



County of Yolo

PLANNING AND PUBLIC WORKS DEPARTMENT

John Bencomo
DIRECTOR

292 West Beamer Street
Woodland, CA 95695-2598
(530) 666-8775 FAX (530) 666-8728
www.yolocounty.org

PLANNING COMMISSION STAFF REPORT

March 11, 2010

FILE #2009-019: Modification of an existing Use Permit, and approval of a Lot Line Adjustment, to expand the boundaries of the Growers Air Service property to allow for a runway safety extension to their airfield landing strip (**Attachment A**).

APPLICANT: Ralph Holsclaw
Growers Air Service
41167 County Road 27
Woodland, CA 95776

OWNER: Daniel Dowling
PO Box 75000
Davis, CA 95776

LOCATION: 41167 County Road 27, approximately two miles north of the City of Davis (APNs: 042-080-02 and 041-060-28) (**Attachment B**)

ZONING: Agricultural Preserve (A-P),
Agricultural General (A-1)

GENERAL PLAN: Agriculture

SUPERVISOR: District 4 (Provenza)


SOILS: Capay Silty clay (Class II); Rincon silty clay loam (Class II); Pescadero silty clay (Class III)

FLOOD ZONE: C (area outside the 100 and 500 year flood plains), A (area within the 100 year flood plain)

FIRE HAZARD: None

ENVIRONMENTAL DETERMINATION: Categorical Exemption

REPORT PREPARED BY:


Stephanie B. Cormier, Associate Planner

REVIEWED BY:


David Morrison, Assistant Director

RECOMMENDED ACTIONS:

That the Planning Commission:

1. **HOLD** a public hearing and receive comments;
2. **DETERMINE** that a Categorical Exemption is the appropriate level of environmental documentation in accordance with the California Environmental Quality Act (CEQA) and CEQA Guidelines (**Attachment C**);
3. **ADOPT** the Findings (**Attachment D**) to modify an existing Use Permit and approve the Lot Line Adjustment; and
4. **APPROVE** the Conditions of Approval for the Use Permit and Lot Line Adjustment

(Attachment E) to allow the extension of a runway.

REASONS FOR RECOMMENDED ACTIONS

This item was initially heard at the September 10, 2009, Planning Commission meeting, which required a recommendation to the Board of Supervisors (see the Planning Commission staff report dated September 10, 2009, included as **Attachment F**). The Planning Commission unanimously recommended approval of the modification to the Use Permit. As discussed below, the project will no longer require Board of Supervisors' approval because it no longer includes a Development Agreement, as it did in September 2009. Accordingly, the project has returned for final Planning Commission approval. Modification of the Use Permit and approval of the Lot Line Adjustment will allow Growers Air Service to implement necessary safety improvements to an existing private airfield landing strip.

PROJECT DESCRIPTION

*Please reference the September 10, 2009, Planning Commission staff report, included as **Attachment F**, for a detailed project description.*

The project is a Use Permit amendment and Lot Line Adjustment request to extend an additional 500-foot safety overrun to an existing airport landing strip currently used by an aerial spraying operation (**Attachment A**). The existing facility is located on a 61-acre parcel (APN: 042-080-02) located two miles north of the City of Davis (**Attachment B**). The proposed new extension will occur on a portion of a parcel located directly south of the existing landing strip (APN: 041-060-28), which is subject to the proposed Lot Line Adjustment as discussed below.

The proposed extension will consist of a compacted aggregate base 400 feet in length and 47 feet wide, and a circular paved turnaround area approximately 100 feet in diameter. The expansion would implement a safety measure to provide a safe zone, should an aircraft overshoot the regular runway upon takeoff or landing. There will be no increased use of the facility, as no additional buildings or hangars are being proposed. No additional air traffic will result due to this project.

The proposed extension will occur on property to the south (APN: 041-060-28, owned by Dowling). The applicant has secured an easement for the construction of an airstrip from the southern property owner. A subsequent Lot Line Adjustment application has been filed with the Planning and Public Works Department in order to facilitate a settlement agreement between the property owners, Holsclaw and Dowling (**Attachment G**).

ANALYSIS

This Use Permit modification request came before the Planning Commission on September 10, 2009, for a recommendation to the Board of Supervisors. At that time, the proposed Use Permit modification required a Development Agreement to implement a legal settlement agreement between the subject property owners (Holsclaw/Growers Air and Dowling) and the County, to settle certain legal disputes between the property owners. The project was publicly noticed for the September 29, 2009, Board of Supervisors meeting.

Prior to the September 29, 2009, Board of Supervisors hearing, after consulting with the Planning and Public Works Department and the Office of the County Counsel, the applicant withdrew the request for approval of the modification to the Use Permit and the Development Agreement, in order to suspend the processing of the Development Agreement (**Attachment H**). Instead, an agreement was reached by both parties, after consulting with this Department and the County Counsel, to pursue a Lot Line Adjustment and Williamson Act Successor Agreements, and thereby eliminate the need for a Development Agreement to implement the parties' settlement agreement from 2005.

The applicant has submitted an application for a Lot Line Adjustment (**Attachment G**), consistent with the agreement identified in the letter submitted by Gregory Forest of Hefner, Stark & Marois, dated September 21, 2009 (**Attachment I**), representing Holsclaw/Growers Air Service. The agreement has been endorsed by Kent Calfee, of Calfee/Konwinski, representing Mr. Dowling.

The Lot Line Adjustment will expand the boundaries of the Holsclaw/Growers Air Service 61-acre property, currently identified as APN: 042-080-20, by adding approximately 84 contiguous acres (a seven-acre portion of APN: 041-060-28 and a 77-acre portion of APN: 041-060-27) for a total of 145 acres, pursuant to a written option agreement between Ralph Holsclaw/Growers Air Service and Daniel Dowling. The reconfigured lot lines will not result in any substandard parcels.

Staff recommends approval of the Use Permit modification and Lot Line Adjustment, which will facilitate the implementation of a runway safety extension to Air Growers Service airfield landing strip.

COMMENTS FROM OTHER AGENCIES:

This report has been reviewed by County Counsel.

A "Request for Comments" was circulated for the Lot Line Adjustment application from February 10, 2010, to February 26, 2010. No significant comments were received, with the exception of the Yolo County Assessor's office, whose comments are attached (**Attachment J**). In summary, the Assessor's office expressed concern about removing approximately 84 acres of A-P zoned property, which is encumbered under a Williamson Act contract, and a conservation easement for agriculture and Swainson's hawk foraging habitat. However, approval of the Lot Line Adjustment will not result in the removal of A-P zoned property. Williamson Act Successor Agreements will be prepared for the newly configured parcels subsequent to the recordation of the Lot Line Adjustment, which will keep the same acreage and portion of land under Williamson Act contract. Additionally, the conservation easements on the property are in perpetuity and will not change under their new configuration/ownership.

ATTACHMENTS:

Attachment A - Site Plan

Attachment B - Location Map

Attachment C - Categorical Exemption

Attachment D - Findings

Attachment E - Conditions of Approval

Attachment F - September 10, 2009, Planning Commission Staff Report

Attachment G – Lot Line Adjustment Exhibit

Attachment H – September 29, 2009, Board of Supervisors letter

Attachment I – Letter from Gregory Forest of Hefner, Stark & Marois, dated September 21, 2009

Attachment J – County of Yolo Assessor's Office memo dated February 22, 2010

The applicant has submitted an application for a lot line adjustment to the Board of Supervisors. The application is for a lot line adjustment between the property owned by Gregory Forest of Hefner, Stark & Marois, and the property owned by the County of Yolo Assessor's Office. The applicant has provided a map showing the proposed lot line adjustment and a letter explaining the reasons for the adjustment. The Board of Supervisors has reviewed the application and has approved the lot line adjustment. The Board of Supervisors has also approved the applicant's proposed map and letter. The Board of Supervisors has also approved the applicant's proposed fee. The Board of Supervisors has also approved the applicant's proposed schedule of payments. The Board of Supervisors has also approved the applicant's proposed terms and conditions. The Board of Supervisors has also approved the applicant's proposed dispute resolution process. The Board of Supervisors has also approved the applicant's proposed arbitration process. The Board of Supervisors has also approved the applicant's proposed mediation process. The Board of Supervisors has also approved the applicant's proposed conciliation process. The Board of Supervisors has also approved the applicant's proposed negotiation process. The Board of Supervisors has also approved the applicant's proposed dispute resolution process. The Board of Supervisors has also approved the applicant's proposed arbitration process. The Board of Supervisors has also approved the applicant's proposed mediation process. The Board of Supervisors has also approved the applicant's proposed conciliation process. The Board of Supervisors has also approved the applicant's proposed negotiation process.

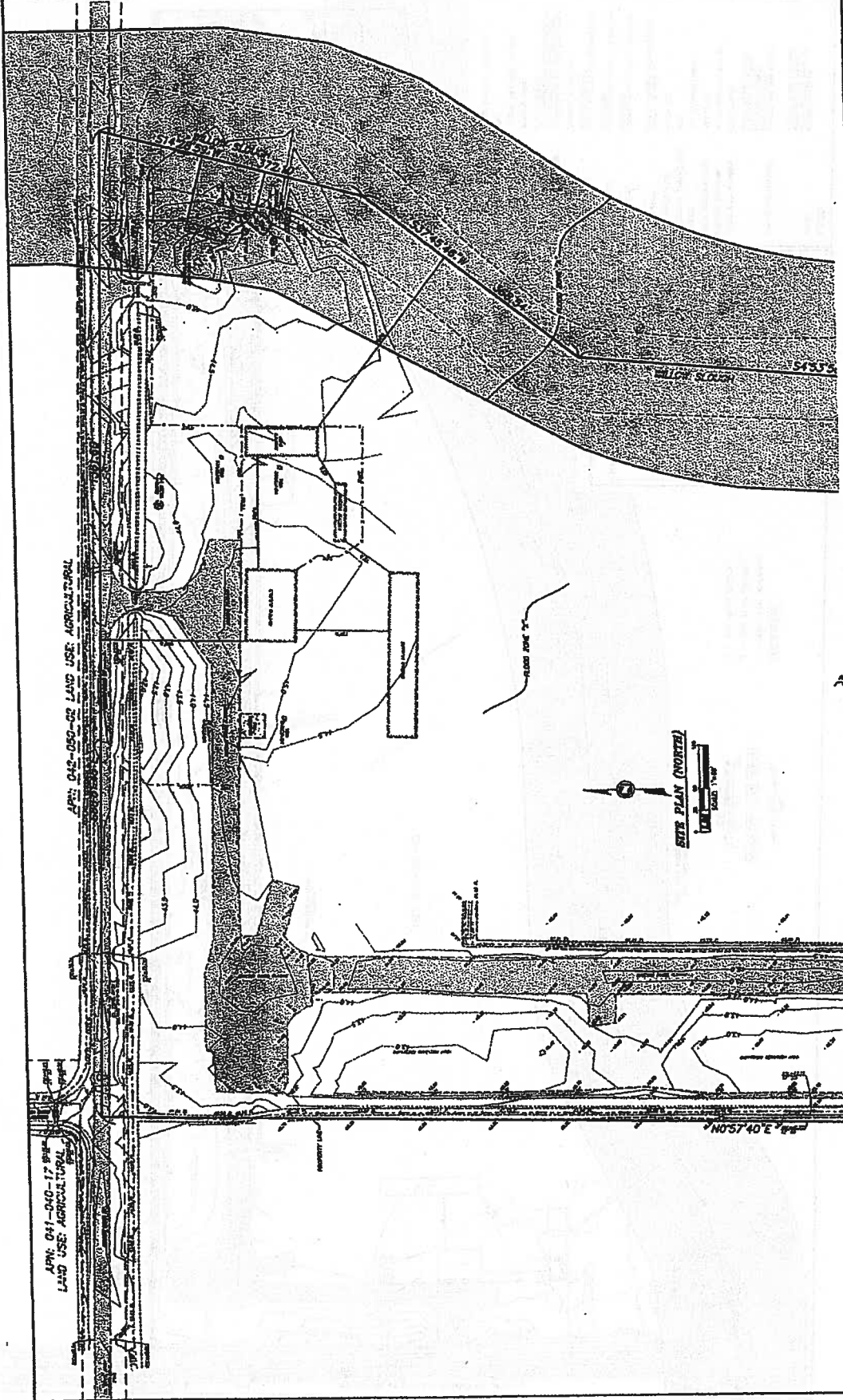
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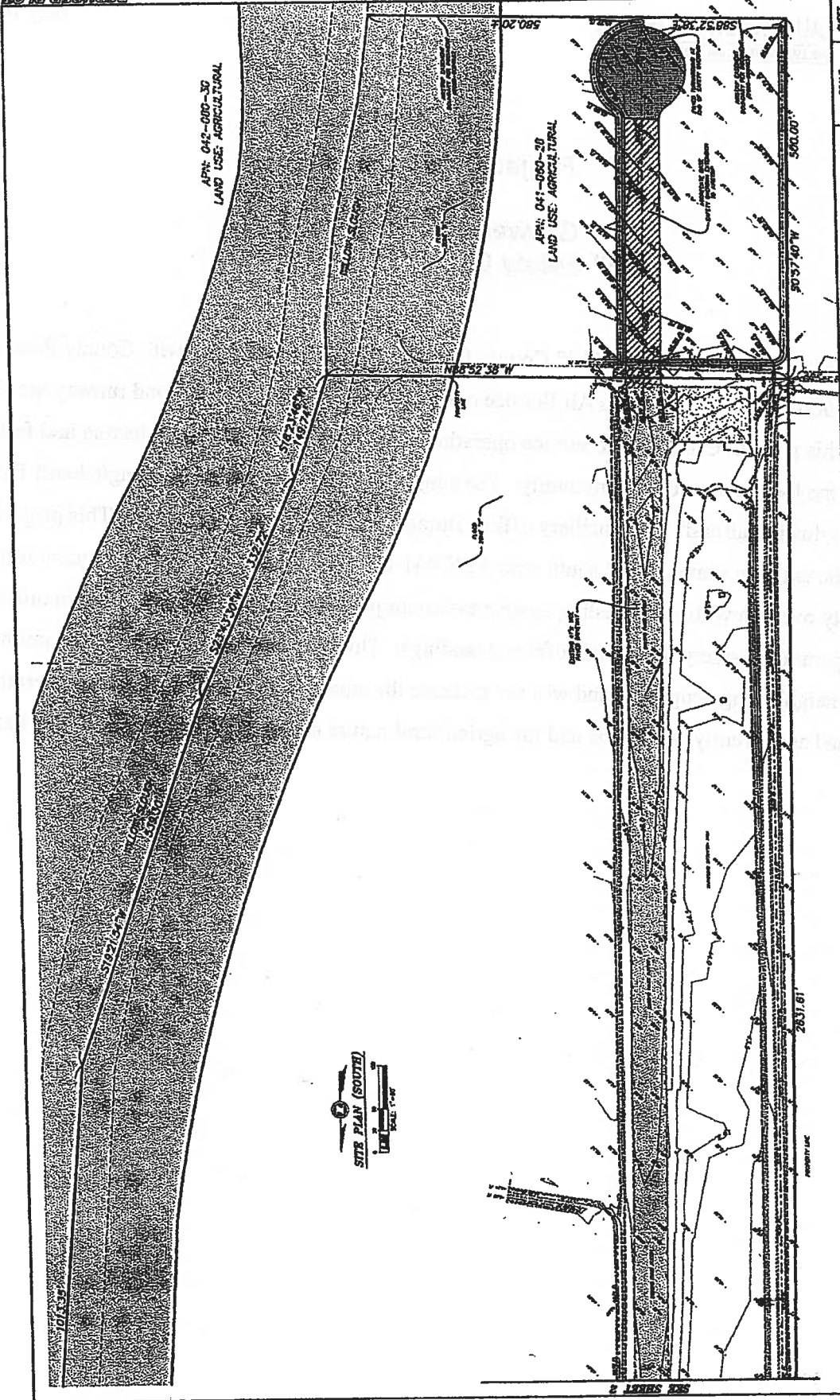
ATTACHED FILES

- Attachment A - Map
- Attachment B - Letter
- Attachment C - Fee
- Attachment D - Schedule
- Attachment E - Terms
- Attachment F - Dispute
- Attachment G - Arbitration
- Attachment H - Mediation
- Attachment I - Conciliation
- Attachment J - Negotiation



DESIGNED BY	DATE	BY	DATE
DRAWN BY			
CHECKED BY			
SITE SHEET 3			
LM LAUGENOUR AND HEIKLE REGISTERED LAND SURVEYORS 1000 E. WASHINGTON SACRAMENTO, CALIFORNIA 95833 PHONE (916) 442-1111 FAX (916) 442-1112			
GROWERS AIR SERVICE YOLO COUNTY CALIFORNIA		SHEET 2 OF 3	
SCALE 1" = 80'		SHEET 2 OF 3	
SITE PLAN			

REDUCED PLOT



SITE PLAN (SOUTH)
 SCALE: 1" = 60'

DESIGNED BY: _____ DRAWN BY: J.S. CHECKED BY: _____	DATE: _____ BY: JAPP REVISION: _____	LAUGENOUR AND MEIKLE CIVIL ENGINEERS 1000 E. WALDEN BLVD. SUITE 100 WILSON, CALIFORNIA 95758 TEL: (916) 438-1111 FAX: (916) 438-1112 BY: _____ DATE: _____	YOLO COUNTY CALIFORNIA GROWERS AIR SERVICE SITE PLAN	SHEET 3 OF 3 SCALE 1" = 60' DATE 11-17-79 11-17-79
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**Project Description
for
Growers Air Service
500' Safety Overrun Extension**

The proposed project is located at 41167 County Road 27 near the intersection with County Road 101 (APN: 042-080-020). The Growers Air Service operations, shop/office, hangar, and runway are all located on this parcel. Growers Air Service operations consists of providing crop dusting and fertilizing services to the local agricultural community. The subject property is used as a landing/takeoff facility for the crop dusting aircraft with ancillary office, storage and maintenance facilities. This project seeks to extend the existing runway 500' south onto APN 041-060-028 by adding a 35,000± square foot (0.8 acres) safety overrun within an existing airstrip easement per Document #2006-0004652, in order to increase operational safety during takeoffs and landings. This proposed safety overrun will not have an impact on neighboring properties and will not increase the amount of air traffic. Existing operations will be continued as currently conducted and the agricultural nature of the project site will not be changed.

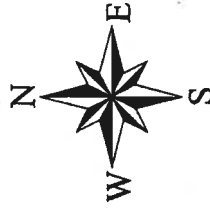
ZF #2009-019

Yolo County

Planning and

Public Works

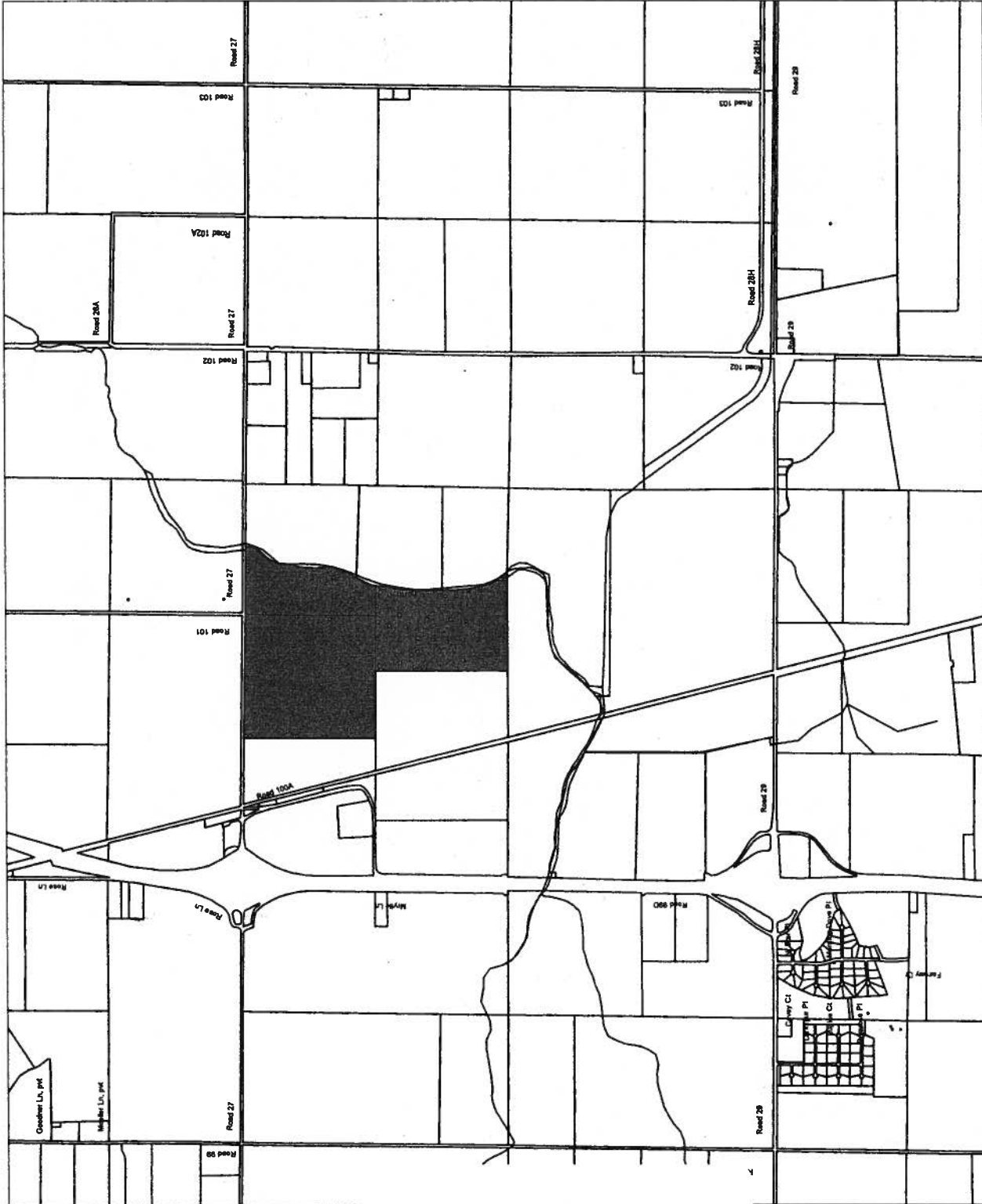
Growers Air Service



Scale 1 in = 3000 ft



Printed 3/4/2010



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COUNTY RECORDER
Filing Requested by:

Yolo County Planning and Public Works

Name

292 West Beamer Street

Address

Woodland, CA 95695

City, State, Zip

Attention: Stephanie Cormier

Notice of Exemption



To: Yolo County Clerk
625 Court Street
Woodland, CA 95695

Project Title: ZF# 2009-019 (Use Permit and Lot Line Adjustment)

Ralph Holsclaw
Growers Air Service
41167 County Road 27
Woodland, CA 95776

Project Location: Property is located approximately two miles north of the City of Davis at 41167 County Road 27 APNs: 041-060-27, 041-060-28, and 042-080-02

Project Description: Modification of an existing Use Permit for a private airport used for a crop dusting operation to allow for a runway safety expansion.

Exempt Status:

Categorical Exemption: Existing Facilities "15301" Class 1, Minor Alterations in Land Use Limitations "15305" Class 5, and Open Space Contracts "15317" Class 17

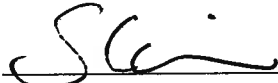
Reasons why project is exempt:

§ 15301 (f), Class 1, consists of the alteration of existing public or private facilities, or topographical features, involving negligible or not expansion of use. The project involves addition of safety protection devices for use in conjunction with existing facilities, including navigational devices.

§ 15305, Class 5, consists of minor alterations in land use limitations which do not result in any changes in land use or density, including minor lot line adjustments.

§ 15317, Class 17, consists of the maintenance of open space contracts under the Williamson Act.

Lead Agency Contact Person: Stephanie B. Cormier, Associate Planner Telephone Number: (530) 666-8850

Signature (Public Agency):  Date: 3.11.2010

Date received for filing at OPR:

ATTACHMENT C

**FINDINGS
GROWERS AIR SERVICE
USE PERMIT AMENDMENT AND LOT LINE ADJUSTMENT
(ZF #2009-019)**

Upon due consideration of the facts presented in this staff report and at the public hearing for Zone File #2009-019, the Yolo County Planning Commission finds the following:

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

California Environmental Quality Act (CEQA) and Guidelines

1. That the recommended Categorical Exemption was prepared in accordance with the California Environmental Quality Act (CEQA) and is the appropriate environmental document and level of review for this project.

Pursuant to CEQA Section 15301 (f), Class 1 (Existing Facilities), Section 15305, Class 5 (Lot Line Adjustments), and Section 15317, Class 17 (Open Space contracts or Easements), the project is categorically exempt from further environmental review. Class 1 includes the addition of safety or health protection devices in conjunction with existing structures or facilities. Class 5 includes minor lot line adjustments not resulting in the creation of any new parcels. Class 17 covers the establishment of agricultural preserves and the making and renewing of open space contracts under the Williamson Act.

General Plan

2. That the proposal and requested land use are in conformity with the General Plan.

The General Plan Land Use designation for the property is Agricultural. The project is consistent with the following General Plan Land Use policies:

Land Use Policy LU-3.5: Avoid or minimize conflicts and/or incompatibilities between land uses.

Agriculture Policy AG-1.20: Encourage the retention of existing and development of new airport facilities for agricultural aerial applications.

Agriculture Policy AG-3.4: Recognize and protect agricultural infrastructure, such as farm-to-market routes, water diversion and conveyance structures, fertilizer and chemical sales, airfields, processing facilities, research and development and farm worker housing.

Economic Development Policy ED-1.3: Encourage businesses that promote, provide services, and support farming, with an emphasis on value-added agriculture, agri-tourism, food processing and agricultural suppliers.

Economic Development Policy ED-2.7: Encourage the retention and expansion of existing businesses and attract new businesses into the county.

Zoning Code

3. That the requested land use is listed as a conditional use in Sections 8-2.404.5(e) and 8-2.406.5(b) of the Yolo County Code, and is allowed under the following authorization:

ATTACHMENT D

Private airports and landing strips are listed as a conditional use in both the A-1 (Agricultural General) and A-P (Agricultural Preserve) zones. This application is an amendment to an existing Use Permit (ZF # 581) for the operation of a private airport to provide aerial spraying operations.

Use Permit

That, in accordance with Section 8-2.2804 of the Yolo County Code:

4. The requested use is essential or desirable to the public comfort and convenience.

The proposed project will allow the implementation of safety features for the continuation of a private airport/ landing strip to provide aerial spraying operations, which serves a vital role in the agricultural economy.

5. The requested land uses will not impair the integrity or character of a neighborhood or be detrimental to public health, safety or general welfare.

The requested use is an expansion of an existing runway, in order to implement safety features. There will be no changes to the integrity or character of the surrounding area. Implementation of the proposed improvements will increase safety in the area.

Based upon conditions set forth by Yolo County Planning and Public Works Department, the proposed use will not be detrimental to public health, safety or general welfare. Continued compliance will be required with all agencies.

6. The requested use will be in conformity with the General Plan.

See above under (2).

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

An existing septic system and onsite well serve the existing facility. Stormwater runoff will be addressed through onsite drainage improvements. All necessary facilities are currently provided. The increased runway will not result in an increased demand for services.

8. The requested use will serve and support production of agriculture, the agricultural industry, animal husbandry or medicine; or is agriculturally related, and not appropriate for location within a city or town; and the requested use, if proposed on prime soils, cannot be reasonably located on lands containing non-prime soils.

The proposed project is an amendment to an existing Use Permit, for an extension of a runway on a private landing strip, which provides aerial spraying services to the local agricultural community.

**CONDITIONS OF APPROVAL
GROWERS AIR SERVICE
USE PERMIT AND LOT LINE ADJUSTMENT
(ZF #2009-019)**

Planning

1. The applicant shall be responsible for all costs associated with implementing the Conditions of Approval contained herein. The applicant shall comply with both the spirit and the intent of all applicable requirements of the Yolo County General Plan, the County Code, and these Conditions of Approval.
2. This Use Permit Amendment shall commence within one year from the date of the Planning Commission's approval of the Use Permit or said permit shall be null and void. The Director of Planning and Public Works may grant an extension of time; however, such an extension shall not exceed a maximum of two years.
3. Upon approval of the Lot Line Adjustment by the Planning Commission, the Planning and Public Works Department shall issue a "Certificate of Compliance" with Lot Line Adjustment plat map and legal descriptions, as provided by the applicant. The Certificate of Compliance shall be recorded in the Office of the Yolo County Clerk-Recorder within 12 months of issuance.
4. Recordation of the Certificate of Compliance for the Lot Line Adjustment shall not in any way result in the elimination, obstruction, or reduction in size of any access way to the resulting parcels.
5. Upon recordation of the Certificate of Compliance for Lot Line Adjustment, the property owners shall execute the Williamson Act Successor Agreements for the subject properties on a form approved by the Office of the County Counsel of Yolo County. Said contracts shall be recorded in the Office of the Yolo County Clerk-Recorder.
6. The applicant shall keep the site area free from flammable brush, grass, and weeds. All structures on the site shall be adequately maintained and free from graffiti.
7. Prior to issuance of any grading or building permits, all outstanding fees owed to the Planning and Public Works department shall be paid in full.

Public Works

5. Prior to issuance of a grading permit, the applicant shall submit a grading and drainage plan for the site, for review and approval by the Yolo County Planning and Public Works Department. A Storm Water Pollution Prevention Plan (SWPPP) shall also be submitted that meets all the requirements of a SWPPP, including Best Management Practices (BMPs).

ATTACHMENT E

Building

6. All grading plans shall be submitted to the Planning and Public Works Department for review and approval in accordance with Yolo County Building Standards, prior to the commencement of any construction.
7. The applicant shall pay the appropriate fees prior to the issuance of building permits, including, but not limited to, School and Fire District fees, County Facilities Fees and Environmental Health Fees.

Environmental Health

8. The applicant shall continue to maintain a hazardous materials/waste business plan and inventory, and submit an updated plan, should any changes take place to the Growers Air Service operations, for review and approval by Yolo County Environmental Health.

County Counsel

9. In accordance with Yolo County Code Section 8-2.2415, the applicants, owners, their successors or assignees 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.
10. 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 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 the 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 and Board of Supervisors may result in the following:

- Non-issuance of future building permits;
- Legal action.



County of Yolo

PLANNING AND PUBLIC WORKS DEPARTMENT

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DIRECTOR

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www.yolocounty.org

PLANNING COMMISSION STAFF REPORT

September 10, 2009

FILE #2009-019: Modification of an existing Use Permit for a private airport used for a crop dusting operation to allow for a runway safety extension. (**Attachment A**).

APPLICANT: Ralph Holsclaw
Growers Air Service
41167 County Road 27
Woodland, CA 95776

OWNER: Daniel Dowling
PO Box 75000
Davis, CA 95776

LOCATION: 41167 County Road 27, two miles north of the City of Davis. (APN: 042-080-02 and 041-060-28) (**Attachment B**)

SUPERVISOR: 4 (Sup. Provenza)

ZONING: Agricultural Preserve (A-P),
Agricultural General (A-1)

SOILS: Capay Silty clay (Class II)
Rincon silty clay loam (Class II)
Pescadero silty clay (Class III)

GENERAL PLAN: Agriculture

FLOOD ZONE: C (area outside the 100 and 500 year flood plain), A (area within the 100 year flood plain)

FIRE HAZARD: None

ENVIRONMENTAL DETERMINATION: Categorical Exemption

REPORT PREPARED BY:

REVIEWED BY:

Craig Baracco, Associate Planner

David Morrison, Assistant Director

RECOMMENDED ACTIONS:

That the Planning Commission recommend the Board of Supervisors:

1. **HOLD** a public hearing and receive comments;
2. **ADOPT** the Categorical Exemption as the appropriate level of environmental review in accordance with the California Environmental Quality Act (CEQA) and Guidelines (**Attachment C**);
3. **ADOPT** the Findings (**Attachment D**);
4. **ADOPT** an ordinance approving the Development Agreement (**Attachment E**); and

ATTACHMENT F

AGENDA ITEM 6.4

5. **APPROVE** a Use Permit subject to the Conditions of Approval (**Attachment F**).

REASONS FOR RECOMMENDED ACTIONS

The project will allow needed valuable safety improvements to an existing airfield landing strip. The existing aerial spraying operation based at the airport provides a valuable service to the agricultural operations of Yolo County. The proposed safety overrun landing strip will help improve and increase that service. The Development Agreement included in the action will implement a legal settlement between the applicant, the property owner and the county.

PROJECT DESCRIPTION

The project is a Use Permit amendment application to build a 500-foot safety overrun to an existing airport landing strip currently used by an aerial spraying operation (**Attachment A**). The existing facility is located on a 60-acre parcel (APN: 042-080-02) located two miles north of the City of Davis (**Attachment B**). The proposed new construction will occur on a parcel located directly south of the existing landing strip (APN: 041-060-28).

The original Use Permit (ZF 581) for the construction and operation of the private airfield for aerial spraying operations was approved April 16, 1968. The existing facility consists of a paved airstrip, 47 feet wide and 2,400 feet long, and four existing buildings, including an office, shop and hanger. Grower's Air Service is the main aerial spraying operation currently located in Yolo, and provides the majority of such services to agricultural operations located in Yolo County.

The proposed addition is a 500-foot safety overrun extension to the existing airfield landing strip. This extension will consist of a compacted aggregate base 400 feet in length and 47 feet wide, and a circular paved turnaround area approximately 100 feet in diameter. This expansion is intended as a safety measure by providing a safe zone, should an aircraft overshoot the regular runway upon takeoff or landing. There will be no increased use of the facility, as no additional buildings or hangers are being proposed. No additional air traffic will result due to this project.

The proposed extension will occur on the neighboring property to the south (APN: 041-060-28). The applicant has secured an easement for the construction of an airstrip from the southern property owner.

Surrounding Land Uses and Setting: The project site is at the corner of County Roads 101 and 27, two miles north of the City of Davis. Surrounding properties are zoned for agricultural uses, with most lands currently in alfalfa production.

ANALYSIS

A number of issues have been raised in the review of this project:

Development Agreement: Approval of this project includes the adoption of a Development Agreement (DA), which in turn requires final approval from the Board of Supervisors. The DA implements a legal settlement between the Applicant, the Land Owner and the County. In addition to approval of the Use Permit Amendment, the DA commits the parties to a Lot Line Adjustment application. Currently the southern property owned by Mr. Dowling is in Williamson Act Contract, with the contract due to expire in 2013. Once the contract has expired, the DA commits all parties to a lot line adjustment to facilitate a transfer of the land that contains the expanded runway to the property that currently contains the airfield. The Lot Line Adjustment will be reviewed as any regular application

of its type; nothing in the DA obligates the County to approve the Lot Line Adjustment. Rather, the DA simply guarantees that existing County subdivision regulations will apply to that application, thus providing a measure of assurance to the Land Owner and the Applicant that the Lot Line Adjustment could be granted in the future irrespective of any changes in local subdivision regulations.

General Plan: LU-18 of the County Agricultural element states that Yolo County shall consider the placement of certain agricultural related land uses in agricultural areas, by means of Conditional Use Permits, which uses may be incompatible with urban sites by reason of hazard or nuisance to concentrations of people. Aerial spraying operations play an important role in agricultural operations throughout the county and the safety requirements of an airfield generally makes them incompatible with urban sites.

Zoning: In both the A-1 and A-P zones, "airfields and airstrips" are allowed with a Major Use Permit. This application is an expansion of an existing airfield, and is allowed with the approval of a Use Permit.

City of Davis: This project lies within the boundaries of the Davis Pass-Through Agreement. On June 16, 2009, the City of Davis Redevelopment Agency considered the project and determined that the proposed project did not constitute "urban development" in accordance with the present Pass-Through Agreement. The agency raised no objections to the proposal. The Davis City Council also reviewed the project and had no comment on the project.

Biology: The total area affected by the proposed construction is very limited, being less than three quarters of an acre. Thus, no mitigation for the loss of potential Swainson's Hawk habitat will be required.

Flooding: The property contains areas within Flood Zone C, which is not subject to flood events, as well as areas within Flood Zone A, which is subject to 100-year flood events. However, the area of the A flood zone occurs along Willow Slough, which bounds the property to the east. Neither the existing facility nor the proposed expansion is within the areas subject to 100-year flood events.

CEQA: Section 15301 (f) of the CEQA Guidelines exempts the construction and addition of safety or health protection devices in conjunction with existing structures or facilities from further environmental review . A Categorical Exemption is the appropriate level of environmental review.

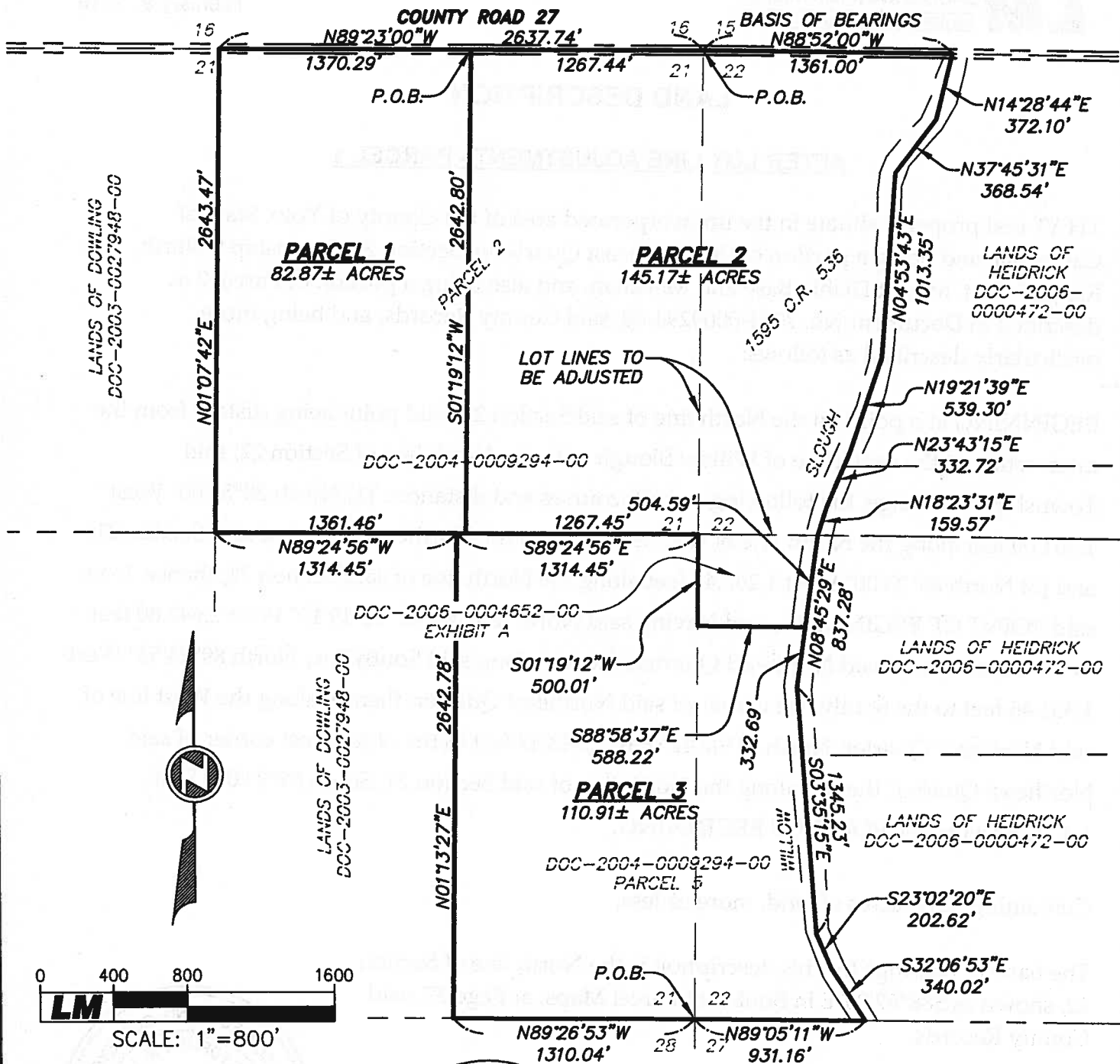
After reviewing the potential issues raised during the review process and incorporating this analysis into the Conditions of Approval, staff concludes that this safety project will make a valuable contribution to the agricultural community, that its potential impacts have been addressed, and staff recommends approval.

COMMENTS FROM OTHER AGENCIES:

A "Request for Comments" was circulated for the proposed project from July 28, 2009 to August 10, 2009. The Yolo County Development Review Committee reviewed this project on July 22, 2009. The City of Davis reviewed the project on June 16, 2009. Received comments were included in the Conditions of Approval and this staff report where appropriate.

ATTACHMENTS:

- Attachment A** - Site Plan
- Attachment B** - Location Map
- Attachment C** - Categorical Exemption
- Attachment D** - Findings
- Attachment E** - Development Agreement
- Attachment F** - Conditions of Approval



Christopher W. Lerch
 CHRISTOPHER W. LERCH



EXHIBIT TO ACCOMPANY DESCRIPTIONS
 AFTER LOT LINE ADJUSTMENT
 FOR
GROWERS AIR SERVICE
 BEING A PORTION OF SECTIONS 21 & 22
 TOWNSHIP 9 NORTH, RANGE 2 EAST,
 MOUNT DIABLO BASE AND MERIDIAN,
 YOLO COUNTY, CALIFORNIA

2-8-2010
 DATE

THIS EXHIBIT WAS PREPARED BY ME
 OR UNDER MY DIRECTION IN
 ACCORDANCE WITH SECTION 8;
 THE PROFESSIONAL LAND SURV
 ACT.

LM LAUGENOUR AND MEIKLE
 CIVIL ENGINEERING · LAND SURVEYING · PLANNING

CALIFORNIA 95695 · PHONE: (530) 662-1755
 CALIFORNIA 95776 · FAX: (530) 662-4602

ATTACHMENT G

FEBRUARY 8, 2010

#2734-3

LAND DESCRIPTION

AFTER LOT LINE ADJUSTMENT - PARCEL 1

THAT real property situate in the unincorporated area of the County of Yolo, State of California, and being a portion of the Northeast Quarter of Section 21, Township 9 North, Range 2 East, Mount Diablo Base and Meridian, and also being a portion of Parcel 2 as described in Document No. 2004-0009294-00, said County Records, and being more particularly described as follows:

BEGINNING at a point on the North line of said Section 21, said point being distant from the intersection of the centerline of Willow Slough with the North line of Section 22, said Township and Range, the following two (2) courses and distances: (1) North 88°52'00" West 1,361.00 feet along the North line of said Section 22 to the Northeast corner of said Section 21; and (2) North 89°23'00" West 1,267.44 feet along the North line of said Section 21; thence, from said POINT OF BEGINNING, and leaving said North line, South 01°19'12" West 2,642.80 feet to the South line of said Northeast Quarter; thence, along said South line, North 89°24'56" West 1,361.46 feet to the Southwest corner of said Northeast Quarter; thence, along the West line of said Northeast Quarter, North 01°07'42" East 2,643.47 feet to the Northwest corner of said Northeast Quarter; thence, along the North line of said Section 21, South 89°23'00" East 1,370.29 feet to the POINT OF BEGINNING.

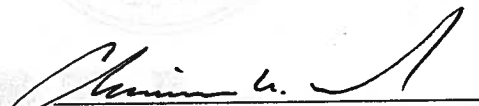
Containing 82.87 acres of land, more or less.

The basis of bearings for this description is the North line of Section 22, shown as S88°52'00"E in Book 2 of Parcel Maps, at Page 37, said County Records.

End of description.

This description was prepared by me or under my direction in accordance with Section 8761 of the Professional Land Surveyors' Act.




Christopher W. Lerch

2-8-2010
Date

LAND DESCRIPTION

AFTER LOT LINE ADJUSTMENT - PARCEL 2

THAT real property situate in the unincorporated area of the County of Yolo, State of California, and being portions of Sections 21 and 22, Township 9 North, Range 2 East, Mount Diablo Base and Meridian, and also being portions of Parcels 2 and 5 as described in Document No. 2004-0009294-00, said County Records, and also being that parcel of land as described in Book 1595 of said County Official Records at Page 536, and being more particularly described as follows:

BEGINNING at the intersection of the centerline of Willow Slough with the North line of said Section 22; thence, from said POINT OF BEGINNING and along the North line of said Section 22, North 88°52'00" West 1,361.00 feet to the Northeast corner of said Section 21; thence, along the North line of said Section 21, North 89°23'00" West 1,267.44 feet; thence, leaving said North line, South 01°19'12" West 2,642.80 feet to the South line of the Northeast Quarter of said Section 21; thence, along said South line, South 89°24'56" East 1,267.45 feet to the Northwest corner of the Southwest Quarter of said Section 22; said point also being the Northwest corner of that parcel of land as described in Exhibit A of Document No. 2006-0004652-00, said County Records; thence, along the West line of said Exhibit A, South 01°19'12" West 500.01 feet to the Southwest corner thereof; thence, along the South line of said Exhibit A, South 88°58'37" East 588.22 feet to the Southeast corner thereof; said point also being on the centerline of Willow Slough; thence, along said centerline, the following seven (7) courses and distances: (1) North 08°45'29" East 504.59 feet; (2) North 18°23'31" East 159.57 feet; (3) North 23°43'15" East 332.72 feet; (4) North 19°21'39" East 539.30 feet; (5) North 04°53'43" East 1,013.35 feet; (6) North 37°45'31" East 368.54 feet; and (7) North 14°28'44" East 372.10 feet to the POINT OF BEGINNING.

Containing 145.17 acres of land, more or less.

The basis of bearings for this description is the North line of Section 22, shown as S88°52'00" E in Book 2 of Parcel Maps, at Page 37, said County Records.

This description was prepared by me or under my direction in accordance with Section 8761 of the Professional Land Surveyors' Act.

End of description.



Christopher W. Lerch

Christopher W. Lerch

2-8-2010

Date

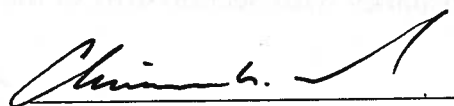
LAND DESCRIPTION

AFTER LOT LINE ADJUSTMENT - PARCEL 3

THAT real property situate in the unincorporated area of the County of Yolo, State of California, and being portions of Sections 21 and 22, Township 9 North, Range 2 East, Mount Diablo Base and Meridian, and also being a portion of Parcel 5 as described in Document No. 2004-0009294-00, said County Records, and being more particularly described as follows:

BEGINNING at a point on the North line of the Southeast Quarter of said Section 21; said point being distant from the intersection of the centerline of Willow Slough with the North line of said Section 22, the following three (3) courses and distances: (1) North 88°52'00" West 1,361.00 feet along the North line of said Section 22 to the Northeast corner of said Section 21; (2) North 89°23'00" West 1,267.44 feet along the North line of said Section 21; and (3) South 01°19'12" West 2,642.80 feet to the North line of said Southeast Quarter; thence, from said POINT OF BEGINNING and along said North line, South 89°24'56" East 1,267.45 feet to the Northwest corner of the Southwest Quarter of said Section 22; said point also being the Northwest corner of that parcel of land as described in Exhibit A of Document No. 2006-0004652-00, said County Records; thence, along the West line of said Exhibit A, South 01°19'12" West 500.01 feet to the Southwest corner thereof; thence, along the South line of said Exhibit A, South 88°58'37" East 588.22 feet to the Southeast corner thereof; said point also being on the centerline of Willow Slough; thence, along said centerline, the following four (4) courses and distances: (1) South 08°45'29" West 332.70 feet; (2) South 03°35'15" East 1,345.23 feet; (3) South 23°02'20" East 202.62 feet; and (4) South 32°06'53" East 340.02 feet to the South line of said Section 22; thence along said South line North 89°05'11" West 931.16 feet to the Southwest corner of the of said Section 22; thence, along the South line of said Section 21, North 89°26'53" West 1,310.04 feet to the Southwest corner of the East half of said Southeast Quarter; thence, along the West line of said East half, North 01°13'27" East 2,642.78 feet to the Northwest corner thereof; thence, along the North line of said Southeast Quarter, South 89°24'56" East 47.01 feet to the POINT OF BEGINNING.





Christopher W. Lerch

2-8-2010

Date

Containing 110.91 acres of land, more or less.

The basis of bearings for this description is the North line of Section 22, shown as S88°52'00"E in Book 2 of Parcel Maps, at Page 37, said County Records.

End of description.

This description was prepared by me or under my direction in accordance with Section 8761 of the Professional Land Surveyors' Act.



LAND DESCRIPTION

A PORTION OF PARCEL 2 OF DOCUMENT NO. 2004-0009294-00 TO BE TRANSFERRED

THAT real property situate in the unincorporated area of the County of Yolo, State of California, and being a portion of Section 21, Township 9 North, Range 2 East, Mount Diablo Base and Meridian, and also being a portion of Parcel 2 as described in Document No. 2004-0009294-00, said County Records, and being more particularly described as follows:

BEGINNING at the Northeast corner of the Northeast Quarter of said Section 21; said point being distant North 88°52'00" West 1,361.00 feet along the North line of Section 22, said Township and Range, from the intersection of the centerline of Willow Slough with said North line; thence, from said POINT OF BEGINNING and along the North line of said Section 21, North 89°23'00" West 1,267.44 feet; thence, leaving said North line, South 01°19'12" West 2,642.80 feet to the South line of the Northeast Quarter of said Section 21; thence, along said South line, South 89°24'56" East 1,267.45 feet to the Southeast corner of said Northeast Quarter; thence, along the East line of said Northeast Quarter, North 01°19'12" East 2,642.09 feet to the POINT OF BEGINNING.

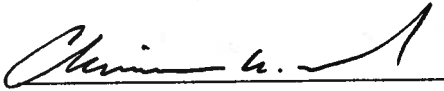
Containing 76.88 acres of land, more or less.

The basis of bearings for this description is the North line of Section 22, shown as S88°52'00" E in Book 2 of Parcel Maps, at Page 37, said County Records.

End of description.

This description was prepared by me or under my direction in accordance with Section 8761 of the Professional Land Surveyors' Act.




Christopher W. Lerch

2-8-2010
Date

LAND DESCRIPTION

A PORTION OF PARCEL 5 OF DOCUMENT NO. 2004-0009294-00 TO BE TRANSFERRED

THAT real property situate in the unincorporated area of the County of Yolo, State of California, and being a portion of Section 22, Township 9 North, Range 2 East, Mount Diablo Base and Meridian, and also being a portion of Parcel 5 as described in Document No. 2004-0009294-00, said County Records, and being more particularly described as follows:

BEGINNING at a point on the Northwest corner of the Southwest Quarter of said Section 22; said point also being the Northwest corner of that parcel of land as described in Exhibit A of Document No. 2006-0004652-00, said County Records; said point also being distant from the intersection of the centerline of Willow Slough with the North line of said Section 22, the following two (2) courses and distances: (1) North 88°52'00" West 1,361.00 feet along the North line of said Section 22 to the Northwest corner of said Section 22; and (2) South 01°19'12" West 2,642.09 feet along the West line of said Section 22; thence, from said POINT OF BEGINNING and along West line of said Exhibit A, South 01°19'12" West 500.01 feet to the Southwest corner thereof; thence, along the South line of said Exhibit A, South 88°58'37" East 588.22 feet to the Southeast corner thereof; said point also being on the centerline of Willow Slough; thence, along said centerline, North 08°45'29" East 332.70 feet to a point on the North line of said Southwest Quarter; thence, along said North line, North 88°58'37" West 653.54 feet to the POINT OF BEGINNING.

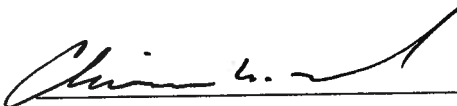
Containing 7.12 acres of land, more or less.

The basis of bearings for this description is the North line of Section 22, shown as S88°52'00"E in Book 2 of Parcel Maps, at Page 37, said County Records.

End of description.

This description was prepared by me or under my direction in accordance with Section 8761 of the Professional Land Surveyors' Act.




Christopher W. Lerch

2-8-2010
Date



County of Yolo

PLANNING AND PUBLIC WORKS DEPARTMENT

John Bencomo
DIRECTOR

292 West Beamer Street
Woodland, CA 95695-2598
(530) 666-8775 FAX (530) 666-8728
www.yolocounty.org

TO: SUPERVISOR MIKE McGOWAN, Chair,
and Members of the Board of Supervisors

FROM: JOHN BENCOMO, Director,
Craig Baracco, Associate Planner
Planning and Public Works Department

DATE: September 29, 2009

SUBJECT: Withdraw of request for noticed approval of an amendment to an existing Use Permit, to allow a runway safety extension to a private airport, and withdraw of request for approval of a Development Agreement. (No general fund impact)

RECOMMENDED ACTIONS

None

FISCAL IMPACT

There will be no impact to the general fund as a result of the proposed actions. The applicant has paid all the appropriate fees for processing this request.

REASON FOR RECOMMENDED ACTIONS

The applicant has requested a change in the application so that a Development Agreement is no longer required. The modified application will include a Lot Line Adjustment and can be approved by the Planning Commission.

BACKGROUND

The project is a Use Permit amendment to build a 500-foot safety overrun to an existing airport landing strip currently used by Growers Air Service. Legal notice for the Use Permit amendment and Development Agreement for the September 29, 2009 Board meeting was circulated. After the legal notice was circulated the applicant requested a change in the application. Because of this change, Board action is not needed at this time.

ATTACHMENT H



LAW OFFICES
ESTABLISHED 1896

GREGORY A. FOREST
EMAIL: GFOREST@HSMMLAW.COM

2150 RIVER PLAZA DRIVE
SUITE 450
SACRAMENTO, CA
95833-4136
TEL: (916) 925-6620
FAX: (916) 925-1127

September 21, 2009

David Morrison
Assistant Director
Planning Department
County of Yolo
292 West Beamer Street
Woodland, CA 95695-2511

Re: Grower's Air Service Application

Dear David:

Please accept this letter as confirmation of our desire to suspend processing of the development agreement application for the Grower's Air Service. As you know, the 2005 settlement agreement between the Ralph Holsclaw, Daniel Dowling, Marlene Botter and the County of Yolo required a development agreement for the Grower's Air Service to facilitate the transfer of up to 113 acres located west of the Grower's Air Service property from Mr. Dowling to Mr. Holsclaw upon the expiration of the Williamson Act contract on the Dowling property by lot line adjustment. The development agreement would have ensured that the Williamson Act remained in cancellation mode and that the standards applicable to the lot line adjustment were not changed during the timeframe of the option. However, transfer of the entire 113 acres would have resulted in the creation of a remnant parcel of less than 80 acres, and so the development agreement also provided for Mr. Dowling to either modify other parcel lines within his property or pursue a change of zoning from Agricultural Preserve to Agriculture General.

On behalf of Mr. Dowling, Kent Calfee suggested that, in addition to the five acres south of the airstrip, the parties agree to transfer only approximately 79 acres from the Dowling property to Mr. Holsclaw instead of all 113 acres. The transfer of this 84-acre property would not result in the creation of any substandard parcels on the Dowling property and could therefore be accommodated now by a partial assignment of the Williamson Act (and conservation easement on the Dowling property), thereby eliminating the need for a development agreement. Surveyors at Laugenour and Meikle are in the process of preparing the application for a boundary line adjustment, and should be ready to submit within a few weeks. Together with an assignment of the Williamson Act (or other similar device), this boundary line adjustment will allow Mr. Holsclaw to exercise his option to purchase a portion of the Dowling property next year, well before the Williamson Act contract expires. You should be aware, however, that this

ATTACHMENT I

David Morrison
September 21, 2009
Page 2

procedure will result in the new Holsclaw property straddling two zoning districts, but would not authorize any changes in the use of the property.

Mr. Holsclaw requests that the Planning Department allow for him to purchase the Dowling acreage next year. We therefore suggest that the boundary line adjustment include a condition that it not become legally effective until it is recorded in the official records of Yolo County, to occur within one year of its approval by the Planning Commission. That way the parties will have sufficient time to complete the purchase and sale of the 84-acre property next year. Please also confirm that Mr. Holsclaw will have up to one year from approval of the modification to install the safety overrun improvement.

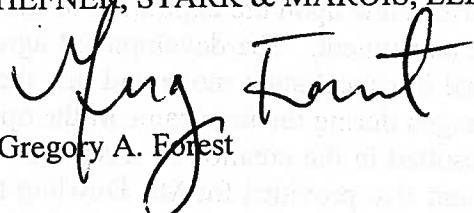
We look forward to returning to the Planning Commission for its reconsideration of this file and consideration of the boundary line adjustment application later this year. In the event that the boundary line adjustment application is disapproved, we request that processing of the development agreement application be allowed to run its course. Upon approval of the boundary line adjustment and transfer of the Williamson Act contract (and conservation easement) the development agreement application will no longer be needed, and will be formally withdrawn.

Please contact me if you have any questions.

Very truly yours,

HEFNER, STARK & MAROIS, LLP

By


Gregory A. Forest

GAF

cc: Ralph Holsclaw, President, Grower's Air Service
Christopher Lerch, Senior Surveyor, Laugenour and Meikle
Philip Pogledich, Senior Deputy County Counsel, Yolo County
Kent Calfee, Esq., Calfee & Konwinski, PC
George Kammerer, Esq., Hefner, Stark & Marois, LLP



County of Yolo

OFFICE OF THE COUNTY ASSESSOR 625 COURT STREET, ROOM 104 WOODLAND, CA 95695

JOEL BUTLER
COUNTY ASSESSOR

WOODLAND, CA 95695 (530) 666-8135
FROM: WEST SACRAMENTO (916) 375-6496
FROM: DAVIS (530) 666-8135
FAX NUMBER (530) 666-8213

2/22/2010

Stephanie B. Cormier
Associate Planner

Dear Stephanie,

Regarding the lot line adjustment to remove 5 acres from AP parcel 041-060-027 and 79 acres from AP parcel 041-060-82 to add 85 acres to A-1 parcel 042-080-020 presents two problems:

1. The assessment of a parcel containing a portion of land in the AP preserve would not be possible to track the AP contract or value parcel properly.
2. The parcels 041-060-027 and 041-060-027 have a conservation easement and a Swanson Hawk easement. An agricultural aerial operation that currently exists on parcel 042-080-020 has a direct negative effect on the Swanson Hawk habitat as stated in Merritt Ranch Mitigation agreement with the City of Woodland.

Sincerely,

David Schwenger
Appraiser
(530) 666-8135 ext 9350.

ATTACHMENT J