

MINUTES

YOLO COUNTY PLANNING COMMISSION

June 3, 1998

1. CALL TO ORDER

Chairman Heringer called the meeting to order at 8:30 a.m.

MEMBERS PRESENT: Walker, Woo, Stephens, Heringer, Lang, and Rodegerdts  
MEMBERS ABSENT: None

STAFF PRESENT: John Bencomo, Assistant Director  
David Flores, Senior Planner  
Mark Hamblin, Associate Planner  
David Morrison, Resource Manager  
Curtis Eaton, Associate Planner  
Steven Basha, County Counsel  
Linda Caruso, Planning Commission Secretary

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2. ADOPTION OF THE MINUTES OF THE PREVIOUS MEETINGS

**Commission Action:**

The Minutes of the May 6, 1998 meeting were approved with no corrections.

MOTION: Walker SECOND: Lang  
AYES: All  
NOES: None  
ABSTAIN: None  
ABSENT: None

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3. PUBLIC REQUESTS

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

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#### 4. CORRESPONDENCE

Chairman Heringer acknowledged receipt of all correspondence sent with the packet and distributed at the beginning of the meeting.

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#### 5. CONSENT AGENDA

Items on the Consent Agenda are believed by staff to be non-controversial and consistent with the Commission's previous instructions to staff. All items on the Consent Agenda may be adopted by a single motion. If any commissioner or member of the public questions an item, it should be removed from the Consent Agenda and be placed in the Regular Agenda.

**This item was taken off the Consent Agenda and placed on the Regular Agenda.**

- 5.1 95-093 - A request for the County to accept a permanent Conservation Easement on 275 acres located within the A-P (Agriculture Preserve) Zone to mitigate the loss of prime agricultural land associated with surface mining and reclamation activities. The property is located on the north side of State Highway 16 and east of Interstate 505, approximately one mile northeast of the Town of Madison. A Categorical Exemption has been prepared. APN: 049-070-12. Owner: Solano Concrete (D. Morrison).

Commissioner Rodegerdts said he had no concerns with this particular Conservation Easement, however, he did suggest verbally and in the form of a Resolution, that all Agricultural Conservation Easements be conveyed to the Yolo Land Trust to be held, managed and monitored. He said there will be more and more easements coming into the County, and it would make more sense to have one entity handling all of them.

Commissioner Heringer asked who presently handles these easements and it was answered that the County now holds them.

John Bencomo, the Assistant Director, indicated that these easements, in particular, are coupled with both the Conditions of Approval, Mitigations and the Reclamation Plans of the gravel permits, which will be overseen County, then reported to the State. The County is required to monitor these on an annual basis. The results of the monitoring will then be presented to the Planning Commission.

Commissioner Stephens said she agreed that the Yolo Land Trust is the right entity to manage the conservation easements. She added that her concern is that land should be targeted which is more at risk of conversion to urban uses.

Commission Woo asked if the County receives any benefits from holding title to these easements.

Steven Basha, County Counsel, said there are both risks and benefits which go along with these easements. He said he is not sure whether or not the County can legally give away interest in real property. He would feel more comfortable if he could research this prior to any decision being made on this. There may be certain responsibilities that may be imposed on the County as a result of the Gravel Ordinance.

Commissioner Woo said if the benefit of holding the easements is to ensure that the land remain in agricultural use, then that could happen with whoever holds them. Why not just leave them in the County's hands.

Commissioner Walker wondered what would happen to the income of these easements should they be given to the Yolo Land Trust.

Chairman Heringer suggested that the issue of transferring the easements to the Yolo Land Trust be continued until the next Planning Commission Meeting, and that the issue of the Solano Concrete Conservation Easement be placed back on the Consent Agenda.

Commissioner Rodegerdts introduced Dave Schurring, the President of the Yolo Land Trust.

**Commission Action:**

To continue the discussion of the Resolution submitted by Commissioner Rodegerdts until a future Planning Commission Meeting.

MOTION: Walker SECOND: Woo  
AYES: All  
NOES: None  
ABSTAIN: None  
ABSENT: None

**Commission Action:**

The Commission placed the following Item back on the Consent Agenda:

- 5.1 95-093 - A request for the County to accept a permanent Conservation Easement on 275 acres located within the A-P (Agriculture Preserve) Zone to mitigate the loss of prime agricultural land associated with surface mining and reclamation activities. The property is located on the north side of State Highway 16 and east of Interstate 505,

approximately one mile northeast of the Town of Madison. A Categorical Exemption has been prepared. APN: 049-070-12. Owner: Solano Concrete (D. Morrison).

**Commission Action:**

1. **CERTIFIED** that the proposed Categorical Exemption (see Exhibit 1) was prepared in accordance with the California Environmental Quality Act and Guidelines (CEQA);
2. **ACCEPTED** the Conservation Easement to protect approximately 175 acres of prime farmland from future conversion to nonagricultural uses (see Exhibit 2).

MOTION: Lang SECOND: Walker  
AYES: All  
NOES: None  
ABSTAIN: None  
ABSENT: None

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6.0 REGULAR AGENDA

- 6.1 Yolo County Airport Master Plan - A request for approval of the Yolo County Airport Master Plan and the certification of its Environmental Impact Report (EIR). The proposed Master Plan is to guide the physical development of the Yolo County Airport in three stages for the next 20 years. (M. Hamblin/K. Ott.)

Mark Hamblin gave a brief chronology of the various public workshops and hearings leading up to this point.

The Public Hearing was opened.

Mike McClintock, of P & D Consultants, said that since the document was released, there have been some comments received. Some areas of concern were flooding, aviation easements, noise, traffic, and air quality.

Commissioner Walker asked if when the surfaces are paved after full build out, won't that create runoff which will affect the flooding problem. Mr. McClintock answered that when new development occurs, there will have to be mitigation on site in the form of detention basins.

Commissioner Rodegerdts asked what was the vision of the airport in the future. It was answered by Mr. McClintock that there will be no passenger flights, but corporate aircraft will be common.

Commission Stephens asked if the runway protection zone would be acquired in land easements or in fees. Mr. McClintock answered it would be a little of both.

A discussion regarding disclosure of discomforts associated with airport operations to persons moving into the airport area took place. Assistant Director Bencomo stated that there are disclosure laws which require real estate agents and brokers to make this information available to prospective buyers. The County may also want to include the flight zone area in the General Plan.

Keith Ott, the Director of General Services, further addressed the flooding issues. He also spoke about the avigation easements.

No one from the Public addressed the Commission.

The Public Hearing was closed.

**Commission Action:**

The Planning Commission recommends that the Board of Supervisors take the following actions:

- (1) **CERTIFY** the Yolo County Airport Master Plan Final Environmental Impact Report/Environmental Assessment (SCH #97092092) (**Exhibit 3**) based on the Findings of Fact included in the Resolution (**Exhibit 2**, Exhibit A) documenting compliance with the California Environmental Quality Act and Guidelines (CEQA);
- (2) **ADOPT** the Mitigation Monitoring Plan attached with Resolution **Exhibit 2**, Exhibit B;
- (3) **RESCIND** the 1977 Yolo County Airport Specific Plan;
- (4) **APPROVE** the Resolution (**Exhibit 1**) amending the Yolo County General Plan to incorporate the 1998 Yolo County Airport Specific Plan;
- (5) **APPROVE** the Final Draft Yolo County Airport Management Policies as presented in the 1998 Yolo County Airport Specific Plan document (**Exhibit 3**).

MOTION: Lang SECOND: Stephens  
AYES: All  
NOES: None  
ABSTAIN: None  
ABSENT: None

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**The Commission recessed for ten minutes at 9:50 a.m. and reconvened with the following item:**

- 6.2 97-060- A continuation of the reconsideration of the Conditions of Approval for Use Permit # 97-060. Owner: Trical (D. Flores)

David Flores gave the Commission an update regarding the progress taking place by Trical in complying with the Conditions of Approval. Wells have been tested with nothing detected. The pool demolition permit and the business license have been applied for. The landscaping plan, Public Works site improvements, Fish & Game fee requirements, dust mitigations, transportation maps, etc. have also been addressed.

The Public Hearing was opened at this time.

Commissioner Walker said that although he was absent during the May 6th Planning Commission Hearing and in review of the Minutes for that meeting, he has no doubt that the Commission acted appropriately in asking for a progress report.

John Ivancovich, representing the applicant, said although they are not required to do so, they said they would remove the surface of the pavement instead of just covering over it.

Marianne Nix, surrounding property owner, said she was disgusted with the Planning Commission and the Board of Supervisors. Instead of being penalized for not complying with zoning regulations, they have been rewarded.

Commissioner Stephens asked if Option 1, referenced in the Staff Report, could be clarified.

David Flores explained that the Commission could request additional assurances that the conditions are being met in a timely manner.

**Commission Action:**

1. **REVIEWED** the attached progress reports from Trical and consider any new public testimony.
2. **DETERMINED** that the applicant has demonstrated substantial progress in meeting the "Conditions of Approval" as approved by the Planning Commission on March 4, 1998 and revised Conditions established at the May 6, 1998 hearing.
3. **DIRECTED** Staff to place on the July 1, 1998, Consent Agenda, a brief report outlining additional progress made by Trical. The applicant need not attend.

MOTION: Walker SECOND: Rodegerdts  
AYES: Walker, Rodegerdts, Woo, Heringer and Stephens  
NOES: None  
ABSTAIN: Lang  
ABSENT: None

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- 6.3 98-020- A continuation of a request for demolition permit for a designated County historical landmark (Madison Market) in Madison. Subject property is located at the

junction of Main Street and Railroad Street in Madison. APN: 049-449-05  
Applicant/Owner: Yolo County/Heliodoro and Guadalupe Checa (M. Hamblin)

Mark Hamblin gave the Staff Report. He provided photographs of the building and the Minutes of the Historical Advisory Committee to the Commission. Additionally, the entire Community of Madison was notified of the pending demolition. No one has voiced a concern.

Commissioner Rodegerdts said he was sorry to hear that no one from the Community responded. He added that a complete site survey should be done. He would like to have enough information so that the building could be reconstructed someday. A few of the bricks from the original building should also be sent over to the County Archives.

Commissioner Heringer said bricks are valuable and would probably be sold by the owner. He also asked who would be paying for the blue print or survey of the building.

Commissioner Rodegerdts said he was just talking about a few basic measurements, nothing elaborate.

Commissioner Woo suggested that the Town of Madison could possibly use the bricks to construct a monument or a commemorative marker at a later date.

Commissioner Walker said the bricks may not be worth saving.

Mark Hamblin indicated that Staff is concerned with the public safety issue.

Commissioner Rodegerdts asked that the following language be added to #2 under the Recommended Action section of the Staff Report: "Authorize the issuance of a demolition permit by the Yolo County Planning & Public Works Department for the removal of the building effective 30 days from the Planning Commission's Approval on the Condition that prior to that time, County Staff has conducted the basic survey of the building, and taken the measurements including timber measurements, types of materials used, sizes of windows and doors, and in addition to take five representative samples of the bricks in combination with the set of photographs, including the negatives and the entire package upon completion to be delivered for permanent retention in the Yolo County Archives and a conveyance of the language of this motion to the Yolo County Historical Committee and suggest that in the view of the Planning Commission, they should have been concerned about these issues and not the Commission, and that this package should have been presented to the Commission in this form rather than in connection with the request for the demolition permit."

Kathy Merwin, of the Historical Advisory Committee, said the committee feels as though it is in limbo. They don't always receive information. They do not have an advisor. There is no place to meet. They are very concerned when historical buildings are torn down.

Assistant Director Bencomo said the Historic Advisory Committee was a very dedicated and studious group. The Committee has been shifted around from department to department for the last few years. Supervisor Pollock has been discussing the possibility of returning the Historic Advisory Committee back to the Planning Division of the Planning and Public Works Department so they may work more closely again.

Commissioner Walker said the Commission needs to look at the economic realities of constructing a marker or plaza.

Commissioner Heringer said although he could appreciate the determination of the Commission to preserve this structure, he agreed that costs were still a major issue.

Commissioner Stephens said the building has been neglected for years. In terms of historical mitigations, the Historical Advisory Committee did indeed recommend that a commemorative marker or archived information be collected. They did their job. The applicant/owner could donate an approximate number of bricks, so that in the future when funds are made available, a marker could be erected.

A discussion of how many bricks would be needed, who would be loading the 3000 bricks, how the bricks would be loaded, and where the bricks would be stored took place. All this is assuming that the property owner will donate the bricks to the County.

Steven Basha read the following excerpt from the County Code to the Commission, "If the Commission finds that the retention of the structure constitutes a hazard to public safety and a hazard cannot be eliminated by economic means available to the owner, the Commission shall approve the application for demolition". He further advised the Commission that he did not believe they had the legal authority to place conditions on the demolition, however they could ask the applicant to give the bricks to the County.

The following additional language was added to the original language submitted by Commissioner Rodegerdts, "That the Planning Staff requests the owner give approximately 3000 bricks to the County".

**Commission Action:**

- (1) **ADOPTED** the "FINDINGS" for this project as presented in this staff report;
- (2) **AUTHORIZED** the issuance of a demolition permit by the Yolo County Planning & Public Works Department for the removal of the building within 30 days of the Planning Commission's approval.
- (3) **DIRECTED** staff to conduct a basic survey of the building and take measurements including sizes of timber, types of materials used, sizes of doors and windows, etc. Staff will then prepare a package including the results of this survey, photographs with the negatives included, a sample of the bricks, and then deliver the complete package for permanent retention to the Yolo County Archives.
- (4) **REQUESTED** that the property owner donate approximately 3000 bricks, which will be transported by Staff and stored in the Yolo County Planning and Public Works Department yard until such time as a commemorative marker or the like can be constructed in the Town of Madison.



MOTION: Rodegerdts    SECOND: Walker  
AYES: All  
NOES: None  
ABSTAIN: None  
ABSENT: None

**FINDINGS**

In accordance with Section 8-8.306 (c) of Article 3 of the Yolo County Zoning Regulations the Planning Commission (acting as the Historical Advisory Commission) finds:

*The retention of the structure as determined by the Chief Building Official for the County constitutes a hazard to public safety. The hazard cannot be eliminated by economic means available to the owner, therefore the Historic Preservation Commission (a.k.a. Planning Commission) approves the application for demolition.*

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6.4 97-070- A request for a Tentative Parcel Map and Variance to create a 1.11 acre homesite from a 23.41 acre parcel. Property is located at 53396 South River Road, north of Clarksburg in the Agricultural General zone. A Negative Declaration has been prepared. APN: 044-130-04. Applicant/Owner: Vance Boyes/Robert Rose (C. Eaton)

Curtis Eaton gave the Staff Report. He said although the home on the parcel was over a one hundred years old, it was not considered a historic landmark. Because of that fact, staff had difficulty coming up with findings for approval which would justify the fragmentation of agricultural land. Scott Crull, a member of the Historic Advisory Committee and an archeological historian, prepared a report for the applicant. The report concluded that the house does not meet the criteria needed for designation as a historic landmark.

Commissioner Lang confirmed that there are home sites on all of the adjacent parcels.

Commissioner Heringer also confirmed that one of the adjacent parcel is only one acre, which was split off in the 1950's or 1960's.

Commissioner Woo asked why the home was not considered for historical preservation. Mr. Eaton indicated that the inside of the house has been dramatically altered in an attempt to modernize it. Additionally, the home is of vernacular architecture, with nothing truly unique about it.

The Public Hearing was opened at this time.

Vance Boyes, the applicant, introduced his father-in-law, Robert Rose, the owner of the home. He considers the home a family treasure. He gave a brief history of the home and distributed photographs of the historic homes on the parcel.

Kathy Merwin, of the Historic Advisory Committee and a member of the Clarksburg Advisory Committee, explained the reasons for the home not being placed on the historic list. She said the survey was a “windshield” survey. This resulted in over a thousand possible sites. This particular home either was missed due to it being covered with vines or vegetation and was not seen by the architect. She further stated that the Clarksburg Advisory Committee gave their approval for the request to split this parcel in a unanimous vote on the condition that there would be no other building sites allowed on the remainder property.

Commissioner Rodegerdts stated there are two historically designated sites, which are very close proximity to this site and which all belong to one family unit. This is part of the cultural and social history of the County. This is a unique opportunity to maintain that little enclave of homes. We should not pass that up.

The Public Hearing was closed.

Commissioner Rodegerdts agreed with the contents of letter submitted by Mr. Boyes. It states, “The trend in Yolo County is toward agricultural consolidation which has created larger farming units, many of which have unused and abandoned buildings. Some were original homesteads of the early settlers. The trend has had a negative affect on the dwelling units, which are many times abandoned after they are not considered to be a viable part of the farming unit. It is an unfortunate loss to our historical community”. He added that this clearly tips the scales in favor of approving this request.

Commissioner Walker and Woo said he would also support the request because the home is clearly historical, although not on the official list.

Commissioner Stephens said she was concerned about future policies. There must be consistency. This request does create another buildable parcel. She recommended a no-build restriction be placed on the parcel or the remainder parcel be merged with the existing homesite parcel.

Mr. Boyes said that was an impossibility. There are two different owners; the other parcel is owned by Glenn Rose.

Assistant Director Bencomo said the remainder parcel could have a house built on it without having to get a Use Permit from the Planning Commission because it would meet the twenty acre minimum requirement for the A-1 zoning.

Commissioner Lang said he agreed with the recommendation of the Clarksburg Advisory Committee.

Assistant Director Bencomo said if the Planning Commission were to approve this request, he asked that it may be continued until the next Planning Commission meeting to allow Staff time to construct the Conditions of Approval and to make the Findings for Approval for this application.

Commissioner Rodegerdts stated the following language, “The Commission gives tentative approval to grant the parcel split on the basis that the building under review does constitute a

historic resource as defined in Section 8-2.249.2. because it is a building of historical significance due to its proximity to at least two other sites which are on the County's designated historic list, which collectively are important to show the social relationship of the family unit and the history of Yolo County and the cultural pattern that grew up in the 19th century within the farming Community of the Clarksburg area".

Commissioner Heringer stated he did not want to place a no-build condition on the remainder parcel.

Commissioner Stephens said she would rather approach this from the historic resource prospective. She questioned whether the alternative would even be allowed.

**Commission Action:**

The Planning Commission **TENTATIVELY APPROVED** the following Variance and Tentative Parcel Map based on the Commissions' conclusion that the home in question is a historical structure. This item will be continued until the next Planning Commission hearing to allow Staff time to draft the Findings and Conditions of Approval:

MOTION: Rodegerdts      SECOND: Walker  
AYES: All  
NOES: None  
ABSTAIN: None  
ABSENT: None

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The following item was taken out of order.

6.6 97-071- A request for a Tentative Parcel Map to divide a 40 acre parcel into 2-20 acre parcels. Property is located on Corcoran Lane, approximately 200 feet west of County Road 95 in the West Plainfield area of the County in the Agricultural General/Special Building Site Combining zone 860,000 sf. (A-1/B860). A Negative Declaration has been prepared. APN: 040-190-24. Applicant/Owner: Robert Corcoran (D. Flores)

David Flores gave the Staff Report. This property does meet the minimum requirements for a split because of the B860 zoning overlay which was established in the 1980's.

The Public Hearing was opened at this time.

Robert Corcoran, the owner, said he agrees with all the Conditions of Approval. He explained the reason for the request is to build a home for his daughter.

**Commission Action:**

- (1) **CERTIFIED** that the attached Negative Declaration is the appropriate environmental document for this project in accordance with the California Environmental Quality Act (CEQA) and Guidelines (**Exhibit 3**);
- (2) **ADOPTED** the FINDINGS for this project as presented in the staff report; and,
- (3) **APPROVED** the Tentative Parcel Map subject to the "CONDITIONS OF APPROVAL" as presented in the staff report.

MOTION: Walker SECOND: Lang  
 AYES: All  
 NOES: None  
 ABSTAIN: None  
 ABSENT: None

**CONDITIONS OF APPROVAL**

**Yolo County Planning & Public Works**

- 1. (a) The Final Parcel Map, as described within this report (TPM-4366), shall be filed with the Yolo County Planning & Public Works Department within two years from the date of the Planning Commission's approval of the tentative parcel map, or said tentative map (TPM-4366) shall be deemed null and void without further action.
- (b) The Final Map shall be prepared with the Basis of Bearings being the California Coordinate System, Zone 2, and 83.
- (c) Prior to recordation, the applicant or his successors in interest shall submit to the Yolo County Public Works Division all outstanding fees established by the current Fee Schedule to cover the costs incurred by the County for the final processing of the map.

**Environmental Health Department**

- 2. Prior to issuance of a building permit, all necessary permits shall be secured from Environmental Health for the installation of a water and septic system on Parcel 2.

**Pacific Gas and Electric Company**

- 3. The applicant shall dedicate a utility easement for telephone and electric service. Width of easement shall be determined by Pacific Bell and Pacific Gas and Electric Company and delineated on the Final Map.

**Fish & Game**

4. If required by the California Department of Fish & Game, prior to the filing of a Final Map or the issuance of a building permit with the County of Yolo, the applicant shall mitigate for the loss of Swainson's hawk habitat according to the California Department of Fish & Game Swainson's Hawk Guidelines or by participation in the preparation of the Yolo County Habitat Management Plan. Mitigation for the project shall be to the satisfaction of the California Department of Fish & Game.

### **County Counsel**

5. 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.

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**

#### **Negative Declaration :**

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

*That on the basis of the Initial Study and comments received, there is no evidence that the land division will have a significant effect on the environment. The use of the proposed Parcel 1 will be for a residential site and the establishment of accessory agricultural structures, which conforms to the zoning for this area of the County.*

#### **Tentative Parcel Map:**

In accordance with Section 8-1.804, Article 8, the Planning Commission has determined the following:

- (c) The Commission is satisfied with the design of the division and finds that it is in conformity with the provisions of the law and satisfies community needs;

*The Tentative Parcel Map meets the design criteria under the State Subdivision Map Act. Both parcels will have access from a dedicated 30 foot roadway easement via Corcoran Lane, a private roadway. There is adequate room to provide a private septic and water system on Parcel 1.*

### **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 applicable general and specific plans as specified in Section 65451;

*The Tentative Map has been prepared in accordance with the Yolo County General Plan as required by the Subdivision Map Act. While the General Plan designation for this parcel is Agricultural, the property has also received a special overlay zoning which establishes a minimum acreage requirement (20 acres). This is consistent with prior Planning Commission decisions in establishing this overlay zoning requirement.*

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

*The proposed map was reviewed and determined to be in compliance with the standard criteria for parcel maps in accordance with the Yolo County General Plan.*

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

*The property is currently zoned Agricultural General/680,000 square foot minimum (A-1/B860). The parcel split will be consistent with this zoning, and will provide adequate lot area for a private water and septic system.*

- (d) That the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidable injury to fish or wildlife or their habitat;

*Fish and wildlife resources will not be effected by the approval of the subdivision. The parcel is in an agricultural area, although the area useage is currently semi-rural.*

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

*With the current zoning on the property, the proposed project meets the criteria established under the Yolo County Code for the minimum parcel size.*

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

*Any development on the Parcels must be reviewed and approved by the Environmental Health Division as to septic and water system design.*

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

*A 30 foot roadway easement dedication will be required on the parcel map.*

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- 6.5 97-072- A request for a Conditional Use Permit for an elderly unit on a 24 acre property already occupied by another dwelling unit, a converted garage, and various outbuildings. Property is located at 23705 County Road 96, northwest of Davis in the Agricultural Preserve zone. A Categorical Exemption has been prepared. APN: 040-170-04. Applicant/Owner: Roberto Cardenas (C. Eaton)

Curtis Eaton gave the Staff Report. He said the applicant will remove the illegal mobile home and convert the garage back to its original intent.

A discussion took place regarding whether or not the applicant applied for the Use Permit on his own volition. It was determined that the building inspector discovered the illegal mobile home and garage.

Commissioner Woo said at least with going through the Use Permit process and the building permit process will help to assure the safety of those living in the structures.

It was concluded that the Conditions of Approval did not include specific language needed to ensure the removal of the illegal structures.

**Commission Action:**

To continue this item until the next Planning Commission meeting to allow staff time to add Conditions of Approval which will include the age requirement of 62 years of age, the removal of the illegal mobile home, and the reversion of the existing garage back to its intended use. The Commission also requested that the applicant either be present at the next meeting or sign the agreement for the modified Conditions of Approval.

MOTION: Woo SECOND: Stephens  
AYES: All  
NOES: None  
ABSTAIN: None  
ABSENT: None

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7. ASSISTANT DIRECTOR'S REPORT

A report by the Assistant Director on the recent Board of Supervisor's meetings on items relevant to the Planning Commission. An update of the Planning and Public Works Department 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.

Assistant Director Bencomo brought the Commission up to date on the following:

- 1) Planning and Public Works Week
- 2) Economic Development Council Meeting
- 3) Update of the Dunnigan General Plan

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8. COMMISSION REPORTS

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

- 1) Commissioner Merewitz's resignation and resolution. The Commission also asked about his replacement.
- 2) Place Conservation Easement discussion on the next Agenda.
- 3) Commissioners Heringer and Stephens were contacted by Alfred Smith.
- 4) Commissioners Rodegerdts, Lang and Woo were contacted by the Romingers.
- 5) Commissioner Heringer was contacted by Mr. Nielson regarding the Woodland Christian School.
- 6) Commissioner Rodegerdts attended a conference called "Our Place in the World".
- 7) Commissioner Woo attended the National AIA Convention.
- 8) Commissioner Lang requested that the Cities within Yolo County address the Planning Commission with regards to their General Plans and future growth areas.

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9. ADJOURNMENT



The Regular Meeting of the Yolo County Planning Commission was adjourned at pm. The next regular meeting of the Planning Commission will be held on July 1, 1998 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 **immediately** payable to the Clerk of the Board of Supervisors **at the time of the filing**.

Respectfully submitted by,

John Bencomo, Assistant Director  
Yolo County Planning and Public Works Department  
LAC