General Plan Consistency Findings and Environmental review for the acquisition of approximately 12 acres on County Road 102 and Gibson Road near Woodland in the Agricultural General (A-1) zone. A Mitigated Negative Declaration has been prepared for this item. Applicant: Yolo County General Services (M. Luken)

The Staff Report was given by Mike Luken.

Director Jenkins clarified that consistency with the Woodland General Plan requires the Urban Limit Line be expanded. Staff is not proposing or recommending it take place at this time. The Mitigation Measure is written in such a way that it would not be triggered until the actual construction of the facility. With that Mitigation Measure, staff can find conformance with the Woodland General Plan.

The Public Hearing was opened at this time.

Keith Ott, Director of the Yolo County General Services Agency, said the County is short of money. The cost of the acquisition (\$425,000) is being 100% funded by development impact fees. He stated the importance of this acquisition is not just with the expansion of future facilities, but to guard against the encroachment of other non-compatible or semi non-compatible types of activities near a jail.

Commissioner Pollock asked if the current facility is on City water and sewer. It was answered that it is on City sewer but not water.

A discussion regarding the Fish and Game fees ensued.

Commissioner Heringer asked for clarification of the development impact fees.

Director Jenkins stated that the fees are called County Facilities Service and Authorization fees (FSA). Anytime a Building Permit is issued, whether it is in the unincorporated area of the County or in the cities, the Building Permit must have a development fee paid.

The Public Hearing was closed at this time.

Commission Action:

RECOMMENDED THAT THE BOARD OF SUPERVISORS:

1. **CERTIFY** a Mitigated Negative Declaration as the appropriate level of Environmental Review for the acquisition of the property.

2. **DETERMINED** that, with the adoption of mitigation measures, the proposed acquisition of property by the County of Yolo for future criminal justice facilities is consistent with the provisions of the Yolo County General Plan and Woodland Area General Plan County Land Use Element (WAGPCLUE).

the subject property and expansion of the current jail/sheriffs facility.

3. Prior to construction of any future facility, the County shall obtain a "will-serve" commitment from public utilities and all appropriate other governmental entities to ensure the provision of services at an acceptable level to service facilities to be constructed on the subject property.

4. If the 1995 draft City of Woodland General Plan is adopted by the city and the County in its current form (dated September 1995) including the land use designation "SC" and policies 1.1.1 through 1.1.7 are adopted in their current form as of the date of this approval, the County shall consider ensuring that any structure(s) to be constructed upon the subject property shall not exceed a far (floor area ratio of 0.5) ensuring that any new development/facilities constructed on the subject property comply with following policies:
 - a) all outdoor storage of goods, materials and equipment and loading docks shall be screened from major roadways
 - b) the County should develop a uniform design theme and sign program for the Monroe facility and any expansion onto the subject property
 - c) the County shall use earth tones as the dominant coloration of structures; colors

such as white, black, blue, and red should be used as accents. Building surfaces should have color schemes that reduce their apparent size.

- d) metal buildings will be allowed only with enhanced architectural and landscaping treatment (such as the use of trim bands, wing walls, parapets and reveals)
- e) building elevations should be well-articulated and stress an original design
- f) all exterior elevations visible from a major roadway should have architectural treatment to alleviate long void surfaces. This can be accomplished through varying setbacks, breaking buildings into segments, pitched roof elements, columns, indentations, patios, and incorporating landscaping into architectural design.
- g) buildings should be composed of stucco, brick, or masonry elevations. Tilt-up concrete pads will only be permitted if they have a bold relief with textured surfaces such as exposed aggregate material, fenestration, to break up monotony. Integral color of panels is encouraged.
- h) signs shall be made of high quality materials such as stone, tile, cast concrete, or similar materials. No bare metals, wood, or any other non-durable material.

- I) incorporating trees into the design of any project constructed on the subject property
- j) waiving objection to participation in a funding mechanism for the establishment and ongoing maintenance of street trees and landscape strips with the city right-of-way.

5. The surrounding area and other perimeter parcels are to be protected against surface runoff from the subject property in a manner reasonably acceptable to the City of Woodland Public Works Department, the Yolo County Department of Public Works and Transportation, and the Yolo County Community Development Agency. A drainage plan for the subject property shall 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 City of Woodland Public Works Department, Yolo County Department of Public Works and Transportation, and the Yolo County Community Development Agency for approval.

6. Prior to construction, the County shall construct an on-site drainage detention area designed to meet a 100 year storm (24 hour) event as advised by the Yolo County Flood Control and Water Conservation District.

7. Prior to Construction, the County will develop a plan for use during new construction specifying the methods of dust control that will be utilized, demonstrating the availability of needed equipment and personnel, and identify a responsible individual who, if needed, can authorize the implementation of additional dust control measures. The construction dust mitigation plan should, at a minimum, include the following:

- a) provision of equipment and staffing for watering of all exposed or disturbed soil surfaces at least twice daily, including weekends and holidays. An appropriate dust palliative or suppressant, added to water before application should be utilized.
- b) watering or covering of stockpiles of debris, soil, sand or other materials that can be blown by the wind.
- c) regular sweeping of construction area and adjacent streets of all mud and debris, since this material can be pulverized and later re-suspended by vehicle traffic.
- d) enforcement of a speed limit of 15 miles per hour for all construction vehicles when off pavement.
- e) all materials transported by truck will be covered or wetted down.
- f) all inactive portions of the site will be watered with an appropriate dust suppressant, covered or seeded.

g) suspension of earthmoving or other dust-producing activities during periods of high winds when dust control measures are unable to avoid visible dust plumes.

8. The County, prior to, or concurrently with the approval of the first entitlement issued on the subject property, will consult the Yolo-Solano Air Quality Management District to develop an air quality implementation plan for any future construction of proposed facilities. The County will comply with the provisions of said plan to reduce regional air pollutants to a level as specified by local, state and federal air quality attainment plans at the time of construction of these future facilities.
9. The County, prior to construction of any facilities on the subject property, shall perform a traffic study, estimating the increase in traffic as a result of the future project, and making appropriate mitigations to insure that there is no decrease in roadway or intersection level of service for Gibson Road (County Road 24) and/or County Road 102.
10. Prior to construction the County shall make provisions for the creation additional parking for any proposed future project in accordance with Yolo County Code §8-2.2504 or

any other County parking requirement in place at the time of construction.

11. The County shall participate in the Yolo County Habitat Conservation Plan by doing the following. Prior to the granting of an entitlement to initiate grading on the subject property, issuance of a building permit or recording of a final subdivision map, the county shall pay the appropriate fee per acre pursuant to California Fish and Game code section 2081 to the Yolo Habitat Management Trust Account (the current Fish & Game Mitigation Fee is \$1995.00 per acre of disturbed land). In order to comply with public resources code section 2081.6, a detailed monitoring program must be developed for all required mitigation conditions. The monitoring program should include the following:

- a) specific criteria to measure the effectiveness of mitigation;
- b) annual monitoring for a minimum of five years;
- c) annual monitoring reports (submitted to the Yolo County Community Development Agency and the California Department of Fish & Game), each of which include corrective recommendations that shall be implemented in order to ensure the mitigation efforts are successful.

12. The County, prior to construction of any facilities on the subject property, shall perform a noise impact study, estimating the increase in noise levels as a result of the future project, and making appropriate mitigations to insure that there is no significant increase in noise levels and that noise levels created by any expansion on the subject property will be in compliance with the noise element of the Yolo County General Plan, the Federal Highway Administration highway noise prediction model (FHWA rd-77-108), the California state noise insulation standard, or any commonly accepted industry standard for noise sensitive uses and impact analysis at the time of future construction.

13. Prior to Construction the County shall develop a Comprehensive Landscape Plan including, but not limited to the following:

- A. Both parcels shall be landscaped with materials that blend with the existing site and surrounding environment and approved by the director of the Yolo County community development agency.
- B. Compliance with the County Water Efficient Landscape Ordinance or any other similar county/city water efficient landscape regulations/guidelines adopted

by the jurisdiction of record at the time of construction.

14. All proposed buildings and accessory structures and perimeter fencing located at grade shall be designed and finished with materials that will be consistent with the existing character of the site and immediate surrounding area to the satisfaction of the Director of the Yolo County Community Development Agency.
15. Any sources of light and glare from future construction on either parcel shall be designed and/or constructed as appropriate for a law enforcement-detention facility (I.e shielded, directed, etc.) to not intrude onto neighboring properties, the public right-of-way or into the airspace.
16. If paleontological materials are uncovered during grading, trenching or other construction operations, earthwork within 100 feet of the discovery of the materials shall be stopped until a professional archaeologist certified by the Society of California Archaeology (SCA) and/or the Society of Professional Archaeology (SOPA) has had an opportunity to evaluate the significance of the find and suggest appropriate mitigation measures if necessary. The director of the Yolo County Community Development Agency

shall be notified immediately of the discovery of paleontological materials.

FINDINGS

(Evidence to support each finding is presented in italics)

California Environmental Quality Act and Guidelines (CEQA)

The Planning Commission recommends that the Board of Supervisors find that the proposed Mitigated Negative Declaration (ND) for this project is the appropriate level of environmental review under CEQA and that the proposed project does not have a significant impact on the environment.

On the basis of comments received, the project description and mitigation measures outlined in the Mitigated Negative Declaration, all foreseeable "significant effects on the environment" are reduced to a level less than significant as required by CEQA.

General Plan Consistency

In accordance with California Government Code Section 65402, the Planning Commission finds that the proposed project is in conformance with applicable general plans of jurisdiction in the area where the subject property is located

The proposed project, includes a mitigation that the Woodland Area General Plan County Land Use Element be amended to move the "Urban Limit Line" to include the subject property. With this mitigation, the proposed project will be in conformance with the Woodland Area General Plan County Land Use Element and the Yolo County General Plan and the 1988 City of Woodland General Plan.



- 6.2 95-062 - A request for a Variance, a Tentative Parcel Map, and a Use Permit for a mobile home. Subject property is located on the northeast corner of Jefferson Blvd and Courtland Road near Clarksburg in an Agricultural General (A-1) zone. A Negative Declaration has been prepared for this item. Applicant: Bruce Simmons/James and Flora Tillis (D. Flores)

David Flores gave the Staff Report.

The Public Hearing was opened at this time.

Bruce Simmons, the applicant, agreed with all the Conditions of Approval presented in the Staff Report.

Commissioner Gray, discussed the pallet storage and repair site with the applicant and Staff.

Angelina Berry, adjacent property owner, was concerned about the pallet storage and fire risk. She would like something to be done about it.

Dave Flores said he would follow-up on the fire danger with the pallet business. He added that under the Conditions of Approval for the Use Permit issued to the pallet business, it states that the Fire Department should work with the pallet business to secure the necessary fire protection.

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. **APPROVED** the Variance request to establish a single family home on a 4.8 acre parcel subject to the conditions listed under the "CONDITIONS OF APPROVAL."

4. **APPROVED** the Use Permit subject to the conditions listed under the "CONDITIONS OF APPROVAL."

5. **APPROVED** the Tentative Parcel Map subject to the conditions listed under the "CONDITIONS OF APPROVAL."

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

CONDITIONS OF APPROVAL

Community Development Agency:

1. The mobile home to be located on the site shall be limited to a mobile home constructed or purchased after January 1, 1974, and certified under the National Mobile Home Construction and Safety Standards Act of 1974.

2. The Final Map shall be prepared with the Basis of Bearings being the California Coordinate System, Zone 2, NAD 83.

Fire Department Requirements:

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3. The roofing materials for the proposed mobile home and any accessory structures shall be of fire restrictive materials consistent with the California Department of Forestry and Clarksburg Fire District requirements.
4. Applicant shall meet on-site water storage requirements for fire protection. Prior to issuance of the building permit, documentation of compliance shall be provided to the Community Development Agency.
5. That the applicant shall comply with the requirements of the Clarksburg Fire District including the provisions for all weather access drive and turn around.
6. Landscaping shall be of non-flammable vegetation within 30 feet of buildings.
7. Addressing for the new dwelling unit along the public road frontage will be posted using 3" reflective numbers visible to vehicular traffic prior to the final inspection for the principle dwelling unit.

County Counsel:

8. In accordance with Yolo County Code §8-2.2415, the applicant shall agree to indemnify, defend, and hold harmless the County or its agents, officers and employees from any claim, action, or proceeding

(including damage, attorney fees, and court cost awards) against the County or its agents, officers, or employees to attack, set aside, void, or annul an approval of the County, advisory agency, appeal board, or legislative body concerning the permit or entitlement when such action is brought within the applicable statute of limitations.

The County shall promptly notify the applicant of any claim, action or proceeding and that the Counties cooperate fully in the defense. If the County fails to promptly notify the applicant of any claim, action, or proceeding, or if the County fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold the County harmless as to that action. The County may require that the applicant post a bond in an amount determined to be sufficient to satisfy the above indemnification and defense obligation.

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

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

FINDINGS

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

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Variance:

In accordance with Section 8-2.2904, Article 29 of Title 8, the Planning Commission, acting as the Board of Zoning Adjustment must make the following findings in order to approve the Variance as shown below:

- (a) 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 vicinity of this parcel are of similar size (2.7 to 4.6 acres) which are also zoned Agricultural General (A-1). Therefore, the granting of a variance for the subject lot will not constitute a grant of special privilege.

- (b) 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;

As indicated, other lots within this community which are zoned A-1 do not meet the minimum lot size requirement. The subject lot is surrounded by parcels with similar lot sizes and/or uses. Therefore, the granting of a variance for the subject lot will not deprive the subject property of privileges enjoyed by other properties in the vicinity and under the identical zone classification.

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

The granting of the variance for the subject lot will be consistent with the requirements of the zoning regulations as the request will provide housing for the property owner on the agricultural parcel. This request will also be consistent with the Master Plan of the County in that the provision for farm housing is allowed for the purpose of preserving the family farming operation on the property.

Use Permit:

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

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

The subject property is located in the A-1 Zone. The request for a homesite on a subminimal parcel (4.8 acres) requires a variance under the Agricultural General (A-1) Zoning regulations. The proposed use (Homesite for the property owner) will be restricted to approximately 5,000 square feet of the total area of the property. The remaining area (4 acres) can be used for agricultural purposes and therefore the operation will not impact the existing residential/agricultural use of the property and the agricultural uses of the adjacent properties.

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

The proposed homesite placement will not be in close proximity to adjacent residential/urban uses. Therefore, will not create public nuisance problems such as to noise, light, glare, odors etc.

Since the subject property is located in an unincorporated area and is surrounded by agricultural/pasture uses that are similar to the proposed use, the potential for the

proposed homesite to become a public nuisance is significantly reduced.

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

The proposed homesite on the subject property will be consistent with the agricultural zone in which the property is located because it will be similar to other related uses in the surrounding area. Since the proposed homesite will be restricted to approximately 5,000 square feet of the total area of the property, the remaining area (approximately 4 acres) can be used for agricultural purposes and therefore, the homesite will not preclude the existing agricultural use of the subject property and the surrounding properties.

The proposed homesite on the 4.8 acre property will not impair the integrity or character of the rural agricultural area. The Yolo County Environmental Health Department and Yolo County Public Works Department have recommended approval of this proposal.

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

The proposed use will be consistent with the General Plan policies regarding agriculture

related land uses because it allows the property owner to reside on the property in the A-1 Zone. Also, it will not preclude the agricultural use of the subject site and adjacent properties.

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

Utilities are provided by Pacific Gas and Electric Co.; Access to the property is from Courtland Road via an existing driveway; Adequate drainage will be addressed through proper grading of the property in accordance with Yolo County Public Works standards;

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

Delta Protection Act of 1992 (SB 1866):

This project is located within the Primary Zone of the Delta Resource Management Plan. The Primary Zone is described as the delta land and water area of primary state concern and statewide significance which is situated within the boundaries of the delta as described in Section 12220 of the Water Code, but which is not within either the urban limit line or sphere of influence of any local governments general plan

or currently existing studies as of January 1, 1992.

Local governments may approve development within the Primary Zone only after making all of the following written findings on the basis of substantial evidence in the record:

(Evidence to support each finding is in italics):

(a) The development will not result in wetland or riparian loss.

Staff has determined that the proposed homesite will not result in wetland or riparian loss. The site is currently in agricultural usage with the exception of the area where the placement of the mobile home will be situated.

(b) The development will not result in the degradation of water quality.

The proposal will not result in the degradation of water quality in the area because the proposal will not change the current agricultural operations now underway.

(c) The development will not result in increased non-point source of pollution or soil erosion, increased subsidence or sedimentation.

The project will not result in increased non-point source of pollution, soil erosion,

increased subsidence or sedimentation due to the high water table within the Clarksburg vicinity.

- (d) The development will not result in the degradation or reduction of the Pacific Flyway habitat.

The project will not result in the degradation or reduction of the Pacific Flyway habitat because the proposed request is outside of any existing riparian zone including the area of Elk Slough.

- (e) The development will not result in reduced public access, provided that access does not infringe upon private property rights.

The project will not result in reduced public access, as access from each parcel will be off an existing county road (Courtland Road) fronting the property.

- (f) The development will not expose the public to increased flood hazards.

The property is within a 100 to 500 year flood zone (Flood Zone B) which will not expose the public to increased flood hazards.

- (g) The development will not adversely impact agricultural lands or increase the potential for vandalism, trespass, or the creation of

public or private nuisances on private or public land.

The proposal will not remove any agricultural lands from productive usage. The proposal will enhance agricultural productivity by allowing the owner to reside on the property, which conforms with the County's policy of protection of agricultural lands.

- (h) The development will not result in the degradation or impairment of levee integrity.

The project will not result in the degradation or impairment of the levee at Elk Slough.

- (I) The development will not adversely impact navigation.

The location of the proposal will not adversely impact navigation.

- (j) The development will not result in any increased requirements or restrictions of agricultural practices in the primary zone.

The proposal will not increase the chance of conflict with neighboring farming operations as existing agricultural use of the land will continue on the property.

Subdivision Map Act / Parcel Map:

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

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

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

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

As discussed in the General Plan Section of this report, the approval of this request would allow for the otherwise inherent right to the development of a homesite and associated improvements that were determined to be consistent with the General Plan. Although this parcel does not meet the minimum parcel size in the A-1 zone, therefore requiring a Variance to the code parcel requirements.

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

The proposed homesite will have to meet all requirements imposed by the County Environmental Health and Public Works Department.

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

The proposed site area will come into compliance with the zoning requirements by approval of a variance. This will be relative to the proposed construction of a future homesite for family members and as such would meet the density requirement for the area.

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

The proposed subdivision (parcel map) was reviewed for any potential environmental impacts and determined to be void of any significant impacts, as discussed in the attached Negative Declaration, Exhibit "D."

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

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

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

The proposed division will not pose any detrimental impacts to any existing public easements, and access is available to each parcel from Courtland Road.



- 6.3 ZF 4140 - A request for an extension of time for an existing Conditional Use Permit to establish a homesite on a 15 acre parcel in the Agricultural General (A-1) Zone. Subject property is located at 16298 CR 56, west of CR 49 in Guinda. A Categorical Exemption has been prepared for this item. Applicants: Virgil and Linda Myers (Srinivas/Bencomo)

The Staff Report was given by John Bencomo.

It was noted by Mr. Bencomo that the expiration date of the Use Permit would be January 12, 1997

instead of December 6, 1997 as noted in the Staff Report.

The Public Hearing was opened at this time.

Linda Myers, the applicant, said that in 1993 when the application was originally submitted, she asked if there were any time limits. She said she was told the Use Permit would go with the land and would not expire.

Commissioner Pollock asked for clarification of what signifies the commencement of the Use Permit.

It was indicated by Paul Kramer, County Counsel, that it is necessary to require that a Use Permit be extended every two years in order to keep track of them.

It was the general consensus of the Commission that the applicant had activated the Use Permit.

A discussion on the wording of Condition #1 "*This shall be the last extension granted by the Commission*" ensued. It was agreed that the wording should be left in the Condition.

Commission Action:

1. **CERTIFIED** that the project is Categorical Exempt, in accordance with Class 3, Section 15303(a) of the CEQA Guidelines.
2. **ADOPTED** the proposed FINDINGS as presented in the staff report.

3. **APPROVED** the extension of the Conditional Use Permit for the establishment of a single family residence on a 15-acre parcel of land as presented in the staff report, subject to the CONDITIONS OF APPROVAL, as modified.

MOTION: Heringer SECOND: Walker

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

NOES: None

ABSENT: Webster

ABSTAIN: None

CONDITIONS OF APPROVAL

1. The extension of the original Use Permit (ZF#4140) shall be granted for a period of two years (until ~~December 6,~~ January 12, 1997). This shall be the last extension granted by the Commission.
2. Prior to any development on the parcel, the applicant shall obtain all required permits from the Environmental Health Department, and a building permit from the Yolo County Building Department.
3. The access requirement into the property shall meet the California Department of Forestry and Capay Valley Fire District specifications and prior to issuance of the building permit, documentation of their compliance shall be provided to the Community Development Agency.
4. The roofing materials for the proposed home and accessory structures shall be of fire restrictive materials consistent with the California Department of Forestry and Capay Valley Fire District requirements.
5. Applicant shall meet on-site water storage requirements for fire protection. Prior to issuance of the building permit, documentation of compliance of the Fire District requirements shall be provided to the Community Development Agency.
6. Applicant shall maintain a 30 foot site clearance around all structures.
7. Informational Condition
It is the Policy of the County of Yolo to vigorously conserve and preserve the agricultural lands in the County. The County of Yolo shall protect and conserve agricultural land use especially in areas presently farmed or having prime agricultural soils, and outside of existing planned urban communities and city limits. Individual property owners shall recognize the rights of adjacent property owners conducting agricultural operations and

practices in compliance with the agricultural zone and in accordance with the Right to Farm Ordinance adopted by the Yolo County Board of Supervisors.

FINDINGS

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

In accordance with Section 8-2.3205, Article 32 of Title 8, the Planning Commission has determined the following:

- (a) The circumstances under which the original Use Permit were granted have not changed;

The applicant has agreed to the continuation of all the conditions of approval for the original Use Permit and therefore, the circumstances under which the original Use Permit were granted have not changed. Since the original Use Permit expired on January 12, 1994, the extension is being requested to confirm the continued validity of the Use Permit while the sale of the property is being negotiated.

- (b) Such extensions shall be approved for no more than two (2) years.

Condition of Approval #1 grants the extension of the original Use Permit (ZF#4140) for a period of two years (until ~~December 6,~~ January 12, 1997) unless renewed.

◆ ◆ ◆

The Commission took a ten minute recess at 10:10 a.m.

◆ ◆ ◆

- 6.4 95-034 - A Lot Line Adjustment to reconfigure two parcels in the Agricultural Exclusive (A-E) and Agricultural General (A-1) zone. Subject property is located on the southwest corner of County Road 16A and County Road 97 in Woodland. A Categorical Exemption has been prepared for this item. Applicant: Raymond Dowell/Melvin Durst (Srinivas/Bencomo)

The Staff Report was given by John Bencomo. He added that the two parcels are in two different zones; Agricultural Exclusive (A-E) and Agricultural General (A-1).

The Public Hearing was opened at this time.

Melvin Durst, the applicant, said he agreed with all the Conditions of Approval.

Commission Action:

1. **CERTIFIED** a Class 5 Categorical Exemption as the appropriate level of environmental review for this project in accordance with the California Environmental Quality Act and Guidelines (CEQA); and
2. **ADOPTED** the proposed FINDINGS as presented in the staff report.
3. **APPROVED** the proposed lot line adjustment/elimination subject to the conditions found under CONDITIONS OF APPROVAL.

MOTION: Pollock SECOND: Lea

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

NOES: None

ABSENT: Webster

ABSTAIN: None

CONDITIONS OF APPROVAL

Planning Division Requirements

1. The property owner shall record, a Certificate of Compliance for a lot line adjustment/elimination, map and legal description of the approved lot line adjustment/elimination within sixty (60) days from the date of the Planning Commission's decision or said lot line adjustment/elimination shall be deemed null and void.
2. The property owner shall provide a recorded copy to the Community Development Agency within five (5) days of recordation of the lot line adjustment or said lot line adjustment will be deemed null and void.
3. Parcel 2 shall be rezoned to either the A-E or the A-1 Zone prior to any significant future development of the parcel.

County Counsel Requirements

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4. In accordance with Yolo County Code
□8-2.2415, the applicant shall agree to indemnify, defend, and hold harmless the County or its agents, officers and employees from any claim, action, or proceeding (including damage, attorney fees, and court cost awards) against the County or its agents, officers, or employees to attack, set aside, void, or annul an approval of the County, advisory agency, appeal board, or legislative body concerning the permit or entitlement when such action is brought within the applicable statute of limitations. The County shall promptly notify the applicant of any claim, action or proceeding and that the County cooperate fully in the defense. If the County fails to promptly notify the applicant of any claim, action, or proceeding, or if the County fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold the County harmless as to that action. The County may require that the applicant post a bond in an amount determined to be sufficient to satisfy the above indemnification and defense obligation.

FINDINGS

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

Lot Line Adjustment

In accordance with Yolo County Code §8-2.3218 and §8-1.451, the Planning Commission finds:

1. That the application is complete;

The application was deemed complete by the Community Development Agency on November 21, 1995.

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

The applicant is the owner of the parcels to be adjusted and has consented by 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 for correctness of the deeds utilized and they reflect what is proposed as Exhibit "C" and described as Exhibit "D".

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;

The existing easements, roadways access etc. will not be impacted by the lot line adjustment/elimination. The lot line adjustment/elimination is reflected in a deed/deeds and Conditions of Approval for recordation of the deeds have been added.

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

Parcel 1 (at the south east corner of County Road 16-A and County Road 85) will have direct access to County Road 16-A and County Road 85. Parcel 2 (on the east side of County Road 85) will have direct access to County Road 85.

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 various County departments and their indication of no major concerns with the proposal, the Community Development Agency has concluded 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 will conform with the purpose and intent of the General Plan and Zoning provisions.

The underlying lot lines will be merged so that the parcels are large enough to maintain the existing agricultural use of the property. Parcel 2 could be rezoned at a later date to either the A-E Zone or the A-1 Zone. The lot-line adjustment could be approved to create Parcel 1 and Parcel 2

without rezoning Parcel 2 to a single zoning designation. A condition of approval has been added for the lot line adjustment approval requiring rezoning of Parcel 2 to either the A-E or the A-1 Zone prior to any future development of the parcel.



6.5 Yolo County Habitat Program - A public hearing to receive comments on the Draft Habitat Conservation Plan.

The Staff Report was given by Mark Hamblin. He added that the comment period will end on March 11, 1996.

The Public Hearing was opened at this time.

Howard Beeman, land owner, submitted his written and verbal comments to the Commission. He spoke about using perennial grasses rather than native grasses and using cover, pasture, or grasses other than alfalfa as Swainsons Hawk foraging.

The Commission asked Staff to agendize another Public Hearing for the March 6, 1997 Planning Commission Meeting to receive comments on the Draft Habitat Conservation Plan.

The list of Public Hearings that will be taking place in the next few weeks as follows:

Woodland Planning Commission-February 15,
1996

West Sacramento City Council-February 21,
1996

Winters Planning Commission-February 27, 1996

West Sacramento Planning Commission-March 5,
1996

Commissioner Pollock asked what the procedure was for this Plan.

It was indicated by Staff that the Planning Commission would be commenting and recommending this to the Board. The Board of Supervisors would be approving the Plan and certifying the Negative Declaration.

The following comments were made by the Planning Commissioners:

Commissioner Walker said "I think the path in which we are selecting is appropriate. I just want to commend Mr. Beeman for some of the flexibility and the options available to the people involved in these kinds of programs, because native grasses have been so planted by introduced species, probably 80% to 90 %, simply because of their more competitive natures. And so, I think, considering the options available, that those kinds of permissive options need to be introduced because its this can be far more effective than others in terms of achieving what's in compliance. I think its an excellent start."

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Commissioner Gray said "I personally have a couple comments to make. One is with regard to the participating local jurisdictions, we know as the incorporated cities, and that it refers to the unincorporated areas as well as the townships. I think we skipped a township. It doesn't list the Community of Madison. It does Esparto, Dunnigan, etc. Is there a reason Madison was left out?"

Director Jenkins said "This plan proposes to mitigate for what's called Urban Development over a certain given period of time, in twenty years or whatever. Urban does not mean in the cities. What it means is, its defined as anything that would require a discretionary entitlement from either the County or the cities. And the way that we've handled that is, in the unincorporated County, we are doing community plans in Knights Landing, in Dunnigan, and Esparto. We know that's where the major growth would take place over the near term. And so, and Clarksburg also, and so in the case of Madison, we don't have a plan, if you will, for any significant growth in that community. So what we've done is thrown in an extra 2000 acres at an unspecified location throughout the County, whether it be for a new tomato processing plants or whether it be in Madison or Brooks or Rumsey or any place else. So that's how we've handled that. That's why its not specifically called out. This does not prohibit any development. It would just fall within that general 2000 acres."

Commissioner Gray went on to say "The other comment I have would be that I'm a little concerned that this plan has become much more of an AG Land Foraging Management Plan, then what I had hoped would have evolved, the targeting of specific habitat within the County that is particularly important to be enhanced or preserved. We have lots of other critical species and habitat issues other than foraging habitats and Swainsons Hawks. We have the burrowing owl, we have the elderberry bushes, we have the riparian areas. And I think the plan goes about a rough analysis in 80% or 90% of this document, and of the acreage that's being managed, is AG Land Issues. I'm disappointed in that fact, to be honest with you. And I want to be on record on that I would like to hear some comments on why we went so far in that direction as opposed to coming up with some specific ways to address riparian habitats versus specific ways to address particular critical habitat areas within the communities; vernal pools, wetlands, etc. I think we've lost sight with so much emphasis on the AG issues."

Commissioner Lang said "One comment. The one thing they talk about is riparian habitat. That riparian habitat is right now a major use as a floodway. Has the Department of Water Resources Reclamation Districts taken a look at this? Because the local Reclamation District is mandated by Federal and State Laws on high riparian habitat. Because if (indecipherable) you have a levee, you have to maintain that

levee. And, we have a perfect example. We have the Elkhorn Boat (indecipherable) out there, our Regional Park. Their levee is in dire need of major repairs and if it breaks its the major responsibility of the County. They weren't able to do the repairs because they have a riparian habitat, a park there. There are no fire breaks and no fire system set up, so if that catches on fire, the Department of Forestry would be the only people that could fight that fire. And I mean, that is prime riparian habitat that some day could be prime burnt riparian habitat."

Commissioner Heringer said "I would like to back up what he (Lang) said. Where I live, that's the habitat, is the ditch banks and the levee. You're mandated to take care of the levees."

Director Jenkins asked the Commissioners to forward any other comments from them to the Yolo County Community Development Agency.

Commissioner Lea left the meeting at 11:00 a.m.



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) The Joint Meeting of the Board of Supervisors and the Planning Commission regarding a strategy for updating the County 's General Plan scheduled for February 27, 1996, has been canceled.
- (2) The Board of Supervisors has rescinded the 27 unit Parcel Map of the Mark Hope Organization.
- (3) The mobile home foundation disclosure form.
- (4) Fee schedule to be included with future Staff Reports.



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.



9. ADJOURNMENT

The meeting was adjourned at 11:30 p.m. The next regular meeting of the Yolo County Planning Commission is scheduled for March 6, 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