



County of Yolo

PLANNING AND PUBLIC WORKS DEPARTMENT

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YOLO COUNTY PLANNING COMMISSION

CHAIR: Leroy Bertolero
VICE-CHAIR: Don Winters
MEMBERS: Jeb Burton; Mary Kimball; Mary Liu; Jeff Merwin; Don Peart

MINUTES

May 8, 2008

ADMINISTRATIVE AGENDA

1. Chair Bertolero called the meeting to order at 8:30 a.m.
2. Pledge of Allegiance was led by Commissioner Peart.

MEMBERS PRESENT: Bertolero, Burton, Kimball, Liu, Merwin, Peart
MEMBERS ABSENT: Winters
STAFF PRESENT: Eric Parfrey, Principal Planner
Philip Pogledich, Senior Deputy County Counsel
Craig Baracco, Associate Planner
Heidi Tschudin, Contract Planner
Kent Reeves, Principal Natural Resources Planner
Carole Kjar, Secretary to the Director
Aundrea Hardy, Office Support Specialist

3. ADOPTION OF MINUTES OF THE **April 10, 2008** MEETING.

Commission Action

The Minutes of the **April 10, 2008** Meeting were approved with no corrections.

MOTION: Peart SECOND: Merwin
AYES: Bertolero, Burton, Kimball, Merwin, and Peart
NOES: None
ABSTAIN: Liu
ABSENT: Winters

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 Chair. 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.

5. CORRESPONDENCE

5.1 California County Planning Commissioners Newsletter.

5.2 California Dairy Research Foundation Newsletter.

Chair Bertolero acknowledged receipt of all correspondence sent with the packet and distributed at the beginning of the meeting.

CONSENT AGENDA

6.1 None.

TIME SET AGENDA

7.1 **2006-005:** One-year extension of a 3-lot Tentative Parcel Map. The project is located at the intersection of County Road 12A and County Road 87, eight miles north of the Town of Esparto (APN: 054-050-02, 054-120-01, 054-120-11, 054-120-04, 054-120-15, 054-130-10). A Categorical Exemption has been prepared for this project. Owner/Applicant: R.H. Phillips Partners/Bergman (C. Baracco)

Craig Baracco, Associate Planner, gave the staff report, and answered questions from the commission.

Chair Bertolero opened the public hearing.

Barry Bergman, applicant, and general manager at R.H. Phillips Winery, presented background information about the winery facility, and explained their plans for future growth.

Chair Bertolero closed the public hearing.

Commissioner Merwin said he thinks a one-year extension is appropriate.

Commissioner Liu agreed that the one-year extension should be granted, and congratulated the applicant.

Commissioner Peart spoke in favor of the one-year extension.

Yolo County Planning and Public Works Department

May 8, 2008

Page 3 of 29

Commissioner Kimball agreed with her fellow commissioners, especially since it's the first application for an extension.

Commissioner Burton said that everything seems straightforward, and that he's impressed with the facility.

Chair Bertolero concurred with his commissioners.

Commission Action

1. **DETERMINED** that a Categorical Exemption (**Attachment E**) is the appropriate environmental review pursuant to the California Environmental Quality Act (CEQA);
2. **ADOPTED** the proposed Findings (**Attachment D**) for extension of the Tentative Parcel Map #4807; and
3. **APPROVED** a one-year extension of Tentative Parcel Map #4807 (**Attachment B**) until May 11, 2009, subject to the original Conditions of Approval (**Attachment C**) for this project.

MOTION: Kimball SECOND: Burton
AYES: Bertolero, Burton, Kimball, Liu, Merwin, and Peart
NOES: None
ABSTAIN: None
ABSENT: Winters

CONDITIONS OF APPROVAL

Planning:

1. The applicant shall be responsible for all costs associated with implementing the approved Conditions of Approval.
2. The Final Parcel Map shall be filed and recorded at the applicant's expense with the Yolo County Planning, Resources and Public Works Department. The Final Parcel Map shall be recorded within two (2) years of the date of approval of the Tentative Parcel Map, unless the Planning Commission prior to the date of expiration approves an extension of time. If the Final Parcel Map is not recorded within two years of the date of approval, the Tentative Parcel Map shall become null and void without any further action in accordance with the State Subdivision Map Act.
3. Prior to disturbing the soil, contractors shall be notified that they are required to watch for potential archaeological sites and artifacts and to notify the Yolo County Planning Director if anything is found. If any cultural resources, such as chipped or ground stone, historic debris, building foundations, or paleontological materials are encountered during grading, all work within seventy-five (75') shall immediately stop and the Planning, Resources and Public Works Director shall be immediately notified. A qualified archaeologist shall record any cultural resources found on the site and the information shall be submitted to the Planning, Resources and Public Works Department. If human skeletal remains are encountered during construction, all work within seventy-five (75') shall immediately stop and the County Coroner shall be notified within twenty-four (24) hours. If the remains are of Native American Heritage origin, the appropriate Native American community as identified by the Native American Heritage Commission shall be contacted and an agreement for

Yolo County Planning and Public Works Department

May 8, 2008

Page 4 of 29

relocating the remains and associated grave goods shall be developed.

4. Prior to the Filing of the Final Parcel Map, the applicant shall pay all appropriate fees to the Planning, Resources and Public Works Department to mitigate for the loss of Swainson's Hawk habitat, to the satisfaction of the Yolo County Habitat/NCCP Joint Powers Authority.

Building

5. The applicant shall pay all appropriate fees prior to Building Permit Issuance, Final Inspection or Issuance of a Certificate of Occupancy subject to agencies of jurisdiction. Impact fees shall include, but not be limited to: Esparto Unified School District fees, Esparto Fire Protection District fees, County Facility fees, Public Works Encroachment fees, Environmental Health fees, and Inclusionary Housing fees.
6. Prior to Building Permit issuance, the applicant shall provide a drainage plan and site grading plans. The builder shall submit a topographic drainage plan including all necessary calculations required to show that development will not result in increased storm water flow on adjoining properties. A California Licensed Surveyor or Engineer shall prepare the drainage plan. The Planning, Resources and Public Works Director shall approve the drainage plan.
7. All building plans and grading plans shall be submitted to the Planning, Resources and Public Works Department for review and approval in accordance with County Engineering and Building Standards prior to the commencement of any construction.
8. Prior to the Issuance of a Certificate of Occupancy, building addresses shall be posted in accordance with CFC Article 9.

Public Works

9. The applicant shall contact Pacific Bell's Underground Service Alert (USA) two days prior to the commencement of any underground work to verify the existence of existing subsurface service and/or utility lines.
10. The Final Parcel Map submitted for recordation shall have the parcel Map Number (PM#4807) indelibly printed on it. The Final Parcel Map shall be prepared on the Basis of Bearing being the State Plane Coordinate System, North American Datum (NAD 83) pursuant to Article 9, Section 8-1902(f) of the Yolo County Code.
11. The applicant shall be responsible for installation and/or relocation cost of any public utilities required to service the project. Public utilities shall be installed in accordance with adopted Uniform Code requirements and are subject to review and approval by Yolo County Public Works, Caltrans, Yolo County Building Division and utility service provider. Any utility easements required for the purpose of serving the project shall be obtained by, and the responsibility of, the developer (documentation, recordation, etc.) and are subject to review and approval by the Director of the Planning, Resources and Public Works Department prior to construction and/or grading of the project.
12. Encroachment permits shall be obtained from the Planning, Resources and Public Works Department prior to any work within the County right-of-way.
13. Unless otherwise authorized by the Planning, Resources and Public Works Director, grading, excavation, and trenching activities shall be completed prior to October 15 of each

year to prevent erosion. A drought-tolerant, weed-free mix of native and non-native grasses or alternate erosion control measures approved by the Planning, Resources and Public Works Director shall be established on all disturbed soils prior to October 15 of each year. Engineered grading plans shall be submitted to the Planning, Resources and Public Works Director concurrent with the Final Map.

County Counsel

14. 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's 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 is required to promptly notify the operator of any claim, action, or proceeding, and must 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 operators shall not thereafter be responsible to defend, indemnify, or hold the County harmless as to that action. The County may require that the operators post a bond in an amount determined to be sufficient to satisfy the above indemnification and defense obligation.

Failure to comply with the approved Conditions of Approval may result in the following actions:

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

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

Upon due consideration of the facts presented in this staff report and at the public hearing for Zone File #2006-005, the Yolo County Planning Commission finds the following:

California Environmental Quality Act (CEQA) Guidelines

1. In determining that the proposed Categorical Exemption for this project is the appropriate level of environmental review under CEQA, the Planning Commission finds:

That on the basis of pertinent information in the public record and comments received, the ministerial project is exempt from further environmental review and that a Categorical Exemption has been prepared in accordance with the California Environmental Quality Act (CEQA) Guidelines.

Additional Findings:

2. An extension of time shall be approved only when it is found that circumstances under which the parcel map was granted have not changed.

The project as approved remains consistent with the current Yolo County General Plan and the zoning of the property. There has been no change in the existing or proposed uses on the surrounding properties. In addition, no other information has been provided during the

public hearing process that indicates any change in circumstances.

7.2 **2001-117:** One-year extension of an 11-lot Tentative Subdivision Map. The project is located on Railroad Avenue between Sixth and Third Streets, in Knights Landing (APN: 056-306-02, 056-313-02, 056-322-03). A Categorical Exemption has been prepared for this project. Owner/Applicant: Duncan (C. Baracco)

Craig Baracco, Associate Planner, gave the staff report, and answered questions from the commission.

Chair Bertolero opened the public hearing.

Eric Northman, speaking for the Duncan family, said the property has not been transferred title yet; however, this probably will be done within the next 30 days. He explained that the Duncan family is seeking an extension of the tentative map to allow them to complete the work, and that Mr. Snow has agreed to transfer all the information over to them so they can complete that assignment in a timely manner.

Mary Edson, resident of Knights Landing, and owner of the property on the east of this development, expressed that there were too many drainage issues with Mr. Snow, and that she thinks this extension should not be considered until more has been done by a local engineer.

Wayne Green, Chairman of the Knights Landing Community Services District, and the Advisory Committee for Knights Landing, said he was upset that he wasn't notified of this item until last Friday. He stated that Mr. Snow has done nothing for the last three years on this property, and that the property is overgrown with weeds, tires, trash, etc. He said he hopes the new owner, Mr. Duncan, will clean up the property, and that he will come to the Advisory Committee Meeting on May 14, 2008, and the Knights Landing Community Services District Meeting on May 20, 2008, to explain what he's going to do with this property.

Eric Northman, on behalf of the applicant, responded to Mr. Green that the Duncan family will attend the May 14 2008, and the May 20, 2008 meetings. He said Mr. Duncan is arranging, through one of his farm contacts, to clean up the weeds on the property, and that it is the Duncan family's intention to be a good neighbor.

Chair Bertolero closed the public hearing.

Commissioner Peart said he would like the item continued to see what actions are taken by the owner to clean up the property, and to resolve issues with the services district.

Eric Parfrey, Principal Planner, clarified that subdivision map extensions are normally not sent for review by citizens' advisory committee members because it's a ministerial act, not a discretionary act.

Commissioner Kimball explained that she would be more inclined to vote for a shorter extension than one year.

Commissioner Burton expressed concern that if the extension is not granted, the people may not purchase the property, and the current owner will probably have to be dealt with for a few more years. He said he is inclined to support staff's recommendation.

Commissioner Merwin said the drainage issues need to be addressed right away, and stated that he is inclined to support a one-year extension.

Commissioner Liu expressed that, potentially, this seems to be a very worthy project, and that she's inclined to support staff's recommendation for a one-year extension. She stated that the new owner seems motivated, and she appreciates their commitment to attend the neighborhood meetings, and to fulfill all the conditions of approval.

Chair Bertolero explained the history of the drainage plan for the project. He said he thinks the new owners have good intentions, and that they realize there is concern about the weeds, and debris on the property. He stated that he personally thinks the one-year extension should be granted.

Commission Action

1. **ADOPTED** a Categorical Exemption (**Attachment E**) pursuant to the California Environmental Quality Act (CEQA);
2. **ADOPTED** the proposed Findings (**Attachment D**) for extension of the Tentative Subdivision Map #4585; and
3. **APPROVED** a one-year extension of Tentative Subdivision Map #4585 (**Attachment B**) until March 21, 2009, subject to the original Conditions of Approval (**Attachment C**) for this project.

MOTION: Burton SECOND: Liu
AYES: Bertolero, Burton, Liu, and Merwin
NOES: Kimball, and Peart
ABSTAIN: None
ABSENT: Winters

CONDITIONS OF APPROVAL

GENERAL CONDITIONS OF APPROVAL

1. This project is approved for a 13 lot single-family and duplex residential subdivision (Tentative Subdivision Map # 4585) as shown in **Attachment C** and as conditioned by these Conditions of Approval and Mitigation Measures. Any modification to the approved plans, extent or manner of operation of the facility shall be submitted for review and approval to the Director of Planning and Public Works Department.
2. The developer shall be responsible for all costs associated with implementing the Conditions of Approval and Mitigation Measures contained herein. The developer shall comply with both the spirit and the intent of all applicable requirements of the Knights Landing General Plan, County Code, Conditions of Approval and Mitigation Measures.
3. Pursuant to Public Resources Code Section 21089, and as defined by Fish and Game Code Section 711.4, assessment fees (\$1250.00) are payable by the project applicant upon filing of the Notice of Determination by the Yolo County Planning, Resources and Public Works Department within five working days of approval of this project by the Board of Supervisors.
4. All existing utilities obstructing the development shall be removed and/or relocated to the satisfaction of the service provider.

Yolo County Planning and Public Works Department

May 8, 2008

Page 8 of 29

5. In accordance with Section 8-1.709 of the County Code, a complete soils report for the project site shall be prepared by a registered civil engineer and accepted by the County Building Official prior to the issuance of any building permits.
6. A geotechnical report shall be prepared by a registered civil engineer and accepted by the County Building Official prior to the issuance of any building permits. The geotechnical report shall indicate compliance with compaction requirements for building pads and shall require the removal of all asphalt, gravel, and other materials that have been stockpiled on the site. An adequate amount of soil shall be applied for individual yards of each home.
7. Propane tank locations shall be in accordance with the requirements of Uniform Fire Code, e.g. a minimum of 10 ft. setback from any property line or structure. The developer may elect to provide easements for location of propane tanks in back yards on property lines in a group of two or more parcels.
8. The developer shall be responsible for the demolition and removal of existing improvements and debris on the subject site, including the abandonment of any wells and septic on the subject property. All such demolition and removal shall be completed prior to the issuance of building permits for the subject properties.
9. The developer shall obtain a Construction Activities Storm Water Permit from the California Regional Water Quality Control Board prior to commencement of construction activities. Said permit shall be submitted to the Yolo County Planning and Public Works Department prior to the issuance of grading permits.
10. Unless otherwise authorized by the Planning, Resources and Public Works Director, grading, excavation, and trenching activities shall be completed prior to November 1st of each year to prevent erosion. A drought-tolerant, weed-free mix of native and non-native grasses or alternate erosion control measures approved by the Planning, Resources and Public Works Director shall be established on all disturbed soils prior to November 1st of each year. Engineered grading plans shall be submitted to the Planning, Resources and Public Works Department concurrent with the Final Subdivision Map.
11. Any topsoil excavated during the construction of the project shall be stockpiled and used on the subject site. Topsoil shall not be transported from the site to any other property. Stockpiling of materials and vehicle parking areas shall be located at least 100 feet from occupied residences adjacent to the development.
12. Electrical transformers serving the property shall be effectively screened from public view with landscaping or other effective means as approved by the Planning, Resources and Public Works Director, in cooperation with affected service providers.

CONDITIONS OF APPROVAL PRIOR TO RECORDING THE FINAL SUBDIVISION MAP

Planning

13. The Final Subdivision Map shall be prepared and recorded within two (2) years of approval of the Tentative Subdivision Map, unless an extension of time is approved by the Planning Commission. No person shall sell, lease, or finance any parcel or parcels or commence construction of any building for sale, lease or financing thereon, except for model homes, or allow occupancy thereof, until the Final Map thereof is in full compliance and has been filed for recordation by the County Clerk Recorder of Yolo County.
14. The Final Map shall be prepared on the Basis of Bearing being the State Plane Coordinate System, North American Datum (NAD 83) pursuant to Article 9, Section 8 1902(f) of the

Yolo County Planning and Public Works Department

May 8, 2008

Page 9 of 29

Yolo County Code.

15. Prior to filing the Final Subdivision Map for recordation, the applicant shall record a "Home Owners' Association Agreement" for the proposed Snow Subdivision. The Agreement shall provide for membership of the association, ownership of the detention-basin Parcel 1, and payment of any assessments, maintenance and repair of Parcel 1. All terms, conditions, restrictions and covenants contained in the Agreement are deemed covenants running with the land, are for the benefit of the land affected by the agreement and shall inure to the benefit of, and be enforceable by, all owners of said lands and their heirs, devisees, assigns and successors in interest. A copy of the recorded agreement shall be provided to Planning, Resources and Public Works Department prior to filing of the Final Subdivision Map.
16. At the time of the filing the Final Subdivision Map for recordation, fee title dedication for Parcel 1 (detention-basin parcel) shall be granted to the Home Owners' Association. The developer shall provide access gates and improvements on Parcel 1. Language conveying said parcel shall be shown on the Final Subdivision Map and accepted prior to Recordation.
17. Prior to filing the Final Subdivision Map for recordation, the Map shall be submitted for review and approval by the Planning, Resources and Public Works Department and shall be accompanied by all necessary information (including a bond or other guarantee for the cost of public improvements), in accordance with Sections 8-1.903 and 8-1.1002 of the Yolo County Code.
18. Prior to filing the Final Subdivision Map for approval, the project shall comply with the County Inclusionary Housing Ordinance and all policies regarding affordable housing in effect at the time of the filing of the Final Map. To comply with the adopted Ordinance, the applicant must either construct three affordable units out of the planned 13 units, or construct two affordable units and provide additional benefits to affordable housing.
19. Prior to filing the Final Subdivision Map for recordation, the developer shall receive approval from the Local Agency Formation Commission (LAFCO) for annexation of the subject property into the Knights Landing Community Services District (KCSD) for provision of water, sewer, and lighting in addition to continuous maintenance and operation of the detention pond, unless the detention pond is dedicated to the Home Owners Association.
20. Prior to filing the Final Subdivision Map for recordation, the developer shall submit complete engineered grading and drainage plans detailing topography and site drainage. The grading and drainage plans shall delineate building envelopes, building pad elevations and finish slab elevations. Lots shall drain to the street. At a minimum, the finish slabs shall be no less than twelve inches (12") and two percent (2%) above the top of the back of the sidewalk or curb. Said drainage plan shall reference the soils report prepared for the project. The grading and drainage plan shall be approved by the Planning, Resources and Public Works Director prior to approval of the Final Subdivision Map for recordation.
21. The Final Subdivision Map submitted for recordation shall include a "Right-to-Farm" statement covering all residential lots. The Right-to-Farm statement shall be in accordance with Chapter 6, Article 1 of the Yolo County Code. Said statement shall be approved to form by the County Counsel and shall be recorded in a manner to the satisfaction of the Planning and Public Works Director.
22. The construction plans shall include detailed plans for appropriate fencing along the back of each housing unit lot, suitable to discourage trespass into the adjacent walnut orchard.

Yolo County Planning and Public Works Department

May 8, 2008

Page 10 of 29

23. The applicant shall establish an agreement between the Homeowners Association and a household waste collection agency for a continuous waste collection service.
24. Prior to filing the Final Subdivision Map for recordation, a landscape plan shall be approved by the Planning and Public Works Director. The landscape plan shall provide a minimum of one (1) fifteen (15) gallon tree in the front of each dwelling. Trees, landscaping and appropriate irrigation systems for the front yard of lots shall be installed prior to the issuance of occupancy permits. The landscaping plan shall also include details regarding the storm detention basin on Parcel 1. Landscaping and appropriate irrigation systems in the commonly owned areas shall be installed prior to the issuance of a Certificate of Occupancy. The landscaping plan shall emphasize the use of low-maintenance, drought-tolerant species and shall conform with the County landscaping standards (including the approved tree list) and State Water Efficiency Landscape Ordinance.

Public Works

25. The Final Subdivision Map shall be submitted to the Planning, Resources and Public Works Department for review by the County Surveyor. The map shall be accompanied by all the items specified in Sections 8-1.903 and 8-1.1002 of the Yolo County Code.
26. All roads shown on the Final Subdivision Map shall be dedicated to Yolo County. The right of way width dedicated along Railroad Street shall be sufficient for the road widths and frontage improvements required by these conditions, as determined by the Director of the Planning, Resources and Public Works Department.
27. The Final Subdivision Map shall provide private drainage easements for the proposed drainage channels along the rear of the residential lots.
28. The Final Map shall provide a public drainage/flood easement on the detention basin parcel.
29. Prior to Final Map approval, engineered improvement plans shall be submitted to the Planning, Resources and Public Works Department for approval. Plans shall detail the public improvements required by Yolo County Code Section 8-1.1001, and these conditions of approval, to the satisfaction of the Director of Planning, Resources and Public Works. Final improvement plans shall be submitted on 24" x 36" Mylar sheets.
30. Prior to Final Map Approval, the developer shall obtain approval from the Knights Landing Service District for the District's water and sewer facilities shown on the improvement plans. The District's approval shall be noted on signature blocks on the improvement plans.
31. The improvement plans shall detail road improvements on Railroad Avenue, 4th Street, 5th Street, and 6th Street to Class "A" standards with vertical curbs, gutters, sidewalks, driveways, and ADA accessible handicap ramps. All new and reconstructed streets shall be designed with a Traffic Index of 7, and shall have minimum 4-inch thick asphalt concrete surfacing.
32. The ultimate street width of Railroad Avenue shall be 40' wide measured from either the existing face of curb on the west side of Railroad Avenue, or the projected face of the curb line on the west side of the street where curbs and gutters do not exist. Improvement plans shall indicate the construction/reconstruction of a 20' wide half street along the Railroad Avenue frontage of the subdivision, along with Class A frontage improvements. Improvement plans shall include adequate field survey information to demonstrate that the flowline of the new gutter to be constructed on Railroad Avenue aligns with the existing gutter flowline in the Hope Subdivision located north of the project. On the Final Map, the right of way dedication required along Railroad Avenue shall match the right of way width provided with the Hope subdivision to the north. 4th, 5th, and 6th Streets shall align with, and

Yolo County Planning and Public Works Department

May 8, 2008

Page 11 of 29

have street widths matching, the existing portions of these streets west of Railroad Avenue, ranging from 38' to 40' wide.

33. Improvement plans shall detail improvements in the 4th Street right of way including grading to remove the old railroad berm to provide a final street grade consistent with streets in the surrounding community, final earth slopes to the north side of the street not exceeding 4H:1V, a paved width of 20 feet with a wider paved conform at the intersection of Railroad Street, a cross street culvert and drain inlet to carry drainage from the northeast corner of Railroad Street southward into the new stormdrain system, to the satisfaction of the Director of the Planning, Resources and Public Works Department.
34. Improvement plans shall detail barricades and chain link fencing at the ends of 5th and 6th Streets in the subdivision, to restrict access to the adjacent property, to the satisfaction of the Director of the Planning, Resources and Public Works Department.
35. Improvement plans shall detail curb, gutter, sidewalk and an ADA accessible ramp at the northwest corner of the intersection of Railroad Avenue and 7th Street, and an ADA accessible ramp on the east side of Railroad Street at this location, to provide for pedestrian access from the new project to the elementary school site.
36. Improvement plans shall indicate that the existing corrugated metal cross street culverts on Railroad Avenue that are proposed to be tied into the new stormdrain pipe installed along the east side of Railroad Street, shall be replaced with reinforced concrete pipe meeting County Standards.
37. Improvement plans shall indicate headwalls and erosion protection measures where the stormdrain pipe empties into the detention basin. The detention basin shall be seeded with an appropriate seed mixture to reduce erosion.
38. Prior to Final Map approval, Joint Utility Trench plans shall be submitted to the Planning, Resources and Public Works Department for review. All utilities required to serve the subdivision shall be extended underground to the site and installed underground on the site. Electricity, telephone, and cable TV services shall be installed in a common utility trench. Electrical transformers and propane tanks shall not be located in any front yard and shall be effectively screened from public view.
39. Coordinate with utility companies to remove or relocate the two utility guy wire support poles on the east side of Railroad Street at 7th Street, so that they do not encroach on the new sidewalk, and remain within the proposed PUE.
40. Prior to Final Map approval, an engineered drainage study shall be submitted to the Planning, Resources and Public Works Department demonstrating that stormwater drainage and control features are designed so that the peak stormwater flows in the 10-year and 100-year storm event do not increase downstream of the project.
41. Prior to Final Map provide landscaping plans the detention pond showing black-clad chain link_fencing around the detention pond. Provide driveway approach and gate for maintenance equipment access into the pond.
42. Prior to approval of the Final Map, developer shall create a Common Interest Development (Homeowners Association) in accordance with the requirements of the State Department of Real Estate for the purpose of jointly owning and funding maintenance of the detention basin. Conditions, Covenants, and Restrictions and pro-forma budgets shall be submitted to the County prior to approval of the Final Map. Prior to final map approval, the developer shall provide evidence to the County that the Homeowner's Association has been fully

established and funded, and title for the detention parcel has been transferred to the Homeowner's Association.

Knights Landing Community Service District and Fire Department

43. The Improvement plans shall be subject to review and approval by Knights Landing Community Service District (KLSCD) for sewer, water, street lights, and the detention basin. Fees shall be paid to the District for Final Map processing and review of the improvement plans for compliance with District standards in accordance with the existing ordinance.
44. Developer shall furnish, install and pay all costs for fire hydrants, valves and boxes required by the KLSCD and the Knights Landing Fire Department. Fire hydrants and fire flow requirements shall be provided in conformance with the Uniform Fire Code and shall be approved by the Knights Landing Fire Protection District chief prior to the issuance of Building Permits.
45. Developer shall furnish, install and pay all costs for water and sewer service connections and extensions to the existing lateral lines designed and constructed in accordance with District Standards and approved by the District's Engineer. Developer shall pay a fee of \$100 per unit to the District for facility construction inspection and construction. Sewer and water hookup fees shall also be paid to the District at the time of building permits are issued. Services shall not be provided until fees are paid in full. Current hookup fees are \$5,100 per unit for sewer and \$4,000 per unit for water.
46. Developer shall contribute \$500 per unit toward the purchase and installation of an auxiliary power supply for a water well pump.
47. Developer shall pay a fee of \$1,000 per unit to the District for wastewater treatment capacity at the time building permits are issued.
48. Developer shall pay a fee of \$400 per unit to the District for parks at the time building permits are issued.
49. Developer shall install lockable curb stops, valve boxes and meter connections on all water service lines and mark the service locations with a "W" in the concrete sidewalk.
50. Street lights shall be installed in coordination with Pacific Gas and Electric (PG&E) and in accordance with the KLSCD minimum requirements. Street light locations and specifications shall be shown on the Improvement Plans and approved by the County and KLSCD prior to approval of the Final Map.
51. Developer shall furnish, install and pay all costs for street lights constructed at the required intervals to the satisfaction of the KLSCD and the County of Yolo.

CONDITIONS OF APPROVAL PRIOR TO ISSUANCE OF BUILDING PERMITS

Planning

52. All building plans and grading plans shall be submitted to the Planning and Public Works Department for review and approval in accordance with County Building Standards prior to the commencement of any construction.
53. Non-agricultural trees shall not be removed unless first authorized by the Planning and Public Works Director. Treatment of trees to be preserved shall be addressed as a tree preservation component of the required Grading and/or Landscaping Plan, which should

include the following:

- a. Trees to be retained should be identified in the field through flagging or other obvious marking methods prior to any grading.
 - b. Temporary fencing shall be required along the outermost edge of the dripline of each tree or group of trees to be retained in the vicinity of grading to avoid compaction of the root zone and mechanical damage to trunks and limbs.
 - c. Trenching should be prohibited within driplines of trees to be retained. Any required utility line poles within the dripline should be installed by boring or drilling through the soil.
 - d. Should any oak trees need removal as a result of infrastructure improvements, house locations or other improvements, the developer shall replant the trees at a ratio of three to one (3:1). (Also see Condition of Approval #71, below).
54. The developer shall pay all appropriate fees prior to Building Permit Issuance, Final Inspection or Issuance of a Certificate of Occupancy subject to agencies of jurisdiction. Impact fees shall include, but not be limited to: Woodland Joint Unified School District fees, Knights Landing Fire Protection District fees, County Facility fees, and Knights Landing Community Service District fees.
55. Each dwelling shall be provided with a minimum of two (2) enclosed off-street parking spaces. Enclosed parking spaces may be either attached or detached from the main dwelling. Carports shall not be allowed. Concrete driveways shall have a minimum width of sixteen (16) feet. Where the enclosed parking spaces are detached, they shall be located in the rear half of the lot, unless architecturally compatible as determined by the Planning and Public Works Director. When detached, driveway strips, including irrigation systems, shall be encouraged. The minimum length of any driveway shall be twenty (20) feet.
56. The design of the homes shall include the following features:
- (1) Accessible path of travel from street to front door (standard).
 - (2) "Zero" threshold front door (standard).
 - (3) Minimum 36" clear width at hallways (standard).
 - (4) Minimum 32" clear opening to one bathroom (standard).
 - (5) Rocker light switches throughout (standard).
 - (6) Grab bar backing in first floor bathroom (standard).
 - (7) Grab bar in first floor bathroom (offered to buyer at no additional cost).
 - (8) Minimum 32" clear opening to one first floor bedroom (offered to buyer at no additional cost).
 - (9) Single action front door hardware and/or lever action hardware at its interior (offered to buyer at no additional cost).
 - (10) Accessible roll-in shower in one bathroom (offered to buyer at buyer's additional cost).
57. No two adjoining houses shall have the same elevation.

Yolo County Planning and Public Works Department

May 8, 2008

Page 14 of 29

58. The front setbacks of all houses shall be staggered.
59. The southern orientation of roof surfaces of all dwellings shall have electrical conduit stubs installed, 2 spaces for photovoltaic circuits on the electrical panel, and relocation of roof vents where feasible to accommodate solar energy equipment.
60. All homes shall be equipped with energy efficient appliances, low-e windows and water efficient fixtures. Each home shall be constructed to meet PG&E's "energy star" standards, which at the time of Tentative Map approval, were 15% above the minimum Title 24 requirements. The applicant also will offer, as an extra feature on each home at buyer's additional cost, solar panels on the rear side of the roof and related piping and heating improvements. The applicant shall provide confirmation acceptable to the Planning, Resources and Public Works Department that the features described above will be available in each home prior to the issuance of the first building permit.
61. No fireplaces or woodstoves shall be allowed in any of the homes, with the exception of fireplace inserts approved the U.S. Environmental Protection Agency.
62. All homes shall have a minimum of 6-ft. high (maximum 7-ft. high, upon approval of a building permit) wood fence.
63. Each dwelling shall display address numbers in accordance with Section 8.1706 of the County Code prior to issuance of occupancy permits. Signage within the development shall be in accordance with section 8-2.2406 of the Yolo County Code.

Building

64. The developer shall acquire any required permits from the Yolo/Solano Air Quality Management District for both mobile and stationary source emissions. Said permits shall be submitted to the Planning and Public Works Department prior to issuance of building permits.
65. Construction equipment shall be properly outfitted and maintained with noise reduction devices to minimize construction-generated noise. Significant noise-generating construction equipment shall be shielded by noise-attenuating buffers such as structures or truck trailers when within 100 feet of adjacent occupied residences.
66. Each dwelling shall be provided with a fire sprinkler system. Public water line connections for each dwelling shall be sized to accommodate residential fire sprinkler systems, with a minimum pipe diameter of either one-and-a-quarter inches (1.25") or one-and-a-half inches (1.5"), as needed.
67. Encroachment permits shall be obtained from the Planning and Public Works Department prior to any work within the County right-of-way.

Mitigation Measures

The following Mitigation Measures identified in the Initial Study (**Attachment C**) for the project are added as project approval conditions (the second numbering is the original numbering in the Initial Study document):

68. I-1. Building structure and yard design, along with construction activities, shall attempt to retain existing oak trees on the project site to the maximum extent possible. However, because trees are anticipated to be removed as part of the project, the project developer

shall prepare a tree preservation plan to minimize damage to on-site oak trees during the construction of the residential portion of the project, replace any oak trees damaged or killed by development of the project, and plant additional sycamores and other trees as determined by the County Planning and Public Works Director. Native oak trees which are removed or killed as part of the development project and native oak trees identified for preservation and subsequently removed during construction shall be replaced at a ratio of 1:1 diameter-at-breast-height (DBH) inches with the same species of native oak tree. For instance, a 100-inch DBH tree could be replaced by 100 1-inch DBH trees or 50 2-inch DBH trees. A tree that is 1-inch diameter at breast height is roughly equivalent to a 15-gallon tree. Any replacement tree that dies within five years of being planted shall be replaced on a one-to-one basis. The replacement trees shall be located in the area that borders the detention basin, and the locations of the replacement trees shall be noted in the tree preservation plan.

In addition to the native oak tree replacement trees, the plan shall include planting Sycamore trees and any other additional trees in the detention basin area at the discretion of the Planning and Public Director.

The preservation element of the plan shall include but not be limited to installation of protective fencing during construction, appropriate irrigation practices, and inclusion of appropriate oak tree preservation notes on grading and construction plans. The replacement and new plantings portion of the plan shall include a map showing where the replacement and new sycamore and oak trees will be located. The plan shall be reviewed and approved by the Planning and Public Works Director prior to issuance of a grading permit.

69. III-2. Prior to the issuance of a grading permit, the project contractor shall prepare an Erosion Prevention and Dust Control Plan. The plan shall be followed by the project's grading contractor. The plan shall be submitted for review and approval by YSAQMD, which will be responsible for field verification of the plan during construction. The plan shall include the following control measures and other measures as determined by the Yolo-Solano Air Quality Management District to be necessary for the proposed project:
- o Cutback and emulsified asphalt application shall be conducted in accordance with District Rule 2.28, Cutback and Emulsified Asphalt Paving Materials.
 - o Portable equipment shall meet either air district or statewide registration or permitting standards (District Rules 3.1, 3.2 and 3.3 where applicable or H&S 41753.2(b)).
 - o Idling time shall be limited to five minutes when construction equipment is not in use, unless per engine manufacturer's specifications or for safety reasons more time is required.
 - o To the extent practicable, operation of heavy-duty equipment shall be managed to reduce emissions such as maintain heavy-duty earthmoving, stationary and mobile equipment in optimum running conditions which can result in five percent fewer emissions.
 - o To the extent practicable, equipment use shall be scheduled to limit unnecessary excessive operation.
 - o Where feasible, the construction equipment shall use cleaner fuels, catalyst and filtration technologies, and retrofit existing engines in construction equipment.
 - o The project contractor shall employ the Best Available Fugitive Dust Control Measures and for Best Available Fugitive Dust Control Measures for High Wind Conditions (see Tables 2 and 3 in the Initial Study) as needed.
70. IV-3. Prior to issuance of grading permits, the project applicant shall retain a botanist who has experience in identifying rare plants and is CDFG-approved to conduct a survey for rare

plants, including rose-mallow (*Hibiscus lasiocarpus*) and Heckard's pepper-grass (*Lepidium latipes* var. *heckardii*). The survey shall be conducted at the appropriate time of year as determined by the qualified botanist, when the species are most likely to be detected. All special-status plant populations shall be described and mapped. The results of the survey shall be submitted to the Planning and Public Works Department. If feasible, special-status plant population shall be avoided and protected using methods developed through consultation with the CNPS and CDFG. Feasibility of avoidance shall be determined by the County at the time of final map approval. If special-status plants observed during the focused plant surveys cannot be avoided the following measures are required:

- Permanently preserve, through use of a conservation easement or other similar method, an equal amount of acreage, either within the project site or off-site, that contains the plant; or,
- Harvest the plants to be lost, and relocate them to another suitable and equal-sized area either within the project site or off-site; or,
- Harvest seeds from the plants to be lost, or use seeds from another appropriate source, and seed an equal amount of area suitable for growing the plant either within the project site or off-site.

At a minimum, mitigation shall occur at a 1:1 ratio (one plant preserved for each plant impacted). CNPS and CDFG shall be consulted to evaluate the suitability for transplanting impacted species to suitable habitats within the established offsite preserve.

71. Valley elderberry longhorn beetle

IV-4(a) A qualified biologist shall conduct a pre-construction survey of the proposed project site for elderberry shrubs in accordance with USFWS protocol. A letter report documenting the results of the survey shall be submitted to the County Planning and Public Works Department. If no elderberry shrubs are located, no further mitigation is required.

(b) If elderberry shrubs are located on the proposed project site and if impacts to individual elderberry bushes cannot be avoided, a program of transplantation and/or replacement for the elderberry bushes shall be developed in accordance with the requirements of USFWS. Each elderberry stem measuring 1.0 inch or greater in diameter at ground level that is adversely affected (i.e., transplanted or destroyed) must be replaced with elderberry seedlings or cuttings at a ratio ranging from 2:1 to 5:1 (new plantings to effected stems) dependent on the presence/absence and density of beetle exit holes in the effected bush. The exact ratio and specific conditions related to the transplantation or replacement requirement would be determined through consultation with the USFWS.

72. California red-legged frog

IV-5. Focused surveys approved by the USFWS shall be conducted for red-legged frog. These surveys shall be conducted by a qualified biologist during the appropriate time of year for optimal detection. Results of the surveys shall be provided to the Corps and USFWS as part of the Corps Section 404 permit application and, if the Corps determines that the project may affect the red-legged frog, formal consultation and appropriate mitigation measures approved in consultation with the USFWS will be required. Alternatively, if this species is not found to occur on the project site, or the Corps determines that the project is not likely to adversely affect the red-legged frog, no further mitigation is required.

73. Swainson's hawk

IV-6. (a) If construction takes place during breeding season (February – August), a pre-construction survey for Swainson's hawk shall be conducted within 30 days prior to the beginning of construction activities by a qualified biologist in order to identify active nests in the project site. If active nests are found, a buffer zone of a minimum of one-quarter mile (approximately 1,300 feet) shall be established around the active nest. Intensive new disturbances (e.g, heavy equipment activities associated with construction) that may cause nest abandonment or forced fledging shall not be initiated within this buffer zone between March 1 and September 1. The buffer zone shall be increased to one-half mile in nesting areas away from urban development (i.e., where heavy equipment noise is not a normal occurrence during nesting seasons). Trees containing nests that must be removed as a result of project implementation shall be removed during the non-breeding season (September to January). If no active nests are found during the survey, no further mitigation is required.

(b) An "Agreement Regarding Mitigation for Impacts to Swainson's Hawk Foraging Habitat in Yolo County" was executed in August, 2002, between the Cities of Davis, West Sacramento, Winters, and Woodland, the County of Yolo, and the CDFG. The agreement currently requires 1.0 acre of habitat management lands as mitigation for each 1.0 acre of Swainson's hawk foraging habitat lost. Prior to the issuance of a grading permit, the applicant shall pay the current fee (\$8,500/acre as of 2006) per the Agreement to Yolo County HCP/NCCP Joint Powers Agency for acres of potential foraging habitat affected.

74. Nesting raptors and migratory birds

IV-7. If construction takes place during breeding season (February to August), a pre-construction survey for migratory and resident bird nests shall be conducted by a qualified biologist in order to identify active nests in the project site within 14 days prior to the initiation of construction activities. During this survey, the qualified person shall inspect all trees in and immediately adjacent to the impact areas for raptor and migratory bird nests. If active nests are found, no construction activities shall take place within 500 feet of the raptor nests and 100 feet of other migratory birds until the qualified biologist has determined that the nest is no longer occupied with adults and/or eggs or young. Highly visible temporary construction fencing shall delineate the buffer zone. Trees containing nests that must be removed as a result of project implementation shall be removed during the non-breeding season (September to January). If no active nests are found during the focused survey, no further mitigation will be required.

75. Western burrowing owl

IV-8. Prior to issuance of a grading permit, a qualified biologist shall conduct a pre-construction survey of all potential burrowing owl habitat within the project site and 250 feet of the project site boundaries and record the presence of individual burrowing owl, sign of burrowing owls and all burrows that are in use by burrowing owl. If the pre-construction survey does not find any burrowing owl activity, no further mitigation is required. The following additional mitigation measures shall be implemented if there are burrowing owls nesting in the project site or within 250 feet of the project site boundaries:

- o Grading shall not be allowed during the nesting season (April to July), unless approved by the CDFG, within 250 feet of any nest burrow.
- o Prior to grading within burrowing owl habitat, unoccupied burrows shall be collapsed to prevent occupation by burrowing owls subsequent to pre-construction surveys.
- o Loss of burrowing owl foraging habitat shall be mitigated at 6.5 acres per pair at an offsite location approved by CDFG.
- o A monitoring report of all activities associated with surveys for and passive relocation of burrowing owls shall be submitted to the CDFG no later than two weeks after the completion of grading that occurs within 250 feet of occupied nesting burrows.

76. Jurisdictional waters of the U.S.

IV-9.

- (a) Prior to grading permit issuance, the applicant shall submit to Army Corps of Engineers a formal wetland delineation based on current regulations of the Army Corps of Engineers. The delineation shall include but not be limited to a determination of the nature of the jurisdiction of the earthen ditches within the project site. If the Army Corps of Engineers determines that jurisdictional waters on or off the project site would not be impacted by the proposed project, no further mitigation is necessary. If the Corps determines that jurisdictional waters are present on- or off-site, the appropriate CWA Section 404 permit shall be acquired by the applicant for the construction of the proposed project and the filling of the existing ditches, if applicable. CWA Section 401 water quality certification or waiver will also be required. An individual permit under Section 404 of the Clean Water Act is required for impacts to waters of the U.S., including wetlands greater than 0.5 acres. As part of the individual permit, National Environmental Protection Act (NEPA) compliance and a Section 404(b) (1) Alternatives Analysis must be completed. In addition, Regional Water Quality Control Board certification is required pursuant to Section 401 of the Clean Water Act to obtain an individual permit. A copy of the approved Section 404 permit shall be provided to the Yolo County Planning and Public Works Director prior to issuance of a grading permit.
- (b) Prior to grading permit issuance, the applicant shall submit to the California Department of Fish and Game (CDFG) a formal wetland delineation based on current regulations of the Army Corps of Engineers. The delineation shall include but not be limited to a determination of the nature of the jurisdiction of the earthen ditches within the project site. If the CDFG determines that jurisdictional waters on or off the project site would not be impacted by the proposed project, no further mitigation is necessary. If the CDFG determines that jurisdictional waters are present on- or off-site, a Streambed Alteration Agreement shall be obtained from CDFG, pursuant to Section 1600 of the California Fish and Game Code, for any activities affecting the bed, bank, or associated riparian vegetation. If required, the project applicant shall coordinate with CDFG in developing appropriate mitigation, and shall abide by the conditions of any executed permits for any work related to the outfall.
- (c) If jurisdictional wetlands are identified on the project site, the acreage of jurisdictional habitat removed shall be replaced on a "no-net-loss" basis in accordance with Corps and CDFG regulations. A conceptual on-site wetlands mitigation plan, including an agreed-upon replacement ratio of wetlands with the Corps. The mitigation plan shall quantify the total jurisdictional acreage lost,

describe creation/replacement ratio for acres filled, annual success criteria, potential mitigation-sites, and monitoring and maintenance requirements. The plan shall be prepared by a qualified biologist pursuant to, and through consultation with, the Corps. The plan may include funding mechanisms for future maintenance of the wetland and riparian habitat, which may include an endowment or other funding from the project applicant.

77. V-11. The following mitigation measures shall be included in the construction documents to be used by the project contractor to the satisfaction of the Planning and Public Works Department:

- (a) Prior to the initiation of construction or ground-disturbing activities, the project proponent shall inform all construction personnel involved with excavation of the potential for exposing subsurface cultural resources and the anticipated procedures that will be followed upon the discovery or suspected discovery of archaeological materials, including Native American remains and their treatment. It is recommended that this be done in a formal meeting as well as in a "toolbox" meeting at the job site.
- (b) All project construction personnel shall be informed that collecting significant historical or unique archaeological resources discovered during development of the project is prohibited by the conditions of the project and by applicable laws and regulations.
- (c) If potential historical or unique archaeological resources are discovered during construction, all construction work shall be suspended in the immediate vicinity (within approximately 25 feet) to avoid altering the cultural materials and their context pending site investigation by a qualified archaeological or cultural resources consultant retained by the project applicant. Construction work shall not begin again until the archaeological or cultural resources consultant has been allowed to examine the cultural materials, assess their significance, and offer proposals for any additional exploratory measures deemed necessary for the further evaluation of, and/or mitigation of adverse impacts to, any potential historical resources or unique archaeological resources that have been exposed.
- (d) If the discovery is determined to be a historical or unique archaeological resource, and if avoidance of the resource is not possible, the archaeological or cultural resources consultant shall prepare a treatment plan acceptable to the County. The treatment plan shall be designed to result in the extraction of sufficient volumes of non-redundant archaeological data to address important regional research considerations. The work shall be performed by the archaeological or cultural resources consultant, and shall result in a detailed technical report that shall be filed with the California Historical Resources Information System, Northwest Information Center. Construction in the vicinity of the find shall not recommence until treatment has been completed.
- (e) During construction, if bone is uncovered that may be human, the California Native American Heritage Commission and the Sacramento County Coroner shall be notified. Should human remains be found, the Coroner's office shall be immediately contacted and all work halted until final disposition by the Coroner. Should the remains be determined to be of Native American descent, the Native American Heritage Commission shall be consulted to determine the appropriate disposition of such remains.

Yolo County Planning and Public Works Department

May 8, 2008

Page 20 of 29

78. VI-12. All grading and foundation plans for the development must be reviewed and approved by the County Engineer and Chief Building Official prior to issuance of grading and building permits to ensure that all geotechnical recommendations specified in the geotechnical report are properly incorporated and utilized in design.
79. VI-13. Prior to issuance of a grading permit, the project applicant shall submit, for the review and approval of the County Planning and Public Works Director, an erosion control plan that will utilize standard construction practices to limit the effects of erosion (in compliance with the SWPPP) during construction of the proposed project. Measures shall include, but are not limited to:
 - o Hydro-seeding;
 - o Placement of erosion control measures within drainageways and ahead of drop inlets;
 - o The temporary lining (during construction activities) of drop inlets with "filter fabric" (a specific type of geotextile fabric);
 - o The placement of straw wattles along slope contours;
 - o Directing subcontractors to a single designation "wash-out" location (as opposed to allowing them to wash-out in any location they desire);
 - o The use of siltation fences; and
 - o The use of sediment basins and dust palliatives.
80. VI-14. The applicant shall prepare a geotechnical report for this project that assesses, at a minimum, the viability of earthwork operations during rainy periods. All grading and foundation plans for the development shall be reviewed and approved by the Yolo County Planning and Public Works Department prior to issuance of a grading permit to ensure that all geotechnical recommendations specified in the geotechnical report are properly incorporated and utilized in design.
81. VIII-15.A NPDES General Permit for Storm Water Discharges Associated with Construction Activities, NPDES No. CAS000002, Order No. 99-08-DWQ is required when a site involves clearing, grading, disturbances to the ground, such as stockpiling, or excavation that results in soil disturbances of one acre or more of total land area. Construction activity that involves soil disturbances on construction sites of less than one acre and is part of a larger common plan of development or sale, also requires permit coverage. Coverage under the General Permit must be obtained prior to construction.
82. VIII-16. Manage storm water to retain the natural flow regime and water quality, including not altering baseline flows in receiving waters, not allowing untreated discharges to occur into existing aquatic resources, not using aquatic resources for detention or transport of flows above current hydrology, duration, and frequency. All storm water flows generated on-site during and after construction and entering surface waters should be pre-treated to reduce oil, sediment, and other contaminants. The local municipality where the proposed project is located may now require post construction storm water Best Management Practices (BMPs) pursuant to the Phase II, SWRCB, Water Quality Order No. 2003-0005-DWQ, NPDES General Permit No. CAS000004, WDRS for Storm Water Discharges from Small Municipal Separate Storm Sewers Systems (MS4). The local municipality may require long-term post-construction BMPs to be incorporated into development and significant redevelopment projects to protect water quality and control runoff flow.
83. VIII-17. The proponent may be required to file a Dewatering Permit covered under Waste Discharge Requirements General Order for Dewatering and Other Low Threat Discharges to Surface Waters Permit, Order No. 5-00-175 (NPDES CAG995001) provided they do not contain significant quantities of pollutants and are either (1) four months or less in duration,

or (2) the average dry weather discharge does not exceed 0.25 mgd:

- a. Well development water
 - b. Construction dewatering
 - c. Pump/well testing
 - d. Pipeline/tank pressure testing
 - e. Pipeline/tank flushing or dewatering
 - f. Condensate discharges
 - g. Water Supply system discharges
 - h. Miscellaneous dewatering/low threat discharges
84. VIII-15. Prior to the issuance of grading permits, the applicant shall submit an approved Storm Water Pollution Prevention Plan (SWPPP) to the Planning and Public Works Director that includes both construction stage and permanent storm water pollution prevention practices, including a description of the site, erosion and sediment controls, means of waste disposal, implementation of approved local plans, control of post-construction sediment and erosion control measures and maintenance responsibilities, and non-stormwater management controls.
85. VIII-16. The Best Management Practice (BMPs) of installing storm drain signage (SD-13) shall be implemented to reduce pollution from entering the storm water system. The curbs or sidewalks shall be painted or have signs attached at each storm drain inlet to advise residents not to put contaminants (motor oil, paint, car washing soaps, etc.) down the storm drain system because these contaminants will pollute the ponds, creek, and rivers.
86. VIII-17. The following detention basin requirements shall be implemented to improve the removal of pollutants provided by the proposed detention basin. Modifications to the proposed basin are identified that would increase the water quality benefits to more closely achieve the design criteria of an Extended Detention Basin and thereby increase the level of pollutant removal. The revised design shall be submitted for the review and approval of the County Planning and Public Works Department prior to the recording of the final map(s).
- To provide an 85 percent capture rate, the required detention basin volume shall be at least 0.48 acre-feet.
 - A flow control structure shall be constructed to meter the capture volume in a 48-hour period to provide time for sediment and other pollutants to settle out of the water.
 - A length-to-width ratio of at least 1.5 to 1 shall be provided.
 - The water quality basin depth shall be two feet.
 - Riprap shall be provided at the pond inlet to provide energy dissipation, prevent re-suspension of sediment, and prevent scour of the basin bottom.
 - A maintenance ramp shall be included to provide access to the basin bottom.
 - The proposed pond shall have side slopes of three-horizontal to one-vertical or flatter.
 - An operations and maintenance plan (O&M plan) shall be prepared that ensures the basin will receive appropriate annual and routine inspections, maintenance, and operation. The O&M plan shall estimate the cost of the annual O&M and potential future repair costs. A financial arrangement to fund the annual O&M costs and repairs shall be developed. The Best Management Practice (BMPs) identified by the Sacramento-Yolo Mosquito & Vector Control District below shall be included in the O&M plan to reduce the mosquito population associated with the detention basin:

Filtration/Infiltration Trenches, Basins and Swales

- Trenches, basins, and swales shall be maintained so that runoff is capable of completely passing through the structure within 3 days after introduction, especially during the peak mosquito breeding months of April through October.
- The bottom of the trenches, basins, and swales shall be free of depression, i.e., tire ruts, in order to limit standing water within the structure.
- Vegetation management shall be performed annually to remove excessive vegetation within the structure.
- Grass clippings and other debris shall be removed from trenches, basins, and swales on a regular basis. Vegetation shall be kept below 4 inches.

Retention/Detention Basins

- Shallow water shall never be interfaced with emergent vegetation.
- All aquatic and periphery vegetation shall be completely or significantly reduced on a yearly basis.
- Levees and other water structure shall be maintained to prevent seepage or flooding into adjacent lowland areas.
- Allow access for continual larval and mosquito surveillance.
- Outlets shall be regularly cleaned of debris.
- Avoid the combination of low dissolved oxygen levels and high organic content.

Storm Water/Residential Drains

- Drains shall be periodically cleaned of emergent vegetation and other debris to prevent water blockage.
- Drains shall be maintained to prevent flooding to adjacent lowland areas.

87. VIII-18. Following annexation and prior to the issuance of any grading permit(s), the developer/applicant shall submit improvement plans for the installation of all water connections to the Knights Landing Community Services District's engineer for review and approval. Extensions to the existing lateral lines shall be designed in accordance with Knights Landing Community Service District standards.
88. VIII-19. Following annexation and prior to issuance of any building permit(s), the developer or applicant shall pay any appropriate fees as determined by the Knights Landing Community Services District with regard to the installation of water connections and extensions to the existing lateral lines, including water hook-up fees in the amount of \$4,000 per unit and \$500 per unit toward the purchase and installation of an auxiliary power supply for a water well pump. Fees shall be payable to the Knights Landing Community Services District.
89. VIII-20. Following annexation and prior to issuance of any occupancy permit(s), the developer/applicant shall install all water connections and extensions to existing lateral lines in compliance with the improvement plans submitted to the Knights Landing Community Services District under MM VIII-20.
90. VIII-21. Design of drainage facilities shall comply with local, state, and federal standards, as well as the Sacramento-Yolo Mosquito & Control District, and shall meet with the approval of County Planning and Public Works Department prior to the issuance of grading permits. The Best Management Practice (BMPs) identified by the Sacramento-Yolo Mosquito & Vector Control District below shall be implemented by the applicant prior to recording of the final map to reduce the mosquito population associated with the detention basin:

Filtration/Infiltration Trenches, Basins and Swales

Yolo County Planning and Public Works Department

May 8, 2008

Page 23 of 29

- Trenches, basins, and swales shall be designed so that runoff is capable of completely passing through the structure within 3 days after introduction, especially during the peak mosquito breeding months of April through October.
- The bottom of the trenches, basins, and swales shall be free of depression, i.e., tire ruts, in order to limit standing water within the structure.

Retention/Detention Basins

- Basins shall be adequately sloped to allow positive drainage from inlet to outlet if the basin is required to be drained.
- Shallow water shall never be interfaced with emergent vegetation.
- Water depths shall be less than 4 feet to discourage emergent vegetation.
- Side slopes of 4:1 are recommended for any permanent or semi-permanent ponds.
- Levees and other water structure shall be constructed to prevent seepage or flooding into adjacent lowland areas.
- Allow access for continual larval and mosquito surveillance.

Storm Water/Residential Drains

- Water conveyance systems shall be constructed and graded sufficiently to allow for a continuous flow of water.
- Drains shall have slopes steeper than 2:1 to allow adequate drainage without standing water.

91. XI-22. Construction activities shall be limited to the hours set forth below:

Monday-Friday	7:00 AM to 7:00 PM
Saturday	9:00 AM to 4:00 PM

Construction shall be prohibited on Sundays and holidays. These criteria shall be included in the grading plan submitted by the applicant/developer for review and approval of the Planning & Public Works Director prior to issuance of grading permits. Exceptions to allow expanded construction activities shall be reviewed on a case-by-case basis as determined by the Chief Building Official and/or County Engineer.

92. XI-23. All construction equipment shall use properly operating mufflers, and no combustion equipment such as pumps or generators shall be allowed to operate within 500 feet of any occupied residence during construction hours, unless the equipment is surrounded by a noise protection barrier acceptable to the Planning & Public Works Director. These criteria shall be included in the grading plan submitted by the applicant/developer for review and approval of the Planning & Public Works Director prior to issuance of grading permits.

93. XIII-24. Prior to issuance of building permits, the developer/applicant shall provide proof to the Yolo County Planning and Public Works Department that any fire hydrants, valves, and boxes required by the Knights Landing Community Services District and the Knights Landing Fire Department have been furnished, installed, and paid for the developer/applicant. Fire hydrants and fire flow requirements shall be provided in conformance with the Uniform Fire Code and shall be approved by the Knights Landing Fire Protection District chief prior to the issuance of building permits.

94. XIII-25. Prior to the issuance of a building permit, the applicant/developer shall submit to the Planning & Public Works Department written proof from the Woodland Joint Unified School District that appropriate school mitigation fees have been paid.

Yolo County Planning and Public Works Department

May 8, 2008

Page 24 of 29

95. XIII-26. Prior to the issuance of building permits, the applicant/developer shall be required to pay fees to the Knights Landing Community Services District in the amount of \$400 per residential unit for the purchase and maintenance of recreational land.
96. XVI-27. Following annexation and prior to the issuance of any grading permit(s), the developer/applicant shall submit improvement plans for the installation of all wastewater connections to the Knights Landing Community Services District's engineer for review and approval. Extensions to the existing main lines shall be designed in accordance with the Knights Landing Community Service District's standards.
97. XVI-28. Following annexation and prior to issuance of any building permit(s), the develop/applicant shall pay any appropriate fees as determined by the Knights Landing Community Services District with regard to the installation of wastewater connections and extensions to the existing main lines, including sewer hook-up fees. Fees shall be payable to the Knights Landing Community Services District.
98. XVI-29. Following annexation and prior to issuance of any occupancy permit(s), the developer/applicant shall install all sewer connections and extensions to existing main lines in compliance with the improvement plans submitted to the Knights Landing Community Services District under Mitigation Measure XVI-27.

ONGOING

99. The project developer 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's 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 is required to promptly notify the operator of any claim, action, or proceeding, and must cooperate fully in the defense. If the County fails to promptly notify the developer of any claim, action, or proceeding, or if the County fails to cooperate fully in the defense, the operators shall not thereafter be responsible to defend, indemnify, or hold the County harmless as to that action. The County may require that the operators post a bond in an amount determined to be sufficient to satisfy the above indemnification and defense obligation.

100. Failure to comply with the CONDITIONS OF APPROVAL as approved by the Board of Supervisors may result in the following actions:
 - non-issuance of future building permits;
 - legal action.

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

Upon due consideration of the facts presented in this staff report and at the public hearing for Zone File #2001-117, the Yolo County Planning Commission finds the following:

California Environmental Quality Act (CEQA) Guidelines

1. In determining that the proposed Categorical Exemption for this project is the appropriate level of environmental review under CEQA, the Planning Commission finds:

That on the basis of pertinent information in the public record and comments received, the ministerial project is exempt from further environmental review and that a Categorical Exemption has been prepared in accordance with the California Environmental Quality Act (CEQA) Guidelines.

Additional Findings:

2. An extension of time shall be approved only when it is found that circumstances under which the subdivision map was granted have not changed.

The project as approved remains consistent with the current Yolo County and Knights Landing General Plans and the zoning of the property. There has been no change in the existing or proposed uses on the surrounding properties. In addition, no other information has been provided during the public hearing process that indicates any change in circumstances.

A ten-minute recess was called.

- 7.3 **2008-023:** Proposed Cache Creek Area Plan In-Channel Maintenance Mining Ordinance, recommendation to the Board of Supervisors. The project is a proposed ordinance that would regulate limited channel maintenance activities allowed within Cache Creek pursuant to the Cache Creek Resources Management Plan (CCRMP) of the Cache Creek Area Plan (CCAP). This ordinance would affect property located within the Cache Creek Resources Management Plan boundaries along approximately 14.5 miles of Cache Creek between the Capay Dam and the town of Yolo, specifically 2,324 acres depicted in Figure 2 of the Cache Creek Resources Management Plan (CCRMP) as falling within the creek channel boundary. A Negative Declaration has been prepared for the proposed ordinance. Lead Department: Parks & Resources (H. Tschudin)

Heidi Tschudin, Contract Planner working for the Parks & Resources Department, presented the staff report, and answered questions from the commission. She also distributed and explained an addendum to the staff report that identifies several late letters they received on the negative declaration, and also identifies additional clarifications that are not yet reflected in the ordinance.

Chair Bertolero opened and closed the public hearing. No one from the public came forward.

Commissioner Liu thanked Heidi Tschudin for all the work and the preparation for today's meeting. She said there seems to be a lot of concern and letters from the community; however, she does not want to further delay this project.

Heidi Tschudin responded that only two letters of community concern from the same person have been received, and there is no new opposition to this ordinance. She said that this program is held up throughout the state as a model for how other jurisdictions should handle this type of situation of trying to move what was long term mining out of the creek and then restore a creek. She stated that there is not much controversy about this ordinance.

Kent Reeves, Principal Natural Resources Planner, described pending resource management and restoration projects along Cache Creek, and stressed that moving forward with this ordinance in a timely manner is critical to implementing the Cache Creek Resource Management Plan in these restoration activities.

Yolo County Planning and Public Works Department

May 8, 2008

Page 26 of 29

Commissioner Merwin said he is inclined to proceed, but he'd still like to hear from his fellow commissioners.

Commissioner Burton stated that staff did a good job of explaining the project, and agreed that it is necessary to move forward.

Commissioner Kimball expressed that she is extremely impressed with the county's dedication to following the current ordinances, and that she appreciates Heidi Tschudin's explanation of this difficult process.

Commissioner Peart said Heidi Tschudin did a good job of explaining this project, and that he will approve moving ahead with the item. He also commented that he doesn't think the proper time frame is being followed for reclaiming the pits once they have been dug.

Chair Bertolero stated that as long as the anticipated modifications don't create new impacts or conflicts in the Negative Declaration, the project should be approved. He supported staff's recommendation to date, with current modifications.

Commission Action

Recommended that the Board of Supervisors:

1. **ADOPT** a Resolution adopting a Negative Declaration (**Attachment A**) as the appropriate level of environmental review under the California Environmental Quality Act (CEQA) and Guidelines;
2. **ADOPT** an ordinance repealing and replacing Chapter 3 of Title 10 of the Yolo County Code with new regulations entitled "Cache Creek Area Plan In-Channel Maintenance Mining Ordinance", with further clarifications and modifications by staff (**Attachment B**).

MOTION: Kimball SECOND: Merwin
AYES: Bertolero, Burton, Kimball, Liu, Merwin, and Peart
NOES: None
ABSTAIN: None
ABSENT: Winters

A ten-minute recess was called.

- 7.4 **2008-024:** Informational item to discuss required ten-year review and discussion of the Cache Creek Off-Channel Mining Plan. The plan affects property located adjoining approximately 14.5 miles of Cache Creek between the Capay Dam and the town of Yolo. No CEQA review is required for this item. Lead Department: Parks & Resources (H. Tschudin)

Heidi Tschudin, Contract Planner, gave the staff report, and answered questions from the commission.

Chair Bertolero opened and closed the public hearing. No one from the public came forward.

Commissioner Merwin thanked Heidi Tschudin for her clarity, and for making very complex issues

easier to understand in a very short period of time. He noted that it's very appropriate that the off-channel mining permits are being reviewed every ten years.

Commissioner Liu said she appreciates hearing about the ten-year review, and that it sounds very thorough, and is consistent with our plan.

Commissioner Kimball said she appreciates the work on the project. She commented that she would like to see the new TAC have some sort of a mandate on looking at the preventative areas that could have more potential for success.

Commissioner Peart said Heidi Tschudin did a good job of presenting the staff report, and he thinks it's great.

Commissioner Burton stated that he appreciates this information, and the clarity of the presentation.

Chair Bertolero explained that this item was an introduction, and is part of the process to allow the public to be involved. He agreed with Commissioner Kimball that there probably are areas that could be identified for protection.

Commission Action

1. **HELD** a public workshop to receive information about the required ten-year OCMP update and solicit public and agency comments;
2. **DISCUSSED** the staff's proposed approach for completing the review.

REGULAR AGENDA

8. DISCUSSION ITEMS

8.1 General Plan Update (D. Morrison)

Heidi Tschudin, General Plan Project Manager for the County, speaking on behalf of David Morrison, gave an update on the General Plan, and presented schedule information about the project. She said that the Draft General Plan will probably be released for public review in early to mid September 2008. At that time, there will be a joint workshop between the Planning Commission and the Board of Supervisors where each of the elements and the key issues will be highlighted by the General Plan Team. She stated that the joint workshop will officially kick off the public and agency review period for the Draft General Plan.

9. DIRECTOR'S REPORT

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

Eric Parfrey, Principal Planner, brought the commission up to date on the following:

- A. The Tribal EIR was released by the tribe the end of last week for the Expansion of the Cache Creek Casino, and the document is available on the website: www.cachecreekteir.com. The county has scheduled a joint meeting of the Capay Valley, Esparto, and Madison Citizens' Advisory Committees, on May 22, 2008, to give the committee members an opportunity to discuss with staff the contents of the Tribal EIR and to give comments specifically to staff of the County Administrative Office, who is coordinating the county's formal response to the Tribal EIR. On Wednesday, May 28, 2008, the tribe is having a formal comment session in Brooks on the Tribal EIR, which is a formal opportunity for members of the public to comment directly to the consultant hired by the tribe to do the Tribal EIR.
- B. Planning Commission Agenda for Next Meeting:
 - One-year extension of a 3-lot commercial Tentative Subdivision Map in the Highway Commercial (CH) zone, located at Bernard Court, north of the City of Woodland.
 - Reestablishment of a marina at Elkhorn, near the I-5 bridge.
 - Downtown Mixed Use Ordinance for Downtown Esparto for final adoption.
 - Annual review for last year's mining permit activity on Cache Creek, with Kent Reeves from the Parks & Resources Department.
 - Presentation by Michele LaPena, one of the foremost authorities on SB 18 Tribal Consultation rules.
 - Follow-up joint meeting with all the citizens' advisory committees in the unincorporated area, after lunch, at the Planning and Public Works Department, Cache Creek Room, to give the committee members an opportunity to meet each other to discuss common issues and roles.
- C. Staff will be in attendance at all advisory committee meetings.
- D. The zoning ordinance is in the process of being rewritten.

10. 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.

- A. Commissioner Peart: No report.
- B. Commissioner Burton reported that he went on a tour at R.H. Phillips, and also attended a state-sponsored meeting on transit-oriented development.
- C. Commissioner Merwin said he received a flyer in the mail from the Farm Bureau regarding a proposal to regulate ground water. He also stated that the California Department of Water Resources held a scoping meeting in Clarksburg for their proposed Bay-Delta Conservation Plan, attended by him and about 150 people from the community of Clarksburg. He added that he attended the design guidelines meeting.
- D. Commissioner Liu stated that she attended an interesting debate between Heather

Yolo County Planning and Public Works Department

May 8, 2008

Page 29 of 29

Fargo and Kevin Johnson, mayor candidates in Sacramento, and a meet and greet for Sydney Vergis and Stephen Sousa, Davis City Council candidates. She said she also attended a barbecue for Mariko Yamada with Davis Firefighters.

- E. Chair Bertolero reported that he attended the Yolo-Zamora Citizens' Advisory Committee meeting.
- F. Commissioner Kimball said she attended the design guidelines meeting.

11. FUTURE AGENDA ITEMS

The opportunity for commission members to request that an item be placed on a future agenda for discussion. No discussion by other commission members will occur except for clarifying questions.

No items were requested.

12. ADJOURNMENT

The Regular Meeting of the Yolo County Planning Commission was adjourned at 10:17 a.m. The next regularly scheduled meeting of the Yolo County Planning Commission is June 12, 2008, in the Board of Supervisors' Chambers. A follow-up joint meeting of the Yolo County Planning Commission with all citizens' advisory committees will be held on June 12, 2008, at 1:00 p.m., in the Cache Creek Room, at the Planning and Public Works Department, 292 West Beamer Street, Woodland.

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 the Board within fifteen days from the date of the action. A written notice of appeal specifying the grounds and an appeal fee immediately payable to the Clerk of the Board must be submitted at the time of filing. The Board of Supervisors may sustain, modify or overrule this decision.

Respectfully submitted by,

David Morrison, Assistant Director
Yolo County Planning and Public Works Department