

MINUTES

YOLO COUNTY PLANNING COMMISSION

December 18, 1996

1. CALL TO ORDER

Chairman Gray called the meeting to order at 8:35 a.m.

MEMBERS PRESENT: Walker, Lang, Heringer,  
Rodegerdts, Stephens, Merewitz and  
Gray

MEMBERS ABSENT: None

STAFF PRESENT: John Bencomo, Interim Director  
David Flores, Senior Planner  
Mike Luken, Senior Planner  
Mark Hamblin, Associate Planner  
Linda Caruso, Planning Commission  
Secretary

Jim Curtis, representing County  
Counsel's Office

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2. ADOPTION OF THE MINUTES OF THE PREVIOUS MEETINGS

**Commission Action:**

Approved the Minutes of the November 13, 1996  
Planning Commission Meeting with no corrections.

MOTION: Heringer        SECOND: Merewitz

AYES:            Lang, Heringer, Gray Merewitz, Stephens,  
                 Walker and Rodegerdts

NOES:        None

ABSENT: None

ABSTAIN:        None

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3. INTRODUCTIONS

Commissioner Gray introduced the new Yolo County  
Board of Supervisors member, David Rosenberg, to the  
Commission. He will be officially starting his term  
on January 7, 1997.

John Bencomo also introduced Curtis Eaton, the new  
associate planner of the Community Development  
Agency.

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#### 4. PUBLIC REQUESTS

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

No one from the public came forward.

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#### 5. CORRESPONDENCE

Commissioner Gray acknowledged receipt of all correspondence sent with the packet as well as a letter from Gary Shaad regarding the Tehama-Colusa Canal and a letter from Tom Stallard, Chairman of the Board of Supervisors.

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#### 6. CONSENT AGENDA

Items on the Consent Agenda are believed by staff to be non-controversial and consistent with the Commission's previous instructions to staff. All

items on the Consent Agenda may be adopted by a single motion. If any commissioner or member of the public questions an item, it should be removed from the Consent Agenda and be placed in the Regular Agenda.

6.1 94-115 - First Baptist Church/Woodland Christian School. This item was continued to the December 18, 1996 Planning Commission Meeting, but has been postponed indefinitely at the request of the applicant. (D. Flores)

**Commission Action:**

To continue this item until further notice.

MOTION: Walker SECOND: Merewitz

AYES: Lang, Heringer, Gray Merewitz, Stephens,  
Walker and Rodegerdts

NOES: None

ABSENT: None

ABSTAIN: None

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6.2 96-065 - A request for a two year extension of time to file the Final Subdivision Map for Subdivision Map #3847 for the Wildwing Country Club. The project involved the division of 237 acres into 338 lots and included an 18-hole

championship golf course. Property is located between State Highway 16 and the Yolo Fliers Club, west of the Watts-Woodland Airport near Woodland in the PD-45 (Planned Development #45) zone. APN#025-440-17,43, and 44. Applicant: Ward, Roberts, Watts. (M. Hamblin)

**Commission Action:**

- (1) **ADOPTED** the "FINDINGS" for this project as presented in the staff report;
- (2) **APPROVED** a two year extension of time to Zone File Number 96-065 as requested to allow the applicant time to secure financing for the project subject to the "CONDITIONS OF APPROVAL".

MOTION: Walker SECOND: Merewitz

AYES: Lang, Heringer, Gray Merewitz, Stephens,  
Walker and Rodegerdts

NOES: None

ABSENT: None

ABSTAIN: None

**CONDITIONS OF APPROVAL**

1. Zone File No. 96-065 - Tentative Subdivision Map No. 3847 (Wildwing Country Club) shall be extended for two (2) years and expire on May 5, 2000.

**FINDINGS**

(Supporting evidence has been indented and italicized)

The Planning Commission finds the following:

- (1) Such extensions shall be approved only when it is found that circumstances under which the subdivision map was granted have not changed;

*The property owners for the Wildwing project have requested a two year time extension in order to have sufficient time to secure financing for their project. The State's adverse*

*economic climate, particularly in the real estate market during the past 5 years has made it difficult for the property owners to obtain investors and/or financing for their project. No revisions to the original approved project are to occur as a result of this time extension request. Staff is not aware of any new significant environmental impacts presented by the project that would require an alteration to the previously certified Environmental Impact Report.*

- (2) Such extensions shall be approved for a period or periods not exceeding a total of three (3) years.

*The applicants have the possibility to request from the Planning Commission approval for an extension of time not exceeding a period or periods totaling 3 years under the State Subdivision Map Act. The applicants were previously approved by the Planning Commission for a 1 year extension of time. The applicants have the opportunity to use the remaining 2 years as long as they filed a time extension request prior to the expiration of their tentative map on May 5, 1998. The applicants filed a 2 year time extension on October 3, 1996.*



6.3 96-049 - A request for a Parcel Map to divide a 41.04 acre parcel into a 25.45, 8.21, and 7.38 acre parcels. The property is composed of a mobile home park, recreational vehicle park and a vacant highway commercial parcel. The proposed project would divide the parcel along the lines of the existing zoning and uses. No expansion of the existing uses is planned above what is normally allowable under the current zoning. The property is located on the northeast corner of CR 99W and CR 8 in Dunnigan in an R3 & CH (Residential, Multiple Family and Highway Service Commercial) zone. A Negative Declaration has been prepared. APN # 52-050-02 Applicant: Mark Vespoli (M. Luken)

**Commission Action:**

1. **CERTIFIED** a Negative Declaration as the appropriate level of environmental review for this project.
2. **ADOPTED** the FINDINGS for **APPROVAL** of the request as presented in this Report.
3. **APPROVED THE REQUEST** as presented and subject to the conditions of approval contained in this report.

MOTION: Walker SECOND: Merewitz

AYES: Lang, Heringer, Gray Merewitz, Stephens,  
Walker and Rodegerdts

NOES: None

ABSENT: None

ABSTAIN: None

**CONDITIONS OF APPROVAL**

**Yolo County Public Works and Transportation Department**

1. Prior to approval of the Final Map for this project, the applicant, owner, their successor's or assignees shall dedicate to the County and/or State of California additional right-of-way to accommodate a four lane arterial road (in accordance with County Standard Specifications) to County Road 8, County Road 99W, the Interstate 5 on ramp, or the intersection of County Road 8

and County Road 99W to the satisfaction of the Director of the Yolo County Public Works and Transportation Department. This dedication shall include dedication from Assessor's Parcel Number 052-050-03.

2. Prior to approval of the Final Map for this project, the applicant, owner, their successor's or assignees shall waive objection to the fair-share participation (financial or otherwise) for any improvements to County Road 8, County Road 99W, the Interstate 5 on ramp, or the intersection of County Road 8 and County Road 99W to the satisfaction of the Director of the Yolo County Public Works and Transportation Department.
3. Prior to the construction of improvements on Parcel 3, the applicant, owner, their successor's or assignees shall construct curb, gutter and sidewalk on Parcel 52-050-03 along the frontages with County Road 99W and County Road 8 to the satisfaction of the Director of Public Works.
4. Access to Parcel 3 shall be taken only off of County Road 99W. Access may not be taken through any other adjacent parcel onto County Road 8. Prior to the construction of improvements on Parcel 3 within the County Right-of-Way, the applicant, owner, their successor's or



assignees, shall submit final plans for review and approval of the Public Works Director.

5. Prior to approval of the Final Map for this project, the applicant, owner, their successor's or assignees shall ensure that there is legal provision (Cross-Easements or other mechanism) for vehicular access to Parcels 52-050-03 and 52-050-04 from County Road 99W.
6. Prior to the construction of improvements on Parcel 3 within the County Right-of-Way, the applicant shall obtain an encroachment permit from the Yolo County Public Works and Transportation Department.

#### **Yolo County Environmental Health**

7. A deed restriction shall be recorded with the Final Map, binding the applicant and property owner to accept sewer and water service from a public sewer and/or water systems being planned for the Town of Dunnigan, should it be made available in the future, and to not protest annexation to County Service Area 11 or any benefit assessment district should it ever occur. The landowner/applicant shall bear all costs associated with said connection(s).

#### **Planning Division**

8. The applicant, owner, their successor's or assignees shall complete a noise/acoustical analysis and construct recommended improvements to the satisfaction of the Community Development Director to prevent any adverse impacts from commercial development on Parcel 3 from residential development on Parcels 1 and 2.
9. Prior to approval of the Final Map, the applicant, owner, their successor's or assignees shall complete a comprehensive landscape plan for the three parcels. Improvements to the satisfaction of the Community Development Director shall include:

<u>Improvement</u>	<u>Timing of</u>
<u>Completion</u>	
<p>A. Landscaping between Parcels 2 and Parcels 3            Prior to occupancy            and screening of any proposed noise            any building constructed            attenuation devices between the two            parcels (walls, berms, etc.)</p>	<p>for            on            on</p>
<p>B. Shading of all Parking Areas on Parcel 3            Prior to occupancy            (40% coverage in 15 years)</p>	<p>for any            on Parcel 3.</p>
<p>building constructed</p>	

C. Landscaping along the County Road 99W 6  
months from recordation of  
frontage of Parcels 1 and 2  
Final Map.

D. Landscaping along the Interstate 5 6  
months from recordation of  
for Parcels 1 and 2 Final  
Map.

E. Landscaping along the County Road 99W  
Prior to occupancy  
frontage of Parcels 3 for any  
building constructed  
on Parcel 3.

F. Landscaping along the Interstate 5  
Prior to occupancy  
for Parcels 3 for any  
building constructed  
on Parcel 3.

#### 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.

## FINDINGS

*(Evidence to support each finding is presented in italics)*

### **California Environmental Quality Act and Guidelines (CEQA)**

In certifying the proposed Negative Declaration (ND) for this project as the appropriate level of environmental review under CEQA, the Planning Commission finds:

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

### **Tentative Parcel Map**

In accordance with State Subdivision Map Act and Title 8, Article 1 of the Yolo County Code, the Planning Commission finds:

- (a) That the proposed parcel map is consistent with applicable general and specific plans.

*Evidence presented in the staff report provides assurances that the tentative parcel map is consistent with the 1981 Dunnigan General Plan and the Yolo County General Plan.*

- (b) That the design or improvement of the proposed parcel map is consistent with applicable general and specific plans.

*The site is being improved to accommodate a highway commercial on Parcel 3 use consistent with the Dunnigan General Plan and Yolo County General Plan.*

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

*The site has accommodated a Mobile Home Park and an RV Park for a number of years. Safe Ingress/egress and traffic flow can be accommodated via existing driveways. The proposed project has been conditioned requiring ingress/egress from Parcel 3 via County Road 99W only to improve existing and future traffic flow and safety.*

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

*Lot coverage and proposed future commercial building density are consistent with the Dunnigan Area*

- (e) That the design of the parcel map is or the proposed improvements are not likely to cause

substantial environmental damage or substantially and avoidably injure fish or wildlife of their habitat.

*No environmental damage will occur as a result of developing Parcel 1,2 or 3.*

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

*The proposed project was reviewed by the Yolo County Health Service Agency-Environmental Health Division, and as conditioned will have no impact on public health or safety.*

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

*The proposed project was reviewed by the Yolo County Public Works and Transportation Department and the Community Development Agency and found that as conditioned, no public easement will be adversely impacted by the approval of this project.*

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7. REGULAR AGENDA

Commissioner Stephens abstained from the following item due to possible conflicts of interest.

7.1 A Public Hearing to review and accept comments for the Final Draft of the Esparto General Plan, Esparto Infrastructure Plan and Fiscal Analysis.  
(D. Flores)

David Flores gave the Staff Report. He used a color coded map to show the proposed land use changes agreed on by the Esparto General Plan Committee and the Community.

A discussion regarding the proximity of the gravel operations from the town of Esparto took place.

Jack White, of Syar Industries, answered questions regarding the hours of operation of the gravel facility and the distance of the buffer areas from the town of Esparto.

Dave Flores proceeded to explain the changes of certain areas originally proposed for R2-PD to R1-PD zoning. Additions were made to the Esparto Draft General Plan to include language which would allow duplexes or triplexes to be integrated into subdivisions if certain findings are met.

Commissioner Heringer was concerned that the County would be responsible for the costs of many of the programs indicated in the Esparto Draft General Plan.

David Morrison, using a map illustrated Syar's buffer areas, which would be 1500 feet away and stockpiles areas, which would be 500 feet away from the town of Esparto.

The Public Hearing was opened at this time.

Tammy Fullerton, the Chairperson of the Esparto Advisory Committee, said that the recommendations and changes made at the Esparto meeting were very good and covered everything.

Commissioner Walker asked Tammy Fullerton if the changes made at the Esparto meeting were endorsed by most of the Community. She answered yes, most of the changes were ones that were originally proposed before the Plan was changed.

Commissioner Rodegerdts said the development of a public swimming pool should be prioritized.

Commissioner Gray questioned the recommended 50 foot setbacks on any new development along Highway 16 and major county roads.

A brief discussion regarding traffic caused by the Bingo buses took place.



Lance Linville, resident of Esparto, said he is in support of the Plan as proposed.

Bill Traylor, property owner in Esparto, said he also is in agreement with the Plan and will be donating 6.43 acres for a park and 5.41 acres for use as public access.

Kent Calfee, property owner in Esparto, wanted to thank Tammy Fullerton and the members of the Esparto General Plan Committee for their extraordinary efforts to bring consensus about.

Don Hoff, of the County Administrator's Office, explained the Fiscal Analysis he prepared for the town of Esparto. The cost per capita is approximately \$200.00 per year. The cost of providing services to residential development is the largest cost factor. The revenues generated from the Draft General Plan proposal would not cover the costs, which would be the case for most developments in the County.

A discussion regarding the fiscal impacts to the County were addressed. The County has not had to address this issue because this is the first Community General Plan on the verge of adoption, since the property tax shift two years ago.

Commissioner Gray said that for each dollar collected from property taxes, only 8 cents goes to the County.

Commissioner Rodegerdts said the information supplied in the Fiscal Analysis indicates that the proposed General Plan is not fiscally responsible. However, there is probably no general plan in this County that would be fiscally responsible.

Commissioner Gray said "Making a choice such as this, is an enormous threat to rural America. When we, as an agricultural county, have to simultaneously commit to the preservation of agriculture, we also have to commit to the investment in rural areas where people can have homes, schools and businesses. If we're not careful, then the unincorporated towns will become ghost towns. We need to take that *leap of faith*. There is a character to those rural places that are worth investing in the future."

Commissioner Heringer said he didn't think you could tie up land in agriculture and still support the basic infrastructure needed.

Commissioner Merewitz said the Commission has the responsibility to figure out an approach to dealing with the County's limited resources.

Don Hoff said it would have been preferable to have had the Board of Supervisors address the issue prior to coming to the Planning Commission.

John Taglio, property owner in Esparto, said the Plan is realistic and sensible and he gave his pledge to

cooperate with all the government bodies to make the Plan work.

Dave Langhout, business owner in Esparto, said there is a positive attitude towards the General Plan. Esparto cannot remain stagnant.

Alice Meserve Manus, resident of Esparto, was concerned about one of the proposed school sites being located next to her peach orchard.

Cathy Wicks, representing the Esparto School District, said the proposed school site has been selected through a long community process and should be left in.

The Public Hearing was closed and a five minute recess took place.

Commissioner Walker said a proviso should be added which would alert the Board of Supervisors to the need for some recognition of the fiscal constraints, not just for Esparto, but for all development in the County.

Commissioner Merewitz said that perhaps the Commission could direct Staff to prepare the Final EIR which would continue the process, but still felt that more fiscal analysis was needed.

Commissioner Gray said "In the model of the fiscal analysis, people are only treated as liabilities.

There is no asset side to people. There is not the multiplying affect of their dollars or the jobs that they will be creating. To tie this process up, is not the best way to make public policy. What we are being asked to do by the Community, is to say that "those" land uses and "that" general vision of the future of Esparto is one that this Commission can embrace and support."

Commissioner Rodegerdts stated his concern that the Esparto Plan not be the victim of our economic conscience.

**Commission Action:**

1. **CONDUCTED A PUBLIC HEARING** to receive comments from the public on the Final Draft Esparto General Plan, Facilities Plan, and Fiscal Analysis.

MOTION: Walker SECOND: Lang

AYES: Walker, Lang, Heringer, Gray Rodegerdts,  
and Merewitz

NOES: None

ABSTAIN: Stephens

ABSENT: None

2. **APPROVED CONCEPTUALLY** the Final Draft of the Esparto General Plan, as amended, subject to further analysis and understanding of the fiscal impacts.

MOTION: Walker SECOND: Lang

AYES: Walker, Lang, Heringer, Gray Rodegerdts,  
and Merewitz

NOES: None

ABSTAIN: Stephens

ABSENT: None

3. DIRECTED STAFF TO PREPARE A FINAL ENVIRONMENTAL IMPACT REPORT for consideration by the Planning Commission based upon these revisions and comments.

MOTION: Merewitz SECOND: Walker

AYES: Walker, Lang, Heringer, Gray Rodegerdts,  
and Merewitz

NOES: None

ABSTAIN: Stephens

ABSENT: None

4. DIRECTED STAFF TO PREPARE A REFINED FISCAL ANALYSIS on the impacts of General Plan approvals on the County.

MOTION: Merewitz SECOND: Walker

AYES: Walker, Lang, Heringer, Gray Rodegerdts,  
and Merewitz

NOES: None

ABSTAIN: Stephens

ABSENT: None

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8. DIRECTOR'S REPORT

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

John Bencomo updated the Commission on the following:

- 1) The Habitat Management Plan.
- 2) The Development Agreement for the gravel applications.
- 3) A request to have Roy Pederson, Chief Administrative Officer of the County and Allan Flory, County Assessor address the Commission at a later date.
- 4) The Dunnigan General Plan.
- 5) The Knights Landing General Plan.



9. COMMISSION REPORTS

Reports by Commission members on information they have received and meetings they have attended

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

- 1) Commissioner Rodegerdts attended the Esparto General Plan Meeting, a Yolo County Flood Plain Management workshop, and the California Association of Water Agencies Conference.
- 2) Commissioner Merewitz toured Esparto with Tammy Fullerton.
- 3) Commissioner Heringer attended a party related to mining.
- 4) Commissioner Gray informed the Commission that his term would be expiring on January 31, 1997 and he would not be seeking re-nomination.

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9. ADJOURNMENT

The Regular Meeting of the Yolo County Planning Commission was adjourned at 12:00 p.m. The next meeting of the Yolo County Planning Commission is scheduled January 22, 1997 at 8:30 a.m. in the Planning Commission Chamber. 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,

John Bencomo, Interim Director  
Yolo County Community Development Agency

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