

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

YOLO COUNTY PLANNING COMMISSION

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

AGENDA

THURSDAY AUGUST 14, 2008

**Board of Supervisors Chambers
625 Court Street, Room 206
Woodland, CA. 95695**

Please refer to the last page of this agenda for notices regarding accommodations for persons with disabilities and for appeals of Planning Commission actions.

ADMINISTRATIVE AGENDA

8:30 a.m.

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **APPROVAL OF MINUTES**
- 3.1 Minutes of June 12, 2008.
4. **PUBLIC REQUESTS**

The opportunity for members of the public to address the Planning Commission on any subject relating to the Planning Commission, but not relative to items on the present agenda. The Planning Commission reserves the right to impose a reasonable limit on time afforded to any individual speaker.

5. CORRESPONDENCE

- 5.1 California County Planning Commissioners Association State Conference flyer.

CONSENT AGENDA

8:40 a.m.

- 6.1 None

TIME SET AGENDA

8:45 a.m.

- 7.1 **2007-049** and **2007-050**: Use permit for a re-established marina and an associated road abandonment in the Agricultural General (A-1) zone. The property is located on the Sacramento River near the I-5 bridge at Elkhorn, east of the City of Woodland (APN: 057-210-18 and -17). A Mitigated Negative Declaration has been prepared for this project. Owner/Applicant: Newton/Turner (C. Baracco)

9:00 a.m.

- 7.2 **2008-010**: Tentative Parcel Map for the subdivision of an 11-acre parcel into a 6-acre homesite and a 5-acre homesite. The project is located at 34474 County Road 25, three miles west of the City of Woodland and one mile south of the Watts-Woodland Airport in the Monument Hills area (APN: 040-040-04). A Negative Declaration has been prepared for this project. Owner/Applicant: Slooten (J. Anderson)

9:15 a.m.

- 7.3 **2008-006**: Use Permit for a research, development and demonstration program in association with the University of California, San Diego and University of California, Davis, to develop technologies to use agricultural residue and urban green waste to create an alternative fuel source (biodiesel). The project site is within the Agricultural General (A-1) zone. The 21-acre parcel is located at 14954 County Road 100B (the Wallace Ranch), just north of Best Ranch Road (County Road 18A) and north of the City of Woodland (APN: 027-230-08). A Mitigated Negative Declaration has been prepared for this project. Owner/Applicant: Taylor/West BioFuels (D. Rust)

9:45 p.m.

- 7.4 **2006-090**: Adoption of the proposed Downtown Mixed Use (DMX) zoning district as an amendment to the Yolo County Code and rezoning of properties in downtown Esparto along Yolo Avenue and Woodland Avenue from C-2 (Community Commercial) to DMX. (APN: numerous). A Mitigated Negative Declaration has been prepared for this project. Owner/Applicant: Yolo County (E. Parfrey)

10:00 a.m.

- 7.5 **ZF 2008-034**: Road Abandonment of a 40-foot wide strip of land contained solely on one parcel. The project site is located at 22322 County Road 23 (APN: 047-060-19). The right-of-way was originally conveyed to the County in 1888 for use as a public road; however, the

deeded roadway was never constructed and no road currently exists on the property.
Owner/Applicant: Van Vuren-Scott (S. Berg)

10:15 a.m.

- 7.6 **ZF 2008-036:** Zone Boundary Adjustment to rezone a 4.0-acre parcel from the Agricultural General (A-1) zone to the Agricultural Preserve (A-P) zone (APN: 048-130-23) to provide consistency with the Orciuoli mitigation project. The four-acre parcel was recently merged with A-P zoned lands to implement a lot line adjustment and Williamson Act successor amendment that resulted in two parcels, one of 60.60 acres and one of 54.30 acres, and divided an existing Williamson Act contract. Owner/Applicant: Castle/Boatwright (S. Berg)

REGULAR AGENDA

8. DISCUSSION ITEMS

- 8.1 None

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.

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.

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.

- 11.1 Visit to the Cache Creek Nature Preserve

12. ADJOURNMENT

The next scheduled meeting of the Yolo County Planning Commission is September 16, 2008, which is a joint meeting with the Board of Supervisors regarding the update of the County General Plan.

Respectfully submitted by,

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

***** NOTICE *****

If requested, this agenda can be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 and the Federal Rules and Regulations adopted in implementation thereof. Persons seeking an alternative format should contact David Morrison, Assistant Director for further information. In addition, a person with a disability who requires a modification or accommodation, including auxiliary aids or services, in order to participate in a public meeting should telephone or otherwise contact David Morrison, Assistant Director as soon as possible and preferably at least 24 hours prior to the meeting. David Morrison, Assistant Director may be reached at 530-666-8041, or at e-mail david.morrison@yolocounty.org, or at the following address: Yolo County Planning and Public Works Department, 292 West Beamer Street, Woodland, CA 95695.

***** NOTICE *****

Any person who is dissatisfied with the decisions of this Planning Commission may appeal to the Board of Supervisors by filing with the Clerk of that Board within fifteen days 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.



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PLANNING COMMISSION STAFF REPORT

August 14, 2008

ZF#2007-049 and 2007-050: Use permit for a re-established marina and an associated road abandonment in the Agricultural General (A-1) zone. (**Attachment A**).

APPLICANT: Robert Newton
P.O. Box 160273
Sacramento, CA


OWNER: Hugh Turner
169 North Valentine
Fresno, CA

LOCATION: The property is located on the Sacramento River near the I-5 bridge at Elkhorn, east of the City of Woodland (APN: 057-210-18 and -17)

GENERAL PLAN: Agricultural
ZONING: Agricultural General (A-1)
SOILS: Sycamore silty clay loam (Class II)
Tyndall sandy loam (Class III)
FLOOD ZONE: A (area within the 100-year flood plan) B (area within the 500-year flood plan)

ENVIRONMENTAL DETERMINATION: Mitigated Negative Declaration

REPORT PREPARED BY:


Craig Baracco, Associate Planner

REVIEWED BY:


David Morrison, Assistant Director

RECOMMENDED ACTIONS

That the Planning Commission:

1. **HOLD** a public hearing and receive comments;
2. **ADOPT** the Mitigated Negative Declaration as the appropriate level of environmental review in accordance with the California Environmental Quality Act (CEQA) and Guidelines (**Attachment C**);
3. **ADOPT** the Mitigation Monitoring and Reporting Program (**Attachment D**);
4. **ADOPT** the Findings (**Attachment E**); and
5. **APPROVE** a Use Permit subject to the Conditions of Approval (**Attachment F**)

REASONS FOR RECOMMENDED ACTIONS:

This project will provide a valuable recreation facility to the residents of the region. It will increase

use and appreciation of the natural resources of Yolo County, particularly the Sacramento River. This project will provide both jobs and increased economic activities in a manner compatible with the rural nature of the surrounding area.

BACKGROUND

PROJECT DESCRIPTION

The project (ZF#2007-049) proposes removal of two existing dock sections and replacing them with a new 62-slip marina on the west bank of the lower Sacramento River, just north of the Interstate 5 freeway bridge in Yolo County. The marina will be used for year-round berthing of recreational boats. No boat launching facilities or refueling facilities are proposed. A harbormaster's office and elevated platform for marina services, and a 36-space parking area, will be constructed on the landward side of the levee (APN 057-210-17). A boat parking area with 21 ten-foot by forty-foot spaces, five boat storage buildings 6,000 square feet in size, and a caretaker's office (2,900 square feet) will be constructed on the west side of County Road 117 (APN: 057-210-18).

The marina facilities consist of two floating dock sections that will be accessed by an elevated landing and two bridge and stairway structures. The dock section farthest from shore will be located approximately 170 feet from shore and measure 490-feet long by 46-feet wide. The dock section closest to shore will be located approximately 70 feet from shore and measure 710 feet long and 50 feet wide. The docks will be constructed of galvanized metal with encased flotation. A sheet pile debris barrier will extend 80 feet from shore at the upstream (north) end of the marina. The total water surface area covered by the dock structures and berthed vessels will be approximately 1.6 acres.

A total of 210 16-inch diameter steel piles will be driven to support the docks and access structures. A total of 150 piles will be driven into the bed of the Sacramento River using a barge-mounted pile driver. The remaining 60 piles will be driven out of the water on shore.

There is an existing domestic water well and septic system on parcel APN 057-210-17, which served a previously demolished home. These existing systems may have to be upgraded or supplemented through the construction of a new well or septic system under permit from Yolo County Environmental Health to serve the caretaker's office.

The marina's hours of operation will be from 7:00 am to 10:00 pm. The marina will have three full-time employees. The project is expected to generate 216 vehicle trips per day at full capacity, based on projections, and will require up to three truck deliveries per day. Security will be provided with a fenced perimeter and gate.

A request to abandon a section of public right-of-way thirty feet in width and 1400 feet in length that runs along the southern border of APN 057-210-18, is also included with this project (ZF# 2007-050). The applicant is asserting that this section of right-of-way should have been merged when Caltrans reconveyed the property back to Yolo County. (**Attachment H**)

Surrounding Land Uses and Setting

The Sacramento River lies to the east of the project site. An existing marina, which includes boat launch and refueling facilities, is currently in operation on the eastern shore of the river in Sacramento County directly east of the project site. All parcels surrounding the project are zoned A-1 (General Agriculture) and designated Agriculture in the Yolo County General Plan. A residence is located approximately 400 feet north of the project location. No other development

exists on adjacent parcels. A rail line lies adjacent to the project site. The I-5 bridge over the Sacramento River is directly south of the project. County Road 117 divides the two parcels upon which the project is located, and County Road 22 bounds the project to the west.

STAFF ANALYSIS

The following issues were examined in the course of reviewing this project through the environmental and development review process.

Biology: According to a biological study prepared for the applicant (*Biological and Essential Fish Habitat Assessment for the Elkhorn Marina Project*, Jones & Stokes, November 2007), the California Natural Diversity Data Base identifies five "special status species" that may be found in the vicinity of the project site. They are the Central Valley Steelhead, North American green sturgeon and three varieties of Chinook salmon. The study proposed several mitigation measures. To minimize the impact of marina construction and operations on these species and their habitat, mitigation measures are incorporated into staff's recommended Conditions of Approval.

An additional reconnaissance level assessment of upland biological resources (July 2008) was conducted on May 30, 2008. This assessment concluded that two species, valley elderberry longhorn beetle and Swainson's hawk have a high potential to occur onsite. An elderberry shrub that was identified along the border of parcel APN 057-210-18 represents potential habitat for the longhorn beetle. Swainson's hawks were recorded nesting in APN 057-210-17 in 2007. In order to protect the potential habitat of these two species, mitigation measures have been incorporated as part of the revised Mitigated Negative Declaration. These measures will ensure that both the elderberry bush and any raptor nests will be protected during project construction.

Water Quality/Flooding: A majority of the site is located in the 100-year floodplain. As a condition of approval, the applicant shall be required to either raise all proposed buildings out of the 100-year flood hazard area by elevating the pads of the buildings so that the finished flood elevations would be one foot above the base flood elevation, or to construct the buildings to dry-proofing standards as required by the California Building Code and Federal Emergency Management Agency standards.

To ensure water quality, the applicant is required to obtain a General Construction Activity Stormwater Permit (SWPPP), and a National Discharge Elimination System (NPDES) permit. The permits are required to control both construction and operational activities that may adversely affect water quality. The project will be required to utilize Best Management Practices (BMPs) to prevent pollution from leaving the property through stormwater runoff and entering the Sacramento River.

Traffic/Parking/Safety: Long-term changes to local traffic circulation resulting from the proposed project would be additional employee and customer trip generation. According to traffic studies found in *Trip Generation* Institute of Transportation Engineers, 1991 a marina can be expected to generate an average of 3.48 vehicle trips per day per berth. With 62 slips planned, the project could generate approximately 216 vehicle trips per day. This increase would add approximately 22 morning and evening peak hour trips to the region's transportation network. County Roads 117 and 22 currently serve very limited development in the rural area and have very low existing traffic levels. This increase would not significantly affect volume to capacity ratios, and road improvements will not be required.

Traffic safety is an issue with the project. Driveways from the boat storage area and marina will be connected to County Road 117. A rail line cuts between the two parcels upon which the project is

located, and a railroad crossing is located on CR 117 between the two driveways. The presence of multiple connections, and crossings of CR 117 in a limited stretch of roadway is a design feature that could create a potentially significant impact, unless mitigated. Therefore, the applicant is required to install signage to warn the traveling public. Required signs shall include *Slow Traffic Ahead*, *Cross Traffic Ahead* and *Do not Block Railroad*.

The project would be required to meet standard parking requirements established in the Yolo County Zoning Code. On-site parking adequate to serve both employees and customers of the project is included in the project site plan. Parking facilities for vehicles towing boats will also be provided. Therefore, approval of the project would ensure adequate parking supply.

Aesthetics: The Sacramento River is a well-known scenic area, and the project site is highly visible to members of the traveling public along Interstate 5. To prevent significant degradation of the visual character of the site and its surroundings, the project will be required to submit a detailed landscaping and irrigation plan for the project site, keep the site free of graffiti, trash, and visual clutter, and keep all boats docked at the marina in good working order and repair.

AGENCY COMMENTS:

A "Request for Comments" was circulated for the proposed project from August 14, 2007 to August 28, 2007. This project was reviewed by the County Development Review Committee on January 9, 2008 and May 15, 2008.

An Initial Study/Mitigated Negative Declaration was prepared and circulated from May 9, 2008, to June 9, 2008. The Initial Study/Mitigated Negative Declaration was recirculated with additional biological information July 15, 2008 to August 14, 2008. Comments received during both review periods were incorporated into the project where feasible. A summary of comments is provided below:

AGENCY	COMMENTS	RESPONSE
Yolo County Environmental Health	Septic and water systems shall be constructed under permit from YCEH. Project may be subject to the requirements of a Hazardous Materials Business plan.	Included in Conditions of Approval.
Yolo County Public Works	The applicant is required to obtain an encroachment permit and to pave the driveway approaches. Additional safety signage is required.	Included in Conditions of Approval.
Yolo County Building Division	Property is largely in the 100 year floodplain and is required to either elevate or flood proof all buildings.	Included in Conditions of Approval.

California State Lands Commission	The applicant shall secure an amended lease agreement with the California State Lands Commission to reflect the increased size of the marina.	Included in Conditions of Approval.
Yolo County Parks and Resources Department	The applicant shall take measures to ensure individual boat owners maintain boat launch permits	Included in Conditions of Approval.

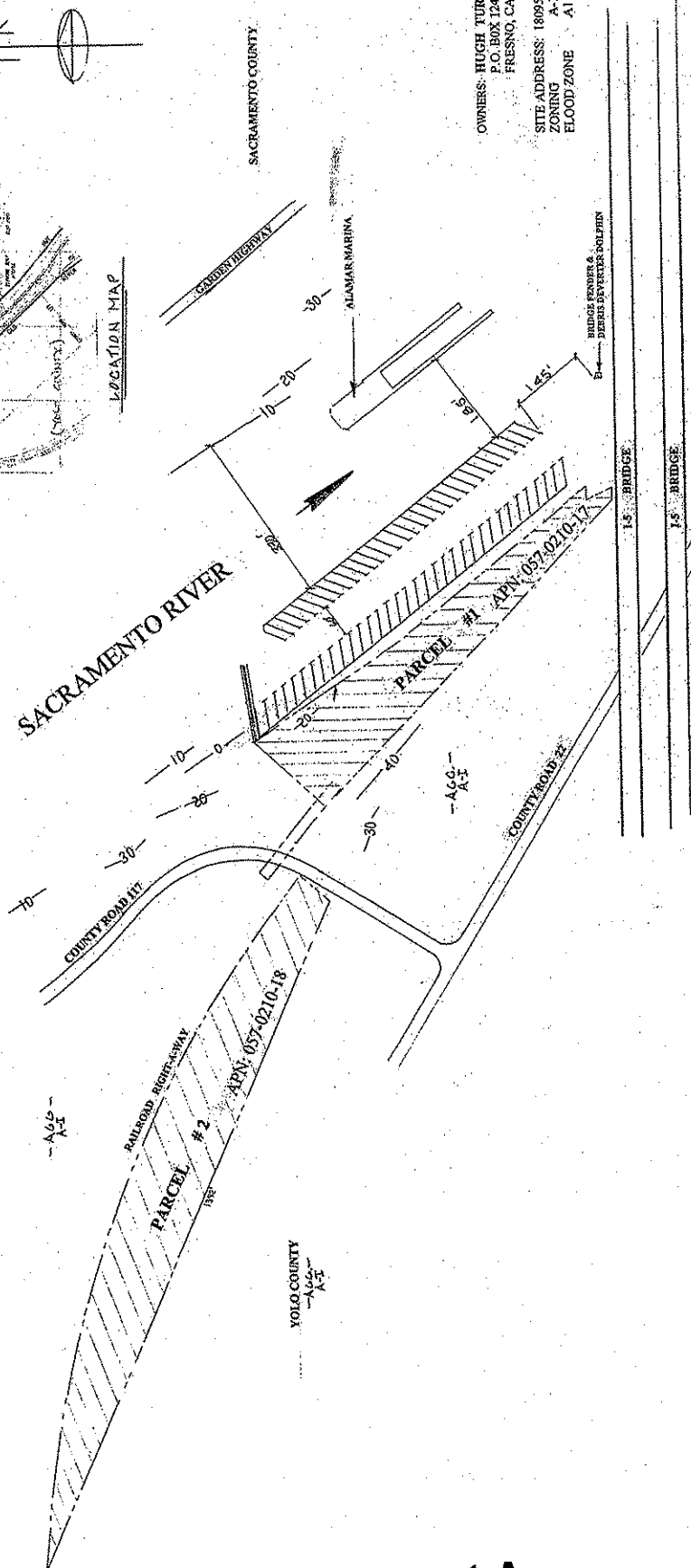
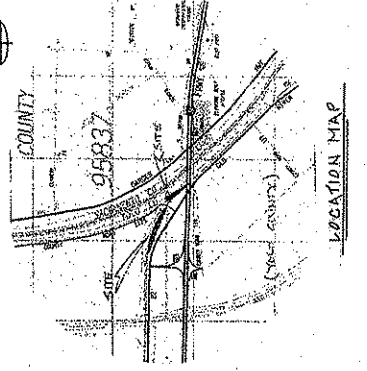
APPEALS

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.

ATTACHMENTS:

- Attachment A** - Site Plan
- Attachment B** - Elevation
- Attachment C** - Initial Study/Negative Declaration
- Attachment D** - Mitigation Monitoring and Reporting Program
- Attachment E** - Findings
- Attachment F** - Conditions of Approval
- Attachment G** - Aerial Photo
- Attachment H** - Road Abandonment

ZONING CHANGE REQUEST MARINA EXPANSION ELKHORN MARINA 1809 COUNTY RD. 117 YOLO COUNTY, CA A "HUGH TURNER" PROJECT



SHEET INDEX
TITLE SHEET
KEY MAP SHEET
BOAT STORAGE & DOCKS
OFFICE ROADS & DOCKS
PARKING SHEET
CROSS SECTIONS SHEET

SITE PLAN
1" = 100'

ACREAGE
PARCEL #1
PARCEL #2

APN: 057-210-018
APN: 057-210-017

EXISTING ZONING: A-1
PROPOSED ZONING: C

REV.	DATE	DESCRIPTION	BY	DATE	ELEV.	BENCH MARK.	DESCRIPTION

NEWTON ASSOCIATES
ENGINEERING DESIGN
P.O. BOX 160273
SACRAMENTO, CALIFORNIA
(916) 483-9880

FIELD BOOKS
SCALE
1" = 100'
JOB NO.
DRAWING NO.

SUBMITTED BY:
ROBERT F. NEWTON

R.C.E. 0176
COUNTY OF CALIFORNIA

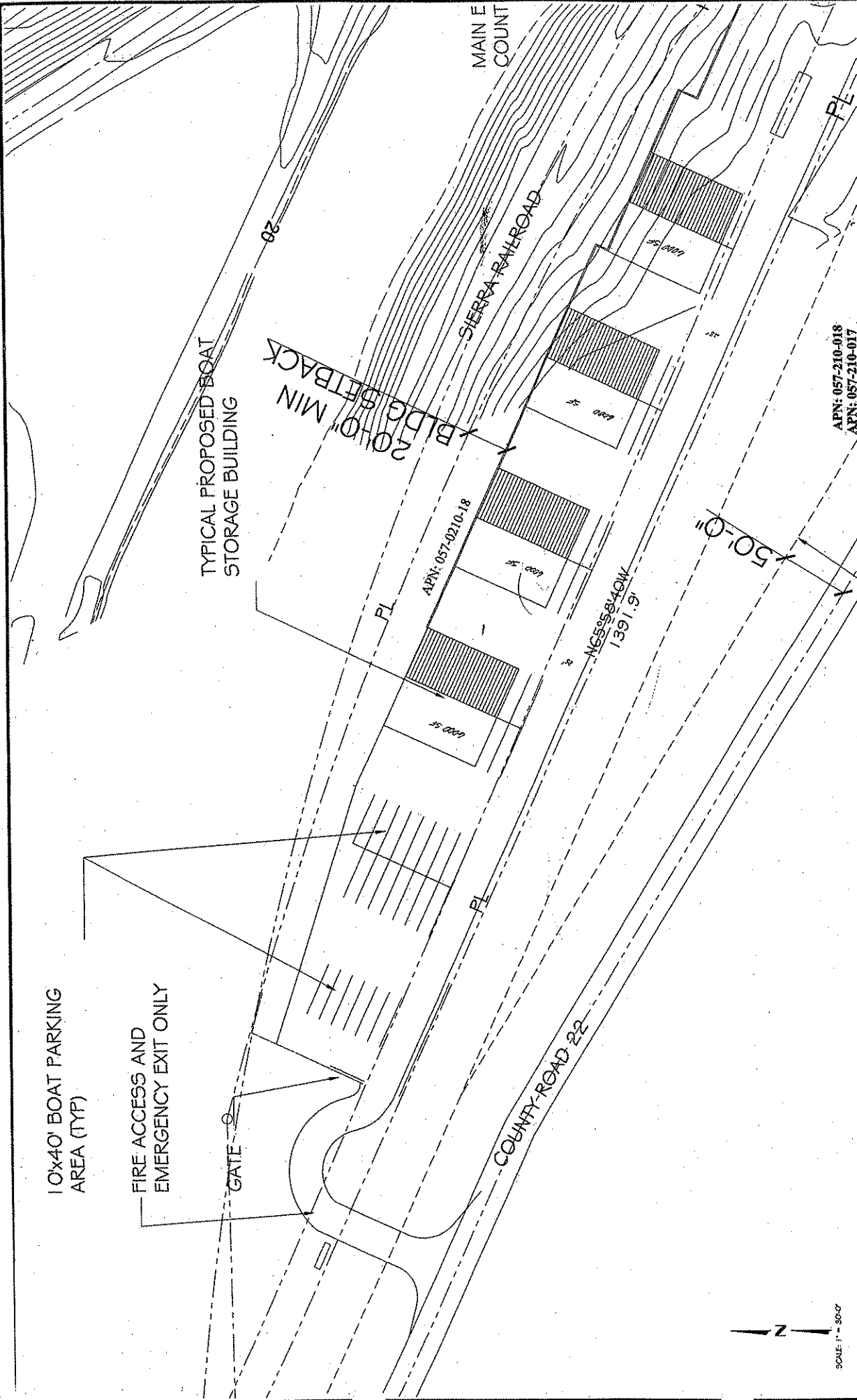
TITLE SHEET
ELKHORN MARINA
1809 COUNTY RD. 117
YOLO COUNTY, CA

LEGEND
VERTICAL ELEVATION
+330
TOP OF FILING
MEAN HIGH WATER
MHW
NEW
ASSASSOR'S PARCEL NUMBER
+330 FT.
HORIZONTAL MEASUREMENT

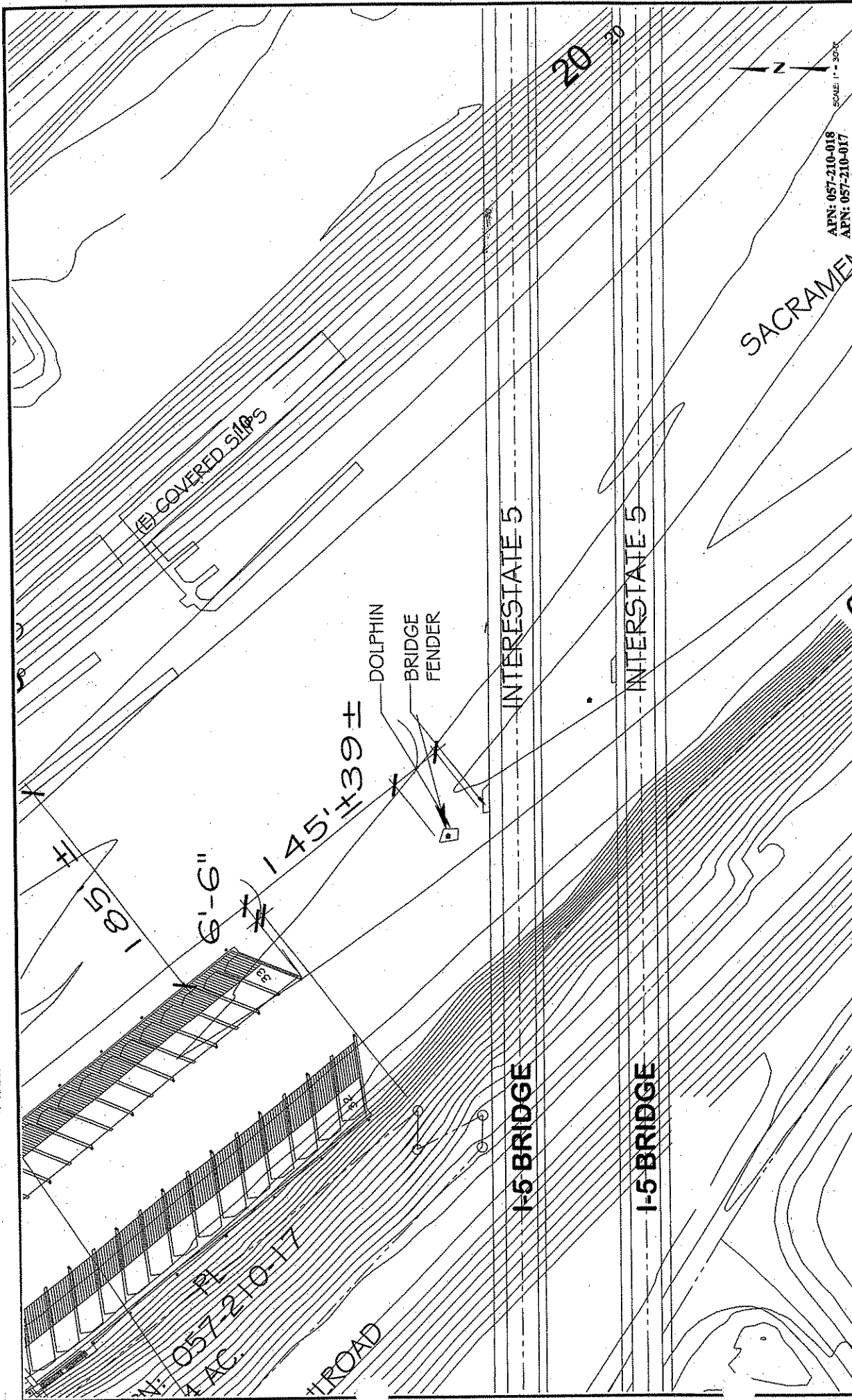
OWNERS: HUGH TURNER
P.O. BOX 12426
FRESNO, CALIFORNIA 95691
SITE ADDRESS: 1809 CR 117
ZONING: A-1
FLOOD ZONE: A1B

Attachment A Site Plan

DESIGNED BY:
DRAFTED BY:
CHECKED BY:



DESIGNED BY:	BY:	DATE:	DESCRIPTION:	REVISIONS:	SCALE:	FIELD BOOKS:	APN: 057-210-018 APN: 057-210-017	BOAT STORAGE & OFFICE ELKHORN MARINA 11000 SIERRA RAILROAD YOLAK COUNTY, CA	SHEET 2 OF 6
DRAFTED BY:	BY:	DATE:	DESCRIPTION:	REVISIONS:	SCALE: 1" = 30'	FIELD BOOKS:	APN: 057-0210-18	ELKHORN MARINA YOLAK COUNTY, CA	SHEET 2 OF 6
CHECKED BY:	BY:	DATE:	DESCRIPTION:	REVISIONS:	SCALE: 1" = 50'-0"	FIELD BOOKS:	APN: 057-210-018 APN: 057-210-017	ELKHORN MARINA YOLAK COUNTY, CA	SHEET 2 OF 6
						NEWTON ASSOCIATES ENGINEERING DESIGN PO BOX 160273 SACRAMENTO, CALIFORNIA (916) 932-8880		COUNTY OF R.C.E. 15175	



APN: 057-210-018 SCALE: 1" = 30'-0"
 APN: 057-210-017

DOCK SHEET CONT.
 ELKHORN MARINA
 1889 COUNTY RD. 117
 COUNTY OF CALIFORNIA

SUBMITTED BY:
 ROBERT R. NEWTON R.C.E. 15175

SCALE
 SHEET NO.
 DRAWING NO.

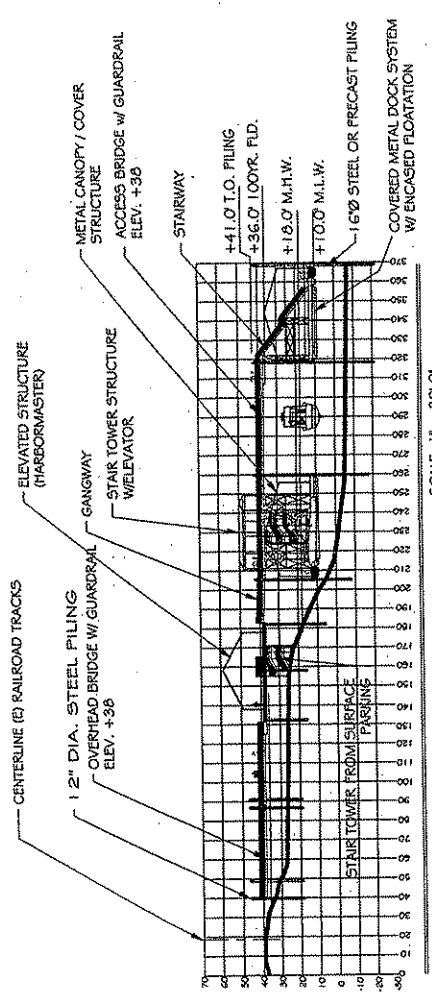
FIELD BOOKS
 NEWTON ASSOCIATES
 ENGINEERING DESIGN
 1800 1800 1800
 SACRAMENTO, CALIFORNIA
 (916) 481-9860



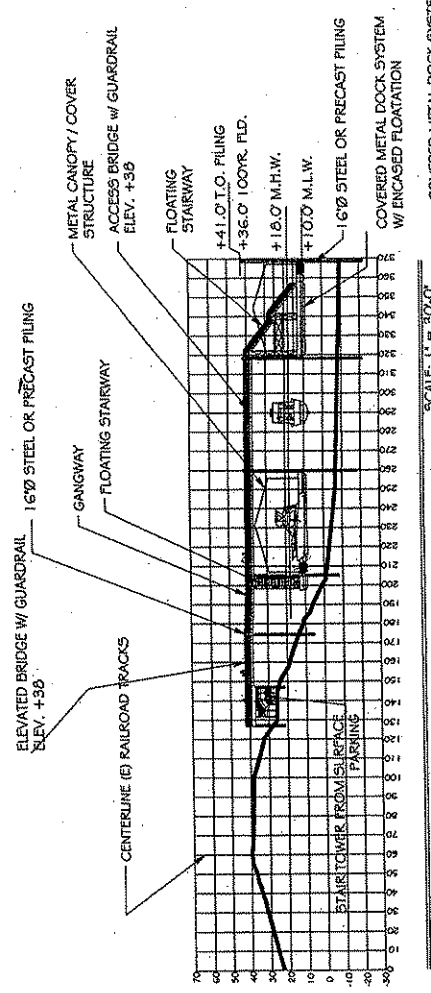
BENCH MARK: ELEV. _____ DATUM: _____
 DESCRIPTION: _____

REV.	DATE	DESCRIPTION	BY	DATE

DESIGNED BY:
 DRAFTED BY:
 CHECKED BY:

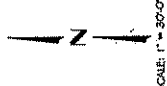


CROSS-SECTION A-A
SCALE: 1" = 30'-0"



CROSS-SECTION B-B
SCALE: 1" = 30'-0"

Attachment B Elevation



SCALE: 1" = 30'-0"

APN: 057-210-018
APN: 057-210-017

CROSS SECTIONS SHEET
ELKHORN MARINA
1899 COUNTY RD. 117
YOLO COUNTY, CA
COUNTY OF CALIFORNIA

SUBMITTED BY:
ROBERT R. NEWTON
R.C.E. 15175

SCALE
JOB NO.
DRAWING NO.

FIELD BOOKS
NEWTON ASSOCIATES
ENGINEERING DESIGN
P.O. BOX 60272
SACRAMENTO, CALIFORNIA
(916) 483-9850

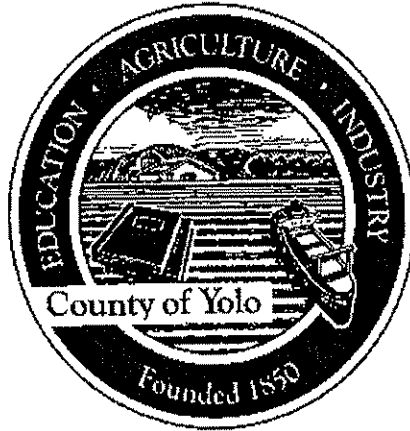


BENCH MARK: ELEV. DATUM:
DESCRIPTION:

REV. DATE	DESCRIPTION	BY	DATE

DESIGNED BY:
DRAFTED BY:
CHECKED BY:

SHEET 6 OF 6



**YOLO COUNTY PLANNING & PUBLIC WORKS
DEPARTMENT**

**Newton Associates
Marina/Road Abandonment**

July 15, 2008

Revised

**INITIAL STUDY/ MITIGATED NEGATIVE DECLARATION
ZONE FILE # 2007-049 and 2007-050**

**Attachment C
Initial Study/Mitigated Negative Declaration**

Negative Declaration / Initial Environmental Study

1. **Project Title:** Zone Files 2007-049 and 2007-050 (Newton/Turner)
2. **Lead Agency Name and Address:**
Yolo County Planning and Public Works Department
292 West Beamer Street
Woodland, CA 95695
3. **Contact Person and Phone Number:** Craig Baracco at (530) 666-8833 or
craig.baracco@yolocounty.org
4. **Project Location:** The project site is located both east and west of the intersection of County Roads 117 and 22, just north of the Interstate 5 Sacramento River Bridge on the west bank of the Sacramento River, five miles to the east of the City of Woodland. (APNs: 057-210-17 & -18).
5. **Project Sponsor's Name and Address:**

Applicant: Robert Newton	Owner: Hugh Turner
P.O. Box 160273	169 North Valentine
Sacramento, CA 95816	Fresno, CA
6. **General Plan Designation(s):** Agriculture
7. **Zoning** A-1 (General Agriculture).
8. **Description of the Project:** Conditional Use Permit to allow the construction and operation of a marina and associated buildings and abandonment of a section of public right-of-way. See further details in "Project Description," below.
9. **Surrounding Land Uses and Setting:** The Sacramento River lies to the east of the project site. An existing marina, which includes boat launch and refueling facilities, is currently in operation on the eastern shore of the river in Sacramento County directly east of the project site. All parcels surrounding the project are zoned A-1 (General Agriculture) and designated Agriculture in the Yolo County General Plan. A residence is located approximately 400 feet north of the project location. No other development exists on adjacent parcels. A rail line lies adjacent to the project site. The I-5 bridge over the Sacramento River is directly south of the project.
10. **Other public agencies whose approval is required:** State Department of Fish and Game, US Fish and Wildlife Service, State Lands Commission, Army Corp of Engineers, Central Valley Flood Protection Board, Department of Boats and Waterways, National Marine Fisheries Service.
11. **Other Project Assumptions:** The Initial Study assumes compliance with all applicable State, Federal, and Local Codes and Regulations including, but not limited to, County of Yolo Improvement Standards, the California Building Code, the State Health and Safety Code, and the State Public Resources Code.

PROJECT DESCRIPTION

The project (ZF2007-049) applicant proposes to remove two existing dock sections and replace them with a new 62-slip marina on the west bank of the lower Sacramento River, just north of the Interstate 5 freeway crossing in Yolo County. The marina will be used for year-round berthing of recreational boats. No boat launching facilities or refueling facilities are proposed. A harbormaster's office and elevated platform for marina services and a 36-space parking area will be constructed on the landward side of the levee (parcel 057-210-17). A boat parking area with 21 ten feet by forty feet spaces, five boat storage buildings 6,000 square feet in size, and a caretakers office (2,900 square feet) will be constructed on the west side Country Road 117 (APN: 057-210-18).

The marina facilities consist of two floating dock sections that will be accessed by an elevated landing and two bridge and stairway structures. The dock section farthest from shore will be located approximately 170 feet from shore and measure 490 feet long by 46 feet wide. The dock section closest to shore will be located approximately 70 feet from shore and measure 710 feet long and 50 feet wide. The docks will be constructed of galvanized metal with encased flotation. A sheet pile debris barrier will extend 80 feet from shore at the upstream (north) end of the marina. The total water surface area covered by the dock structures and berthed vessels will be approximately 1.6 acres.

A total of 210 16-inch diameter steel piles will be driven to support the docks and access structures. A total of 150 piles will be driven into the bed of the Sacramento River using a barge-mounted pile driver. The remaining 60 piles will be driven out of the water on shore.

There is an existing domestic water well and septic system on parcel APN 057-210-17, which served a previously demolished home. These existing systems may have to be upgraded or supplemented through the construction of a new well or septic system under permit from Yolo County Environmental Health.

The marina's hours of operation will be from 7:00 am to 10:00 pm. The marina will have three full-time employees. The project is expected to generate 216 vehicle trips per day at full capacity, based on projections, and will require up to three truck deliveries per day. Security will be provided with a fenced perimeter and gate.

A request to abandon a section of public right-of-way thirty feet in width and 1400 feet in length that runs along the southern border of parcel APN 057-210-18 is also included in this project (ZF 2007-050). The applicant is asserting that this section of right-of-way should have been merged when Cal-trans reconveyed the property back to Yolo County.

See attached site plan and application materials.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project. These issues have been discussed in detail below, and mitigation measures have been recommended to reduce impacts to a less than significant level.

- | | | |
|--|---|--|
| <input type="checkbox"/> Aesthetics | <input checked="" type="checkbox"/> Agricultural Resources | <input checked="" type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology / Soils |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input checked="" type="checkbox"/> Hydrology / Water Quality | <input type="checkbox"/> Land Use / Planning |
| <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise | <input type="checkbox"/> Population / Housing |
| <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation | <input checked="" type="checkbox"/> Transportation / Traffic |
| <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Mandatory Findings of Significance | |

DETERMINATION:

On behalf of this initial evaluation:

- I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- I find that the proposed project **MAY** have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or **NEGATIVE DECLARATION** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to the earlier EIR or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Craig Baralco
Planner's Signature

Craig Baralco
Planner's Printed name

7/15/09
Date

PURPOSE OF THIS INITIAL STUDY

This Initial Study has been prepared consistent with CEQA Guidelines Section 15063, to determine if the project as described herein may have a significant effect upon the environment.

EVALUATION OF ENVIRONMENTAL IMPACTS

A brief explanation is required for all answers.

"No Impact" answers are adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards.

A determination that a "Less than Significant Impact" would occur is appropriate when the project could create some identifiable impact, but the impact would be less than the threshold set by a performance standard or adopted policy. The initial study should describe the impact and state why it is found to be "less than significant."

"Potentially Significant Impact" is appropriate if there is substantial evidence that an effect is significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

"Potentially Significant Unless Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact". The initial study must describe the mitigation measures and briefly explain how they reduce the effect to a less than significant level.

Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration, pursuant to Section 15063 (c)(3)(D) of the California Government Code. Earlier analyses are discussed in Section XVII at the end of the checklist.

Preparers are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated. A source list should be attached and other sources used or individual contacts should be cited in the discussion.

I. AESTHETICS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock croppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion of Impacts

- a) Less Than Significant With Mitigation Incorporated. ~~Less than significant.~~ The project is located just north of Interstate Highway 5 at the intersection of County Roads 117 and 22. County Road 117 is designated a "County Scenic Corridor" in the 1983 Yolo County General Plan. As discussed in item (c) below, this project has the potential of affecting a scenic corridor unless mitigation measures are implemented.
- b) *Less than significant.* See (a) and (c). Approximately 20 mature trees exist on the site and will need to be removed to allow for the construction of boat storage buildings.
- c) *Less Than Significant With Mitigation Incorporated.* The project site is currently undeveloped and contains bare ground and existing vegetation. The project will include the construction of a number of buildings, including boat storage buildings, a caretaker office, a harbormaster platform and two parking areas. A sixty-two slip marina will be constructed on the surface of the Sacramento River. This new construction will substantially change the visual character of the existing land and water. The proposed is consistent with existing conditions in the area, as a similar marina facility already exists on the Sacramento County side of the river, directly east of the project. The Sacramento River is a well-known scenic area and the project site is highly visible to members of the traveling public along Interstate 5. To prevent significant degradation of the visual character of the site and its surroundings, the following mitigation measure is required.

Mitigation Measure 1

(a) A condition of the Use Permit shall require the owner-operator to ensure that all boats docked at the marina shall be kept in good working order and repair. Non-operative or abandoned craft shall not be allowed to remain in dock. All boats, buildings, and structures shall be kept clean and free from graffiti, trash and visual clutter. All trash enclosures and storage areas will be screened from the viewing public.

(b) Prior to issuance of building permits, the applicant shall submit a detailed landscaping and irrigation plan for the project site to be approved by the Planning and Public Works Director. A variety of native plants, shrubs and grasses shall be used to enhance the visual character of the site and to visually integrate the project into the surrounding area.

- d) *Less Than Significant Impact.* The project would generate additional light and glare into a rural area currently limited in artificial nighttime light sources. However, lighting associated with any new development would be required to meet the design criteria of the Yolo County Code requiring that lighting must be directed away from neighboring properties and the night sky.

II. AGRICULTURAL RESOURCES:

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Conflict with existing zoning for agricultural use or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Involve other changes in the existing environment which due to their location or nature, could result in conversion of farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

- (a) *Less Than Significant Impact.* The project parcel is currently zoned A-1 or Agricultural General. The property is not currently in active agricultural production. Under the Yolo County Zoning Code boating and associated activities falls under the definition of "rural recreation." Rural recreation is defined as outdoor sporting or leisure activities that require large open space areas and do not have any significant detrimental impact on agriculture lands in the general vicinity of the activity. If the rural recreation involves the use of permanent builds such as found in this project, a conditional use permit is required. The project is a conditional use allowed under A-1 zoning and consistent with an agricultural setting.
- (b) *Less Than Significant Impact.* The property is not currently in active agricultural production. The proposed project would not conflict with existing zoning for agricultural use or with any Williamson Act contracts, since the site is not under contract and the use is conditionally allowed under A-1 zoning.
- (c) *No Impact.* A boat marina is a rural recreational use compatible with the presence of agriculture on surrounding lands. The project will not impact any existing agricultural use nor induce conversion of agricultural lands to a non-agricultural use.

III. AIR QUALITY:

Where applicable, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

a, b) *Less than Significant Impact.* The project is within the Yolo-Solano Regional Air Quality Management District (YSAQMD). The district is currently a non-attainment area for ozone (State and Federal ambient standards) and Particulate Matter (State ambient standards). While air quality plans exist for ozone, none exists (or is currently required) for PM₁₀. Yolo County is in an attainment area for carbon monoxide (the State and Federal ambient standards are met), since Yolo County has relatively low background levels of carbon monoxide. The project would contribute incrementally to the non-attainment of these air quality standards. There would be short-term construction impacts as well as long-term mobile source (traffic) emissions due to new customer and employee traffic. The project could substantially conflict with or obstruct implementation of the Sacramento Area Regional Ozone Attainment Plan (November, 1994), or the goals and objectives of the County's General Plan.

Effects on air quality can be divided into short-term construction-related effects and those associated with long-term aspects of the project, e.g., auto trips generated by marina users.

The YSAQMD sets threshold levels for use in evaluating the significance of criteria air pollutant emissions from project-related mobile and area sources in the *CEQA Air Quality Handbook* (YSAQMD, 2007). These significance thresholds include:

Reactive Organic Gases (ROG): 54 pounds per day (ppd)
 Oxides of Nitrogen (NOx): 54 ppd
 Particulate Matter (PM₁₀): 80 ppd

The YSAQMD also indicates the "trigger levels" for specific land uses that are generally associated with the threshold levels. For example, a subdivision of 340 single-family units, or an industrial park of 465,000 square feet, or a supermarket of 18,000 square feet, are all assumed to generate emissions that exceed the thresholds noted above.

The marina can be expected to generate an average of 3.48 vehicle trips per day per berth. With 62 slips planned, the project would generate approximately 216 vehicle trips per day. This traffic would create air emissions equal to 1.75 daily pounds of ROG, 2.47 pounds of NOx, and .47 pounds of PM₁₀. These air emissions are lower than the thresholds set by the YSAQMD for ROG, NOx, and PM₁₀.

c) *Less than Significant Impact.* Development projects are considered cumulatively significant by the YSAQMD if the following two conditions are met:

1. The project requires a change in the existing land use designation (i.e., general plan amendment, rezone); and
2. Projected emissions (ROG, NOx, or PM₁₀) of the project are greater than the emissions anticipated for the site if developed under the existing land use designation.

Under these criteria, the proposed marina would not be considered cumulatively significant since a General Plan Amendment or rezone would not be required and projected emissions for the project would be consistent with emissions anticipated from the existing land use designation.

- d) *No Impact.* The project is not located near a school or any other sensitive receptors.
- e) *Less than Significant Impact.* Some objectionable odors may result from the operation, maintenance and cleaning of boats. However, the project is located in a rural setting, with very few people nearby and no significant population that could be effected.

IV. BIOLOGICAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native residents or migratory wildlife corridors or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

a)b)c)d) *Less Than Significant With Mitigation Incorporated.* According to a biological study prepared by the applicant (*Biological and Essential Fish Habitat Assessment for the Elkhorn Marina Project*, Jones & Stokes, November 2007), the California Natural Diversity Data Base identifies five "special status species" that may be found in the vicinity of the project site (Table 1). "Special status species" includes those that are listed as "threatened" or "endangered" and are afforded legal protection under either (or both) the California and U.S. Endangered Species Acts (ESAs), as well as species that lack legal protection under the ESAs but have been characterized as "sensitive" by state resource agencies or organizations (such as the California Native Plant Society) with acknowledged expertise.

The project is located in an area that is a known habitat for the Swainson's hawk. The county participates in the Yolo County Joint Powers Agency, which requires mitigation for every acre of Swainson's hawk habitat land that is developed. The project would be required to pay a fee of \$8,660 per acre. The fees are used to purchase conservation easements on habitat lands used by the hawk.

The project area has been identified as an area of critical habitat for three of the five special status species as indicated in the table below.

**TABLE 1
SPECIAL STATUS SPECIES**

Species	Status/Critical Habitat?
<u>Fish</u> Sacramento River winter-run Chinook salmon ESU (<i>Oncorhynchus tshawytscha</i>)	Endangered/Yes
Central Valley spring-run Chinook salmon ESU (<i>O. tshawytscha</i>)	Threatened/Yes
Central Valley Steelhead DPS (<i>O. mykiss</i>)	Threatened/Yes
Southern DPS of North American green sturgeon (<i>Acipenser medirostris</i>)	Threatened/No
Central Valley fall-/late fall-run Chinook salmon ESU (<i>O. tshawytscha</i>)	Threatened/No

Source: *Biological and Essential Fish Habitat Assessment for the Elkhorn Marina Project*, Jones & Stokes, November 2007

Abbreviations Key:

ESU = Evolutionary Significant Units

DPS = Distinct Population Segments

Additional reconnaissance level assessment of upland biological resources (July 2008) was conducted on May 30, 2008. This assessment concluded that two species, valley elderberry longhorn beetle and Swainson's hawk have a high potential to occur onsite. An elderberry shrub that was identified along the border of parcel of 057-210-18 represents potential habitat for the longhorn beetle. Swainson's hawks were recorded nesting in Parcel 057-210-17 in 2007.

The project has the potential to significantly impact several special status species and/or their critical habitat unless the following mitigation measure is implemented:

Mitigation Measure 2:

Conditions of Approval for the Use Permit shall include:

Fish

- (a) *All in-water construction activities in the Sacramento River shall be limited to the period June 1 through October 31 to avoid the primary migration periods of listed salmonids.*
- (b) *In-water pile driving will be restricted to the period July 1 through September 30 to avoid or minimize exposure of adults and juvenile salmonids to underwater pile driving sounds.*
- (c) *Pile driving shall be conducted by barge to minimize disturbance of riparian habitat.*
- (d) *Following construction, native riparian vegetation shall be planted on disturbed or exposed soils to control erosion and offset any losses of vegetation on the waterside slope of the levee.*
- (e) *The owner/operator shall enforce a no-wake zone for boats operating in and in the vicinity of the marina through the posting of signs and other mechanisms.*

Elderberry Longhorn Beetle

- (f) *Prior to issuance of a grading permit or land disturbance activities on the panel storage area, the observed elderberry shrub shall be identified, mapped, flagged, and be protected by orange temporary fencing for the duration of the project earthmoving activities. Complete avoidance (i.e., no adverse effects) may be assumed when a 30 m (100 ft) (or wider) buffer is established and maintained around elderberry plants containing stems measuring 2.5 cm (1.0 in) or greater in diameter at ground level. In the event that work must proceed in areas where encroachment on the 30 m (100 ft) buffer has been approved by the USFWS, a minimum setback of at least 6 m (20 ft) from the dripline of each elderberry plant shall be provided.*

Raptors

- (g) *Prior to any site preparation or construction activity, the applicant shall protect raptor nesting habitat as described in this mitigation measure. All surveys shall be submitted to the Yolo County Planning, Resources and Public Works Department for review.*
- (h) *For construction that will occur between March 15 and September 15 of any given year, the applicant shall conduct a minimum of two preconstruction surveys for (a) suitable nesting habitat within one-half mile of the project site for Swainson's hawk; and (b) within 500 feet of the project site for tree-nesting raptors and northern harriers. Surveys shall be conducted by a qualified biologist and will conform to the Swainson's Hawk Technical Advisory Committee (2000) guidelines. These guidelines describe the minimum number and timing of surveys. If nesting raptors are detected during preconstruction surveys, the applicant shall implement mitigation measures described in (k), below.*
- (i) *If nesting raptors are recorded within their respective buffers, the applicant shall adhere to the following buffers:*

(1) Maintain a 1/4-mile buffer around Swainson's hawk nests, and a 500-foot buffer around other active raptor nests. These buffers may be reduced in consultation with CDFG; however, no construction activities shall be permitted within these buffers except as described in (2), below.

(2) Depending on conditions specific to each nest, and the relative location and rate of construction activities, it may be feasible for construction to occur as planned within the buffer without impacting the breeding effort. In this case (to be determined in consultation with CDFG), the nest(s) shall be monitored by a qualified biologist during construction within the buffer. If, in the professional opinion of the monitor, the project would impact the nest, the biologist shall immediately inform the construction manager and CDFG. The construction manager shall stop construction activities within the buffer until either the nest is no longer active or the project receives approval to continue from CDFG.

- e) *Less than Significant Impact.* The project does not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

- f) *No Impact.* The updated plan would not conflict with the provisions of any adopted Habitat Conservation Plan (HCP), Natural Community Conservation Plan (NCCP), or other approved local, regional, or state habitat conservation plan.

V. CULTURAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion of Impacts

- a) *No impact.* The project site is not known to have any historical significant or significant characteristics as defined by the criteria within the CEQA Guidelines. The project site is currently vacant and has no structures of any kind.
- b) *No Impact.* The project site is not known to include any archaeologically significant characteristics as defined by the criteria in the CEQA Guidelines.
- c) *No impact.* No paleontological resources are known or suspected and no unique geologic features exist on the project site.
- d) *Less than Significant Impact.* No human remains are known or predicted to exist in the project area. However, the potential exists during construction to uncover previously unidentified resources. Section 7050.5 of the California Health and Safety Code states that, when human remains are discovered, no further site disturbance shall occur until the county coroner has determined that the remains are not subject to the provisions of Section 27491 of the Government Code or any other related provisions of law concerning investigation of the circumstances, manner and cause of any death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation, in the manner provided in Section 5097.98 of the Public Resources Code. If the coroner determines that the remains are not subject to his or her authority and the remains are recognized to be those of a Native American, the coroner shall contact the Native American Heritage Commission within 24 hours.

VI. GEOLOGY AND SOILS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known Fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| b) Expose people or structures to potential substantial adverse effects including the risk of loss injury, or death involving strong seismic ground shaking? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Expose people or structures to potential substantial adverse effects including the risk of loss injury, or death involving seismic-related ground failure, including liquefaction? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Expose people or structures to potential substantial adverse effects including the risk of loss, injury, or death involving landslides? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Result in substantial soil erosion or the loss of topsoil? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) Be located on a geologic unit or soil that is unstable or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| g) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| h) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion of Impacts

- a) *Less than Significant Impact.* The project site can be expected to experience moderate to strong ground shaking during future seismic events along major active faults throughout Northern California or on smaller active faults located in the project vicinity. However, the project will comply with all applicable Uniform Building Code requirements, in order to obtain Building Permit approval from the Yolo County Planning and Public Works Department.
- b) *Less than Significant Impact.* See response to (a), above. Any major earthquake damage on the project site is likely to occur from ground shaking and seismically related ground and structural failures. Local soil conditions, such as soil strength, thickness, density, water content, and firmness of underlying bedrock affect seismic response. Seismically induced shaking and some damage should be expected to occur during an event but damage should be no more severe in the project area than elsewhere in the region. Framed construction on proper foundations constructed in accordance with Uniform Building Code requirements is generally flexible enough to sustain only minor structural damage from ground shaking. Therefore, people and structures would not be exposed to potential substantial adverse effects involving strong seismic ground shaking.
- c) *Less than Significant Impact.* Geologic hazard impacts that are associated with expansive soils include long-term-differential settlement and cracking of foundations, disruption and cracking of paved surfaces, underground utilities, canals, and pipelines. However, County records show that the project is located on soils rated "normal" or non-expansive.
- d) *No impact.* The project site is relatively level and approval of the project would not expose people or structures to potential landslides.
- e) *Less Than Significant Impact.* The project will induce the construction of a number of new buildings including six boat storage buildings, an administration office, a harbormaster building and the paving of two parking areas. Existing Yolo County regulations require a Storm Water Pollution Prevention Plan be obtained before any grading can occur and requires the use of soil erosion control techniques which in turn would reduce the possibility of any significant soil erosion from occurring.

- f) *Less Than Significant Impact.* See comments in VI (a-d) above.
- g) *Less Than Significant Impact.* See comments in VI (c) above. County records show that the soils upon which the project is located are rated "normal" or non-expansive.
- h) *Less Than Significant Impact.* The project will be served by a septic system to be constructed on-site. The septic system will be permitted through Yolo County Environmental Health and will need to meet all the requirements of the Yolo County Health Code.

VII. HAZARDS AND HAZARDOUS MATERIALS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working within the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

- a) *Less than Significant Impact.* A number of substances considered hazardous which are used in the cleaning and maintenance of boats could be used and stored on the site. A condition of approval requires that the applicants meet all the requirements of a Hazardous Materials Business Plan, including safe use, storage, and disposal of all hazardous material, as administered by Yolo County Hazardous Materials Division. The project does not include refueling facilities; nor there will be storage of fuel on the site. The total volume of hazardous materials is expected to be low, and therefore less than significant.
- b) *Less than Significant Impact.* Construction of the boating facility will involve the use of heavy equipment, which uses small amounts of oils and fuels and other potentially flammable substances

typically associated with such activities. The proposed project would not, however, result in a significant risk of explosion or accidental release of hazardous substances and is, therefore, considered to have a less than significant impact. See (a), above.

- c) *No impact.* The project is not located within a quarter mile of a school.
- d) *No impact.* The project is not located on a site that is included on a list of hazardous materials sites compiled by the Yolo County Environmental Health Department-Hazardous Waste Site Files pursuant to Government Code 65962.5. The proposed project would not expose people to known existing sources of potential health hazards.
- e) *Less than Significant Impact.* The project is located approximately 1.5 miles due west of the Sacramento International Airport. However, take-offs and landings from Sacramento International run north-south and the project is not within the runway clearance zones established to protect the adjoining land uses in the vicinity from noise and safety hazards associated with aviation accidents.
- f) *No impact.* The project site is not located within the vicinity of a private airstrip.
- g) *No impact.* The project would not interfere with any adopted emergency response or evacuation plans.
- h) *No impact.* The project site is not located in a wildland area and, therefore, would not be at risk from wildland fires.

VIII. HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Significantly deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h) Place within a 100-year flood hazard area structures, which would impede or redirect flood flows?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| j) Inundation by seiche, tsunami, or mudflow? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion of Impacts

a) c) e) f) *Less than Significant Impact With Mitigation Incorporated.* The project site does not have access to any existing or proposed storm water drainage systems. Implementation of the proposed project will result in modified drainage patterns to accommodate new construction and paving, potentially increasing the flow of stormwater off-site, including into the Sacramento River. Such stormwater flow has the potential of conveying contaminants and affecting water quality. The project has the potential to significantly impact water quality unless the following mitigation measure are implemented:

Mitigation Measure 3

- (a) *As a Condition of Approval of the use permit, the applicant shall obtain a General Construction Activity Stormwater Permit (SWPPP) and a National Discharge Elimination System (NPDES) permit. The permits are required to control both construction and operational activities that may adversely affect water quality.*
- (b) *The applicant shall utilize Best Management Practices (BMPs) to prevent pollution from entering the Sacramento River. Such BMPs should include, but no be limited to:*
 - i. *Storing materials and equipment to prevent spills or leaks.*
 - ii. *Developing and implementing a spill prevention and cleanup plan*
 - iii. *Installing traps, filter, or other devices to prevent contaminants from leaving the site and entering the Sacramento River; and using barriers, such as strawbales or plastic, to minimize the amount of uncontrolled runoff that could exit the site.*
- (c) *The applicant shall submit a grading and drainage plan for the site for review and approval of County Public Works.*

b) *Less than Significant Impact.* The project will be served thought with an on-site well. There is an existing well on the property and a new well may need to be constructed to serve increased need. The amount of domestic water use would not exceed the recharge capacity of the agricultural land. The domestic well will operate under permit form Yolo County Environmental Health and meet all the requirements of County and State Health Codes.

g, h) *Less Than Significant With Mitigation Incorporated.* Large portions of the project site are located within the 100-year floodplain, as designated by the Federal Emergency Management Agency. A smaller section of property is located in the 500-year floodplain.

Mitigation Measure 4

(a) As a Condition of Approval of the use permit, the applicant shall be required to either raise all proposed buildings out of the 100-year flood hazard area by elevating the pads of the buildings so that the finished flood elevations would be one foot above the base flood elevations or to construct the buildings to dry-proofing standards as required by the California Building Code and Federal Emergency Management Agency standards.

i) *Less Than Significant Impact.* The project site is not located immediately down stream of a dam, but is located down stream from the Shasta dam, which could expose individuals to risk from flooding. However the likelihood of such a dam failure should be considered highly unlikely, and is less than significant in its impact.

- j) *Less Than Significant Impact.* While at least theoretically possible, the Sacramento River is generally not considered a sufficiently large body of water to pose a significant seiche or tsunami hazard. In addition, the project site is relatively flat and is not located near any physical or geologic features that would produce a mudflow hazard.

IX. LAND USE AND PLANNING

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

- a) *No impact.* The project is located in a rural setting, not in or near any establish community.
- b) *No impact.* The project is consistent with the Yolo County General Plan, and with Yolo County zoning requirements for a conditional use.
- c) *No Impact.* The County does not have an adopted HCP or NCCP. As a result, the project would not conflict with any applicable habitat conservation plan or natural community conservation plan, nor would it conflict with the Yolo County Draft Natural Community Conservation Plan.

X. MINERAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

- a) *No Impact.* The project site is not designated as an area of significant aggregate deposits, as classified by the State Department of Mines and Geology.
- b) *No Impact.* See above response to X (a).

XI. NOISE

Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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- a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?
- b) Exposure of persons to or generation of excessive groundborne vibration noise levels?
- c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?
- d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?
- e) For a project located within an airport land use plan or, where such a plan has not been adopted within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?
- f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

Discussion of Impacts

- a) *Less than Significant Impact.* No persons as a result of the proposed project would be located near any significant sources of noise generation and would not be exposed to levels in excess of any standards established in the Yolo General Plan. Noise levels experienced by employees and customers would be consistent with the standards for rural areas found in the Yolo County General Plan.
- b) *Less than Significant Impact.* Potential ground borne vibration may occur during construction of the project, including pile driving 210 support structures. However, since there are no nearby sensitive receptors, this is not expected to be significant and would be short term in nature.
- c) *Less than Significant Impact.* The project will result in a slight increase in ambient noises from the operation of boats and increased car traffic to the site. However, existing sources of noise for the area include an existing boat dock to the east, and traffic along the I-5 corridor. Given the existing sources of ambient noise the impact of the project is anticipated to be less than significant.
- d) *Less than Significant Impact.* Construction could involve the use of trucks and equipment that create noise. See comments from section (a) and (b) for comments concerning construction noise. Temporary and periodic impacts related to construction noise are expected to be less than significant.
- e) *Less than Significant Impact.* The project is located approximately 1.5 miles due west of the Sacramento International Airport. However, take-offs and landings from Sacramento International run north-south and the project is not within the runway clearance zones established to protect the adjoining land uses in the vicinity from noise and safety hazards associated with aviation accidents.
- f) *No Impact.* The project site is not located near a private airstrip and would not be exposed to noise from any private airstrip.

XII. POPULATION

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Induce substantial population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through the extension of roads or other infrastructure)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion of Impacts

- a) *No Impact.* No housing is including in this project. The marina does not include facilities for houseboats or "live aboard" units and will not serve such vessels. The project does not involve the extension of roads or other infrastructure that could induce population growth. The abandonment of a small portion of right-of-way is included in the project. Existing roads will serve the project.
- b) *No Impact.* Construction of the proposed project would not displace any existing housing.
- d) *No Impact.* Construction of the project would not displace any people.

XIII. PUBLIC SERVICES

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service rations, response time or other performance objectives for any of the public services:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

- a) *Less than Significant Impact.* The Elkhorn Fire District provides primary service to the project site. The project would not trigger the need for increase in fire fighting capacity. All new construction will be required to pay for their fair share amount of the fire protection equipment and facilities needed to provide adequate service through development fees.
- b) *Less than Significant Impact.* The proposed project would not significantly impact police services provided by the Yolo County Sheriff's Department. All new construction will be required to pay property taxes for sheriff's protection.
- c) *No Impact.* No housing is including in this project and thus have no impact on existing school facilities.
- d) *Less than Significant Impact.* The project does not include boat launch facilities and will induce additional demand for such facilities. Boat launch facilities currently exist at the marina on the

Sacramento County side of the river, at a public facility located in Knights Landing and at the Elkhorn Regional Park. These existing facilities should be capable of meeting the increased demand for boat launching facilities.

- e) *No Impact.* All other service providers have been provided an opportunity to comment on the proposed project. No potentially significant impact has been identified by any service providers.

XIV. RECREATION

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have been an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion of Impacts

- a) *No Impact.* There should be little if any impact on existing park facilities. The project will provide an increase in recreation facilities to existing residents of the area and the region.
- b) *Less than Significant Impact.* The project is the construction and operation of a recreational facility, namely a marina to be used for recreational boating. The impacts to the environment due to this project are identified and where appropriate, mitigated for throughout the other sections of this document.

XV. TRANSPORTATION/TRAFFIC

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase on either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

a) b) *Less than Significant.* According to traffic studies found in *Trip Generation*, Institute of Transportation Engineers (1991) a marina can be expected to generate an average of 3.48 vehicle trips per day per berth. With 62 slips planned, the project would generate approximately 216 vehicle trips per day. This increase would add approximately 22 morning and evening peak hour trips to the region's transportation network. County Roads 117 and 22 currently serve very limited development in the rural area and have very low existing traffic levels. This increase would not significantly affect volume to capacity ratios and would be considered less than significant.

The project has the potential to affect traffic on the Sacramento River. The marina will extend 170 feet into the river. The existing marina on the eastern shore extends approximately 140 feet into the river. The navigable space between the two marinas is approximately 185 feet. This distance should allow for the continued flow of boat traffic and result in a less than significant impact.

c) *No Impact.* The project would not result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks.

d) *Less than Significant Impact With Mitigation Incorporated.* Driveways from the boat storage area and marina will be connected to County Road 117. A rail line cuts between the two parcels upon which the project is located and a railroad crossing is located on CR 117 between the two driveways. The presence of multiple connections and crossings of CR 117 in a limited stretch of roadway is a design feature that could create a potentially significant impact unless mitigated:

Mitigation Measure 5

As a condition of approval of the use permit, prior to the start of marina operation, the applicant shall install signage, as approved by the Department of Planning and Public Works, to warn the traveling public of the following:

- Slow Traffic Ahead
- Cross Traffic Ahead
- Do not Block Railroad

e) *Less than Significant Impact.* The project would be required to install paved driveway connections to County Road 117 and to comply with the requirements of the Elkhorn Fire District and the County Planning and Public Works Department for driveway design. With these improvements the project would not result in inadequate emergency access.

f) *Less than Significant Impact.* The project would be required to meet standard parking requirements established in the Yolo County Zoning Code. On-site parking sufficient to serve both employees and customers of the project is included in the project site plan. Parking facilities for vehicles towing boats will also be provided. Therefore, approval of the project would ensue adequate parking supply.

g) *No Impact.* The project would not conflict with adopted policies, plans, or programs supporting alternative transportation. There is no transit to the site.

XVI. UTILITIES AND SERVICE SYSTEMS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

construction of which could cause significant environmental effects?

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| g) Comply with federal, state, and local statutes and regulations related to solid waste. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion of Impacts

- a) *No Impact.* The facility will be served by a self-contained septic system established for domestic wastewater purposes. The Yolo County Environmental Health Department regulates the design and monitoring of septic systems.
- b) *Less than Significant Impact.* The project will be served with an on-site well. There is an existing well on the property and a new well may need to be constructed to serve increased need. Wastewater will be disposed of through a domestic septic system. The project is not located in an area served by an existing water or sewer system.
- c) *Less than Significant Impact.* The project is not connected to any existing stormwater system. Implementation of the proposed project will result in modified drainage patterns to accommodate new construction and paving. These impacts are discussed in section VIII above and **Mitigation Measure 3.**
- d) *Less than Significant Impact.* Domestic water supplies will be available in the project area with an on-site well. No expanded water supply entitlements will be required apart from existing rights to groundwater.
- e) *No Impact.* The project is not located in an area served by a wastewater treatment provider. The project will be served by a septic system, and will be required to meet all relevant regulations and requirements from Yolo County Environmental Health for the operation of such a system.
- f) *Less than Significant Impact.* The existing Yolo County landfill would adequately accommodate the additional development; therefore, the project would not significantly impact the disposal capacity of the landfill.
- g) *No Impact.* The project would be required to comply with all solid waste regulations as implemented and enforced by the County of Yolo.

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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XVII. MANDATORY FINDINGS OF SIGNIFICANCE --

- a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

- b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probably future projects)?

- c) Does the project have environment effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Discussion of Impacts

- a) *Less Than Significant Impact.* Based on the analysis and mitigation provided in this Initial Study, potential environmental impacts of the proposed project would be less than significant. No important examples of major periods of California history or prehistory in California were identified. Mitigation measures have been recommended to reduce any potential impacts to the habitat and/or range of the identified special status species.

- b) *Less than Significant Impact.* Based on the analysis and mitigation provided in this Initial Study, potential environmental impacts of the project would be less than significant. Mitigation measures have been recommended to reduce potential impacts related to traffic, aesthetics, biology, and hydrology (flooding) to below the significance threshold.

- c) *Less Than Significant Impact.* Based on the analysis provided in this Initial Study, less than significant impacts to human beings would result from the proposed project. The project as proposed would not have substantial adverse effects on human beings, either directly or indirectly.

REFERENCES

Application materials, including site plans, architectural drawing, and written project description.

California Department of Fish and Game, Staff report regarding mitigation impacts to Swainson's hawks in the Central Valley of California, 1994.

Institute of Transportation Engineers, Trip Generation, 1991

Jones & Stokes Biological and Essential Fish Habitat Assessment for the Elkhorn Marina Project November 2007

Jones & Stokes Results of the Reconnaissance Level Assessment of Upland Biological Resources July 2008

Yolo County, Yolo County Code

Yolo County, 1983 Yolo County General Plan.

Yolo-Solano Regional Air Quality Management District, CEQA Air Quality Handbook, 2007.

MITIGATION MONITORING AND REPORTING PROGRAM ZONE FILE #2007 - 049

August 2008

INTRODUCTION

The California Environmental Quality Act requires public agencies to report on and monitor measures adopted as part of the environmental review process (Public Resources Code Section 21081.6). This Mitigation Monitoring Program (MMP) is designed to ensure that the measures identified in the Mitigated Negative Declaration are fully implemented. The MMP describes the actions that must take place, the timing of the actions, who is responsible for implementation, and the agency responsible for enforcing the action.

The County is responsible for implementing this MMP. The Planning and Public Works Department shall be assigned as the chief monitor and shall assign monitoring actions to responsible agencies. The Planning and Public Works Department shall also track the process of each action.

As required by Section 21081.6 of the Public Resources Code, the Planning and Public Works Department is the "custodian of documents and other materials" which constitute the "record of proceedings" upon which a decision to approve the project was based. Inquiries should be directed to: Yolo County Planning and Public Works Department 292 West Beamer Street Woodland, CA. 95695, (530) 666-8775

The MMP contains the following information:

- The potential environmental impact;
- The mitigation measures;
- The level of significance after mitigation;
- County department responsible for compliance;
- Method of compliance;
- Enforcement in case of noncompliance; and
- A column for the monitor to initial and date when compliance is mitigation is completed.

Attachment D

Mitigation Monitoring Program for ZF #2007 - 044

Potential Environmental Impact	Mitigation Measure(s)	Level of Impact Following Mitigation	Responsibility for Compliance	Method of Compliance	Enforcement if Non-Compliance	Date / Initials
AESTHETICS						
Aesthetics	<p>Existing visual character</p> <p>The following measures are required to reduce potential adverse impacts to the existing visual character in the project study area (PSA):</p> <p>Mitigation Measure 1</p> <p>(a) A condition of the Use Permit shall require the owner-operator to ensure that all boats docked at the marina shall be kept in good working order and repair. Non-operative or abandoned craft shall not be allowed to remain in dock. All boats, buildings, and structures shall be kept clean and free from graffiti, trash and visual clutter. All trash enclosures and storage areas will be screened from the viewing public.</p> <p>(b) Prior to issuance of building permits, the applicant shall submit a detailed landscaping and irrigation plan for the project site to be approved by the Planning and Public Works Director. A variety of native plants, shrubs and grasses shall be used to enhance the visual character of the site and to visually integrate the project into the surrounding area.</p>	Less Than Significant	Planning Division	<p>Planning Division to verify proper screening for trash enclosures and storage areas upon submittal of building plans.</p> <p>Planning Division to review landscaping plans to ensure compliance.</p> <p>Ongoing monitoring of the site.</p>	<p>Building permits will not be issued if landscaping plan does not meet approval.</p>	
Biology	<p>Mitigation Measure 2:</p> <p>Fish</p> <p>(a) All in-water construction activities in the Sacramento River shall be limited to the period June 1 through October 31 to avoid the primary migration periods of listed salmonids.</p>	Less Than Significant	Planning Division	<p>Require measures as a condition of approval.</p> <p>Require pre-construction surveys prior</p>	<p>Non-issuance of permits, Halt construction.</p>	

Mitigation Monitoring Program for ZF #2007 - 044

Potential Environmental Impact	Mitigation Measure(s)	Level of Impact Following Mitigation	Responsibility for Compliance	Method of Compliance	Enforcement if Non-Compliance	Date / Initials
	<p>(b) In-water pile driving will be restricted to the period July 1 through September 30 to avoid or minimize exposure of adults and juvenile salmonids to underwater pile driving sounds.</p> <p>(c) Pile driving shall be conducted by barge to minimize disturbance of riparian habitat.</p> <p>(d) Following construction, native riparian vegetation shall be planted on disturbed or exposed soils to control erosion and offset any losses of vegetation on the waterside slope of the levee.</p> <p>(e) The owner/operator shall enforce a no-wake zone for boats operating in and in the vicinity of the marina through the posting of signs and other mechanisms.</p> <p>Elderberry Longhorn Beetle</p> <p>(f) Prior to issuance of a grading permit or land disturbance activities on the panel storage area, the observed elderberry shrub shall be identified, mapped, flagged, and be protected by orange temporary fencing for the duration of the project earthmoving activities. Complete avoidance (i.e., no adverse effects) may be assumed when a 30 m (100 ft) (or wider) buffer is established and maintained around elderberry plants containing stems measuring 2.5 cm (1.0 in) or greater in diameter at ground level. In the event that work must proceed in areas where encroachment on the 30 m (100 ft) buffer has been observed</p>			<p>surveys prior to grading. Ongoing monitoring during construction.</p>		

Mitigation Monitoring Program for ZF #2007 - 044

Potential Environmental Impact	Mitigation Measure(s)	Level of Impact Following Mitigation	Responsibility for Compliance	Method of Compliance	Enforcement if Non-Compliance	Date / Initials
	<p>by the USFWS, a minimum setback of at least 6 m (20 ft) from the dripline of each elderberry plant shall be provided.</p> <p>Raptors (g) Prior to any site preparation or construction activity, the applicant shall protect raptor nesting habitat as described in this mitigation measure. All surveys shall be submitted to the Yolo County Planning, Resources and Public Works Department for review.</p> <p>(h) For construction that will occur between March 15 and September 15 of any given year, the applicant shall conduct a minimum of two preconstruction surveys for (a) suitable nesting habitat within one-half mile of the project site for Swainson's hawk; and (b) within 500 feet of the project site for tree-nesting raptors and northern harriers. Surveys shall be conducted by a qualified biologist and will conform to the Swainson's Hawk Technical Advisory Committee (2000) guidelines. These guidelines describe the minimum number and timing of surveys. If nesting raptors are detected during preconstruction surveys, the applicant shall implement mitigation measures described in (k), below.</p> <p>(i) If nesting raptors are recorded within their respective buffers, the applicant shall adhere to the following buffers: /1) Maintain a 1/4-mile buffer</p>					

Mitigation Monitoring Program for ZF #2007 - 044

Potential Environmental Impact	Mitigation Measure(s)	Level of Impact Following Mitigation	Responsibility for Compliance	Method of Compliance	Enforcement if Non-Compliance	Date / Initials
	<p>around Swainson's hawk nests, and a 500-foot buffer around other active raptor nests. These buffers may be reduced in consultation with CDFG; however, no construction activities shall be permitted within these buffers except as described in (2), below.</p> <p>(2) Depending on conditions specific to each nest, and the relative location and rate of construction activities, it may be feasible for construction to occur as planned within the buffer without impacting the breeding effort. In this case (to be determined in consultation with CDFG), the nest(s) shall be monitored by a qualified biologist during construction within the buffer. If, in the professional opinion of the monitor, the project would impact the nest, the biologist shall immediately inform the construction manager and CDFG. The construction manager shall stop construction activities within the buffer until either the nest is no longer active or the project receives approval to continue from CDFG.</p>					
Special Status Species	<p>Mitigation Measure 3:</p> <p>(a) As a condition of approval, the applicant shall be required to either raise all proposed buildings out of the 100-year flood hazard area by elevating the pads of the buildings so that the finished floor elevations would be one foot above the base flood elevation or to construct the buildings to dry-proofing standards as required by the California Building Code and Federal Emergency Management Agency standards.</p>	Less Than Significant	Building Division	Review construction plan to certify that they include either a elevation certificate that shows the buildings are elevated to a	Building permits will not be issued if measures do not meet approval.	

Mitigation Monitoring Program for ZF #2007 - 044

Potential Environmental Impact	Mitigation Measure(s)	Level of Impact Following Mitigation	Responsibility for Compliance	Method of Compliance	Enforcement if Non-Compliance	Date / Initials
				proper elevation or that dry-proofing standards are meet in building design.		
Native Trees	<p>Mitigation Measure 4:</p> <p>(a) As a Condition of Approval of the use permit, the applicant shall obtain a General Construction Activity Stormwater Permit (SWPPP) and a National Discharge Elimination System (NPDES) permit. The permits are required to control both construction and operational activities that may adversely affect water quality.</p> <p>(b) The applicant shall utilize Best Management Practices (BMPs) to prevent pollution from entering the Sacramento River. Such BMPs should include, but no be limited to:</p> <ul style="list-style-type: none"> i. Storing materials and equipment to prevent spills or leaks. ii. Developing and implementing a spill prevention and cleanup plan iii. Installing traps, filter, or other devices to prevent contaminants from leaving the site and entering the Sacramento River; and using barriers, such as straw bales or plastic to minimize the 	Less Than Significant	Engineering Division	Engineering shall review and approve the SWPPP and BMPs, and drainage plan prior to issuance of any permits.	Grading permits shall not be issued. Construction halted.	

Mitigation Monitoring Program for ZF #2007 – 044

Potential Environmental Impact	Mitigation Measure(s)	Level of Impact Following Mitigation	Responsibility for Compliance	Method of Compliance	Enforcement if Non-Compliance	Date / Initials
	<p>amount of uncontrolled runoff that could exit the site.</p> <p>(c) The applicant shall submit a grading and drainage plan for the site for review and approval of County Public Works.</p>					
Cultural Resources	<p>Mitigation Measure 5:</p> <p>(a) As a Condition of Approval, prior to the start of marina operation, the applicant shall install signage, as approved by the Department of Planning and Public Works, to warn the traveling public of the following:</p> <ul style="list-style-type: none"> • Slow Traffic Ahead • Cross Traffic Ahead • Do not Block Railroad 	Less Than Significant	Engineering Division	Engineering Division shall ensure that plans meet all applicable County standards for road signage.	Non-issuance of permits.	

FINDINGS
ELKHORN MARINA USE PERMIT
(ZF #2007-049)

Upon due consideration of the facts presented in this staff report and at the public hearing for Zone File #2007-049, 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 Initial Study/Mitigated Negative Declaration was prepared in accordance with the California Environmental Quality Act (CEQA) and is the appropriate environmental document and level of review for this project.

The environmental document for the project, prepared pursuant to Section 15000 et. seq. of the CEQA Guidelines, provides the necessary proportionate level of analysis for the proposed project, and sufficient information to reasonably ascertain the project's potential environmental effects. The environmental review process has concluded that there will not be a significant effect on the environment as a result of the proposed project with the incorporated mitigation measures.

General Plan

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

The following General Plan Policies are consistent with this project.

Con 23 Sacramento River and Putah Creek. Yolo County shall encourage additional use of Sacramento River and Putah Creek Water.

Rec 6 Riverfront. Development of riverfront recreation areas shall offer recreational facilities, visual aesthetics and open space amenities, while insuring access to the river for all residents.

Rec 7 Urban Waterfront Land Uses. Yolo County shall require that a portion of urban waterfront, other than the Port of Sacramento and existing industrial uses, should be used for water-dependent activities including, but not limited to, recreation, tourism, scenic public walkways, waterview restaurants, marinas, fishing access, small waterfront parks, and interpretation projects with retained and enhanced riparian vegetation.

The project will provide increased riverfront recreation facilities in the form of both a marina and boat storage. This project will provide increased recreational actives and shall encourage additional use of the Sacramento River for recreational purposes.

Attachment E

Zoning Code

In accordance with Section 8-2.404.5 of the Yolo County Code, the Planning Commission finds the following:

3. The requested land use is listed as a conditional use in the zoning regulations and is allowed under the following authorization:

The property is zoned Agricultural General (A-1). The proposed new uses are consistent with the A-1 designation under Section 8-2.604.4. Rural recreation with permanent buildings is listed as a conditional use. "Rural Recreation" is defined as outdoor sporting or leisure activities that require large open space areas and do not have any significant detrimental impact on agricultural use of lands.

Use Permit

In accordance with Section 8-2.2804 of the Yolo County Code, the Planning Commission finds the following:

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

The proposed new use provides a valuable recreational service to the public. It is desirable for uses of this type to be located in a rural area to take advantage of an existing waterway.

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 uses will create little or no impact to the character of the area. An existing marina exists in close proximity to the proposed project. The proposed project is consistent with similar development found along the Sacramento River. As conditioned, the project will not be detrimental to public health, safety, or general welfare.

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

Compatibility with General Plan Policies is discussed at #2 above. This project is in conformity with General Plan policies Con 23, Rec 6 and Rec 7.

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

As conditioned and with mitigation measures incorporated, adequate utilities, access roads, drainage, sanitation, and/or other necessary facilities will be provided in this project as approved.

CONDITIONS OF APPROVAL
ZF2007-049
Elkhorn Marina

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. The subject project shall be only for the uses approved by this Use Permit. The project is approved for a commercial marina as described in the Project Description sections of this report. 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 the Planning and Public Works Department.
3. This Use Permit shall commence within one year from the date of the Planning Commission's approval 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 one year.
4. The facility will not include refueling facilities. No "live aboard" vessels will be allowed. If the owner/applicant wishes to add refueling, boat ramp, or live aboard facilities to this project, they shall make an application to amend this Use Permit subject to review by the Planning and Public Works Department, and approval of the Planning Commission.
5. Any proposed sign for the marina shall comply with the requirements of the Yolo County sign regulations (Section 8-2.2406 of the County Code).
6. Any lighting used on the site shall be so arranged as to direct light away from adjoining lots and the night sky.
7. The applicant shall apply for and maintain a Yolo County Business License prior to commencement of the marina operations.
8. Prior to commencement of marina operations, the applicant shall obtain approval for the associated road abandonment. (ZF 2007-050)

Resources

9. Clients of the marina who utilize County boat launch facilities shall obtain individual boat launch permits.

Attachment F

Public Works

10. County encroachment permits will be required for all work within the County right-of-way.
11. Paved commercial driveway access shall be constructed and completed by the applicant according to Yolo County Improvement Standards, prior to final occupancy.
12. The applicant shall submit a grading and drainage plan for each site for review by the county. Applicant shall submit hydrology calculations that demonstrate that there will be no negative downstream impacts during a 10-year event. All plans and reports shall be signed and sealed by a licensed California civil engineer.
13. Prior to issuance of grading permits, the applicant shall obtain a General Construction Activity Stormwater Permit and a National Pollutant Discharge Elimination System (NPDES) permit from the Regional Water Quality Control Board. The permits are required to control both construction and operation activities that may adversely affect water quality. The applicant shall also prepare a Storm Water Pollution Prevention Plan (SWPPP) that describes 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.
14. The applicant shall coordinate with Regional Water Quality Control Board (RWQCB) to determine storm water discharge requirements for preventing contaminants from leaving the site and entering the Sacramento River, and if an Industrial SWPPP is required for each site. The applicant shall document the RWQCB's direction, and notify the county of their determinations prior to submittal of the drainage plans.
15. The applicant shall submit a signage and striping plan for review by the county. Plan shall be signed and sealed by a licensed California civil engineer.
16. The applicant shall determine if any other safety measures are required by the governing railroad authority for the rail line between the marina and the boat storage facility.

Building

17. Unless otherwise authorized by the Planning and Public Works Director, grading, excavation, and trenching activities shall be completed prior to November 1st of each year to prevent erosion.
18. All building permit 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.
19. 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

20. The water system will likely be classified as a public water system that will be regulated under permit by Yolo County Environmental Health. Monitoring wells should precede the installation of a domestic well and testing to assure that the water quality for the marina is equivalent to that of a community water system. The modification of the existing well or construction of a new domestic well will be required to be done under permit by Yolo County Environmental Health.
21. The features of this parcel may preclude the permitting of a septic system for sewage disposal. **Environmental Health will not approve parcels that do not have a sewage disposal system that meets all applicable requirements for any occupancy.** Prior to issuance of any grading or building permit, an approvable sewage disposal plan should be submitted to and approved by Environmental Health. Liquid waste, other than domestic sewage, must not be disposed of into the septic system.
22. The applicant shall meet all of the Hazardous Materials Business Plan requirements of Yolo County Environmental Health.

State and Federal Agencies

23. Prior to issuance of building permits the applicant shall secure all necessary permits from all relevant agencies, including, but limited to, a Fish and Game, Army Corps of Engineers, Department of Boats and Waterways, and the National Marine Fisheries Service.
24. Prior to issuance of building permits, the applicant shall secure an amended lease agreement with the California State Lands Commission to reflect the increased size of the marina.
24. As this project will have an impact to fish and/or wildlife habitat, assessment of fees under Public Resources Code Section 21089, and as defined by Fish and Game Code Section 711.4, will be necessary. The fees (\$1875.76) are payable by the project applicant upon filing of the Notice of Determination by the lead agency, within five working days of approval of this project by the Planning Commission.

Mitigation Measures

The following Mitigation Measures identified in the first circulation of the Initial Study/Mitigated Negative Declaration for the project are added as project approval conditions (these items have the original numbering in the Initial Study document).

25. Mitigation Measure 1:

(a) A condition of the Use Permit shall require the owner-operator to ensure that all boats docked at the marina shall be kept in good working order and repair. Non-operative or abandoned craft shall not be allowed to remain in dock. All boats, buildings, and structures shall be kept clean and free from graffiti, trash and visual clutter. All trash enclosures and storage areas will be screened from the viewing public.

(b) Prior to issuance of building permits, the applicant shall submit a detailed landscaping and irrigation plan for the project site to be approved by the Planning and Public Works Director. A variety of native plants, shrubs and grasses shall be used to enhance the visual character of the site, and to visually integrate the project into the surrounding area.

26. Mitigation Measure 2:

Fish

- (a) All in-water construction activities in the Sacramento River shall be limited to the period June 1 through October 31 to avoid the primary migration periods of listed salmonids.
- (b) In-water pile driving will be restricted to the period July 1 through September 30 to avoid or minimize exposure of adults and juvenile salmonids to underwater pile driving sounds.
- (c) Pile driving shall be conducted by barge to minimize disturbance of riparian habitat.
- (d) Following construction, native riparian vegetation shall be planted on disturbed or exposed soils to control erosion and offset any losses of vegetation on the waterside slope of the levee.
- (e) The owner/operator shall enforce a no-wake zone for boats operating in and in the vicinity of the marina through the posting of signs and other mechanisms.

Elderberry Longhorn Beetle

(f) Prior to issuance of a grading permit or land disturbance activities on the panel storage area, the observed elderberry shrub shall be identified, mapped, flagged, and be protected by orange temporary fencing for the duration of the project earthmoving activities. Complete avoidance (i.e., no adverse effects) may be assumed when a 30 m (100 ft) (or wider) buffer is established and maintained around elderberry plants containing stems measuring 2.5 cm (1.0 in) or greater in diameter at ground level. In the event that work must proceed in areas where encroachment on the 30 m (100 ft) buffer has been approved by the USFWS, a minimum setback of at least 6 m (20 ft) from the dripline of each elderberry plant shall be provided.

Raptors

- (g) Prior to any site preparation or construction activity, the applicant shall protect raptor nesting habitat as described in this mitigation measure. All surveys shall be submitted to the Yolo County Planning, Resources and Public Works Department for review.
- (h) For construction that will occur between March 15 and September 15 of any given year, the applicant shall conduct a minimum of two preconstruction surveys for (a) suitable nesting habitat within one-half mile of the project site for Swainson's hawk; and (b) within 500 feet of the project site for tree-nesting raptors and northern harriers. Surveys shall be conducted by a qualified biologist and will conform to the Swainson's Hawk Technical Advisory Committee (2000) guidelines. These guidelines describe the minimum number and timing of surveys. If

nesting raptors are detected during preconstruction surveys, the applicant shall implement mitigation measures described in (k), below.

(i) If nesting raptors are recorded within their respective buffers, the applicant shall adhere to the following buffers:

(1) Maintain a 1/4-mile buffer around Swainson's hawk nests, and a 500-foot buffer around other active raptor nests. These buffers may be reduced in consultation with CDFG; however, no construction activities shall be permitted within these buffers except as described in (2), below.

(2) Depending on conditions specific to each nest, and the relative location and rate of construction activities, it may be feasible for construction to occur as planned within the buffer without impacting the breeding effort. In this case (to be determined in consultation with CDFG), the nest(s) shall be monitored by a qualified biologist during construction within the buffer. If, in the professional opinion of the monitor, the project would impact the nest, the biologist shall immediately inform the construction manager and CDFG. The construction manager shall stop construction activities within the buffer until either the nest is no longer active or the project receives approval to continue from CDFG.

27. Mitigation Measure 3:

(a) As a condition of approval, the applicant shall be required to either raise all proposed buildings out of the 100-year flood hazard area by elevating the pads of the buildings so that the finished flood elevations would be one foot above the base flood elevation or to construct the buildings to dry-proofing standards as required by the California Building Code and Federal Emergency Management Agency standards.

28. Mitigation Measure 4:

- (a) As a Condition of Approval of the use permit, the applicant shall obtain a General Construction Activity Stormwater Permit (SWPPP) and a National Discharge Elimination System (NPDES) permit. The permits are required to control both construction and operational activities that may adversely affect water quality.
- (b) The applicant shall utilize Best Management Practices (BMPs) to prevent pollution from entering the Sacramento River. Such BMPs should include, but not be limited to:
- i. Storing materials and equipment to prevent spills or leaks.
 - ii. Developing and implementing a spill prevention and cleanup plan
 - iii. Installing traps, filter, or other devices to prevent contaminants from leaving the site and entering the Sacramento River; and using barriers, such as straw bales or plastic, to minimize the amount of uncontrolled runoff that could exit the site.
- (c) The applicant shall submit a grading and drainage plan for the site for review and approval of County Public Works.

29. Mitigation Measure 5:

(a) As a Condition of Approval, prior to the start of marina operation, the applicant shall install signage, as approved by the Department of Planning and Public Works, to warn the traveling public of the following:

- *Slow Traffic Ahead*
- *Cross Traffic Ahead*
- *Do not Block Railroad*

County Counsel

30. 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.

31. 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 may result in the following:

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

An aerial photograph showing a wide river or canal flowing through a landscape. On the left bank, there are several long, narrow structures, possibly industrial or agricultural. The right bank is more densely vegetated with trees. The image is oriented vertically on the page.

Attachment G
Aerial Photo



ARCH Insurance Company

ARCH Surety

NOTICE – DISCLOSURE OF TERRORISM PREMIUM

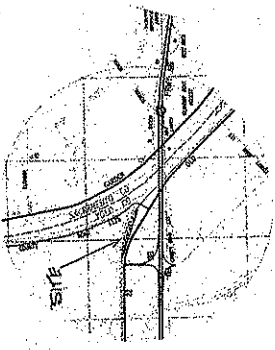
In accordance with the Terrorism Risk Insurance Act of 2002, we are providing this disclosure notice for bonds on which Arch Insurance Company is the surety.

DISCLOSURE OF PREMIUM

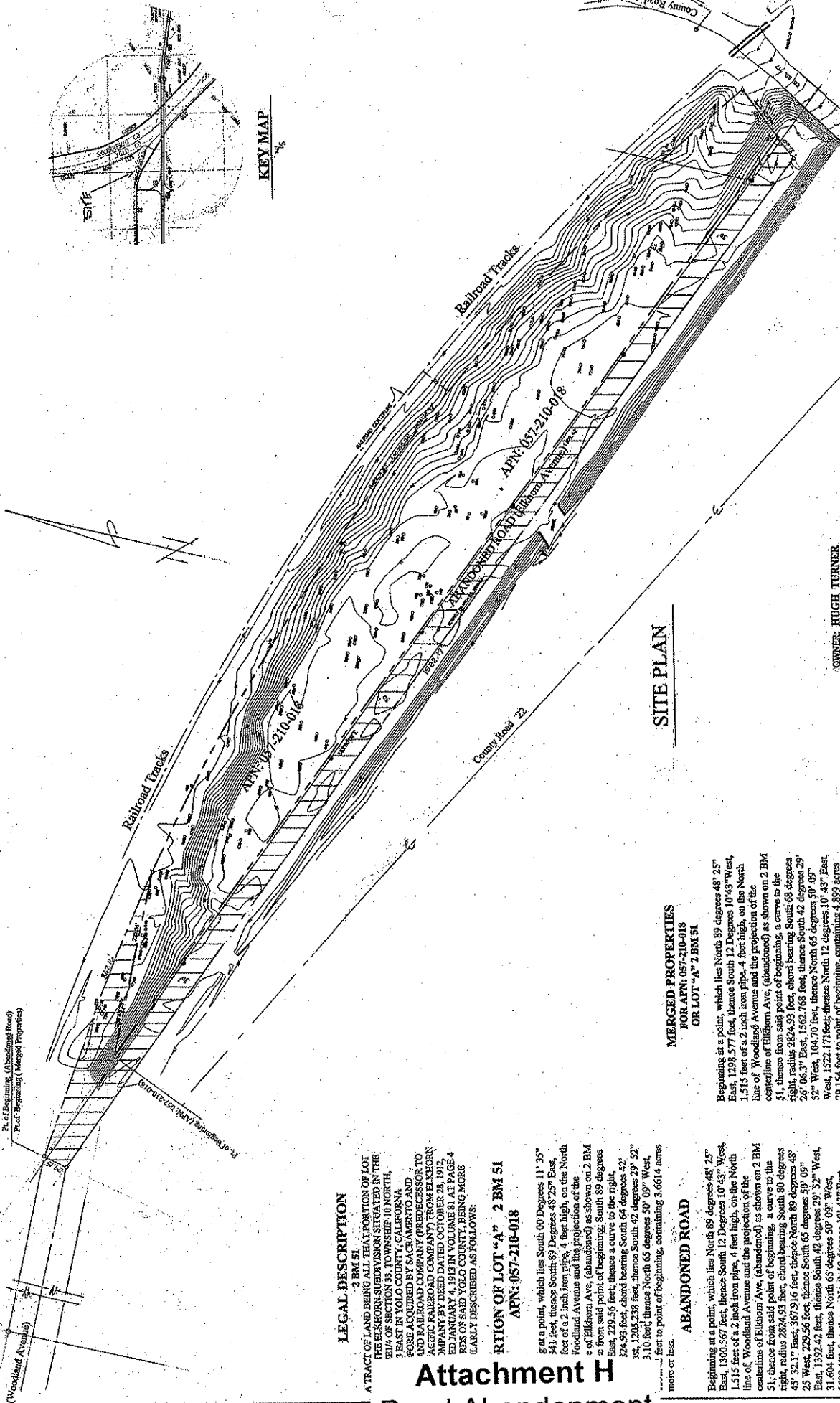
The portion of the premium attributable to coverage for terrorist acts certified under the Act is Zero Dollars (\$0.00).

DISCLOSURE OF FEDERAL PARTICIPATION IN PAYMENT OF TERRORISM LOSSES

The United States will pay ninety percent (90%) of covered terrorism losses exceeding the applicable insurer deductible.



KEY MAP



SITE PLAN

LEGAL DESCRIPTION

TRACT OF LAND BEING ALL THAT PORTION OF LOT 2 BM 51 THE ELKHORN SUBDIVISION SITUATED IN THE E1/4 OF SECTION 03, TOWNSHIP 10 NORTH, 3 EAST IN YOLO COUNTY, CALIFORNIA AND RAILROAD COMPANY (PREDECESSOR TO AGRIC RAILROAD COMPANY) FROM ELKHORN COMPANY BY DEED DATED OCTOBER 26, 1912, REB OF SAID YOLO COUNTY BEING MORE LARGELY DESCRIBED AS FOLLOWS:

SECTION OF LOT "A" 2 BM 51 APN: 057-210-018

Beginning at a point, which lies South 00 Degrees 11' 35" East, 1306.567 feet, thence South 69 Degrees 48' 25" East, 1.515 feet of a 2 inch iron pipe, 4 feet high, on the North line of Woodland Avenue and the projection of the centerline of Ellikorn Ave. (abandoned) as shown on 2 BM 51, thence from said point of beginning, a curve to the right, radius 2824.93 feet, chord bearing South 80 degrees 48' 42' 52.1" East, 367.916 feet, thence North 89 degrees 48' 25' West, 229.56 feet, thence South 65 degrees 50' 09" East, 1392.42 feet, thence South 42 degrees 29' 52" East, 1522.171 feet, thence North 12 degrees 10' 43" West, 29.154 feet to point of beginning, containing 3.6614 acres more or less.

ABANDONED ROAD

Beginning at a point, which lies North 89 degrees 48' 25" East, 1306.567 feet, thence South 12 Degrees 10' 43" West, 1.515 feet of a 2 inch iron pipe, 4 feet high, on the North line of Woodland Avenue and the projection of the centerline of Ellikorn Ave. (abandoned) as shown on 2 BM 51, thence from said point of beginning, a curve to the right, radius 2824.93 feet, chord bearing South 80 degrees 48' 42' 52.1" East, 367.916 feet, thence North 89 degrees 48' 25' West, 229.56 feet, thence South 65 degrees 50' 09" East, 1392.42 feet, thence South 42 degrees 29' 52" East, 1522.171 feet, thence North 12 degrees 10' 43" West, 29.154 feet to point of beginning, containing 1.24 acres more or less.

MERGED PROPERTIES FOR APN: 057-210-018 OR LOT "A" 2 BM 51

Beginning at a point, which lies North 89 degrees 48' 25" East, 1298.577 feet, thence South 12 Degrees 10' 43" West, 1.515 feet of a 2 inch iron pipe, 4 feet high, on the North line of Woodland Avenue and the projection of the centerline of Ellikorn Ave. (abandoned) as shown on 2 BM 51, thence from said point of beginning, a curve to the right, radius 2824.93 feet, chord bearing South 80 degrees 48' 42' 52.1" East, 367.916 feet, thence North 89 degrees 48' 25' West, 104.70 feet, thence North 65 degrees 50' 09" West, 1522.171 feet, thence North 12 degrees 10' 43" East, 29.154 feet to point of beginning, containing 4.899 acres more or less.

Proposed Improvements

REV.	DATE	DESCRIPTION	BY	DATE	BENCH MARK	ELEV.	DATE



NEWTON ASSOCIATES
ENGINEERING DESIGN
PO BOX 602775
SACRAMENTO, CALIFORNIA
95816-4333-3850

OWNER: HUGH TURNER
P.O. BOX 12426
FRESNO, CALIFORNIA 95691

APN: 057-0210-18

SCALE: 1" = 50'
JOB NO.
DRAWING NO.

SUBMITTED BY:
ROBERT R. NEWTON

ABANDONED LAND MERGER
APN: 057-210-018
YOLO COUNTY, CALIFORNIA
COUNTY OF YOLO

SHEET 1 OF 1

CLOSURES FOR ABANDONED PROPERTY APPLICATION

APN: 057-210-018

**CLOSURE FOR COMBINED
PROPERTIES APN: 057-210-1**

Start	13	5004.38219	6300.55915	0.000	
C To Cntr. Pt.	S 5°27'02.6" W				
	12	Arc Center Point	2192.22574	6032.22060	0.000
	Arc	1581.487	Central Angle	32°04'33.7"	
	Chord	1560.915	Chord Bearing	S 68°30'40.6" E	
	Radius	2824.930	Bng from Cntr Pt	N 37°31'36.2" E	
	Tangent	812.064	Elevation Change	0.000	
	5	Arc End Point	4432.59080	7752.97447	0.000
N	S 41°52'41.0" W	107.980			
	11	4352.19209	7680.89243	0.000	
N	N 65°50'09.0" W	1519.886			
	10	4974.36122	6294.18448	0.000	
N	N 11°59'17.4" E	30.690			
	13	5004.38219	6300.55915	0.000	

Area = 216660.4242 Sq. Feet or 4.9738 Acres

CLOSURE FOR ABANDONED ROAD PROPERTY APN: NON

Start	13	5004.38219	6300.55915	0.000	
C To Cntr. Pt.	S 5°27'02.6" W				
	12	Arc Center Point	2192.22574	6032.22060	0.000
	Arc	365.491	Central Angle	7°24'46.6"	
	Chord	365.236	Chord Bearing	S 80°50'34.1" E	
	Radius	2824.930	Bng from Cntr Pt	N 12°51'49.2" E	
	Tangent	183.001	Elevation Change	0.000	
	3	4946.25723	6661.14038	0.000	
N	S 89°48'24.9" W	229.310			
	2	4945.48452	6431.83192	0.000	
N	S 65°50'09.0" E	1392.420			
	4	4375.49391	7702.24294	0.000	
N	S 42°29'52.0" W	31.604			
	11	4352.19209	7680.89243	0.000	
N	N 65°50'09.0" W	1519.886			
	10	4974.36122	6294.18448	0.000	
N	N 11°59'17.4" E	30.690			
	13	5004.38219	6300.55915	0.000	

Area = 54085.2886 Sq. Feet or 1.2416 Acres

CLOSURE FOR APN: 057-210-018

Start	13	5004.38219	6300.55915	0.000	
Start	2	4945.48452	6431.83192	0.000	
N	N 89°48'24.9" E	229.310			
	3	4946.25723	6661.14038	0.000	
C To Cntr. Pt.	S 12°51'49.2" W				
	12	Arc Center Point	2192.22574	6032.22060	0.000
	Arc	1215.996	Central Angle	24°39'47.0"	
	Chord	1206.630	Chord Bearing	S 64°48'17.3" E	
	Radius	2824.930	Bng from Cntr Pt	N 37°31'36.2" E	
	Tangent	617.563	Elevation Change	0.000	
	5	Arc End Point	4432.59080	7752.97447	0.000
N	S 41°37'17.8" W	76.379			
	4	4375.49391	7702.24294	0.000	
N	N 65°50'09.0" W	1392.420			
	2	4945.48452	6431.83192	0.000	

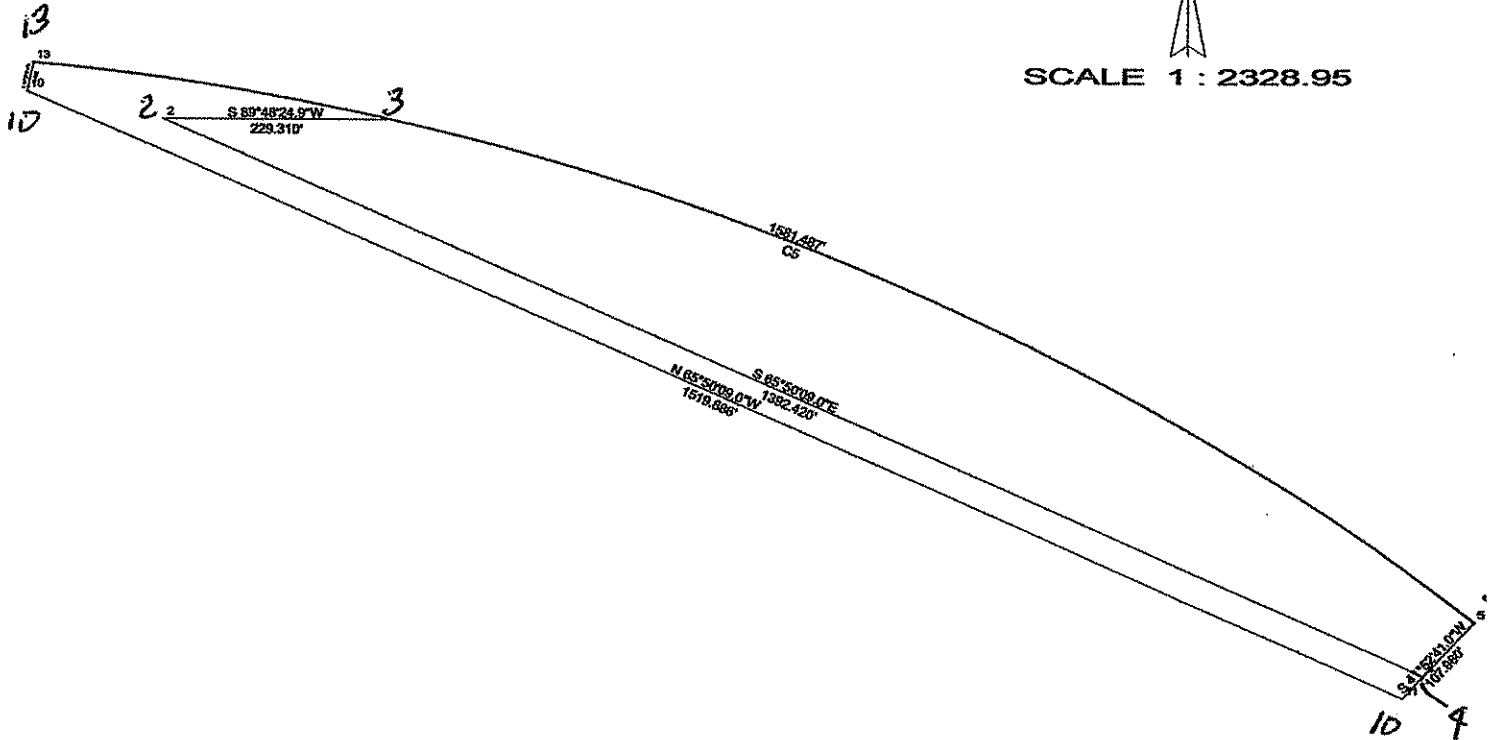
Area = 162593.5953 Sq. Feet or 3.7326 Acres

Database Saved: Thursday, March 01, 2007 10:01 pm.

COMBINED PROPERTY MAP
OWNER: HUGH TURNER
APN: 570-210-018



SCALE 1 : 2328.95



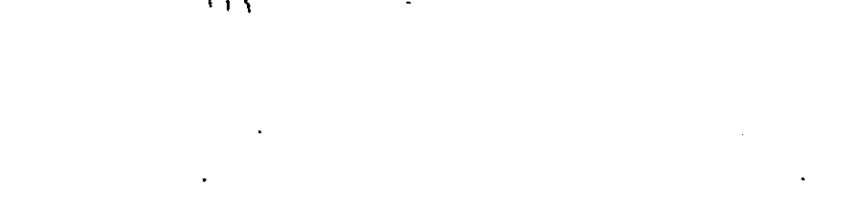
NEWTON ASSOCIATES
CONSULTING ENGINEERS
P.O. BOX 160273
SACRAMENTO, CALIFORNIA
95816 916 497 0860

CAUTION—These maps are NOT to be used for representation.

57-21

T. ION, R. J. E., M. D. B. & M.

SACRAMENTO
SACRAMENTO
YOL
CO. RIVER



1/4 SECTION 22 S
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Assessor's Map Bk. 37 Pg. 21
County of Yolo, Calif.

NOTE—Assessor's Sheet Numbers Shown in Ellipses
Assessor's Parcel Numbers Shown in Circles

M.S.Bk. 12, Pg. 92—Elihorn Bent Club M.S., Lot Line Adjustment.
 M.S.Bk. 17, Pg. 96—Elihorn Bent Club Tr.
 M.S. 2, Pg. 51—Elihorn Sub. (formerly par. 27-14)
 P.M. Bk. 9, Pg. 42—Map B 3676 of McCray Proply.



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

AUGUST 14, 2008

FILE #2008-010: A Tentative Parcel Map (TPM #4617) (**Attachment B**) for the division of an 11-acre parcel into two parcels of approximately five acres and six acres. The property is zoned Agricultural General (A-1) and is located within the Monument Hills area of the Woodland Area General Plan. This area of approximately 1,100 acres allows for the creation of five-acre home sites.

APPLICANT/OWNER: Dirk and Sally Slooten
34474 County Road 25
Woodland, CA 95695

LOCATION: 34474 County Road 25, approximately three miles west of the City of Woodland and one mile south of the Watts-Woodland Airport (APN: 040-040-04) (**Attachment A**).

GENERAL PLAN: Agriculture (Yolo County General Plan) and Rural Residential (Woodland Area General Plan)

ZONING: A-1

FLOOD ZONE: C (areas outside the 100-year and 500-year floodplains)

SOILS: Corning gravelly loam (Class IV), Sehorn clay (Class III), Marvin silty clay loam (Class II), Willows clay (Class III)

ENVIRONMENTAL DETERMINATION: Negative Declaration

REPORT PREPARED BY:


Jeff Anderson, Assistant Planner

REVIEWED BY:


David Morrison, Assistant Director

RECOMMENDED ACTION

That the Planning Commission:

1. **HOLD** a public hearing and receive comments;
2. **ADOPT** the Initial Study/Negative Declaration, prepared for the proposed project in accordance with the California Environmental Quality Act (CEQA) and Guidelines (**Attachment C**);
3. **ADOPT** the proposed Findings (**Attachment D**) for the project; and
4. **APPROVE** the Tentative Parcel Map (TPM #4617) (**Attachment B**) in accordance with the Conditions of Approval (**Attachment E**).

REASONS FOR RECOMMENDED ACTION

The division of this 11-acre parcel into five-acre and six-acre parcels is consistent with the level of residential development and density allowed in the Monument Hills area. This parcel is the last parcel within a 14-parcel rural subdivision that has not been subdivided into five-acre minimum parcels.

BACKGROUND

The project site is located at 34474 County Road 25, approximately three miles west of the City of Woodland and one mile south of the Watts-Woodland Airport (**Attachment A**). The 11-acre parcel includes an existing home, shed, and barn, located on the southern portion of the property. The northern half of the property is undeveloped. The North Fork of Willow Slough intersects the site, running from west to east through the northern half of the property. The southern portion of the property is accessed from County Road 25.

The proposed project is a Tentative Parcel Map for the division of an approximately 11-acre parcel into two parcels of five and six acres (**Attachment B**). The five-acre parcel will contain the house, barn, and shed, of what is currently the developed southern portion of the project site. The six-acre parcel, or northern portion of the project site, is not developed. The applicant is not proposing development of the six-acre parcel at this time. However, approval of the parcel map would allow for the building of up to two homes by right on the six-acre parcel. Each parcel would be allowed up to two single family residences under the A-1 (Agricultural General) zone, provided they are clustered within 250 feet of each other. The proposed southern parcel is already developed with one residence and would be allowed an additional home within 250 feet of the first home.

The project site is currently served by County Road 25, a county maintained road. The proposed five-acre southern parcel will continue to access the property from County Road 25. The six-acre parcel will be accessed from County Road 94A, a private road. As a condition of approval, the applicant shall record a Private Road Maintenance Agreement prior to recordation of the Final Map. The applicant shall seek approval of the neighborhood association for the rights to record the Private Road Maintenance Agreement.

STAFF ANALYSIS

The resulting two parcels of five and six acres are consistent with the Rural Residential land use designation of the Woodland Area General Plan. Although the property is zoned A-1 (Agricultural General), because of the poor soils in the area the property is not a viable farming parcel. The subject property is located within Planning Area D-14 of the Woodland Area General Plan. This area is comprised of approximately 1,100 acres and is commonly referred to as the Hillcrest/Hilltop/Monument Hills area. This area is typified by non-prime agricultural soils and has historically been subdivided into parcels generally of five acres. The principal goals of the Woodland Area General Plan are to prevent premature and inadequately serviced urban development, promote orderly growth, and to protect agricultural lands. The project will provide for development consistent with the policies of the Woodland Area General Plan, while ensuring adequate services and infrastructure, in a manner compatible with surrounding land uses.

The applicant's proposed Tentative Parcel Map meets the standards set forth in the Woodland Area General Plan. The project, as conditioned, is in compliance with the county General Plan, county zoning regulations, and other ordinances, and with the California Subdivision Map Act and Environmental Quality Act.

The project site is located in Flood Zone "C", as designated by the Federal Emergency Management Agency (FEMA), and is not subject to 100-year or 500-year flood flows. However, the site, along with the surrounding properties, is affected by occasional localized flooding from the North Fork of Willow Slough. The potential risk of localized flooding, and the placement of any buildings, will be evaluated during the building permit process.

AGENCY COMMENTS

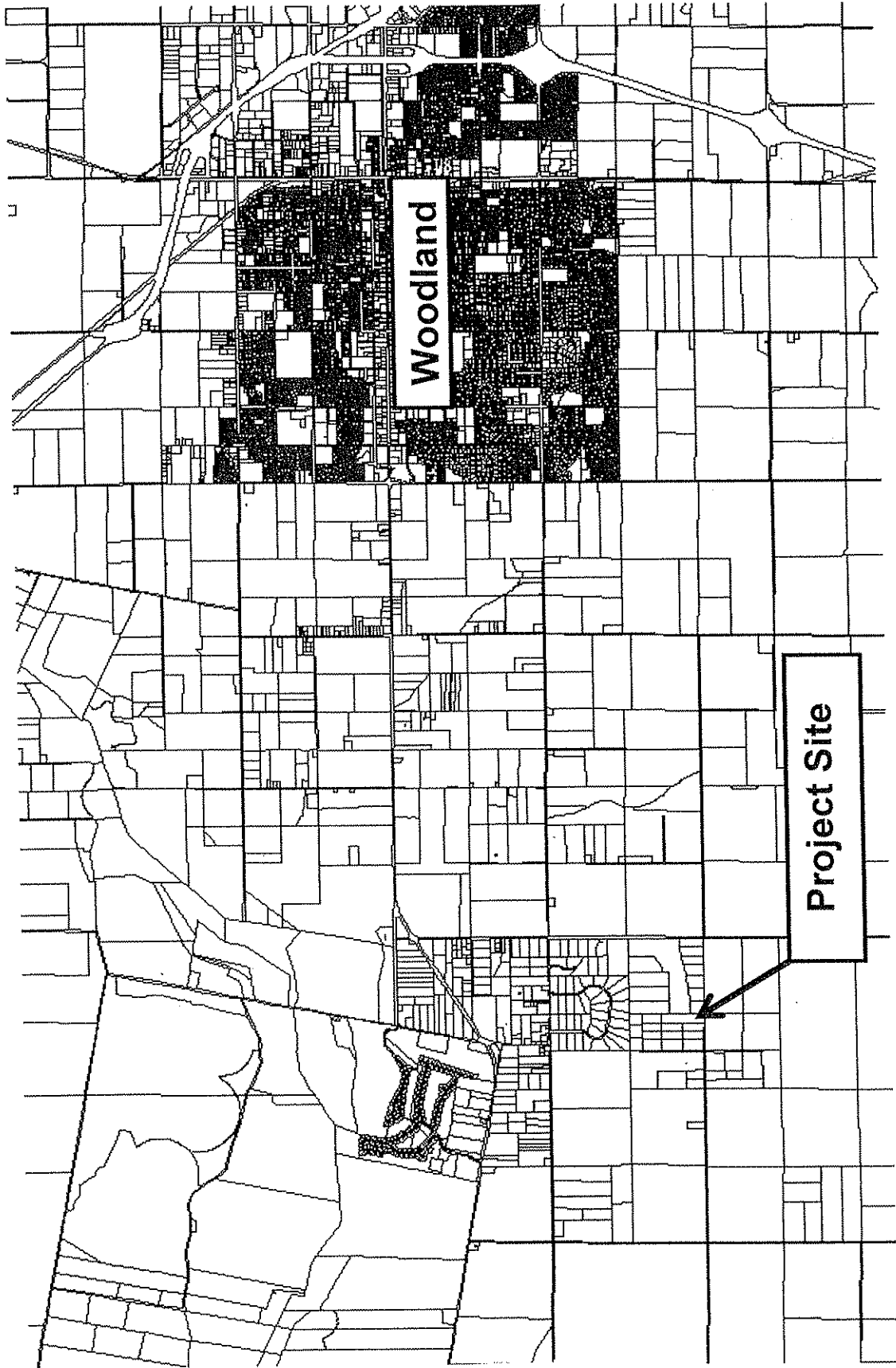
A "Request for Comments" was prepared and circulated for the project from February 26, 2008 to March 6, 2008. In addition, an Initial Study/Negative Declaration was prepared and circulated from April 15, 2008 to May 5, 2008. Comments received are summarized below.

Date	Agency	Comment	Response
February 22, 2008	Building Division	No Comment.	n/a
March 12, 2008	Environmental Health (YCEH)	Permits from YCEH are required for well and septic systems that will be installed on the parcel. A septic permit issued on Sehorn soils will require an onsite soils evaluation and may possibly require the installation of an alternative design or elevated septic system.	Included in Conditions of Approval.
March 12, 2008	Parks and Resources	Prior to the recording of the Final Map, the applicant shall mitigate for the loss of Swainson's Hawk habitat through participation in the Yolo County Habitat Conservation Plan. The applicant shall pay a Swainson's Hawk mitigation fee for the creation of a homesite on the six-acre, undeveloped parcel. The fee is currently set at \$8,660 per acre, and shall be collected for 2.5 acres prior to the recording of the Final Map.	Included in Conditions of Approval.
March 12, 2008	Public Works	Per Yolo County Code Title 8, Chapter 1, Sec. 8-1.202(5), access to a county road must be provided. Applicant must provide evidence of rights to use existing access easements west of County Road 94A for access to the northern parcel, and provide additional access easements if necessary for proper access.	Included in Conditions of Approval.
March 12, 2008	Public Works	Standard fire department access and standard fire department vehicle turnaround area are required for the northern parcel.	Included in Conditions of Approval.

		Paved driveway connections (with culverts, if necessary) to County Road 25 will be required for the two southern parcel driveways, and for the County Road 94A connection to County Road 25, to replace the existing gravel connections. Applicant to secure encroachment permits for this work.	
April 23, 2008	City of Woodland	No Comment.	n/a

ATTACHMENTS

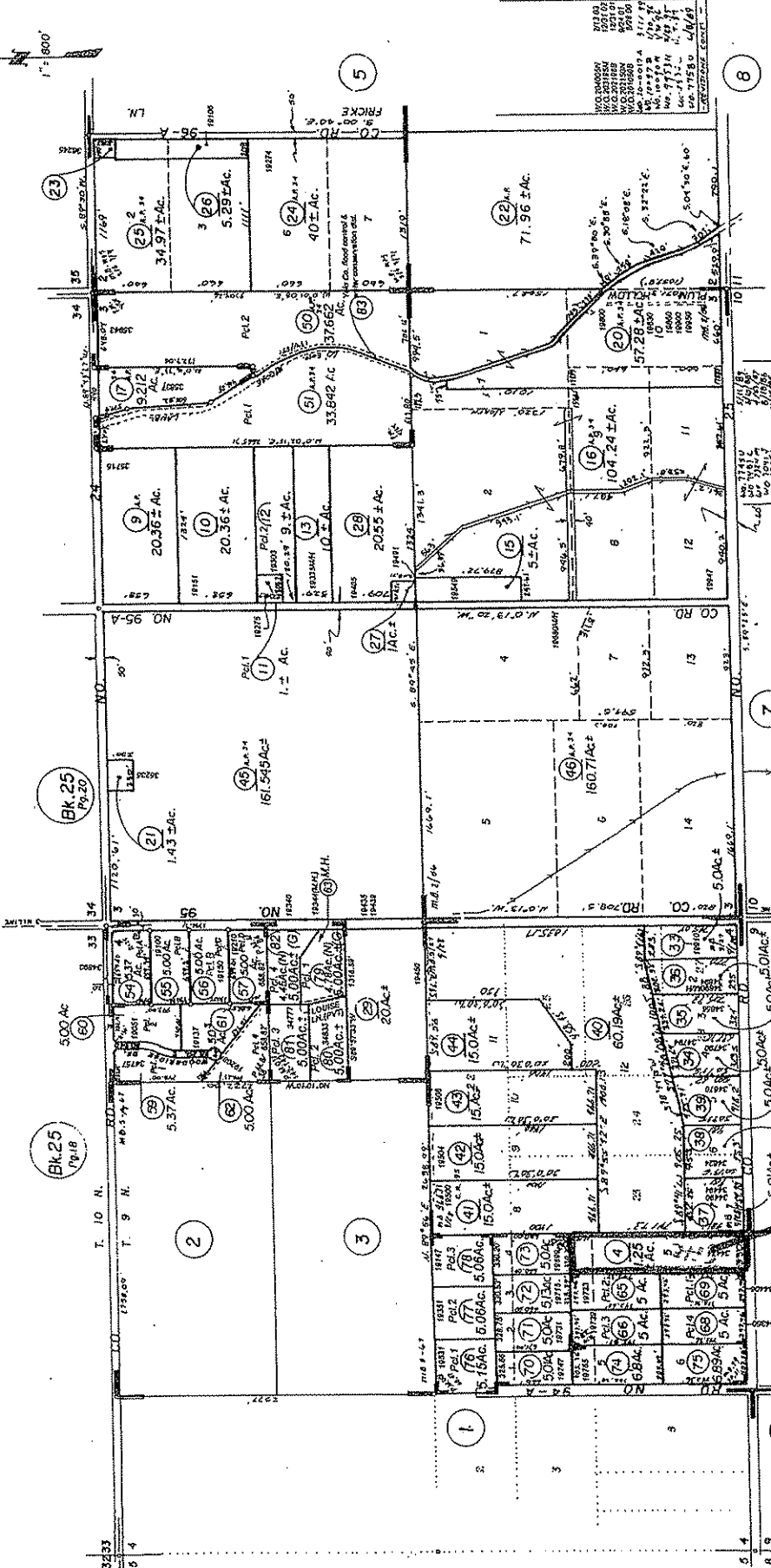
- Attachment A** - Vicinity Map
- Attachment B** - Site Plan (Tentative Parcel Map #4617)
- Attachment C** - Initial Study/ Negative Declaration
- Attachment D** - Findings
- Attachment E** - Conditions of Approval



ATTACHMENT "A"

CAUTION - These maps ARE NOT to be used for legal descriptions.

POR. SEC. 2 & SEC. 3 & 4, T.9N., R.1E., M.D.B. & M.



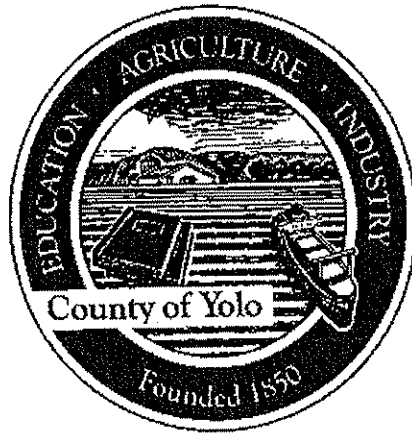
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SITE

Assessor's Map Bk. 40 Pg. 04
County of Yolo, Calif.

(formerly por. 24-01 & 24-04)
NOTE - Assessor's Block Numbers Shown in Ellipses
Assessor's Parcel Numbers Shown in Circles

M.B. Bk. 3, Pg. 71 - J.D. B.R.G. Lawson.
M.B. Bk. 2, Pg. 80 - Birbeck's Subd.
M.B. Bk. 3, Pg. 27 - Birbeck's Eastern Subd.
M.B. Bk. 2, Pg. 56 - Woodland Colonies
M.B. Bk. 2, Pg. 6 - J.D. & R.G. Lawson Subd.
No. 41 - 686
M.B. Bk. 5, Pg. 67 - Hillcrest Estates
M.B. Bk. 9, Pg. 288 - 29 - Subdivision No. 2051 of Hilltop Estates
P.M. Bk. 4 Pg. 64 - Eugene W. Gray, Jr. (2798)
P.M. Bk. 4 Pg. 56 - Robert Gillette (2800)
P.M. Bk. 4 Pg. 84 - Bill Spurlock (2885)
P.M. Bk. 8, Pg. 36 - William & DaNaas Hurd (3434)
P.M. Bk. 12, Pg. 9 - S & J Carter. # 4 103.
M.B. Bk. 99, Pg. 20, 21 - Subd. # 4 315.
P.M. Bk. 60 Pg. 46, 47 - Pol. Map. # 4409.



**YOLO COUNTY PLANNING & PUBLIC WORKS
DEPARTMENT**

**INITIAL STUDY/ NEGATIVE DECLARATION
ZONE FILE # 2008-010
Slooten
Tentative Parcel Map**

April 15, 2008

Negative Declaration / Initial Environmental Study

1. **Project Title:** Zone File No. 2008-010
2. **Lead Agency Name and Address:**
Yolo County Planning and Public Works Department
292 West Beamer Street
Woodland, CA 95695
3. **Contact Person and Phone Number:** Jeff Anderson at (530) 666-8036 or e-mail at jeff.anderson@yolocounty.org.
4. **Project Location:** The project site is located at 34474 County Road 25, three miles west of the City of Woodland and one mile south of the Watts-Woodland Airport.
APN: 040-040-04
5. **Project Sponsor's Name and Address:**

Dirk & Sally Slooten
34474 County Road 25
Woodland, CA 95695
6. **General Plan Designation(s):** Agriculture (Yolo County General Plan)/Rural Residential (Woodland Area General Plan)
7. **Zoning:** A-1 (Agricultural General)
8. **Description of the Project:** The project site consists of 11.07 acres located on County Road 25, approximately one-half mile west of County Road 95 (Figure 1, Regional Location Map). The site is bordered by a vineyard and rural residences to the east, and by rural residences to the west and north. The property to the south is in agricultural production. The southern portion of the site is developed with a single family residence, shed, and a barn. The northern portion of the site is undeveloped. The North Fork of Willow Slough intersects the site, running from west to east through the northern half of the property. The site is designated as Rural Residential by the 1980 Woodland Area General Plan and is zoned A-1 (Agricultural General).

The project is located within the Monument Hills area (D-14) of the Woodland Area General Plan. This area of approximately 1,100 acres allows 5-acre home sites, with the exception of the Watts-Woodland Airport, the Monument Hills Cemetery, the Yolo Fliers Club, and the Wild Wings community. Residential development in the Monument Hills area is limited to very low density due to insufficient service capacities. The project site relies on an on-site septic system and private well. The soils in this area are generally poor and are not ideal for agricultural production.

The proposed project is a request to approve a Tentative Parcel Map (TPM #4617) to divide the 11.07 acres into two parcels of approximately 5 acres and 6 acres (Figure 2, Project Map/Site Plan). The Tentative Parcel Map does not propose any development. However, approval of the parcel map would allow for the building of up to three additional homes by right. Each parcel would be allowed up to two single family

residences under the A-1 (Agricultural General) zone provided they are clustered within 250 feet of each other. The proposed southern parcel is already developed with one residence and would be allowed an additional home within 250 feet of the first home.

Any future construction as a result of approval of the Tentative Parcel Map would be required to comply with all applicable Uniform Building Code requirements and Yolo County permitting requirements. The project site is located in flood zone "C", as designated by the Federal Management Agency (FEMA), and is not subject to 100-year or 500-year flood flows. However, the site, along with the surrounding properties, is affected by occasional localized flooding from the North Fork of Willow Slough.

The project site is currently served by County Road 25, a county maintained road. The proposed southern parcel will continue to access the property from County Road 25. The applicant will be required to record a Private Vehicular Access Easement (PVAE) for access to the northern parcel via County Road 94A, a privately maintained road, prior to recordation of the Final Map. County Road 94A currently serves 10 parcels. The addition of three potential homes as a result of the Tentative Parcel Map would not impact traffic or level of service on County Road 25 (public) or County Road 94A (private).

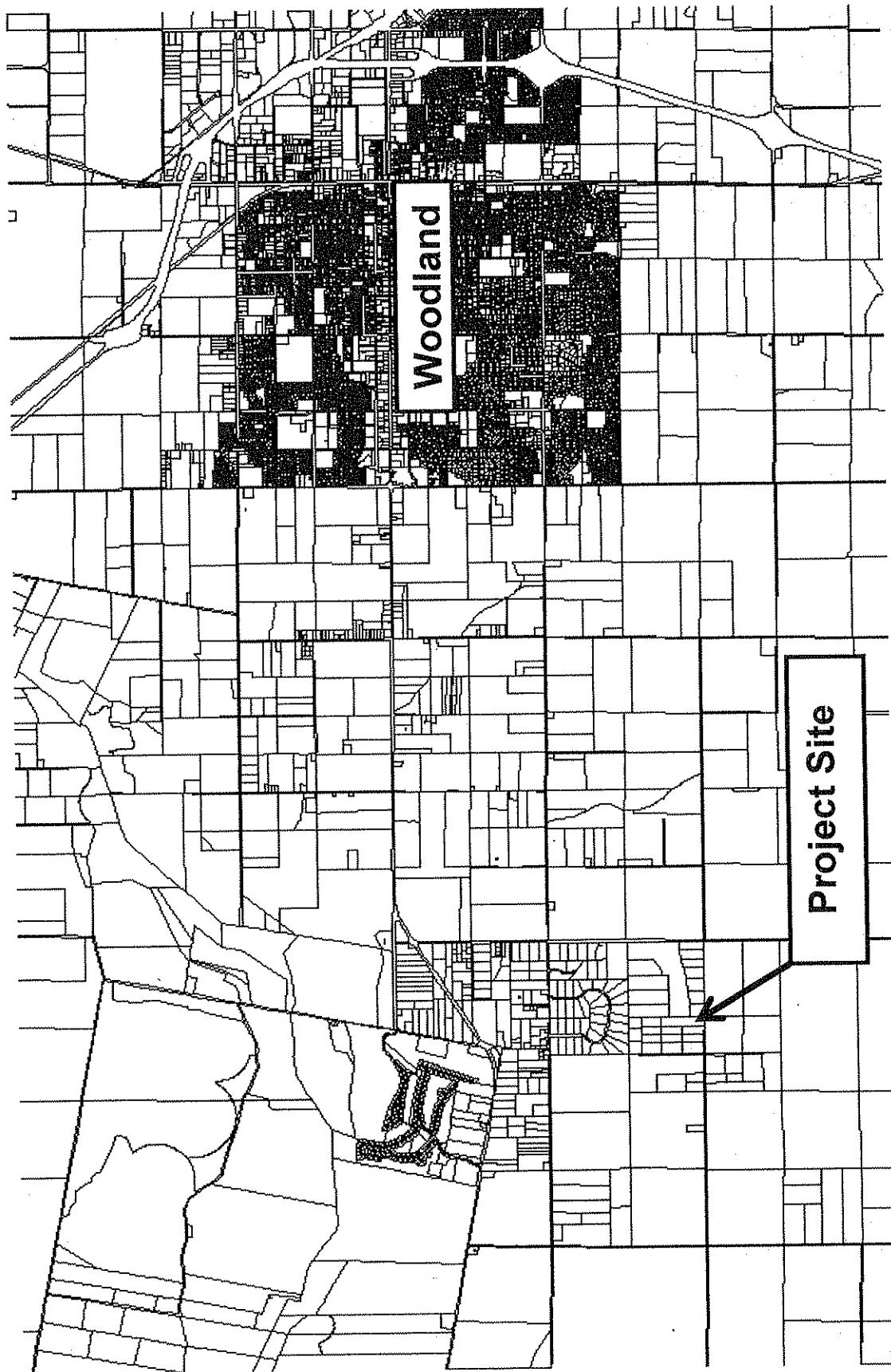


FIGURE 1

9. Surrounding Land Uses and Setting:

Relation to Project	Land Use	Zoning	General Plan Designation
Project Location	Rural Residential	A-1 (Agricultural General)	Agriculture/Rural Residential
North	Rural Residential	A-1 (Agricultural General)	Agriculture/Rural Residential
South	Agricultural-Hay Farming	A-P (Agricultural Preserve)	Agriculture
East	Vineyard & Rural Residential	PD-9 (Planned Development)	Agriculture/Rural Residential
West	Rural Residential	A-1(Agricultural General)	Agriculture/Rural Residential

10. Other public agencies whose approval is required: None

11. Other Project Assumptions: The Initial Study assumes compliance with all applicable State, Federal, and local codes and regulations including, but not limited to, County of Yolo Improvement Standards, the California Building Code, the State Health and Safety Code, and the State Public Resources Code.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agricultural Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology / Soils |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality | <input type="checkbox"/> Land Use / Planning |
| <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise | <input type="checkbox"/> Population / Housing |
| <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation / Traffic |
| <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Mandatory Findings of Significance | |

DETERMINATION: (To be completed by the Lead Agency)

On behalf of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED

NEGATIVE DECLARATION will be prepared.

I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to the earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Jeff Anderson
Planner's Signature

4-15-08
Date

Jeff Anderson
Planner's Printed name

PURPOSE OF THIS INITIAL STUDY

This Initial Study has been prepared consistent with CEQA Guidelines Section 15063, to determine if the project as described herein may have a significant effect upon the environment.

EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect is significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. A definition of "Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
5. A determination that a "Less Than Significant Impact" would occur is appropriate when the project could create some identifiable impact, but the impact would be less than the threshold set by a performance standard or adopted policy. The initial study should describe the impact and state why it is found to be "less than significant."
6. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration, pursuant to Section 15063 (c)(3)(D) of the California Government Code. Earlier analyses are discussed in Section XVII at the end of the checklist.
7. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

I. AESTHETICS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

- a) *No Impact.* The project is not located within view of any scenic highways or vistas. The adjoining roadways and highways are not listed or designated as "scenic highways" and there are no scenic resources on or within view of the project site.

- b) *No Impact.* No construction is proposed that will affect any scenic resources or natural features.
- c) *No Impact.* The proposal does not present a significant demonstrable negative aesthetic effect to the rural residential character of the area. The surrounding properties are similar 5 acre ranchettes developed with single family homes.
- d) *No Impact.* Approval of the parcel map will allow for the development of three additional single family residences. The future construction of three single family dwellings could produce additional sources of light to the surrounding rural residential neighborhood. However, sources of light associated with single family residences would not be considered a significant impact.

II. AGRICULTURAL RESOURCES:

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Involve other changes in the existing environment which due to their location or nature, could result in conversion of farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

- a) *No Impact.* The site is not being utilized for farming purposes. The south 5 acres of the project site are developed as a home site, consistent with the surrounding area. The northern 6-acres are undeveloped. Due to the size of the property (11 acres) and general poor soil quality on the area, the property is not a viable farming parcel. The parcel and surrounding area has been designated Rural Residential (RR) with developed parcels to both the north and south.
- b) *No Impact.* The two resulting parcels will not conflict with the A-1 (Agricultural General) zoning. The parcel is not under a Williamson Act contract.
- c) *No Impact.* The site is not in agricultural production and the project will not have any impact that could result in the conversion of farmland to non-agricultural use.

III. AIR QUALITY:

Where applicable, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Expose sensitive receptors to substantial pollutant concentrations? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Create objectionable odors affecting a substantial number of people? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion of Impacts

The Yolo Solano Air Quality Management District (YSAQMD) has published a set of recommendations that provide specific guidance on evaluating projects under CEQA relative to the above general criteria (YSAQMD, 2007). The Guidelines identify quantitative and qualitative long-term significance thresholds for use in evaluating the significance of criteria air pollutant emissions from project-related mobile and area sources. These thresholds include:

Reactive Organic Gases (ROG)	10 tons/year
Oxides of Nitrogen (NOx)	10 tons/year
Particulate Matter (PM ₁₀)	80 ppd
Carbon Monoxide (CO)	Violation of a state ambient air quality standard for CO

Development projects are considered cumulatively significant if:

1. The project requires a change in the existing land use designation (i.e., general plan amendment, rezone); and

2. Projected emissions (ROG, NOx, or PM₁₀) of the project are greater than the emissions anticipated for the site if developed under the existing land use designation.

- a) *No Impact.* There is no change in the land use designation for the project site. The project would not substantially conflict with or obstruct implementation of the Yolo Solano Air Quality Management District Air Quality Attainment Plan (1992), the Sacramento Area Regional Ozone Attainment Plan (1994), or the goals and objectives of the County's General Plan.
- b) *No Impact.* Approval of the parcel map could result in the construction of three additional dwelling units, but any future residential development would be considered less than significant. This is considered a negligible impact because any potentially sensitive receptors would be exposed to minor amounts of construction dust and equipment emissions for short periods of time with no long-term exposure to potentially affected groups. Thresholds for project-related air pollutant emissions would not exceed significant levels as set forth in the 2007 YSAQMD Guidelines.
- c) *No Impact.* Effects on air quality can be divided into short-term construction-related effects and those associated with long-term aspects of the project. Long-term mobile source emissions from any future construction of three single family dwellings would not exceed thresholds established by the Yolo-Solano Air Quality Management District Guidelines (2007) and would not be cumulatively considerable for any non-attainment pollutant from the project. The proposed project would not result in a cumulatively considerable net increase of any criteria pollutant.
- d) *No Impact.* The project is a parcel map, which could result in future development of three additional residences. The air pollutants generated by any future construction would be primarily dust and particulate matter during construction of three single family dwellings, as described in (b) above. The construction of single family residences would have the potential to expose sensitive receptors to minimal pollutant concentrations from construction equipment. The nearest sensitive receptors in the

project vicinity include two homes located west and north of the project site, approximately 130 feet and 700 feet away. However, dust will be controlled through effective management practices, such as water spraying during construction activity, and will therefore be a less than significant impact.

e) *No Impact.* The proposed parcel map would not create objectionable odors.

IV. BIOLOGICAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 4040 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native residents or migratory wildlife corridors or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

a) *Less than Significant Impact.* Development that could result from approval of the Tentative Parcel Map has the potential to decrease foraging habitat for the Swainson's Hawk. Prior to the recording of the Final Map, the applicant will be required to mitigate for the loss of Swainson's Hawk habitat through participation in the Yolo County Habitat Conservation Plan. The applicant will be required to pay a Swainson's Hawk mitigation fee for the 6 acre, undeveloped parcel. The fee is currently set at \$8,660 per acre and will be collected for 2.5 acres prior to the recording of the Final Map.

b-f) *No Impact.* The parcel map would not conflict with the provisions of any adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan including the Draft County Habitat Conservation Plan. Any potential future development resulting from the parcel map would be required to comply with the provisions of the Draft County Habitat Conservation Plan.

V. CULTURAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion of Impacts

- a) *No impact.* The project site is not known to have any historical significant or significant characteristics as defined by the criteria within the CEQA Guidelines.
- b) *No Impact.* The project site is not known to have any archaeologically significant characteristics as defined by the criteria in the CEQA Guidelines.
- c) *No impact.* No paleontological resources are known or suspected and no unique geologic features exist on the project site.
- d) *Less than Significant Impact.* No human remains are known or predicted to exist in the project area. If, however, any future development resulting from the parcel map should uncover human remains, no further site disturbance shall occur until the County coroner has determined that the remains are not subject to the provisions of Section 27491 of the Government Code or any other related provisions of law concerning investigation of the circumstances, manner and cause of any death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation, in the manner provided in Section 5097.98 of the Public Resources Code. If the coroner determines that the remains are not subject to his or her authority and the remains are recognized to be those of a Native American, the coroner shall contact the Native American Heritage Commission within 24 hours.

VI. GEOLOGY AND SOILS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known Fault? Refer to Division of Mines and Geology Special Publication 42.				
ii) Strong seismic ground shaking?				
iii) Seismic-related ground failure, including liquefaction?				
iv) Landslides?				

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| b) Result in substantial soil erosion or the loss of topsoil? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Be located on a geologic unit or soil that is unstable or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion of Impacts

- a) *No impact.* Any future development will comply with all applicable Uniform Building Code requirements. New construction resulting from approval of the parcel map will require Building Permit approval from the Yolo County Planning Public Works Department.

Any major earthquake damage that may result from residential development after approval of the parcel map is likely to occur from ground shaking and seismically related ground and structural failures. Local soil conditions, such as soil strength, thickness, density, water content, and firmness of underlying bedrock affect seismic response. Seismically induced shaking and some damage should be expected to occur during an event but damage should be no more severe in the project area than elsewhere in the region. Any future potential development would require framed construction on proper foundations constructed in accordance with Uniform Building Code requirements which are generally flexible enough to sustain only minor structural damage from ground shaking. Therefore, people and structures would not be exposed to potential substantial adverse effects involving strong seismic ground shaking.

The project site contains normal, not expansive soils; therefore should any future residential development occur, the risk of seismic-related ground failure is minimal. Geologic hazard impacts that are associated with expansive soils include long-term differential settlement and cracking of foundations, disruption and cracking of paved surfaces, underground utilities, canals, and pipelines.

The project site is relatively level and approval of the project and any subsequent development would not expose people or structures to potential landslides.

- b, c, d) *No Impact.* No new construction is proposed. Any future construction would be required to comply with all applicable Uniform Building Code requirements.
- e) *Less than Significant Impact.* The site would rely on on-site septic and leach field. Preliminary review by the Yolo County Environmental Health Department indicates that Sehorn clay soils are present on the northern area of the proposed 6-acre parcel (northern parcel). Sehorn soils, which have bedrock at 2-5 feet below grade, are not allowable for installation of standard septic systems due to very low permeable soil structure. A septic permit issued on Sehorn soils will require onsite soils evaluation and possible require the installation of an alternative design or elevated septic system. Any addition to the existing or new septic system would have to meet all the requirements of Yolo County Environmental Health.

VII. HAZARDS AND HAZARDOUS MATERIALS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working within the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

- a, b, c) *No Impact.* The parcel map does not involve any hazardous materials or hazardous waste.
- d) *No impact.* The project is not located on a site which is included on a list of hazardous waste sites.
- e, f) *Less than Significant Impact.* The project site is not located within an airport land use plan. However, the project site is located approximately one mile from the Watts-Woodland airport. The site is located outside of the airport safety zones (the clear zone, the approach-departure zone, and the overflight zone) and any future development as a result of the parcel map would not result in a safety hazard.
- g) *No impact.* The parcel map would not interfere with any adopted emergency response or evacuation plans.
- h) *No impact.* The project is located in an agricultural setting and will not expose urban development to the risk of wildland fires.

VIII. HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Significantly deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

- a) *Less than Significant Impact.* The parcel map does not propose development that would violate any water quality standards or waste discharge requirements. However, approval of the parcel map would allow for the building of up to three additional homes. Construction activity associated with developing the northern parcel would increase the amount of impervious surface on the site and could increase runoff into the North Fork of Willow Slough. The owner of the northern parcel would be required to secure a Storm Water Pollution Prevention Plan (SWPPP) for the disturbance of one acre or more.
- b) *Less than Significant Impact.* The southern portion of the site is currently served with an existing well. The proposed parcel map would result in potential future development of up to three new single family homes, which would require an additional well for the northern parcel. However, this would not result in a significant impact to groundwater supplies.
- c) *Less than Significant Impact.* The potential development of three homes would increase the amount of runoff on-site and into the North Fork of Willow Slough (see (a), above). Absorption rates would

likely decrease slightly and run-off would increase incrementally onsite, but would be of an insignificant volume so as not to impact adjoining areas. The overall effect of the proposed project and any future residential development would not substantially alter the existing drainage pattern of the project site or the surrounding area and would not, therefore, result in substantial erosion or siltation on- or off-site.

- d) *Less than Significant Impact.* The parcel map will allow for the addition of three single family homes, which would increase the amount of impervious surface on site. This would not significantly alter land topography in a way that would substantially alter the site's drainage pattern. The building of three homes on 11 acres would decrease absorption rates slightly and would increase run-off onsite. Neighbors have commented that due to conditions or circumstances downstream of the North Fork of Willow Slough, particularly property owners placing clippings or debris in the slough or not properly maintaining the slough, occasional flooding of the slough occurs. Issues related to the development of the parcels will be examined in the building permit review process.
- e) *Less than Significant Impact.* See (d), above. The parcel map does not propose changing existing drainage patterns. Should two homes be built on the northern parcel and one additional home on the southern parcel, absorption rates would likely decrease and run-off would increase. If the applicant proposes to build on the northern parcel a SWPP would be required for regulation under the National Pollutant Discharge Elimination System (NPDES) for the disturbance of an area greater than one acre. In addition, grading plans would be required for any proposed construction to address erosion control and drainage.
- f) *No Impact.* See (a) and (e), above. No additional impacts to water quality are anticipated.
- g) *No Impact.* Both of the proposed parcels are located in flood zone "C", as designated by the Federal Emergency Management Agency (FEMA), and not subject to 100-year and 500-year flood flows. However, the project site is located less than one-half mile from a 100-year flood hazard area (flood zone "A"). The project site, along with the surrounding properties, is affected by occasional localized flooding by the North Fork of Willow Slough. The potential buildable area of the northern parcel is elevated approximately 10 feet or higher from the slough.
- h) *No Impact.* The parcel map does not propose any buildings. Any new construction, as a result of approval of the parcel map, would be subject to site plan review and the building permit process.
- i) *No Impact.* See (d) and (g), above, regarding potential localized flooding of the North Fork of Willow Slough. The project site is not located immediately down stream of a dam or adjacent to a levee that would expose individuals to risk from flooding.
- j) *No Impact.* The project would not result in the location of future construction near any large bodies of water that would pose a seiche or tsunami hazard. In addition, the project site is not typically associated with mudflow hazard.

IX. LAND USE AND PLANNING

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

- a) *No impact.* The parcel map would not physically divide an established community. The subdivision of an 11 acre parcel into a 5 acre parcel and a 6 acre parcel is consistent with the surrounding area.
- b) *No Impact.* The resulting parcels will meet all the requirements of the Yolo County Zoning Code and County General Plan.
- c) *No Impact.* The County does not have an adopted HCP or NCCP although there is a draft HCP/NCCP. The parcel map would not conflict with any applicable habitat conservation plan or natural community conservation plan.

X. MINERAL RESOURCES

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

- a, b) *No impact.* There are no known mineral resources on the site and the site is not delineated as resource recovery site. This parcel map will not affect the availability of any known mineral resource or resource recovery site.

XI. NOISE

Would the project result in:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

Discussion of Impacts

- a, b, c, d) *No Impact.* Approval of the parcel would not expose persons to or generate excessive noise levels. The noise from potential future development on the resulting parcels would not exceed noise levels already present on the site, such as the existing home and nearby farm operations.
- e) *No Impact.* The project is located approximately one mile from the Watts-Woodland airport. Future development as a result of the parcel map will most likely be subjected to innocuous levels of noise due to nearby aircraft. However, the site is not located within the noise restriction area identified by the Airport Land Use Plan.
- f) *No Impact.* The project is not located in the vicinity of a private airstrip.

XII. POPULATION

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through the extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

- a) *No Impact.* The creation of two new parcels will be entitled to build up to two single family homes on each parcel (2 on northern parcel and 1 additional home southern parcel) under the A-1 (Agricultural General) zone. Three new potential homes are not a significant increase in population.
- b, c) *No Impact.* No existing housing or people will be displaced by this parcel map.

XIII. PUBLIC SERVICES

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service rations, response time or other performance objectives for any of the public services:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

NEGATIVE DECLARATION/INITIAL STUDY CHECKLIST

- | | | | | |
|-----------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Parks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Other public facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion of Impacts

- a) *No Impact.* The project has been sent to the Willow Oak Fire District with no major concerns noted. Therefore the project will not result in the need for additional public services.
- b) *No Impact.* Development comparable to the project is located to both the west and north. The potential for three additional single family dwellings as a result of the project will not constitute a significant impact on police protection.
- c) *No Impact.* Prior to the issuance of any future building permits for the properties, school impact fees will be paid to the Woodland Joint Unified School District. Effects on enrollment from the possibility of three additional homes will be negligible.
- d) *No Impact.* The project will not have an impact on local parks.
- e) *No Impact.* Should any future development occur from the result of the parcel map, the properties will be served by a private septic system and water well. An access easement will be recorded for use of the existing private road (County Road 94A) to the 6-acre parcel on the northwest corner of the parcel. The 5-acre parcel will continue to access the property from County Road 25. No development is proposed at this time.

XIV. RECREATION

- | | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-------------------------------------|
| a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have been an adverse physical effect on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion of Impacts

a, b) *No Impact.* Upon approval of the parcel map, each new parcel will be entitled to build up to two single family homes under the A-1 (Agricultural General) zone. This results in the potential future development of the three new homes (one home is already on the southern parcel). Three new potential homes are not a significant increase in population and not a significant impact on recreation facilities.

XV. TRANSPORTATION/TRAFFIC

- | Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-------------------------------------|
| a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase on either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

intersections)?

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Result in inadequate emergency access? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Result in inadequate parking capacity? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

a, b) *No Impact.* Upon approval of the parcel map, each new parcel will be entitled to build up to two single family homes under the A-1 (Agricultural General) zone if they are clustered together. This results in the potential future development of up to three new homes. The parcels are served by County Road 25 and County Road 94A (private road). As a condition of approval the applicant shall be required to record a Private Vehicular Access Easement (PVAE) for accessing the northern (6 acre) parcel via County Road 94A. County Road 94A currently serves 10 parcels. Two new potential homes on the northern parcel are not a significant increase in population and would not impact traffic or level of service on County Road 94A. The southern parcel will continue to be served by County Road 25. The addition of a second single family home on the southern parcel will not impact traffic or level of service on County Road 25.

c) *No Impact.* The project will not have an impact on air traffic patterns.

d) *No Impact.* The parcel map does not contain elements that would increase traffic hazards. A private access easement will be recorded for use of an existing private road for the northern parcel.

e) *No Impact.* The project will not have an effect on emergency access.

f) *No Impact.* The parcels will be 5 acres and 6 acres, respectively. There will be adequate room for parking for residential use.

g) *No Impact.* The project would not conflict with adopted policies, plans, or programs supporting alternative transportation.

XVI. UTILITIES AND SERVICE SYSTEMS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Comply with federal, state, and local statutes and regulations related to solid waste. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion of Impacts

- a) *No Impact.* Existing septic tank and leach field serve the site. Upon approval of the parcel map, each new parcel will be entitled to build up to two single family homes under the A-1 (Agricultural General) zone. Any new septic systems have to be reviewed by and meet all the requirements of Yolo County Environmental Health. Three new potential homes are not a significant increase in population and not a significant impact on wastewater.
- b) *No Impact.* The site is served by existing septic tank, leach field and private well. Upon approval of the parcel map, the northern parcel will be required to maintain a private septic system and well. There is no impact on existing water and water treatment systems.
- c) *No Impact.* The project site is not part of any existing storm water drainage facilities and would not require any.
- d) *No Impact.* The site is served by existing private well. Each new parcel will be entitled to build up to two single family homes under the A-1 (Agricultural General) zone. Any new well systems have to be reviewed by and meet all the requirements of Yolo County Environmental Health.
- e) *No Impact.* The project site is not located near any existing wastewater treatment provider and has no potential of connecting to any such facility.
- f) *No Impact.* The site is served by the County landfill. A new parcel will be entitled to build up to two single family homes under the Agricultural General zone. Three new potential homes are not a significant increase in population and would not impact existing landfill facilities.
- g) *No Impact.* The project complies with all relevant statutes related to solid waste.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE

Does the Project:

- | | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-------------------------------------|
| a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

important examples of the major periods of California history or prehistory?

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probably future projects)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Have environment effects which will cause substantial adverse effects on human beings, either directly or indirectly? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion of Impacts

- a) *No Impact.* Based on the information provided in this Initial Study, no potential environmental impacts would be caused by the project. No important examples of major periods of California history or prehistory in California were identified; and the habitat and/or range of any special status plants, habitat, or plants would not be substantially reduced or eliminated.
- b) *No Impact.* Based on the analysis provided in this Initial Study, no environmental impacts would result from the project.
- c) *No Impact.* Based on the analysis provided in this Initial Study, no impacts to human beings would result from the proposed project. The project as proposed would not have substantial adverse effects on human beings, either directly or indirectly.

REFERENCES

- Yolo County Zoning Ordinance
- Yolo County General Plan
- Woodland Area General Plan
- Watts-Woodland Airport Comprehensive Land Use Plan
- Application materials
- Comments from neighbors

**FINDINGS
ZONE FILE #2008-010
SLOOTEN TENTATIVE PARCEL MAP**

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

Upon due consideration of the facts presented in the staff report and at the public hearing for Zone File #2008-010, the Planning Commission approves the proposed Tentative Parcel Map #4617. In support of this decision, the Planning Commission makes the following findings:

California Environmental Quality Act

That the proposed Negative Declaration and Initial Study prepared for the project is the appropriate environmental documentation in accordance with the California Environmental Quality Act (CEQA) and Guidelines.

The Initial Study shows that there is no substantial evidence, in light of the whole record before the agency, that the project may have a significant effect on the environment.

Pursuant to the California Environmental Quality Act (CEQA) and Guidelines, an environmental evaluation (Initial Study) has been circulated for 30 days for public review and to Responsible Agencies having jurisdiction over the project, with no significant comments noted.

*The proposed Negative Declaration is the appropriate level of environmental review pursuant to Article 6, Section 15070 of the CEQA Guidelines (**Attachment C**).*

Yolo County General Plan

That the design of the land division and the development proposed for construction on the parcels to be created by the land division is consistent with the Yolo County General Plan.

The subject property is designated as Agriculture in the Yolo County General Plan and as Rural Residential in the Woodland Area General Plan. The division of this 11-acre parcel into five-acre and six-acre parcels is consistent with the level of residential development and density allowed in the Monument Hills area, as defined by the Woodland Area General Plan. As conditioned, the Tentative Parcel Map is consistent with the policies, goals and objectives of the County General Plan.

Zoning Code

That the proposed Tentative Parcel Map is consistent with the applicable zoning standards. [Article 6 of the County Zoning Ordinance]

The proposed project will result in the creation of two parcels of 5+ and 6+ acres respectively. The subject property is zoned Agricultural General (A-1), which has a minimum 20-acre lot size for cultivated, irrigated land. However, because of the poor soil quality, the Monument Hills area, as defined by the Woodland Area General Plan, allows for the creation of five-acre minimum parcels. The Tentative Parcel Map meets the width to depth ratio, access, and general requirements of the Yolo County Code. The minimum

ATTACHMENT "D"

parcel size of 20-acres for A-1 zoned parcels does not apply to this project since five-acre minimum parcels are allowed per the Woodland Area General Plan.

Subdivision Map Act

Pursuant to Section 66474 of the Subdivision Map Act a legislative body of a city or county shall deny approval of a tentative map, or a parcel map for which a tentative map was not required, if it makes any of the following findings:

- a) That the proposed map is not consistent with applicable general and specific plans as specified in Section 65451.

The subject property for the proposed Tentative Parcel Map is designated as Agriculture in the Yolo County General Plan and Rural Residential in the Woodland Area General Plan. The creation of a five and six-acre homesites is consistent with policies of the Woodland Area General Plan. The site is not a viable farming parcel due to the poor soils and surrounding five-acre homesite development.

- b) That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.

The site has been determined to be suitable for rural residential use based on designations in the County General Plan and Woodland Area General Plan. As conditioned, the Tentative Parcel Map is consistent with the requirements of both plans.

- c) That the site is not physically suitable for the type of development.

The proposed parcels comply with the minimum parcel size required by the Woodland Area General Plan. The site is the last parcel in a fourteen parcel subdivision to be divided into the minimum five-acre homesite.

- d) That the site is not physically suitable for the proposed density or development.

The Woodland Area General Plan designates land use on the property as RR (Rural Residential), which is located within the Monument Hills area and the City of Woodland's planning area, but outside the City's urban limit line. County zoning for Monument Hills is Agricultural General (A-1), which serves as a way to prevent premature and inadequately serviced urban development. Residential development in Monument Hills is limited to very low density due to insufficient service capacities. Urban development policies in the Woodland Area General Plan discourage poorly serviced urban development in areas outside the City of Woodland's urban limit line.

- e) That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

An Initial Study has been prepared and staff has determined that a Negative Declaration is the appropriate level of environmental review pursuant to the

CEQA Guidelines. Prior to the recording of the Final Parcel Map, the applicant shall pay or mitigate for the loss of Swainson's hawk habitat according to the Department of Fish and Game Swainson's hawk Guidelines. The site is currently developed with one homesite. The proposed creation of two parcels will not cause environmental damage or substantially and avoidably injure fish and wildlife or their habitat.

- f) That the design of the subdivision or type of improvements is likely to cause serious public health problems.

The proposed design of the requested Tentative Parcel Map will not cause serious health problems. All issues regarding health, safety, and the general welfare of future residents and adjoining landowners will be addressed as described in the Conditions of Approval, by the appropriate regulatory agency prior to recordation of the Final Parcel Map, issuance of Building Permit, and/or issuance of Final Occupancy Permit.

- g) That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternate easements, for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is hereby granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision.

Access to the 5-acre, southern, parcel will come directly from County Road 25. Access to the 6-acre, northern, parcel will be granted through a road access easement. The applicant shall record a Private Road Maintenance Agreement, which also serves as the Private Vehicular Access Easement (PVAE), prior to recordation of the Final Map. The applicant shall seek approval of the neighborhood association for the rights to record the Private Road Maintenance Agreement.

The design of the Tentative Parcel Map or the type of improvements required will not conflict with easements acquired by the public at large, for access through or use of, property within the proposed subdivision.

- h) The design of the subdivision does not provide for, to the extent feasible, future passive or natural heating or cooling opportunities.

Each of the proposed parcels is over 5-acres in size, providing opportunities for future development to incorporate passive or natural heating and cooling features.

**CONDITIONS OF APPROVAL
ZONE FILE #2008-010
SLOOTEN TENTATIVE PARCEL MAP**

General

1. The applicant shall be responsible for all costs associated with implementing the Conditions of Approval contained within this staff report.
2. The Final Map for the project shall be filed and recorded at the applicant's expense with the Yolo County Planning and Public Works Department. The Final Map shall be recorded within two years from the date of approval by the Planning Commission or the Tentative Parcel Map shall become null and void without any further action in accordance with the State Subdivision Map Act.

Planning

3. The applicant shall pay fees in the amount of \$1,876.75, under Public Resources Code Section 21089, and as defined by Fish and Game Code Section 711.4, at the time of the filing of the Notice of Determination to cover the cost of review of the environmental document by the California Department of Fish and Game.
4. The property owner(s) shall record a "Private Road Maintenance Agreement" prior to the recordation of the Final Map. The applicant shall seek approval of the neighborhood association for the rights to record the Private Road Maintenance Agreement. In this particular case, the Private Road Maintenance Agreement serves as the Private Vehicular Access Easement (PVAE) for the users of County Road 94A. The agreement will provide for funding of the installation, maintenance and repair or on-site roads not assumed by the County. All the 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 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 the Planning and Public Works Department prior to recording of the Final Map.
5. The Parcel Map submitted for recordation shall have the Parcel Map Number (PM #4617) indelibly printed on it. Said PM #4617 shall be prepared with the basis of bearings being the State Plane Coordinate System, North American Datum (NAD 83) pursuant to Article 9, Section 8-1.902 (f) of the Yolo County Code.
6. Prior to filing of the Final Map for recordation, 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 pay an in-lieu fee for the construction of any home(s) on the newly created parcel.

Public Works

7. Paved driveway connections (with culverts, if necessary) to County Road 25 are required for the two driveways on the southern (5-acre) parcel. The applicant is also

ATTACHMENT "E"

required to pave the County Road 94A connection to County Road 25 with a minimum throat width of 20 feet. All work to be completed per county standards. Prior to the recordation of the Final Map, the applicant shall secure an encroachment permit for this work with a \$15,000 guarantee bond, or enter into an agreement with the county to complete the improvements.

Building

8. All building permit 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.
9. The applicant shall pay the appropriate fees prior to the issuance of Building Permits, including, but not limited to, the Parcel Map checking fees, School and Fire District fees, County Facilities Fees and Environmental Health Fees.

Parks & Resources

10. Prior to the recording of the Final Map, the applicant shall mitigate for the loss of Swainson's Hawk habitat through participation in the Yolo County Habitat Conservation Plan. The applicant shall pay a Swainson's Hawk mitigation fee for the six acre, undeveloped parcel. The fee is currently set at \$8,660 per acre and shall be collected for 2.5 acres prior to the recording of the Final Map.

Environmental Health

11. Prior to the issuance of any building permits, well and septic system designs shall be approved by the Environmental Health Department.

Fire District

12. Standard fire department access and standard fire department vehicle turnaround area are required for the northern parcel.

County Counsel

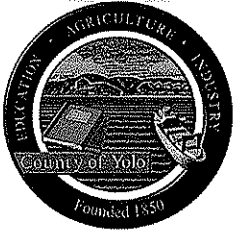
13. In accordance with Yolo County Code Section 8-2.2415, the applicant shall agree to indemnify, defend, and hold harmless the County or its agents, officers and employees from any claim, action, or proceeding (including damage, attorney fees, and court cost awards) against the County or its agents, officers, or employees to attach, set aside, void, or annul an approval of the County, advisory agency, appeal board, or legislative body concerning the permit or entitlement when such action is brought within the applicable statute of limitations.

The County shall promptly notify the applicant of any claim, action or proceeding and that the County cooperates fully in the defense. If the County fails to promptly notify the applicant of any claim, action, or proceeding, or if the County fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold the County harmless as to that action.

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

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

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



County of Yolo

PLANNING AND PUBLIC WORKS DEPARTMENT

John Bencomo
DIRECTOR

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PLANNING COMMISSION STAFF REPORT (Item No. 7.3)

August 14, 2008

FILE #2008-006: A Conditional Use Permit for a proposed research, development, and demonstration program facility to develop technologies to use agricultural residue, shredded wood, urban green waste, and other bio-waste to create alternative fuel sources, as shown on the site plan (**Attachment A**).

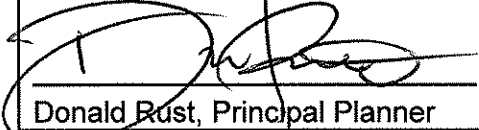
APPLICANT: Donald "Gene" Taylor, Project Manager
West BioFuels, LLC
46 Oakhurst
Irvine, CA 92620

LOCATION: 14954 County Road 100B (the Wallace Ranch), just north of Best Ranch Road (County Road 18A), and north of the City of Woodland; Assessor's Parcel Number: 027-230-08 (**Attachment B**).

GENERAL PLAN: Agricultural
ZONING: Agricultural General Zone (A-1)
SOILS: Reiff (Ra) very fine sandy loam (Class I), Riverwash (Rh) (Class VIII), Tyndall (Tc) very fine sandy loam (Class I), and Loamy (Lm) alluvial land (Class IV).
FLOOD ZONE: X and AE (areas within the 100-year floodplain, base flood elevation determined)

ENVIRONMENTAL DETERMINATION: Mitigated Negative Declaration

REPORT PREPARED BY:


Donald Rust, Principal Planner

REVIEWED BY:


David Morrison, Assistant Director

RECOMMENDED ACTIONS

That the Planning Commission recommends the following actions to the Board of Supervisors:

1. **HOLD** a public hearing on the project and receive comments;
2. **ADOPT** the Mitigated Negative Declaration (**Attachment C**) as the appropriate level of environmental review in accordance with the California Environmental Quality Act (CEQA) and Guidelines;
3. **ADOPT** the Mitigation Monitoring and Reporting Plan which implements and monitors all mitigation measures in accordance with CEQA and the CEQA Guidelines (**Attachment D**);
4. **ADOPT** the recommended Findings (**Attachment E**); and
5. **APPROVE** the Conditions of Approval (**Attachment F**).

REASONS FOR RECOMMENDED ACTIONS

The proposed project provides a unique opportunity to establish a state-of-the-art research, development and demonstration program facility (Woodland Biomass Research Center) in association with the University of California, San Diego; University of California, Davis; California Energy Commission; private investors; and other organizations to recycle existing agricultural cuttings, shredded wood, urban green waste, and similar materials to create alternative fuels. The General Plan strongly encourages bio-mass facilities, as a means of assisting farmers, reducing demand on the landfill, and developing alternatives to non-renewable energy sources.

BACKGROUND

The project site is owned by the Wallace family and has historically been used as an agricultural production site with an array of structures, including an existing 57,000 square foot (metal construction) agricultural commodity storage and transfer facility, associated residence, and other agricultural structures. The site is zoned Agriculture General (A-1). Heavy industrial, agricultural industrial, and agricultural land uses surround the site. The California Northern Railroad runs along the west property boundary and State Route 113 is approximately one-half mile to the west; Best Ranch Road (County Road 18A), agricultural uses, rural residences, and the Clark Pacific industrial site lay to the south; agricultural uses with rural residences are to the east; and Cache Creek and agricultural uses are to the north.

PROJECT DESCRIPTION

The project proposal is to convert a 16-acre portion of the agricultural production site, which includes an existing agricultural commodity storage and transfer facility, into a research, development, and demonstration program facility (Woodland Biomass Research Center). Portions of the existing commodity storage and transfer facility will be used to install, operate, and maintain the bio-diesel processing, manufacturing, and storage equipment within the enclosed structure. The applicant/operator proposes to develop a process to convert waste biomass (agricultural residues, shredded wood, and urban green waste) into renewable energy products (biodiesel). The research is funded by University of California, San Diego; University of California, Davis; California Energy Commission; private investors; and other sources.

The research and development facility will process up to 416 pounds per hour of biomass material. The pilot-scale process decomposes the biomass feedstock into synthetic gas and ash. The ash is collected in a series of cyclones and bag-house filters, and the gas is converted into liquid fuel for powering a 100 kW generator.

STAFF ANALYSIS

Aesthetics/Visual

The General Plan does not indicate the project area as falling within a scenic vista corridor. The historic Nelson Ranch is southeast of the site, but will not be impacted by the proposal. However, there are Mission olive trees along the north and south sides of Best Ranch Road that form an arbor, just east of State Route 113, which are listed on the California Registry of Historical Places. The amount and type of traffic generated by the project will not require any improvement to Best Ranch Road, which could impact the olive trees, or County Road 100B. However, the applicant will be required to access the site from County Road 18C on County Road 100B, and participate in a cost share program for the ongoing maintenance of County Road 100B.

The proposed project will provide redevelopment of the agricultural production and agricultural commodity storage and transfer facility. The applicant proposes to reuse the existing 57,000 sq-ft (metal construction) structure. As part of the project, the project will be conditioned to provide landscaping using native plants, and provide an irrigation system within the property to screen the office trailer and other outdoor equipment from the surrounding property owners.

In addition, the project will be required to provide a lighting plan of the proposed use for approval by the Planning and Public Works Director. All light fixtures must be designed, installed, and shielded in such a manner that no light rays are emitted from the fixture at angles above the horizontal plane. The lighting plan shall demonstrate that illumination levels at adjacent residences will not exceed one-foot candle.

Agricultural Impacts

The site is composed of Reiff (Ra) very fine sandy loam (Class I), Riverwash (Rh) (Class VIII), Tyndall (Tc) very fine sandy loam (Class I), and Loamy (Lm) alluvial land (Class IV). The soil is described as consisting of very fine to fine sandy loam and loam deposits. However, the project site is shown on the Department of Conservation's 2004 Farmland Mapping and Monitoring Program Map (**Attachment G**) as "urban and built up land." The site is covered by impervious surfaces with little vegetation. In addition, the Yolo County Agricultural Commissioner has indicated that the applicant must provide for a 100-foot buffer along the north and east edges of the project. If aerial spraying is necessary on adjoining properties, the Commissioner and the applicant will work together to limit employee exposure and ensure the ability of nearby farmers to maintain their current practices.

Air Quality Impacts

Mitigation measures to reduce anticipated impacts to local and regional air quality have been included as conditions of approval for the project. These include standard PM₁₀ fugitive dust suppression requirements recommended by the Yolo-Solano Air Quality Management District (YSAQMD).

The applicant will be required to submit a Dust Control Plan (DCP), consistent with YSAQMD guidelines, to Planning and Public Works, and a letter agreeing to include, in any construction contracts and/or subcontracts, a requirement that the contractors adhere to the requirements of the DCP. The DCP will include activities to reduce on-site and off-site dust production.

Biological Impacts

According to a biological study prepared by the applicant (Wallace Kuhl & Associates, June, 2008), the California Natural Diversity Data Base identifies seven species that may be found in the vicinity of the project site.

Mitigation measures have been identified to protect special status species that may occupy or use the site and are included as Conditions of Approval for the project. The county participates in the Yolo County Joint Powers Agency, which requires mitigation for every acre of Swainson's hawk foraging land that is developed. The developer will also be required to conduct pre-construction surveys to determine the absence of any breeding raptors or burrowing owls. If any raptors or owls are identified, the appropriate actions would be taken.

Utilities and Services

The proposed project site includes an existing domestic water well. The applicant proposes to use the well for potable water uses, other operational uses, and fire flow. However, the applicant will install and utilize an automated mechanical fire suppression system that was reviewed and approved by the Woodland Fire Department. It is anticipated that operational demands will not exceed 1,000 gallons per week. The existing well is sufficient to provide domestic water supply for the site. The well has adequate water quality for potable uses, and adequate capacity to serve the potable water demands.

The existing septic system can be used if the applicant provides certification from a qualified professional (i.e., Professional Engineer (P.E.), Registered Environmental Health Specialist (REHS), C42 contractor, or Certified Engineering Geologist (C.E.G.)) that the system functions properly, meets county and state codes, and has the capacity required for the proposed project.

As a Condition of Approval, the applicant will be required to develop a Stormwater Pollution Prevention Plan, and obtain a National Pollutant Discharge Elimination System General Industrial

Stormwater Permit from the Central Valley Regional Water Quality Control Board (CVRWQCB). Written clearance shall be obtained from the CVRWQCB, and a copy forwarded to the county Environmental Health Division. Storm discharges may require waste discharge requirements or commercial discharges to floor drains into septic or clarifier. The applicant shall complete a Water Quality Management Plan and submit the plan for review and approval by the Planning and Public Works Department.

The project site drains to the north into Cache Creek. An existing detention pond and storm drain system will be utilized to settle any on-site contaminants and drain the property, as shown on the Site Plan (**Attachment A**).

AGENCY RESPONSES

A Request for Comments was prepared and circulated for the proposed project from May 16, 2008 to June 6, 2008. An Initial Study/Mitigated Negative Declaration was circulated between July 15, 2008 and August 13, 2008. Comments received during the review period will be incorporated into the project as appropriate.

A number of agencies and organizations have been involved with and/or commented on this project, including the California Department of Fish and Game, CVRWQCB, Yolo-Solano Air Quality Management District, Yolo County Farm Bureau, Yolo County Agricultural Commissioner, Woodland Fire Department, Yolo County Environmental Health Division, Public Works Division, Building Division, and County Counsel.

ATTACHMENTS:

Attachment A - Site Plan

Attachment B - Location Map

Attachment C - Initial Study/Mitigated Negative Declaration

Attachment D - Mitigation Monitoring and Reporting Plan

Attachment E - Findings

Attachment F - Conditions of Approval

Attachment G - Department of Conservation's 2004 Farmland Mapping and Monitoring Program Map



County of Yolo


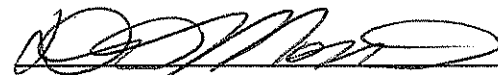
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PLANNING COMMISSION STAFF REPORT

AUGUST 14, 2008

FILE #2006-090: Esparto Downtown Mixed Use Zoning District	
APPLICANT: Yolo County	
LOCATION: Esparto planning area (APN: approximately 30 parcels, see Attachment B)	GENERAL PLAN: Downtown Mixed Use ZONING: C-2 PD FLOOD ZONE: C (areas outside the 100- or 500-year flood zone)
ENVIRONMENTAL DETERMINATION: Negative Declaration	
REPORT PREPARED BY:  Eric Parfrey, Principal Planner	REVIEWED BY:  David Morrison, Assistant Director

RECOMMENDED ACTIONS

1. **HOLD** a public hearing and receive comments on the draft Esparto Downtown Mixed Use (DMX) Zoning District (**Attachment A**) and the proposed rezoning of downtown properties from Community Commercial Planned Development (C-2 PD) to the new DMX district (**Attachment B**);
2. **DIRECT** staff on the specific issues needed to finalize the draft ordinance, e.g., the role of single family detached homes within the DMX zone;
3. **CONTINUE** the matter to the next regularly scheduled meeting of the Planning Commission for final recommendations to the Board of Supervisors.

REASONS FOR RECOMMENDED ACTIONS

The updated 2007 Esparto General Plan calls for the adoption of a new Downtown Mixed Use (DMX) zoning district to be applied to properties in the downtown area of Esparto. Properties along Yolo Avenue and Woodland Avenue (State Route 16) that are currently zoned Community Commercial Planned Development (C-2 PD) would be rezoned to the new DMX district.

BACKGROUND

The Planning Commission held workshops on earlier drafts of the DMX ordinance on February 8, 2007 and April 10, 2008, and held a public hearing on June 10, 2008. Following the June 10 public hearing, staff prepared and circulated an Initial Study/Negative Declaration for 30 days, and has scheduled this final public hearing for the Commission's recommendations to the Board of Supervisors.

During the June 10, 2008 public hearing, the Planning Commission heard testimony from four individuals, including a local Esparto developer and an attorney representing another local developer; two Esparto residents; and the Yolo County Economic Development Manager. Concerns were raised by some of the speakers that detached single family units would not be permitted in the DMX zone; and, secondly, the provision that projects that are predominately one single commercial use must be accompanied by one or more significant community benefit. Two speakers felt that the ordinance text should be changed from "require" to "encourage" mixed use in the DMX zone.

The Economic Development Manager also recommended the following:

- In the Uses Allowed table, allow Detached Single Family Housing as a conditional use, instead of not allowed;
- Amend Section 8-2.1214 (a) to say "encouraged" to include a mix of uses, or be deleted in its entirety;
- Delete Section 8-2.1214 (b), as it is redundant; and
- In Section 8-2.1216 (c), eliminate the 25,000 square foot limitation for single commercial use, or insert a phrase that says "25,000 square feet or a single store serving multiple lines of merchandise."

Following the testimony, some Planning Commissioners indicated that they would like to see some of the language modified to make the ordinance less restrictive. The commission unanimously agreed that further discussion was needed regarding the role of single family housing units in the DMX zone. However, the commission did not give staff any further specific guidance on changes to the ordinance language.

The Esparto Citizens Advisory Committee (ECAC) discussed the ordinance again at their meeting of July 29, and considered the comments received during the June 10 public hearing at the Planning Commission, as well as comments from members of the public and developers who attended the ECAC meeting. The ECAC heard many of the same concerns raised. In addition, there was extensive discussion of whether it was appropriate to encourage lodging (motel/hotel/bed and breakfast) of up to about 60 units by right, as a strong incentive for such a use. There was also a request that a "welcome/visitor center" be allowed by right in the DMX zone; that the Economic Development Manager be asked to add some economic incentives to the DMX zoning ordinance; and that other issues related to drainage and maintenance of infrastructure along SR 16 be addressed.

At the end of the meeting, the ECAC reiterated their support for the ordinance as written on a 4-2 vote, which recommends that the commission:

- Continue to not allow single family detached homes in the DMX zone;
- Continue to require, not encourage, a mix of uses for the 25 acres of large

- vacant parcels, north of Woodland Avenue;
- Retain Section 8-2.1214 (b);
- Retain Section 8-2.1216 (c); and
- Continue to allow lodging of up to 16 guest rooms by right, with a larger number of rooms requiring a conditional use permit.

STAFF ANALYSIS

Staff generally concurs with the recommendations of the ECAC. Staff understands that some commissioners and members of the community believe the DMX regulations should be made more permissive by allowing traditional single family detached homes in the new zone, and not requiring a mix of uses for the 25 acres of vacant lands within the zone.

Staff notes that single family homes are already allowed in the DMX, with the provision that they must be denser attached single family units, such as condos and townhouses, which is consistent with the requirement that any housing in the DMX be of a medium density of at least 10 units per net acre. If low density single family homes were to be allowed in the DMX, staff is worried that valuable commercial lands could be developed with traditional single family subdivisions, which is not the purpose of the DMX zone. In the last year, the Board of Supervisors has approved four low density subdivisions comprising 340 single family homes in Esparto. The Esparto General Plan designates approximately 85 acres of vacant land in the town for additional very low and low density subdivision development, which could yield another 435 units. Additional vacant lands within the DMX zone are not needed to accommodate low density subdivisions. In contrast, there is a relatively limited amount of vacant land in Esparto outside of the downtown that is zoned for commercial use.

Although staff continues to recommend that single family detached homes be prohibited in the DMX zone, if the Planning Commission wishes to allow certain types of detached units in the DMX zone, the Commission could allow mixed use projects that include a component, of no more than sixty percent (60%) of the total parcel, devoted to "work force" housing. This type of housing would be geared to casino and other lower wage workers in the area. "Work force" housing could be defined as "fairly dense single family detached or attached units on very small lots, ranging in density from about 7 to 12 units per net acre, with at least fifty percent (50%) of the units designed and offered for sale to residents earning no more than a moderate family income, as defined by the U.S. and California annual median income index." The draft DMX ordinance in Attachment A could be modified to include this change.

Regarding the second issue, staff believes that a mix of commercial and/or housing uses should continue to be required, not encouraged, for the large vacant parcels north of Woodland Avenue. Section 8-2.1214 of the ordinance already allows for a single "predominantly commercial" (over 85 percent of the parcel) use such as a hardware store or motel/hotel, if "significant community benefits," such as a public plaza, are included as part of the project. The existing business district is not required to provide mixed use as it redevelops, because that could be onerous for existing property owners. However, it is important that the crucial new development on the vacant lands be of a true mixed use, instead of the typical single use that is usually the result under traditional commercial zoning.

Finally, staff believes that Section 8-2.1216 (c) of the ordinance should be loosened to allow larger commercial uses under certain circumstances. Section 8-2.1216 (c) should allow for the possibility of one or more moderately large stores up to 35,000 square feet in size, if it is not a single use, but is selling or serving multiple lines of merchandise, such as a RiteAid or grocery store. Staff recommends the following modification to Section 8-2.1216 (c) to state: "The gross floor area of individual commercial establishments in the DMX district shall not exceed 25,000 square feet for a single use, or 35,000 square feet for a single store serving multiple lines of merchandise."

PUBLIC AND AGENCY COMMENTS

The draft zoning ordinance has been discussed extensively by the Esparto Citizens Advisory Committee. Following the June, 2008 public hearing, staff prepared and circulated an Initial Study/Negative Declaration for 30 days from June 26 to July 28, 2008 (**Attachment C**).

One comment on the Initial Study was received from Caltrans, District 3, Office of Transportation Planning. The Caltrans letter notes that, as projects are developed within the Downtown Mixed Use zone, traffic impact studies may be requested to assess development's impacts to State Route 16 (SR 16). Caltrans also recommends that an area-wide drainage plan should be developed and implemented to ensure that the necessary drainage infrastructure is built; or, as projects are developed, drainage reports should be prepared to study the impacts of runoff as a result of development, and to ensure that SR 16 is not negatively impacted.

In response to the Caltrans comments, the county would normally require that traffic studies be prepared for any significant development application, especially for any project proposed for the undeveloped lands north of Woodland Avenue, which would be accessed directly off SR 16. Regarding drainage, the recently approved Orciuoli/Castle subdivision to the west is required to improve the existing agricultural ditch that runs along the north side of the undeveloped lands in the DMX zone, so that runoff from the new subdivision is transported eastward to the existing storm ditch near the Story subdivision. Any subsequent development within the DMX zone, adjacent to this northern improved ditch, would be required to discharge stormwaters into it, so that runoff would be directed away from the SR 16 roadway and roadside ditches.

ATTACHMENTS

- Attachment A** – Draft Downtown Mixed Use Zoning Ordinance
- Attachment B** – Land Use Map from the 2007 Esparto General Plan
- Attachment C** – Initial Study/Negative Declaration

ATTACHMENT A

ESPARTO DOWNTOWN MIXED USE (DMX) ZONING DISTRICT

Note: Most recent additions to the ordinance are outlined in **bold underline**.

ARTICLE 12.1 ESPARTO DOWNTOWN/MIXED USE ZONE (DMX)

8-2.1211 Applicability and Purpose

The Esparto Downtown Mixed Use (DMX) zone is to be applied to unincorporated areas that are planned for development or redevelopment of a mixture of primarily commercial, retail, office and residential uses.

The purposes of the DMX District are to:

- (a) Accommodate a physical pattern of development often found along village main streets and in neighborhood commercial areas of older cities;
- (b) Encourage mixed-use buildings with neighborhood and community-serving retail, service, and other uses on the ground floor and residential and live/work units above the nonresidential space;
- (c) Require mixed use for new construction on vacant lands within the district, but do not mandate mixed use for infill or changes of use within existing buildings in the historic downtown;
- (d) Encourage development that exhibits the physical design characteristics of pedestrian-oriented, storefront-style shopping streets;
- (d) Promote the health and well-being of residents by encouraging physical activity, alternative transportation, and greater social interaction; and
- (f) Provide flexibility for the development of live/work units, particularly within existing buildings and ensure that the exterior design of live/work buildings is compatible with the exterior design of commercial, industrial, and residential buildings in the area, while remaining consistent with the predominant workspace character of live/work buildings.

8-2.1212 Definitions

As used in this ordinance, the following words and terms shall have the meanings specified herein:

- (a) "Gross floor area" is the sum of the gross horizontal areas of all floors of a building measured from the exterior faces of the exterior walls or from the centerline of walls separating two buildings. Gross floor area does not include basements when at least one half the floor-to-ceiling height is below grade, accessory parking (i.e., parking that is available on or off-site that is not part of the use's minimum parking standard), attic space having a floor-

to-ceiling height less than seven feet, exterior balconies, uncovered steps, or inner courts.

- (b) "Live/work unit" or "Live/work space" means a building or spaces within a building used jointly for commercial and residential purposes where the residential use of the space is secondary or accessory to the primary use as a place of work. "Live-work unit" is further defined as a structure or portion of a structure:
 - (1) That combines a commercial or manufacturing activity allowed in the zone with a residential living space for the owner of the commercial or manufacturing business, or the owner's employee, and that person's household;
 - (2) Where the resident owner, occupant, or employee of the business is responsible for the commercial or manufacturing activity performed; and
 - (3) Where the commercial or manufacturing activity conducted takes place subject to a valid business license associated with the premises.
- (c) "Mixed use development project" means a development project of one or more buildings that includes a mixture of uses, i.e., residential, retail, office, service, industrial, or public, either vertically integrated (a mixture of uses on separate floors of a single building) or horizontally integrated (a mixture of uses in more than one building spread over a large parcel, e.g., retail, office, and upstairs apartments in a building along a main frontage arterial, with residential uses behind).
- (d) "Predominantly" for the purpose of interpreting this ordinance means a primary use or related accessory use that is proposed for construction on eighty-five percent (85%) or more of the gross acreage of vacant land.
- (e) "Vacant land" means land that is currently undeveloped with urban structures, but may be occupied by a rural residence or structure, and is designated for future urban growth.

8-2.1213 Allowed Uses

Uses are allowed in the DMX zoning district in accordance with the following use table

Specific Use Type

P= Allowed by-right
 C = Conditional use
 N = Not allowed

Household Living

Artist Live/Work Space located above the ground floor	P
Artist Live/Work Space, ground floor	P
Dwelling Units located above the ground floor	P
Detached Single Family Units	N
Attached Single Family Units (duplex, townhouse, condo)	C or P with commercial use
Multiple-Family Units (apartments)	C
Single-Room Occupancy	P

Group Living

Assisted Living	P or C over 6 beds
Group Home	C
Nursing Home	C
Temporary Overnight Shelter	C
Transitional Residences	C
Transitional Shelters	C
Public/Quasi-Public	
Colleges and Universities	C
Cultural Exhibits and Libraries	P
Day Care	P
Hospital	N
Urgent Care Clinic	C
Lodge or Private Club	N or P if on second floor
Parks and Recreation	P
Postal Service	P
Public Safety Services	P
Religious Assembly	P if on second floor
School	C
Utilities and Services, Minor	P
Utilities and Services, Major	C
Welcome/Visitor Center	P
<hr/>	
Adult Use	N
Animal Services	
Shelter/Boarding Kennel	N
Sales and Grooming	P
Veterinary	P
Artist Work or Sales Space	P
Eating and Drinking Establishments	
Restaurant	P
Sale of alcohol	C
Bars/Tavern	C
Drive-Through Facility	C
Outdoor eating and drinking	P
Entertainment and Spectator Sports	
Small (1–149 seats)	P
Medium-Large (150+ seats)	N
Lodging	
Small (1–16 guest rooms)	P
Large (17+ guest rooms)	C
Commercial Services	
Financial Services	P
Food and Beverage Retail Sales	P
Gas Stations	N

Medical Service	P
Office	P
Parking, Commercial (Non-accessory)	C
Personal Service, including health clubs and gyms	P
Repair Service, Consumer, including bicycles	P
Residential Storage Warehouse	N
Vehicle Service and Repair	C
Vehicle Sales	N

Retail

Retail Sales, General, under 5,000 square feet	P
Retail Sales, General, over 5,000 square feet	C

Manufacturing, Production and Industrial Services

Artisan (hand-tools only; e.g., jewelry or ceramics)	C
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Wireless Communication Facilities

Co-located	P
Freestanding (Towers)	C

Temporary Uses

Seasonal farmers market	P
Other temporary uses	(as allowed by County Code)

8-2.1214 Projects on Large Parcels

For large projects proposed on vacant lands of more than one acre in size north of Woodland Avenue, the following regulations apply:

- (a) Projects must include a mix of residential and non-residential uses (a mixed use development project), integrated either vertically or horizontally, except as allowed by (b), below.
- (b) Projects that are predominantly one single commercial use (e.g., a large retail or service establishment such as a hardware store, or a motel/hotel) must be accompanied by one or more significant community benefits, such as a public plaza, park, or other public use. All predominantly commercial projects, regardless of type of commercial use, will be subject to conditional use permit review.
- (c) Projects that are predominantly single family detached residential are prohibited.
- (d) All projects must include some public amenities such as public open areas, public art, public meeting rooms, pedestrian walkways, etc.
- (e) All projects must be designed with a grid circulation pattern that connects with the existing community.
- (f) The architecture and design of buildings must be coordinated throughout the site and must be harmonious with the adjacent community.
- (g) All projects shall conform with all other regulations in this section, and should be consistent with the Design Review Guidelines of the Esparto General Plan.

8-2.1215 Residential Uses and Density

- (a) The maximum residential density allowed in new buildings in the DMX zone is the maximum number of dwelling units per net acre allowed under the Residential High (RH) General Plan designation, not including density bonuses allowed under Yolo County and State laws.
- (b) The minimum residential density allowed in new buildings in the DMX zone is 10 dwelling units per net acre for new residential structures, and for large projects proposed on vacant lands of more than one acre in size.
- (c) The maximum and minimum residential density standards in (a) and (b), above, shall not be applied to new, converted, or expanded residential uses proposed within existing urban buildings located in the historic downtown along Yolo Avenue and Woodland Avenue.

8-2.1216 Height and Minimum Retail Floor Space

- (a) The maximum building height shall be 50 feet, or four stories, whichever is greater, for all buildings.
- (b) The minimum height for new or renovated mixed-use buildings located in the historic downtown along Yolo Avenue, and Woodland Avenue shall be 22 feet.
- (c) The gross floor area of individual commercial establishments in the DMX district shall not exceed 25,000 square feet, **or 35,000 square feet if it is selling or serving multiple lines of merchandise.**
- (d) The ground floor frontage space of new or renovated mixed-use buildings located along Yolo Avenue, Woodland Avenue, and County Road 87 shall not include apartments and shall contain the following minimum retail (non-residential) space:
 - (1) At least 800 square feet or 25 percent of the ground floor area (whichever is greater) on lots with street frontage of less than 50 feet; or
 - (2) At least 20 percent of the ground floor area on lots with 50 feet of street frontage or more.

8-2.1217 Setbacks

The following setbacks are required:

- (a) The entire building façade of new or renovated buildings located along Yolo Avenue, Woodland Avenue, and County Road 87 shall generally abut front and street side property lines or be located within 10 feet of such property lines. An exception may be made for the "train station" property (APN: 049-240-17). However, a portion of new or renovated buildings may be set back from the maximum setback line in order to provide a specific feature or to reflect the prevailing setbacks of existing buildings along the block or the street. Specific features include an articulated façade, or to accommodate a building entrance feature or an outdoor eating area.
- (b) Special architectural features such as balconies, bay windows, arcades, and awnings may project into front setbacks and public street right-of-ways (but not extend past the curb line) provided they meet minimum required clearance above the sidewalk and leave a minimum five foot wide unobstructed sidewalk. Prior to new encroachment into the public right-of-

way, a permit shall be obtained from the County Planning and Public Works Department, or Caltrans.

- (c) The minimum rear setback is 10 feet.
- (d) No interior side setbacks are required in the DMX district, except when DMX zoned property abuts R-zoned property, in which case the minimum side setback required in the DMX district shall be the same as required for a residential use on the abutting R-zoned lot, unless a different setback is approved by the Director of Planning and Public Works.

8-2.1218 Other Building Regulations

- (a) All permitted uses in the DMX district must be conducted within completely enclosed buildings unless otherwise expressly authorized. This requirement does not apply to off-street parking or loading areas, automated teller machines, or outdoor eating or drinking areas.
- (b) Building frontage of new or renovated buildings shall be eighty percent (80%) to one hundred percent (100%) of the frontage measured from side property line to side property line at front property line.
- (c) A minimum of forty percent (40%), and a maximum of seventy-five percent (75%), of the street-facing building façade of new or renovated commercial buildings shall be comprised of clear windows that allow views of indoor space or product display areas between two feet and eight feet in height. The bottom of any window or product display window used to satisfy this transparency standard shall not be more than three (3) feet above the adjacent sidewalk, and product display windows used to satisfy this requirement must have a minimum height of four (4) feet and be internally lighted.
- (d) No more than thirty (30) feet of horizontal distance of wall shall be provided without architectural relief, such as windows, for building walls and frontage walls facing the street.
- (e) Commercial buildings shall have a primary entrance door facing a public sidewalk. Entrances at building corners may be used to satisfy this requirement. Building entrances may include doors to individual shops or businesses, lobby entrances, entrances to pedestrian-oriented plazas, or courtyard entrances to a cluster of shops or businesses.

8-2.1221 Sign Regulations

- (a) Signs shall be provided for commercial uses and buildings along Yolo Avenue and Woodland Avenue that are appropriate in scale and location, and shall be architecturally integrated with the surroundings.
- (b) Signs shall be clearly integrated and consistent in design and materials with the architecture of the building. Signage in the business district should support the district's character and not detract from the area.
- (c) Monument signs are preferred. Pole signs are prohibited.
- (d) Ground signage shall be limited in height of five (5) feet.
- (e) Attached signs shall be flat against the facade, or mounted projection from the facade.
- (f) Window signage shall be limited to twenty (20) percent of the total window frontage per storefront.

- (g) The maximum area of any single sign mounted perpendicular to a given facade shall not exceed ten (10) square feet.
- (h) Signs shall maintain a minimum clear height above sidewalks of eight (8) feet.
- (i) Signs shall not extend beyond the curb line.
- (j) Signs located on the interior of a structure, but visible from the exterior of the building, are permitted and are not charged against the maximum allowable signage area if such signs are not physically attached or painted to the window and do not obscure more than 10% of ground floor street side building transparency. The 10% is not to exceed total glass area calculated for both unattached and temporary window signs.
- (k) Temporary signs can take the form of banners, window graphics, or as placards integrated with a window display. Temporary signs are permitted on the interior of the business establishment only and shall be no more than 5 square feet of text and shall not exceed 10 square feet in size and no more than 10% of ground floor street side building transparency. Temporary signs shall not be displayed more than thirty days in a calendar year.
- (l) One menu or sandwich board shall be allowed per street address. Menu boards shall not exceed eight (8) square feet in size (sign and copy area is calculated on one side only) and shall be positioned so as to be adjacent to that restaurant or business listed on the board and information on that board shall advertise exclusively the goods and services of that business and be placed in a manner which is clearly visible to pedestrian traffic. All signs shall be removed at the end of each business day. All signs shall be securely anchored to the ground.
- (m) Murals are allowed and shall be reviewed for design by the Esparto Citizens Advisory Committee.

8-2.1222 Building Design Guidelines

- (a) New and renovated buildings should be designed consistent with this section and with the Design Review Guidelines of the Esparto General Plan. Historical buildings may be exempted from some of these individual guidelines, at the discretion of the Director of Planning and Public Works.
- (b) Building surface variation should be incorporated in new buildings through the placement of windows and entries, planar changes (where the building surface recedes or projects), significant color changes, material changes, or other elements that add variation along the length of a building.
- (c) Structures should be designed with articulation at entries, bases, and tops. The organization used shall break up the mass into smaller elements. Buildings shall provide as much visual interest as possible without creating a chaotic image.
- (d) New and renovated buildings shall utilize at least three of the following design features to provide architectural relief along all elevations of the building:
 - (1) divisions or breaks in materials and color (materials should be drawn from a common palette)
 - (2) window bays
 - (3) separate entrances and entry treatments
 - (4) variation in roof lines
 - (5) projecting architectural elements (porches, awnings, balconies, etc.)

- (6) recessed entries (at least three (3) feet from the primary façade)
- (7) protruding entries (at least three (3) feet from the primary façade)
- (8) cupolas
- (e) Buildings shall include a clear visual division (e.g., a cornice or awning) between the first and upper floors.
- (f) Variable roof forms shall be incorporated into the building design. Long, uninterrupted horizontal lines of parapet are discouraged. Generally it is preferred to break up the parapet, eaves, or ridge line by vertical or horizontal off-sets or changing the roof forms.
- (g) Commercial and mixed-use buildings shall express a "storefront character," by including corner building entrances on corner lots, and including regularly spaced and similar-shaped windows with window hoods or trim (all building stories).

8-2.1223 Outdoor Eating Space

- (a) Outdoor dining is permitted and may occur within the public right-of-way.
- (b) A minimum of five (5) feet of clear sidewalk access for pedestrians shall be maintained.

8-2.1224 Live/Work Uses

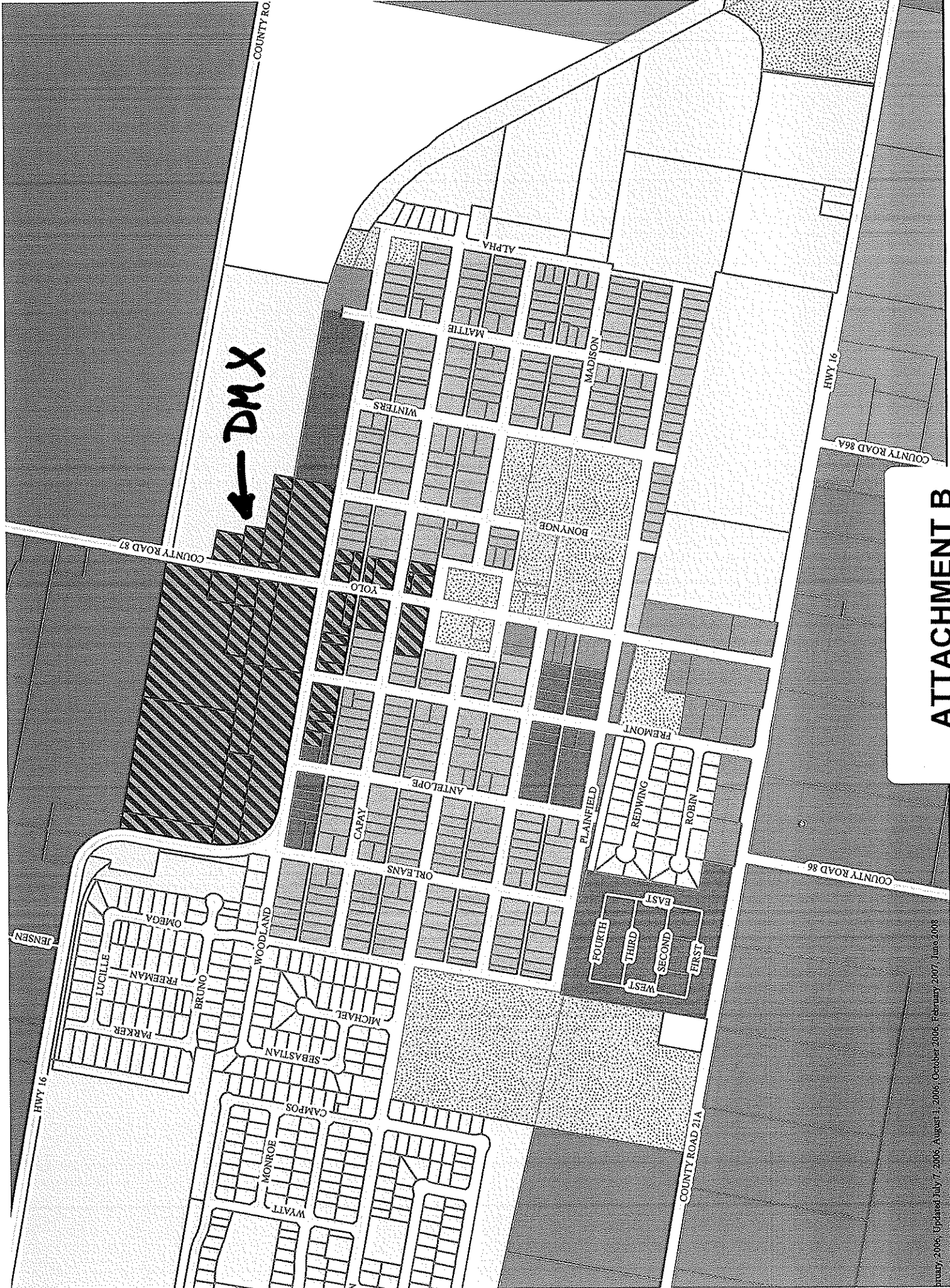
- (a) Live/work units are permitted in the DMX zone.
- (b) Any commercial use permitted in the DMX zone is permitted in the live/work unit.
- (c) Live/work units at street level are subject to the development and transparency standards of ground-floor retail or commercial establishments, and the living area shall not exceed one-third of the total floor area of the unit.
- (d) At least one resident in each live/work unit shall maintain a valid business license and other required permits for a business on the premises.

8-2.1225 Off-Street Parking

- (a) For large mixed use development projects on vacant lands of more than one acre, off-street parking shall be provided for all residential and nonresidential uses, as required by Article 25.
- (b) For all other projects, the following parking requirements apply:
 - (1) No off-street parking is required for new or expanded nonresidential uses in the DMX zone unless such uses exceed 3,000 square feet of gross floor area, in which case off-street parking shall be provided for the floor area in excess of 3,000 square feet, in accordance with Article 25, or as modified by (3), below.
 - (2) Off-street parking for new residential uses of four or more units in the DMX zone shall be provided, in accordance with Article 25, or as modified by (3), below.
 - (3) Off-street parking requirements for nonresidential and residential uses may be modified by the Director of Planning and Public Works based on a parking supply study prepared by a civil engineer which indicates an ample supply of on-street or other nearby public parking, or adequate nearby private parking for

shared nonresidential uses. Shared parking is permitted between different categories of uses or uses with different hours of operation. An agreement providing for the shared use of parking, executed by the parties involved, shall be filed with the Planning Director or Zoning Administrator.

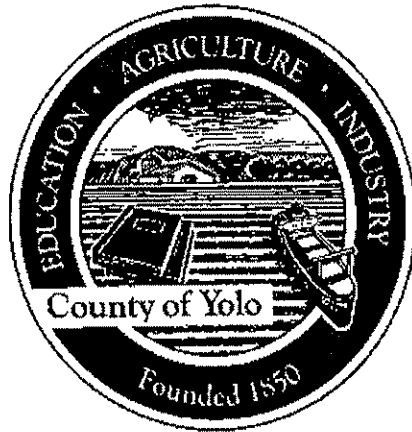
- (c) For live/work units of less than 2,500 square feet, one parking space is required for each unit. For live/work units greater than 2,500 square feet, required parking will be based on the applicable parking standard for the nonresidential use or the closest similar use as determined by the Planning Director or Zoning Administrator.
- (d) Off-street parking requirements for both nonresidential and residential uses may be satisfied by the leasing of nearby parking spaces on adjacent parcels within 400 feet of the use.
- (e) Off-street parking spaces provided on the site must be located to the rear of the principal building or otherwise screened so as to not be visible from public right-of-way or residential zoning districts.



DMX

ATTACHMENT B

Continued in East



**YOLO COUNTY PLANNING &
PUBLIC WORKS DEPARTMENT**

**INITIAL STUDY/ MITIGATED NEGATIVE DECLARATION
ZONE FILE # 2006-090**

Esparto Downtown Mixed Use Zoning District

June 2008

ATTACHMENT C

Negative Declaration / Initial Environmental Study

1. **Project Title:** Zone File No. 2006-090: Esparto Downtown Mixed Use Zoning District
2. **Lead Agency Name and Address:**
Yolo County Planning and Public Works Department
292 West Beamer Street
Woodland, CA 95695
3. **Contact Person, Phone Number, E-Mail:**
Eric Parfrey, Principal Planner at (530) 666-8043
or eric.parfrey@yolocounty.org.
4. **Project Location:**
Approximately 30 properties in the downtown area of Esparto along Yolo Avenue and Woodland Avenue (State Route 16), including approximately 25 acres of rural/vacant land located on the north end of the historic Esparto downtown (see Figure 1 and Table 1)
5. **Project Sponsor's Name and Address:**
Yolo County Planning and Public Works Department
6. **General Plan Designation(s):**
Designated as "Downtown Mixed Use" in the 2007 Esparto General Plan (see Figure 1 attached, General Plan for the Town of Esparto)
7. **Zoning:**
Currently zoned Community Commercial Planned Development (C-2 PD)
8. **Description of the Project:**
See attached "Project Description" on the following page for details
9. **Surrounding Land Uses and Setting:**
Residential uses to the east, west and south, and rural residences, agricultural or vacant land to the north
10. **Other public agencies whose approval is required:**
None
11. **Other Project Assumptions:** The Initial Study assumes compliance with all applicable State, Federal, and Local Codes and Regulations including, but not limited to, County of Yolo Improvement Standards, the California Building Code, the State Health and Safety Code, and the State Public Resources Code.

PROJECT DESCRIPTION

ADOPTION OF ESPARTO DOWNTOWN MIXED USE ZONE AND REZONING OF PROPERTIES

Background

The updated 2007 Esparto General Plan calls for the adoption of a new Downtown Mixed Use (DMX) zoning district to be applied to properties in the downtown area of Esparto. Properties along Yolo Avenue and Woodland Avenue (State Route 16) that are currently zoned Community Commercial Planned Development (C-2 PD) would be rezoned to the new DMX district. Thus, the “project” analyzed in this Initial Study consists of two actions:

- the adoption of the proposed new DMX zoning regulations (amending the Yolo County Code in Title 8, Chapter 2), and
- the re-zoning of approximately 27 properties in the downtown area of Esparto along Yolo Avenue and Woodland Avenue (State Route 16) from the current Community Commercial-Planned Development (C-2 PD) zone to the new DMX zone.

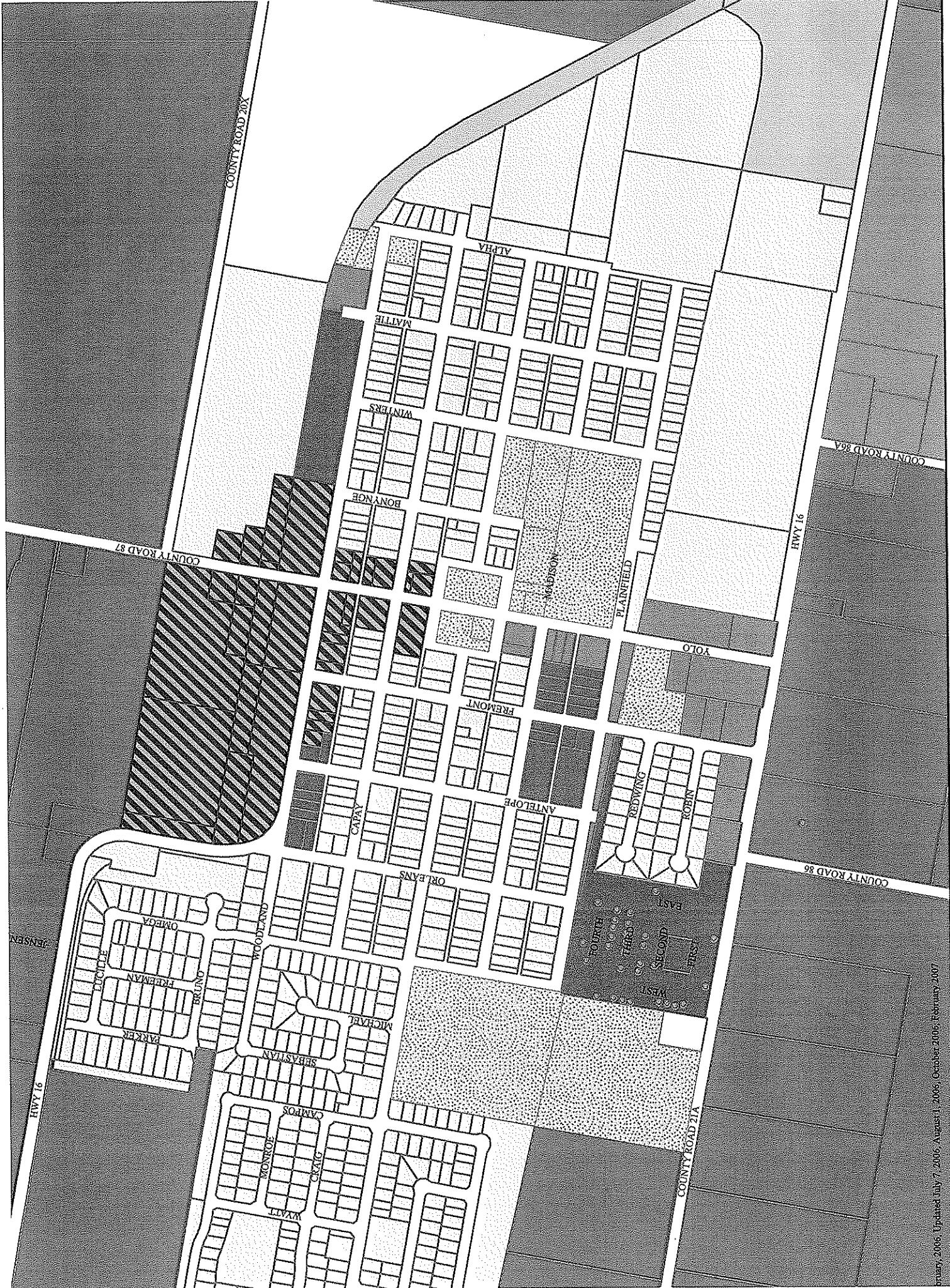
The intent of the new DMX zoning is to allow a wider range of uses within the downtown district than is now currently allowed under the existing C-2 PD zoning. Existing buildings within the new DMX zone would not be required to include a mix of uses. The new DMX zoning establishes new guidelines that will encourage a pedestrian-friendly, walkable, and interesting shopping district. The new zoning also sets architectural standards for building facades, signs, and building design.

The properties that are proposed for re-zoning from C-2 PD to DMX are mapped in the cross-hatch (“Downtown Mixed Use”) in the attached Figure 1, the Esparto General Plan Land Use map, and are identified in Table 1.

Some of the most significant features of the new DMX zoning regulations include the following:

- a new definition of “mixed use development” that recognizes vertical and horizontal integration of mixed uses;
- a requirement that new major development projects on vacant lands must include a mix of uses, or if the new project is predominantly commercial it must include significant community benefits and be subject to a conditional use permit;
- prohibition of detached single family homes within the DMX zone;
- prohibition of “predominantly” (more than 85 percent of gross acreage) residential projects on vacant lands;
- inclusion of setback, building frontage, and display window requirements that would create a continuous, pedestrian friendly, retail frontage within the district.
- establishment of a minimum height limit of 22 feet and maximum height of four stories or 50 feet;
- inclusion of detailed sign regulations that would allow a greater range of signs;
- inclusion of detailed design guidelines; and
- less restrictive on-site parking requirements than the conventional C-2 zoning.

A copy of the draft Downtown Mixed Use ordinance is attached to the back of this Initial Study.



Map 2006, Updated July 7, 2006, August 1, 2006, October 2006, February 2007

IS Residential High Density Light Industrial

Contin in East

TABLE 1

**List of Downtown Esparto Properties
to be Rezoned to new
Downtown Mixed Use (DMX) Zone**

<u>Property APN/Location/Owner</u>	<u>Current Zoning</u>	<u>Proposed Zoning</u>
<p><u>Properties north of downtown (north of Woodland Ave.):</u></p> <p>049-240-01, 26312 Hwy 16 (Deterding) 049-240-02, Hwy 16 (Deterding) 049-240-05, 16758 CR 87 (Harrington) 049-240-06, 16476 CR 87 (Bettencourt) 049-240-07, 16730 CR 87 (Fugate) 049-240-08, (Bettencourt) 049-240-09; 16690 CR 87 (Clugston) 049-240-13, 26490 Woodland (Esparto CSD) 049-240-16 26324 Hwy 16 (Herbst) 049-240-17, 16770 CR 87 (Roberts) 049-240-18, Woodland (Deterding) 049-250-01, 16387 CR 87 (Zentner) 049-250-02, 16751 CR 87 (Newel) 049-250-03, CR 87 (Gimenez) 049-250-04, CR 87 (Gimenez) 049-250-07, 26700 Woodland (Herbst) 049-250-08 (west part), CR 87/Hwy 16 (Burton)</p>	<p>Community Commercial Planned Development (C-2 PD)</p>	<p>Downtown Mixed Use (DMX)</p>
<p><u>Downtown commercial properties along Yolo and Woodland Avenues:</u></p> <p>049-273-02, 26547 Woodland (Healing the Nation) 049-273-03, 16802-10 Yolo (Healing the Nation) 049-273-04, 16822 Yolo (McMillan) 049-273-05, 26547 Woodland (Manzanita Cache) 049-273-06, 16827 Fremont (Mendoza) 049-274-10, 16850-884 Yolo (Linville) 049-295-04, 16902-938 Yolo (Herbst) 049-301-01, 16903-907 Yolo (Allahyari) 049-301-02, 16915-939 Yolo (Manzanita Cache) 049-301-03, 26635 Capay (Cline) 049-312-01, 16851-55 Yolo (Noel) 049-312-07, 16867 Yolo (Chi) 049-311-01, 16823 Yolo (Fullerton) 049-311-02, 16811 Yolo (Rinehart) 049-311-03, 26615-26623 Woodland (Wilson) 049-271-03, 26443 Woodland (Salazar) 049-271-04, 16814 Fremont (Marquez) 049-271-06, 26431 Woodland (Cherry)</p>	<p>C-2 PD</p>	<p>DMX</p>

Anticipated Effects of the DMX Re-zoning

The re-zoning of downtown Esparto from the current C-2 PD zone to the new DMX zone is consistent with the designation by the 2007 Esparto General Plan of the area as "Downtown Mixed Use." The new DMX zoning will allow a greater range of uses within the same general building size that is now allowed. The existing C-2 zoning allows a maximum height of six stories or 75 feet. However, the 2007 Esparto General Plan restricts buildings in the Downtown Mixed Use area to a maximum of 50 feet (equivalent to four stories). When there is a conflict between the General Plan designation and zoning regulations, the General Plan prevails. Thus, the new DMX zoning is not anticipated to result in significantly more intensive development than is allowed now under the existing C-2 PD zoning as further restricted by the General Plan.

Future uses that could be constructed within the downtown Esparto area under the new DMX zoning, compared to the existing C-2 zoning, cannot be projected at this time. Presumably, development of vacant land, and redevelopment of existing buildings, under the new DMX zoning regulations will result in more non-commercial uses being proposed and built within the downtown area, since the existing C-2 zoning allows only a conventional range of typical retail, office, and service uses. The C-2 zoning does not allow any housing (unless it is "accessory to a principal permitted use," e.g., an apartment above a ground floor shop) and does not allow live-work type uses.

The Tiered Mitigated Negative Declaration (MND) for the updated 2007 Esparto General Plan, and a related traffic study for east Esparto, included estimates of the future development potential of downtown. The analysis in the Tiered MND and the traffic study (Fehr & Peers Associates, Final Eastern Esparto Traffic Study, December 7, 2006) included assumptions of future growth in the downtown area for the short-term period (by year 2010) and long term (by year 2030). The assumptions are included in Table 2, below. Specifically, the Tiered Mitigated Negative Declaration (MND) for the updated 2007 Esparto General Plan estimated that 140 units of housing, plus about 28,000 square feet of mixed use space could be added in the new DMX zone by 2030.

TABLE 2

**DEVELOPMENT PROJECTIONS
FOR DOWNTOWN ESPARTO**

Time Period/Land Use Type	Units
<u>Short-Term Growth (Year 2010):</u>	
Residential Downtown Mixed Use	0 units 7,410 sq. ft. ¹ (0.8 acre)
<u>Long-Term Growth (Year 2030):</u>	
Residential Downtown Mixed Use	140 units 27,770 sq. ft. ¹ (3.0 acres)

Source: Fehr & Peers, *Eastern Esparto Circulation Study*, 2006

Note: 1. Assumes floor area ratio of 0.25.

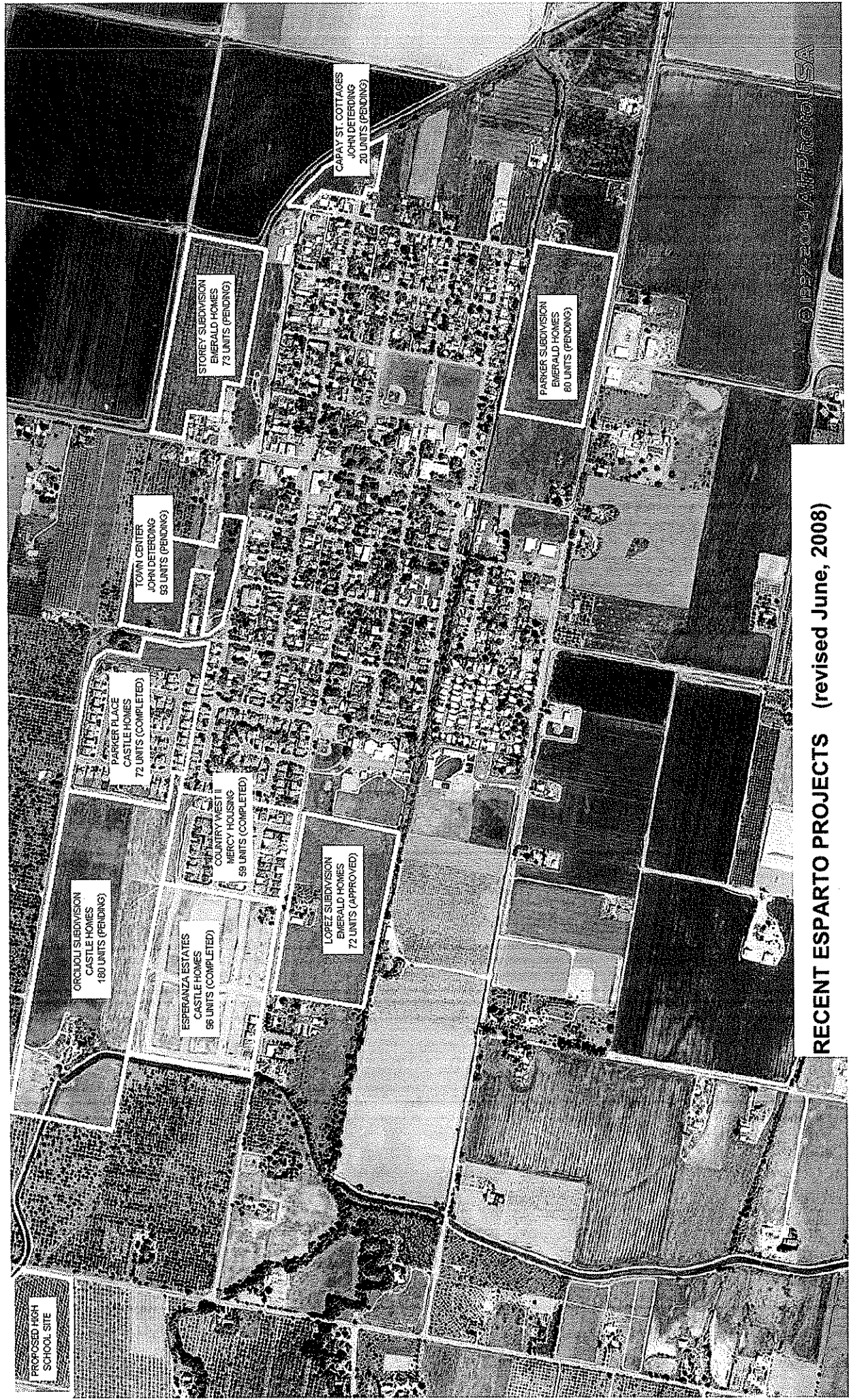
At the time of this writing (June, 2008), there is a pending application for a major project (ZF 2007-006, Deterding's Town Center project) located on approximately 11.6 undeveloped acres north of Woodland Avenue (SR 16), at the northwest end of the DMX area (see Figure 2, Recent Projects in Esparto). The Town Center proposes a mixed use project consisting of approximately 35,000 square feet of two-story retail/office/health clinic/townhouse uses along the SR 16 frontage, with about 80 very small (average size of 2,100 square foot) single family lots behind the mixed use frontage, plus 42 town houses. The Town Center project applied for a tentative subdivision map and related permits in January, 2007 under the existing C-2 PD zoning. However, the Town Center application has not yet been deemed "complete" by county staff, because some background studies, such as a detention basin, agricultural buffer, and traffic analysis, have not yet been filed with the county.

For the purposes of this environmental analysis, it is assumed that if the Town Center project is approved and built, the development would occur after the year 2010 period. The project's housing would be included in the projected amount of residential units for the year 2030 (140 units) in the table above. The previous Eastern Esparto Traffic Study analysis did not assume any additional commercial growth for the retail/mixed use frontage of the Town Center project, but assumed overall commercial growth in the downtown equivalent to 3 acres of land, or approximately 27,800 square feet of retail shopping.

The traffic study did include other anticipated projects adjacent to the downtown area, including Burton's 40 units of multiple family housing on Woodland Avenue immediately east of the proposed DMX zone, plus Castle's proposed gas station and office complex on 2 acres at the south end of Yolo Avenue (SR 16) and CR 21A. The traffic analysis assumed an amount of commercial and job growth that was constrained by housing growth, and assumed a relative balance between housing and retail commercial trips. If a greater amount of commercial growth had been assumed for the traffic analysis, it would have triggered a significant amount of in-commuting into Esparto from outlying areas in the computer modeling.

It should be noted that there are approximately 25 acres of developable land within the DMX zone north of Woodland Avenue, east and west of County Road 87, that could eventually be built out over the course of numerous decades (beyond 2030), consistent with market demand in Esparto and the sub-region. The development of 25 acres in the DMX zone, assuming a floor area ratio of 0.25 (square footage equal to 25% of the lot coverage) and 85% gross leasable space, could theoretically yield approximately 230,000 square feet of non-residential (commercial or mixed use) space. However, this amount of non-residential development could not be supported by the relatively small population of Esparto and the surrounding sub-region.

Finally, at the time that this Initial Study is being prepared, a major expansion of the Cache Creek Casino in Brooks, approximately eight miles northwest of Esparto, is being evaluated through a Tribal Environmental Impact Report (TEIR) process. An effort has not been made to incorporate any of the data, analysis, or conclusions of the TEIR into this document, because the TEIR review period has not been completed and a Final TEIR is months away from adoption by the Rumsey Band of Wintun Indians. Significant expansion of the casino could have market and potential environmental impacts, such as increased traffic, on the future development of downtown Esparto and implementation of the DMX zone. However, these impacts can not be identified at this time.



RECENT ESPARTO PROJECTS (revised June, 2008)

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

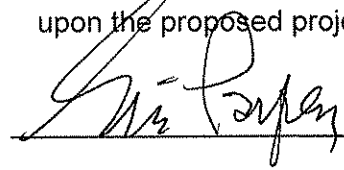
The environmental factors checked below would be potentially affected by this project, involving at least one impact that is still "Potentially Significant Impact" (after any proposed mitigation measures have been adopted) as indicated by the checklist on the following pages.

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agricultural Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology / Soils |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality | <input type="checkbox"/> Land Use / Planning |
| <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise | <input type="checkbox"/> Population / Housing |
| <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation / Traffic |
| <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Mandatory Findings of Significance | |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to the earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.


6-25-08
ERIC PARFREY

Planner's Signature Date Planner's Printed name

PURPOSE OF THIS INITIAL STUDY

This Initial Study has been prepared consistent with CEQA Guidelines Section 15063, to determine if the project as described herein may have a significant effect upon the environment.

EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect is significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
5. A determination that a "Less Than Significant Impact" would occur is appropriate when the project could create some identifiable impact, but the impact would be less than the threshold set by a performance standard or adopted policy. The initial study should describe the impact and state why it is found to be "less than significant."
6. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration, pursuant to Section 15063 (c)(3)(D) of the California Government Code. Earlier analyses are discussed in Section XVII at the end of the checklist.
7. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
8. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

I. AESTHETICS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

- a) *No Impact.* The proposed project area (downtown Esparto) is not located within view of any designated scenic highways or vistas. The portion of State Route 16 that runs through Esparto is not a designated scenic route, although the portion of highway from the town of Capay to the Colusa County line through the Capay Valley is a designated scenic route.
- b) *No Impact.* The proposed re-zoning would not damage scenic resources. The adjoining roadways and highways are not listed or designated as "scenic highways" and there are no scenic resources on or within view of the project site.
- c) *No Impact.* The proposed re-zoning would not significantly affect the visual character of the downtown Esparto in a detrimental manner, but could improve the overall downtown and surroundings. The existing 2007 Esparto General Plan allows four story height limit for downtown buildings, similar to the proposed Downtown Mixed Use zoning regulations.
- d) *No Impact.* Buildings within the new Downtown Mixed Use zone would be subject to the same standard conditions that apply to the current C-2 zoning, which requires that any new construction must ensure that any additional light and glare would not spill over onto adjacent properties.

II. AGRICULTURAL RESOURCES:

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Conflict with existing zoning for agricultural use or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) Involve other changes in the existing environment which due to their location or nature, could result in conversion of farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion of Impacts

(a) *Less than Significant Impact.* The community of Esparto was built on prime farmlands near Cache Creek. Downtown Esparto and the 25 acres of undeveloped lands immediately to the north of Woodland Avenue have been planned for commercial development since adoption of the previous 1996 Esparto General Plan. Development north of Woodland Avenue under either the existing C-2 zoning, or the proposed DMX zoning, would convert approximately 25 acres of active and inactive agricultural land to urban uses. The soils of the 25 acres of land are classified as Tehama loam (TaA), and Yolo silty clay loam (Yb), considered Class II and Class I (prime) soils, respectively. Thus, the project would convert prime soils. As required by the recently adopted Yolo County Agricultural Conservation Easement Program (Section 8-2.2416 of Title 8, Chapter 2 of the County Code), development projects that convert agricultural land are required to mitigate for the loss of farmland by paying an in-lieu mitigation fee of \$10,100 per acre or, if the development is over five acres in size, the development must acquire a conservation easement on similar land at a 1:1 ratio. Development of any portion of the 25 acres of land would require mitigation.

(b) *No Impact.* The Downtown Mixed Use zone is already zoned for Community Commercial (C-2) uses; no lands zoned for agricultural uses would be affected.

(c) *Less than Significant Impact.* The 25 acres of undeveloped lands immediately to the north of Woodland Avenue which have been planned for commercial development since adoption of the previous 1996 Esparto General Plan would be re-zoned to the new DMX zone. Development of some of these parcels could affect adjacent farming operations, such as orchards. Impacts to any adjacent agricultural would be mitigated by policies already in effect in the Esparto General Plan, which require a buffer of 100 or 300 feet (Policy E-LU.17).

III. AIR QUALITY:

Where applicable, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion of Impacts

a, b) *Less Than Significant Impact.* Development projects are most likely to violate an air quality plan or standard, or contribute substantially to an existing or project air quality violation through generation of vehicle trips. Yolo County is within the Yolo-Solano Air Quality Management District (YSAQMD). The district is currently a non-attainment area for ozone (State and Federal ambient standards) and Particulate Matter (State ambient standards). While air quality plans exist for ozone, none exists (or is

currently required) for PM₁₀. The project area is in an attainment area for carbon monoxide (the State and Federal ambient standards are met), since Yolo County has relatively low background levels of carbon monoxide.

The re-zoning of downtown Esparto from the current Community Commercial-Planned Development (C-2 PD) zone to the new DMX zone could contribute incrementally to the non-attainment of these air quality standards. There would be short-term construction impacts as well as long-term mobile source (traffic) emissions due to new growth.

The YSAQMD sets threshold levels for use in evaluating the significance of criteria air pollutant emissions from project-related mobile and area sources in the *Handbook for Assessing and Mitigating Air Quality Impacts* (YSAQMD, 2007). The handbook identifies quantitative and qualitative long-term significance thresholds for use in evaluating the significance of criteria air pollutant emissions from project-related mobile and area sources. These thresholds include:

Reactive Organic Gases (ROG)	10 tons per year (approx. 55 pounds per day)
Oxides of Nitrogen (NOx)	10 tons per year (approx. 55 pounds per day)
Particulate Matter (PM ₁₀)	80 pounds per day
Carbon Monoxide (CO)	Violation of State ambient air quality standards for CO

As already noted in the "Project Description," the re-zoning of downtown Esparto from the current Community Commercial-Planned Development (C-2 PD) zone to the new DMX zone is consistent with the designation by the 2007 Esparto General Plan of the area as "Downtown Mixed Use." The new DMX zoning will allow a greater range of uses within the same general building size that is now allowed. The existing C-2 zoning allows a maximum height of six stories or 75 feet. However, the 2007 Esparto General Plan restricts buildings in the Downtown Mixed Use area to a maximum of 50 feet (equivalent to four stories). When there is a conflict between the General Plan designation and zoning regulations, the General Plan prevails. Thus, the new DMX zoning is not anticipated to result in significantly more intensive development than is allowed now under the existing C-2 PD zoning as further restricted by the General Plan.

Future uses that may be constructed within the downtown Esparto area cannot be projected at this time. However, it is possible to generally describe the type and range of new uses that could be developed under the existing C-2 zoning versus the proposed DMX zoning. Within the existing "old town" portion of the downtown along Yolo Avenue, redevelopment and reuse of existing buildings, under the new DMX zoning regulations, will result in more non-commercial uses being proposed and built within the downtown area, since the existing C-2 zoning allows only a conventional range of typical retail, office, and service uses. The C-2 zoning does not allow any housing (unless it is "accessory to a principal permitted use, e.g., an apartment above a ground floor shop) and does not allow live-work type uses.

Also, the proposed DMX zoning includes a substantial incentive for changes of use within existing buildings, in the form of relaxed parking requirements. Under the current C-2 zoning, a standard amount of off-street parking must be provided "in connection with the erection or major alteration, extension, or change of use of any building or structure." For example, a change of use to retail or office space would require five off-street parking spaces for every 1,000 square feet of space. In contrast, the DMX exempts the first 3,000 square feet of new or converted space in the "old town" area from the parking requirement. The DMX regulations also allow shared parking between uses, and allow the Planning Director to reduce parking requirements if a study verifies an ample supply of on-street parking. The relaxation of parking requirements is intended to serve as an incentive for economic development with the existing old town area.

The proposed DMX zoning does not extend this relaxation of parking standards to new development on the 25 acres of largely vacant lands at the north end of the downtown district, north of Woodland Avenue. Development of these properties under the proposed DMX zoning is expected to yield a similar amount of square footage as with the existing C-2 zoning, since parking and height requirements are similar under both sets of regulations. Theoretically, each acre of land could

support approximately 9,260 square feet of usable space, assuming a floor area ratio of 0.25 (square footage equal to 25% of the lot area) and 85% gross leasable space. As with the old town area, under the DMX zoning the range of uses anticipated for the undeveloped 25 acres would be greater, and it is assumed that more housing and less retail and service space would be developed.

As noted above in the "Project Description," the 25 acres of developable land within the DMX zone north of Woodland Avenue, east and west of County Road 87, could eventually be built out over the course of numerous decades (beyond 2030), consistent with market demand in Esparto and the sub-region. The development of 25 acres in the DMX zone could theoretically yield approximately 230,000 square feet of non-residential (commercial or mixed use) space. However, this amount of non-residential development could not be supported by the relatively small population of Esparto and the surrounding sub-region.

At the time that Yolo County adopted the 2007 Esparto General Plan, three mitigation measures were approved to be applied to every development project in Esparto to reduce the significance of the air quality impacts to a less than significant level.

The first measure incorporates the standard dust suppression requirements recommended by the Yolo-Solano Air Quality Management District (YSAQMD), which currently (2008) include the following. These measures will be applied to all discretionary projects approved within the DMX zone:

- Water all active construction sites at least twice daily. Frequency should be based on the type of operation, soil, and wind exposure.
- Haul trucks shall maintain at least 2 feet of freeboard.
- Cover all trucks hauling dirt, sand, or loose materials.
- Apply non-toxic binders (e.g., latex acrylic copolymer) to exposed areas after cut and fill operations and hydroseed area.
- Apply chemical soil stabilizers on inactive construction areas (disturbed lands within construction projects that are unused for at least four consecutive days).
- Plant tree windbreaks on the windward perimeter of construction projects if adjacent to open land.
- Plant vegetative ground cover in disturbed areas as soon as possible.
- Cover inactive storage piles.
- Sweep streets if visible soil material is carried out from the construction site.
- Treat accesses to a distance of 100 feet from the paved road with a 6 to 12 inch layer of wood chips or mulch.
- Treat accesses to a distance of 100 feet from the paved road with a 6-inch layer of gravel.

All new discretionary construction projects in the DMX will also be required to incorporate the standard NOx reduction requirements recommended by the YSAQMD, including:

- Construction equipment exhaust emissions shall not exceed District Rule 2-11 Visible Emission limitations.
- Construction equipment shall minimize idling time to 10 minutes or less.
- The prime contractor shall submit to the District a comprehensive inventory (i.e. make, model, year, emission rating) of all the heavy-duty off-road equipment (50 horsepower or greater) that will be used an aggregate of 40 or more hours for the construction project. District personnel, with assistance from the California Air Resources Board, will conduct initial Visible Emission Evaluations of all heavy-duty equipment on the inventory list.

An enforcement plan shall be established to weekly evaluate project-related on-and off-road heavy-duty vehicle engine emission opacities, using standards as defined in California Code of Regulations, Title 13, Sections 2180 - 2194. An Environmental

Coordinator, CARB-certified to perform Visible Emissions Evaluations (VEE), shall routinely evaluate project related off-road and heavy duty on-road equipment emissions for compliance with this requirement. Operators of vehicles and equipment found to exceed opacity limits will be notified and the equipment must be repaired within 72 hours.

Construction contracts shall stipulate that at least 20% of the heavy-duty off-road equipment included in the inventory be powered by CARB certified off-road engines, as follows:

- 175 hp - 750 hp 1996 and newer engines
- 100 hp - 174 hp 1997 and newer engines
- 50 hp- 99 hp 1998 and newer engines

In lieu of or in addition to this requirement, the applicant may use other measures to reduce particulate matter and nitrogen oxide emissions from project construction through the use of emulsified diesel fuel and or particulate matter traps. These alternative measures, if proposed, shall be developed in consultation with District staff.

Finally all new discretionary construction projects in the DMX zone shall incorporate the following measures recommended by the YSAQMD, to reduce ROG emissions:

Any new residential projects with wood burning appliances shall use only pellet-fueled heaters, U.S. EPA Phase II certified wood burning heaters, or gas fireplaces. Installation of open hearth wood burning fireplaces shall be prohibited.

c) *Less than Significant Impact.* Development projects are considered cumulatively significant by the YSAQMD if:

1. The project requires a change in the existing land use designation (i.e., general plan amendment, rezone); and
2. Projected emissions (ROG, NO_x, or PM₁₀) of the project are greater than the emissions anticipated for the site if developed under the existing land use designation.

As noted above, the project is the rezoning of the C-2 Esparto downtown to the new DMX zone, which is not anticipated to result in a greater amount of development potential or greater air emissions than the existing zoning. If a wider range of mixed uses and denser housing is constructed under the DMX zoning compared to the existing C-2 zoning, then the projected air emissions could actually decrease over time, as some retail and commercial uses generate more traffic per acre than housing or mixed uses. Additionally, development of a greater mixture of uses in downtown Esparto could produce more "internal" or "linked" trips in the area, as more people live, work, and recreate within the town, and trips to other parts of Yolo County and the region for services are reduced.

d) *Less than Significant Impact.* The nearest sensitive receptors in the vicinity of downtown Esparto are single family homes located immediately adjacent to the east, west, and south of the downtown district. The rezoning project would not be expected to expose sensitive receptors to any substantial pollutant concentrations from construction equipment, assuming the standard mitigation measures recommended by the YSAQMD, cited in (b), above, are implemented.

f) *Less than Significant Impact.* The proposed rezoning project would not be expected to create any objectionable odors or expose sensitive receptors to odors, assuming the standard mitigation measures recommended by the YSAQMD and further requirements of Yolo County Environmental

Health (EH) are implemented. For example, any restaurant uses proposed in the DMX zone would require a permit from EH, with measures to control cooking odors.

IV. BIOLOGICAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native residents or migratory wildlife corridors or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

(a)(b)(c) *Less than Significant Impact.* The project area consists of downtown Esparto, a developed "old town" historic district with no known biological resources. Approximately 25 acres of largely undeveloped agricultural lands are also included within the district north of Woodland Avenue. These lands consist of a mixture of ruderal vegetation, active and inactive orchards, rural residences, a large water storage tank, two industrial sheds, and the abandoned "train station" structure. There are some mature trees and a drainage ditch runs along the northern property line of the 25-acre area.

Biological studies have been prepared for two recently approved subdivisions in Esparto, one of which (the Emerald Homes Story project) is immediately east of the DMX area, north of Woodland Avenue, located on similar undeveloped land. The studies (*Special Status Species Habitat Evaluations for the Story and Parker Properties*, Gibson & Skordal, 2006), are summarized here.

The California Natural Diversity Data Base identifies 19 "special status species" that may be found in the vicinity (Table 3). "Special status species" includes those that are listed as "threatened" or "endangered" and are afforded legal protection under either (or both) the California and U.S. Endangered Species Acts (ESAs), as well as species that lack legal protection under the ESAs but have been characterized as "sensitive" by state resource agencies or organizations (such as the California Native Plant Society) with acknowledged expertise.

**TABLE 3
SPECIAL STATUS SPECIES IN THE AREA**

Species	Status	Potential Habitat in Area?
<u>Birds</u>		
<i>Agelaius tricolor</i> (Tri-colored blackbird)	State – SSC/Fed – SC	Yes – marginal foraging habitat
<i>Athene cunicularia</i> (Burrowing owl)	State – SSC/Fed – SC	Yes – marginal nesting and foraging habitat
<i>Buteo swainsoni</i> (Swainson's hawk)	State – T/Fed – none	Yes – suitable foraging and marginal nesting habitat
<i>Charadrius montanus</i> (Mountain plover)	State – SSC/Fed – none	Yes – marginal foraging habitat
<i>Falco peregrinus anatum</i> (American peregrine falcon)	State – E/Fed – delisted	Yes – marginal foraging and nesting habitat
<i>Riparia riparia</i> (Bank swallow)	State – T/Fed – SC	Yes – foraging habitat present
<u>Amphibians & Reptiles</u>		
<i>Ambystoma triginum californiense</i> (California tiger salamander)	State – SSC/Fed – threatened	No
<i>Clemmys marmorata marmorata</i> (Northwestern pond turtle)	State – SSC/Fed – SC	No
<i>Rana boylii</i> (Foothill yellow-legged frog)	State – SSC/Fed – none	No
<i>Thamnophis gigas</i> (Giant garter snake)	State – T/Fed – T	No
<u>Invertebrates</u>		
<i>Desmocerus californicus dimorphus</i> (Valley elderberry longhorn beetle)	State – none/Fed – T	Yes
<i>Andrena blennosperma</i> (Solitary bee)	State – none/Fed – none	Recorded in area
<i>Branchinecta lynchi</i> (Vernal pool fairy shrimp)	State – none/Fed – T	No
<i>Lepidurus packardii</i> (Vernal pool tadpole shrimp)	State – none/Fed – T	No
<i>Lindleriella occidentalis</i> (California linderiella)	State – none/Fed – none	No
<u>Plants</u>		
<i>Erodium macrophyllum</i> (Round-leaved filaree)	CNPS	Habitat present
<i>Hesperolinon breweri</i> (Brewer's wester flax)	CNPS	No
<i>Lepidium laipes var. heckardii</i> (Heckard's pepper-grass)	CNPS	No
<i>Navarretia leucocephala ssp. bakeri</i> (Baker's navarretia)	CNPS	No

Source: *Special Status Species Habitat Evaluation for the Parker Property*, Gibson & Skordal, April, 2006

Abbreviations Key:

SSC = Species of Special Concern (State)	CNPS = Identified by the California Native
SC = Species of Concern (Federal)	Plant Society as rare, threatened,
T = Threatened	or endangered plants
E = Endangered	

The biological studies concluded that the Parker and Story subdivision sites do not include the appropriate habitat for following species: California tiger salamander; giant garter snake; Foothill yellow-legged frog; Vernal pool fairy or tadpole shrimp; blennosperma specialist bee; and the three of the four plant species (Brewer's wester flax, Heckard's pepper-grass, and Baker's navarretia).

The studies did conclude that habitat to support the following species is found in the area: Swainson's hawk, bank swallow, Tricolored blackbird; Burrowing owl; Mountain plover; Peregrine falcon; Valley elderberry longhorn beetle; solitary bee; and round-leafed filaree.

Based on these recent studies, the larger trees on the 25 acres of undeveloped lands within the DMX zone north of Woodland Avenue and the ruderal pasture provide marginal nesting and foraging habitat for the Swainson's hawk. The county participates in the Yolo County Joint Powers Agency, which requires mitigation for every acre of habitat land that is developed. Any development projects within the 25 acres would probably be required to pay a fee of \$8,660 per acre. The fees are used to purchase conservation easements on habitat lands used by the hawk.

The studies for the two recently approved subdivisions concluded that the open fields of the two sites provides possible foraging habitat, but not nesting habitat, for the American peregrine falcon, tricolored blackbird, and bank swallow. The sites include both nesting and foraging habitat for the burrowing owl, which could occupy the two sites.

For invertebrates and amphibians, the two studies of nearby sites determined that they did not include appropriate habitat for the California tiger salamander, northwestern pond turtle, giant garter snake, yellow-legged frog, solitary bee, or the two vernal pool shrimp species. The studies found that elderberry bushes are located on the north bank of Lamb Valley Slough and could support the long horn elderberry beetle, and that one of the sites could provide habitat for the round-leaved filaree. It is unknown whether there are any elderberry bushes located along the drainage ditch on the north side of the 25 acres.

Prior to any approval of a discretionary permit for development of any portion of the 25 acres of land north of Woodland Avenue, the county shall require the following standard measures be followed to ensure that any potential impacts to listed species are reduced to a less than significant level:

Mitigation Measure 1:

- (a) *A discretionary project that converts any identified Swainsons hawk foraging habitat shall be required to pay a fee of \$8,660 per acre to the Yolo County Joint Powers Agency.*
- (b) *Prior to any site preparation or construction activity, any project applicant shall protect raptor nesting habitat as described in this mitigation measure. All surveys shall be submitted to the Yolo County Planning and Public Works Department for review.*

- (c) *Prior to any site preparation or construction activity in both the breeding and nonbreeding season, the applicant shall conduct burrowing owl surveys in conformance with CDFG burrowing owl recommendations (CDFG, 1995). If burrowing owls are detected during preconstruction surveys, the applicant shall implement the following mitigation measures, consistent with CDFG recommendations:*
 - (1) *Avoid occupied burrows during the burrowing owl breeding season, February 1 through August 31.*
 - (2) *Prior to this breeding season, September 1 through January 31, occupied burrows should be avoided. If avoidance is not possible, owls may be evicted, and the Applicant must provide compensation for loss of burrows per CDFG standards.*
- (d) *The applicant shall make very effort to schedule the removal of trees and shrubs outside of the raptor breeding season (March 15 through September 15). For any vegetation removal and site preparation that occurs during the breeding season (March 15 through September 15), the applicant shall conduct preconstruction surveys as described in (e), below.*
- (e) *For construction that will occur between March 15 and September 15 of any given year, the applicant shall conduct a minimum of two preconstruction surveys for (a) suitable nesting habitat within one-half mile of the project site for Swainson's hawk; (b) within 500 feet of the project site for tree-nesting raptors and northern harriers; and (c) within 165 feet of the project site for burrowing owls prior to construction. Surveys shall be conducted by a qualified biologist and will conform to the Swainson's Hawk Technical Advisory Committee (2000) guidelines and CDFG burrowing owl recommendations (CDFG,1995) for those species. These guidelines describe the minimum number and timing of surveys. If nesting raptors are detected during preconstruction surveys, the applicant shall implement mitigation measures described in (f), below.*
- (f) *If nesting raptors are recorded within their respective buffers, the applicant shall adhere to the following buffers:*
 - (1) *Maintain a 1/4-mile buffer around Swainson's hawk nests, a 500-foot buffer around other active raptor nests, and 165 feet around active burrowing owl burrows. These buffers may be reduced in consultation with CDFG; however, no construction activities shall be permitted within these buffers except as described in (2), below.*
 - (2) *Depending on conditions specific to each nest, and the relative location and rate of construction activities, it may be feasible for construction to occur as planned within the buffer without impacting the breeding effort. In this case (to be determined in consultation with CDFG), the nest(s) shall be monitored by a qualified biologist during construction within the buffer. If, in the professional opinion of the monitor, the project would impact the nest, the biologist shall immediately inform the construction manager and CDFG. The construction manager shall stop construction activities within the buffer until either the nest is no longer active or the project receives approval to continue from CDFG.*
- (g) *Prior to any site preparation or construction activity, the applicant shall identify the locations of all potential Valley elderberry longhorn beetle (VELB) habitat on or within 100 feet of the project site, and avoid direct and indirect impacts until the applicant has received U.S. Fish and Wildlife Service (USFWS) approval for such impacts. The applicant shall ensure no net loss of VELB or VELB habitat by complying with impact avoidance, habitat creation, and mitigation measures contained in the USFWS VELB conservation guidelines (USFWS,1999).*

b, c) Less Than Significant Impact. Development of the 25 acres of land north of Woodland Avenue could affect small degraded riparian corridors along drainage ditches on the site.

A wetland analysis and delineation will be required as a requirement of any discretionary project within the 25-acre area if any riparian habitat is identified, and appropriate mitigation will be required

to comply with applicable federal, state and local laws. Any discretionary project must also comply with a policy of the adopted 2007 Esparto General Plan (Policy E-R.9) which states: "New development shall preserve and enhance existing riparian and wetland habitat along Lamb Valley Slough and other small canals in the planning area, unless the need for flood protection and maintenance prevents such preservation and enhancement."

- d) *Less than Significant Impact.* Development of the 25 acres north of Woodland Avenue has little potential to affect existing wildlife migration corridors used by animals such as deer, since the property is within the existing town limits of Esparto and has been farmed intensively.
- e) *No Impact.* There are no other known biological resources on the site, such as existing heritage oak trees, which would be affected by development.
- f) *No Impact.* The rezoning proposal would not conflict with the provisions of any adopted Habitat Conservation Plan (HCP), Natural Community Conservation Plan (NCCP), or other approved local, regional, or state habitat conservation plan. There is a draft County HCP/NCCP which is consistent with the development planned in the Esparto General Plan.

V. CULTURAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion of Impacts

- a) *Less than Significant.* The *Yolo County Historic Resources Survey* (1986) identifies 13 structures within downtown Esparto that were built between 1888 and 1920 and are of "historical significance." The structures are concentrated in the two and one-half block downtown district fronting on Yolo Avenue (State Route 16), and are listed in Table 4. The survey notes that "this is the most intact and substantial commercial downtown in the unincorporated portion of Yolo County and ranks second in age an character only to the downtowns of Woodland and Winters."

The updated 2007 Esparto General Plan includes two policies that address impacts to historic structures:

E-R.5 The County shall document and record data or information relevant to prehistoric and historic cultural resources which may be impacted by proposed development. The accumulation of such data shall act as a tool to assist decision-makers in determinations of the potential development effects to prehistoric and historical resources located within the County.

E-R.7 Historically or architecturally significant buildings should not be demolished or substantially changed in outward appearance, unless doing so is necessary to remove a threat to health and safety and other means to avoid the threat are infeasible.

TABLE 4

HISTORIC STRUCTURES IN DOWNTOWN ESPARTO

Name/Owner	Old Address (Current Address)	Date Built
Diamond National (Chadler Lumber Co.)	817 Yolo Avenue (16908 Yolo Avenue)	1888
Cal Homan Real Estate (Clarence Johnson)	828 Yolo Avenue (16903-16907 Yolo Avenue)	1914
Odd Fellows Building (Lindberg building)	916 and 920 Yolo Avenue (16851-16863 Yolo Avenue)	1918
Esparto Post Office	909 Yolo Avenue (16864 Yolo Avenue)	1919
C.F. Derby Building	913 Yolo Avenue (16872-16876 Yolo Avenue)	1909
Adams block	912 Yolo Avenue (16850-16858 Yolo Avenue)	1890
Bank of Esparto	925 Yolo Avenue (16822 Yolo Avenue)	1913
Fullerton Garage	928 Yolo Avenue (16823 Yolo Avenue)	1920
Levy & Schwab Building (Wyatt building)	927-933 Yolo Avenue (16802-16810 Yolo Avenue)	1890
Esparto Depot (train station)	900 Woodland Avenue (26580-26584 Woodland Avenue)	1888
W.F. Smith Warehouse	800 block of Yolo Avenue (16758 County Road 87)	1906
Taber Store	921- 925 Woodland Avenue (26547 Woodland Avenue)	1910
Capay Valley Almond Growers Assoc. (Herbst)	1112 Woodland Avenue (26324 Woodland Avenue)	1918

- b) *Less than Significant Impact.* According to recently completed environmental analyses for recently approved subdivisions, there are no archaeological places or sites in the Esparto area. Policy E-R.4 in the 2007 Esparto General Plan requires that any development that uncovers cultural resources shall follow procedures and recommendations as set forth in the CEQA Guidelines, Section 15064.5.

As part of the public review process, the proposed DMX zoning and this environmental analysis have been referred to the two Native American tribes in Yolo County, the Rumsey Indian Rancheria of Wintun and the Cortina Band of Indians. State law (SB 18, enacted in 2004), requires local agencies to consult with local tribes for any projects involving a General Plan Amendment or Specific Plan. Although the proposed rezoning from C-2 to the new DMX zone is not a General Plan Amendment or Specific Plan, Yolo County has formally notified the two tribes. The two tribes will have the opportunity to seek consultation with the County if they are concerned that any Native American resources could be affected by the proposed new zone district.

- c) *No impact.* No paleontological resources are known or suspected and no unique geologic features exist on the project site.

- d) *Less than Significant Impact.* No human remains are known or predicted to exist in the project area. However, the potential exists during construction to uncover previously unidentified resources. Policy E-R.4 of the Esparto General Plan requires that any development that uncovers cultural resources shall follow procedures and recommendations as set forth in the CEQA Guidelines, Section 15064.5.

In addition, Section 7050.5 of the California Health and Safety Code states that, when human remains are discovered, no further site disturbance shall occur until the county coroner has determined that the remains are not subject to the provisions of Section 27491 of the Government Code or any other related provisions of law concerning investigation of the circumstances, manner and cause of any death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation, in the manner provided in Section 5097.98 of the Public Resources Code. If the coroner determines that the remains are not subject to his or her authority and the remains are recognized to be those of a Native American, the coroner shall contact the Native American Heritage Commission within 24 hours.

VI. GEOLOGY AND SOILS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known Fault? Refer to Division of Mines and Geology Special Publication 42.				
ii) Strong seismic ground shaking?				
iii) Seismic-related ground failure, including liquefaction?				
iv) Landslides?				
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion of Impacts

- a) *Less than Significant Impact:*

(i) The existing General Plan notes that "Although there are no known [earthquake] faults in Esparto, a moderate earthquake on one or more of the faults in the Capay Valley could result in damage to structures that are made of inflexible materials such as masonry and plaster." The downtown Esparto area can be expected to experience moderate to strong ground shaking

during future seismic events along major active faults throughout Northern California or on smaller active faults located in the project vicinity. However, any development projects will be required comply with all applicable Uniform Building Code and County Improvement Standards and Specifications requirements.

In addition, Policy E-HZ.5 of the 2007 Esparto General Plan requires that "Reuse or redevelopment of seismically vulnerable buildings in or near downtown Esparto (e.g., the Wyatt Hotel, or the train station) shall be upgraded to the latest and highest appropriate seismic retrofit standards under the Uniform Building Code."

(ii) Less Than Significant Impact. Any major earthquake damage on the project site is likely to occur from ground shaking and seismically related ground and structural failures. Local soil conditions, such as soil strength, thickness, density, water content, and firmness of underlying bedrock affect seismic response. Seismically induced shaking and some damage should be expected to occur during an event but damage should be no more severe in the project area than elsewhere in the region. Framed construction on proper foundations constructed in accordance with Uniform Building Code requirements is generally flexible enough to sustain only minor structural damage from ground shaking. However, older brick masonry buildings in Esparto could expose people to potential substantial adverse effects involving strong seismic ground shaking.

(iii) Less than Significant Impact. The Esparto area is not mapped as at high risk of liquefaction. Geologic hazard impacts that are associated with expansive soils include long-term-differential settlement and cracking of foundations, disruption and cracking of paved surfaces, underground utilities, canals, and pipelines. Any new construction would be required to comply with applicable building codes that address these issues.

(iv) No impact. The Esparto area is relatively level and approval of the project would not expose people or structures to potential landslides.

(b,c,d,e) No Impact. Any new construction would be required to comply with applicable building codes that address these issues (soil erosion, lateral spreading, expansive soils). The downtown area is currently served by a public wastewater system and any new development will be required to hook up to public sewers.

VII. HAZARDS AND HAZARDOUS MATERIALS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

- | | | | | | |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| f) | For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working within the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) | Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h) | Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion of Impacts

- a) *Less than Significant Impact.* Development within the DMX downtown area could include facilities that handle hazardous fuel and oil, such as auto service. The Yolo County Environmental Health Environmental Health Division (EH) and Central Valley Regional Water Quality Control Board (CVRWQCB) require plan review and permits for any facilities that use or store hazardous materials on site. Additionally, all construction and demolition activities involving hazardous materials must have EH approval. Therefore, hazardous impacts to the public or environment would be reviewed a on a project by project basis and applied regulations would be expected to mitigate any potential issues to a less than significant level.
- b) *Less than Significant Impact.* See (a), above. Any development application involving hazardous materials is required to provide a Hazardous Materials Business Plan to the satisfaction of the Yolo County Environmental Health Department Director. Impacts from the accidental release of hazardous materials into the environment would be regulated and would be expected to be less than significant.
- c) *Less than Significant Impact.* See (a) and (b), above. Downtown Esparto is located approximately 750 feet (0.15 mile) north of the Esparto High School on Yolo Avenue. Development within the DMX downtown area could include facilities that handle hazardous fuel and oil, such as auto service. The Yolo County Environmental Health Environmental Health Division (EH) and Central Valley Regional Water Quality Control Board (CVRWQCB) require plan review and permits for any facilities that use or store hazardous materials, or generate emissions, on site.
- d) *Less than Significant Impact.* No properties in downtown Esparto are included on a list of hazardous materials sites compiled by the Yolo County Environmental Health Department-Hazardous Waste Site Files pursuant to Government Code 65962.5 (the "Cortese" list). However, Yolo County has recently applied for, and has been awarded, two "brownfields" grants from the U.S. Environmental Protection Agency to be used for Phase I and Phase II hazardous materials investigations for properties within downtown Esparto.

Some properties near the Yolo Avenue/Woodland Avenue intersection may be affected by soil and/or groundwater contamination related to prior uses. A Phase I environmental study performed for the Wyatt (Levy & Schwab) building at 16802 Yolo Avenue building found soil and possible groundwater contamination at that intersection. The source is unknown, but the Wyatt building was at one time an auto mechanic's shop. On the northeast corner of the Yolo Avenue/Woodland Avenue intersection was the train station, on the northwest corner was a fertilizer retailer, and on the southeast corner was a gas station. All four corners of the intersection are therefore potential contributors to the contamination. One or more Phase II environmental investigations are planned to be conducted by the County, using the U.S. EPA grant funds. The application submitted to U.S. EPA by Yolo County identified a total of seven downtown properties that could be affected by petroleum contamination.

The Esparto General Plan includes a policy and program to ensure that any properties with identified hazardous materials issues must be remediated (cleaned up) as part of any development:

Policy E-HZ.6. Require additional hazardous materials investigations or cleanup prior to approval of additional construction or redevelopment of the sites identified in the Yolo County Environmental Health Department-Hazardous Waste Site Files.

Implementation: The County shall ensure that no discretionary or building permits are issued for any of the specific parcels listed as an active case in the Yolo County Environmental Health Department-Hazardous Waste Site Files, until environmental remediation has been completed to the satisfaction of regulatory agencies.

The above policy and implementation program will ensure that any hazardous materials issues will be mitigated before redevelopment under the DMX zoning regulations for the Wyatt or nearby buildings is approved.

- e) *No impact.* Downtown Esparto is within about seven miles of the Watts Airport and within about ten miles of the Yolo County Airport. No portion of the downtown planned for growth is within the runway clearance zones established to protect the adjoining land uses in the vicinity from noise and safety hazards associated with aviation accidents.
- f) *No impact.* Esparto is not located within the vicinity of a private airstrip.
- g) *No impact.* Development allowed under the DMX zone would not be expected to interfere with any adopted emergency response or evacuation plans.
- h) *No impact.* Esparto is not located in a "moderate" or "severe" wildfire hazard area, as defined by CalFire, therefore, the downtown is not considered to be at risk from wildland fires.

VIII. HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Significantly deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

NEGATIVE DECLARATION/INITIAL STUDY CHECKLIST

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| f) Otherwise substantially degrade water quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| j) Inundation by seiche, tsunami, or mudflow? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion of Impacts

- a) *No Impact.* The project proposes a rezoning of properties in downtown Esparto to allow a greater range of mixed uses. All new and redeveloped projects would rely on public water and wastewater treatment service provided by the Esparto Community Services District (ECSD). All of the existing downtown plus the undeveloped 25 acres of land north of Woodland Avenue is within the ECSD Sphere of Influence adopted by the Yolo County Local Agency Formation Commission. The ECSD is currently in compliance with permits issued by the Central Valley Regional Water Quality Control Board and other regulatory agencies which oversee water quality.
- b) *No Impact.* Development under the new DMX zone would rely on groundwater supplied by the ECSD. The downtown area is not a significant groundwater discharge area.
- (c)(d)(e) *Less than Significant Impact.* The downtown Esparto area is served by a series of ditches and detention basins operated by the Madison-Esparto Regional County Service Area (MERCOSA). Construction of the approved Orcioli subdivision, plus additional development on the 25 acres of primarily undeveloped lands north of Woodland Avenue will necessitate drainage improvements, including replacement of the rural drainage ditch along the north edge of the downtown DMX zone. As individual projects are reviewed, conditions of approval will be implemented to ensure that drainage infrastructure is built, and to ensure absorption rates, or the rate and amount of surface runoff, will not be significantly increased.
- f) *No Impact.* See (a) above. No additional impacts to water quality are anticipated.
- (g)(h) *No Impact.* No portion of the downtown area is within a designated floodplain or flood area, as designated by the Federal Emergency Management Agency. Storm flows from new development will be conditioned to ensure that absorption rates and amount of surface runoff will not be significantly increased.
- i) *No Impact.* The project area is not located immediately down stream of a dam or adjacent to a levee that would expose individuals to risk from flooding.
- j) *No Impact.* The project area is not located near any large bodies of water that would pose a seiche or tsunami hazard. In addition, the project site is relatively flat and is not located near any physical or geologic features that would produce a mudflow hazard.

IX. LAND USE AND PLANNING

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

- a) *No impact.* The project is a proposed rezoning to mixed use and would not divide any established community.
- b) *No Impact.* The downtown area is currently zoned for Community Commercial (C-2) uses, and would be rezoned to allow a wider range of uses, as called for in the Esparto General Plan.
- c) *No Impact.* The County does not have an adopted HCP or NCCP, although a draft plan is now being prepared by the Yolo County Joint Powers Agency (JPA). The rezoning would not conflict with any of the existing mitigation requirements or policies of the Yolo County draft Draft HCP/NCCP. Mitigation measure recommendations in the Biological Resources section, above, would ensure consistency with the mitigation requirements of the JPA.

X. MINERAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

- a) *No impact.* The project area is not designated as an area of significant aggregate deposits, as classified by the State Department of Mines and Geology.
- b) *No Impact.* See response to X(a).

XI. NOISE

Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

NEGATIVE DECLARATION/INITIAL STUDY CHECKLIST

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| b) Exposure of persons to or generation of excessive groundborne vibration noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion of Impacts

- (a)(b)(c) *Less than Significant Impact.* The DMX rezoning would not be expected to generate any excessive permanent noise. Noise levels along the roadways through the DMX area (State Highway 16, Yolo and Woodland Avenues) will be expected to increase over time due to increased traffic levels, in turn due to cumulative growth in the area, including expansion of the Cache Creek casino. The DMX rezoning impacts to noise levels are anticipated to be less than significant, based on the modest amount of growth (140 units and 28,000s square feet of mixed use space) projected over the planning period.
- d) *Less than Significant Impact.* Construction noise related to development of raw land north of Woodland Avenue and redevelopment of existing buildings, would be of a short period and could include excavation, drilling and site preparation, and building construction. Noise from the temporary construction activities would be considered less than significant.
- e) *No Impact.* The nearest public airport is seven miles away and the project site is not within an airport land use plan.
- f) *No Impact.* The project area is not located near a private airstrip and would not be exposed to noise from any private airstrip.

XII. POPULATION

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through the extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

- (a) *Less than Significant Impact.* As noted above in the "Project Description," the rezoning to DMX is anticipated to result in the creation of perhaps 140 additional multiple family housing units, in addition to Burton's 40 units of multiple family housing on Woodland Avenue immediately east of the proposed DMX zone. The 140 units could result in the addition of approximately 400 new residents in Esparto.
- (b)(c) *No Impact.* The proposed rezoning would not displace any existing housing, but would create additional mixed use and housing opportunities.

XIII. PUBLIC SERVICES

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service rations, response time or other performance objectives for any of the public services:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion of Impacts

- a) *Less than Significant Impact.* As noted above, the rezoning to DMX may result in the creation of 140 additional multiple family housing units, equal to approximately 400 new residents in Esparto. An unknown amount of jobs associated with new mixed use commercial space would also be created. This growth is called for in the Esparto General Plan in order to revitalize the downtown core. Fire protection is provided by the Esparto Fire District. Policy E-PS.2 in the Esparto General Plan requires that "All proposed development within the jurisdiction of the Esparto Fire District shall be reviewed for fire safety standards by the Fire Chief, including the provision of adequate water pressure for fire suppression, and adequate egress and ingress." An Implementation Program states that "The Esparto Fire District shall adopt a fee program to pay for the acquisition of additional equipment." According to an analysis of firefighting water supply and storage for Esparto (Orcioli Draft Environmental Impact Report, 2005), planned growth in the town will create fire flow requirements of 5.1 million gallons per day (mgd) for a maximum day, which is within the existing water supply capacity (5.2 mgd). Increased property tax revenues from new homes and businesses, in addition to development impact fees, could help fund the increased fire services.
- b) *Less than Significant Impact.* The rezoning could place additional demand on the Yolo County Sheriff's Department, which provides police protection. Increased property tax revenues from new homes and businesses, in addition to development impact fees, could help fund the need for increased police services.
- c) *Less than Significant Impact.* Housing growth could affect school facilities. Policy E-S.3 in the Esparto General Plan states: "The expansion of school facilities should coincide with the increase in population in accordance with the General Plan so that capacity is not significantly exceeded. The County, in consultation with the Esparto Unified School District, should establish thresholds beyond which new residential development will be restricted until services and facilities deemed adequate are

provided. The level of development restrictions should reflect the severity of the services and facilities needs. If a new school is constructed, it should be built in Esparto proper, and not in another outlying area of the school district."

Existing State law (SB 50) allows school districts to set development fees, which are \$3.12 per square foot of residential use in the Esparto Unified School District.

- d) *Less than Significant Impact.* The 1996 Esparto General Plan set a development fee for park facilities of \$2,150 per housing unit. The fee has not been raised during the last twelve years, but is now being revised by the County. Policy E-S.7 states that the fee shall be used "for the design and construction of new parks and pedestrian/bicycle trails as illustrated on Figure 4 and toward a new community swimming pool." Policy E-S.8 states that "Park sites of at least five acres in size shall be offered for dedication to the County as a condition of approval for new development or subdivisions...In such cases where parkland is being dedicated, park fees which would otherwise be charged to the new development shall be waived."
- e) *Less than Significant Impact.* The Esparto General Plan includes Policy E-S.5: "A public swimming pool and a community center should be developed. The community center and library should be combined on one site on the west side of Yolo Avenue. The community pool should be located in the new park or new school." Policy E-S.6 states that "New development shall be charged an impact fee to offset its proportional share of the cost of a new community center." The County has not adopted such a fee, although pending development projects are discussing arrangements to fund construction of a community center and/or a swimming pool.

XIV. RECREATION

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have been an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

- a) *No Impact.* The rezoning would not require the construction of additional recreational facilities nor substantially increase the use of existing recreational facilities. However, additional recreational facilities may be provided by developers, since a portion of the new DMX zoning ordinance requires "community benefits" such as public plazas for certain types of single use projects.
- b) *No Impact.* The rezoning would not require the construction of any additional recreational facilities.

XV. TRANSPORTATION/TRAFFIC

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase on either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Result in inadequate emergency access? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Result in inadequate parking capacity? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

a) *Less than Significant Impact.* Policy E-C.1 in the updated Esparto General Plan states that traffic shall be maintained at a Level of Service "C" or better on all streets and intersections, with LOS "D" tolerated at peak times.

The following transportation analysis is based upon a recent traffic study completed by the firm Fehr & Peers (Fehr & Peers, *Eastern Esparto Circulation Study*, 2006), which examined potential impacts related to three recently approved subdivisions in eastern Esparto, plus additional cumulative growth. The study looked at short term (year 2010) and long term (year 2030 buildout) conditions for Esparto. The two objectives of the analysis were to identify impacts of three pending subdivision applications (the E. Parker and Story subdivisions proposed by Emerald Homes, and the Deterding/Capay Cottages subdivision) and to propose a circulation system for the eastern portion of Esparto that could accommodate buildout growth expected under the Esparto General Plan.

The *Eastern Esparto Circulation Study* generated projections of future traffic based on the land use assumptions contained in the updated 2007 Esparto General Plan, including future mixed use development in downtown Esparto. For purposes of the study, near term development anticipated by the year 2010 amounted to 457 single family housing units. This assumed the following projects would be completed by 2010: Ryland/Lopez (72 units); Emerald/Story (93 units); Emerald/E. Parker (90 units); Deterding/Capay Cottages (22 units); Castle/Orciuolo (180 units). (The unit counts for the two Emerald Homes subdivisions were subsequently approved for 62 and 78 units for the E. Parker and Story projects, respectively.) Approximately 1.9 acres of downtown mixed use commercial development were also assumed to be developed in the near term, equal to approximately 17,400 square feet of space. This amount of total growth in all of Esparto was found to generate approximately 7,162 daily vehicle trips

In contrast, the amount of growth expected in downtown Esparto only, based on the rezoning of the area to the DMX zone, plus other anticipated growth, is projected to generate a total of 1,851 daily trips, with 45 peak hour trips in the morning and 169 peak trips in the evening (see Table 5, below).

The *Eastern Esparto Circulation Study* studied "buildout" conditions for all of Esparto, assumed to be by the year 2030, when another 654 units of housing (both single family and apartments) would be expected. Approximately 6.5 acres of mixed use commercial development (approximately 60,000 square feet of space) are assumed to be built. In addition, all 71 acres of the Deterding property south of SR 16 is assumed to be developed with light industrial uses by 2030. This amount of buildout development could generate approximately 25,000 daily vehicle trips, equivalent to 1,874 peak hour trips in the morning and 2,841 peak trips in the evening.

TABLE 5
SHORT TERM (YEAR 2010) AND LONG TERM (YEAR 2030)
TRIP GENERATION FOR DOWNTOWN ESPARTO

Land Use	Trip Generation Rate	Average Daily Trips	Average Peak Hour Trips (AM)	Average Peak Hour Trips (PM)
<u>Short-Term Growth (Year 2010):</u>				
Residential – 0 units	6.7 trips/MF unit	0	0	0
Downtown Mixed Use -- 17,410 sq. ft.	106.3 trips/1,000 sq ft.	1,851	45	169
Sub-total:	---	1,851	45	169
<u>Long-Term Growth (Year 2030):</u>				
Residential - 140 units	6.7 trips/MF unit	938	71	87
Downtown Mixed Use – 77,760 sq. ft.	106.3 trips/1,000 sq ft.	8,266	203	753
Sub-total:		9,204	274	840

Source: Trip generation rates based on Fehr & Peers,
Eastern Esparto Circulation Study, 2006

Of this amount of potential growth, only a small increment (140 multiple family units and 77,760 square feet of mixed use space) would be constructed in the downtown under the new DMX zoning. The downtown growth would generate a total of 9,204 daily trips, with 274 peak hour trips in the morning and 840 peak trips in the evening (see Table 5, above).

- (b) *Less than Significant Impact.* The Fehr & Peers study discussed above concluded that under traffic conditions for short-term development by 2010, most of the intersections in Esparto would continue to operate at level of service (LOS) C or better, which is acceptable. However, during the PM peak hour, two intersections along SR 16 south of the downtown area would operate at unacceptable levels: Plainfield Street/Yolo Avenue (SR 16); and SR 16/County Road 86A. Both of the intersections would operate unacceptably at LOS E, which is below the Caltrans concept LOS for SR 16 (LOS D).

The Plainfield Street/Yolo Avenue degradation in service occurs mainly due to traffic from the three recently approved subdivisions going through the intersection, which results in higher delays for the minor street approaches. A condition of approval for the three subdivisions, plus the Orcioli subdivision, requires the projects to contribute to the cost of constructing an Alpha Street bridge crossing of the Lamb Valley Slough, which would provide an additional crossing of the Lamb Valley Slough and reduce traffic volumes at the Plainfield Street/Yolo Avenue intersection. The combination of additional through traffic on SR 16 from the three residential projects and the new connection proposed to the E. Parker residential subdivision would also affect the second intersection at SR 16/County Road 86A, causing the LOS to degrade from LOS C to LOS E. Improvements at this intersection would be required, which will be paid for by the developers in the area.

- c) *No Impact.* The proposed rezoning would not affect air traffic patterns.

- d) *No Impact.* The rezoning does not incorporate design features that would substantially increase hazards or introduce incompatible uses.
- e) *No Impact.* The project would not result in inadequate emergency access.
- f) *Less Than Significant Impact.* The new DMX zoning would relax some existing parking requirements of the current C-2 zoning for projects within the "old town" structures, e.g., no additional on-site parking required for new uses under 3,000 square feet. These relaxed parking requirements are expected to encourage development of existing structures, while allowing new uses to utilize parking capacity along Yolo and Woodland Avenue.
- g) *No Impact.* The project would not conflict with any adopted policies, plans, or programs supporting alternative transportation. Implementation of the DMX zone will further the overall goal to improve the walkability of the downtown district.

XVI. UTILITIES AND SERVICE SYSTEMS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion of Impacts

- (a)(b) *Less than Significant Impact.* The new DMX zoning would result in a small increment of additional growth for the downtown that otherwise would not occur under the existing C-2 zoning. However, all new development would be served by public water and wastewater treatment systems provided by the Esparto Community Services District (ECSD).
- c) *Less than Significant Impact.* See VIII(c), above. Development within the downtown will require the construction or expansion of some storm water drainage facilities, such as local ditches and detention basins.

- d) *No Impact.* Development will be served by ECSD water wells. No new entitlements will be necessary to accommodate the rezoning.
- e) *Less than Significant Impact.* The rezoning will not require additional determination by the ECSD wastewater treatment provider that it has adequate capacity to serve the project.
- f), g) *No Impact.* The rezoning should have no impacts to solid waste disposal.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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XVII. MANDATORY FINDINGS OF SIGNIFICANCE --

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|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probably future projects)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Does the project have environment effects which will cause substantial adverse effects on human beings, either directly or indirectly? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion of Impacts

- a) *Less Than Significant Impact.* Based on the information provided in this Initial Study, any potential environmental impacts caused by the project would be considered less than significant. Potentially significant impacts related to biological resources, e.g, impacts to Swainson's hawk and other sensitive species habitat on the northern 25 acres of undeveloped land north of Woodland Avenue, would be reduced by adoption of appropriate mitigation measures included in this Initial Study.
- b) *No Impact.* Based on the analysis provided in this Initial Study, the project would have less than significant cumulative impacts.
- c) *No Impact.* Based on the analysis provided in this Initial Study, no impacts to human beings would result from the proposed project. The project as proposed would not have substantial adverse effects on human beings, either directly or indirectly.

REFERENCES

CalFire, Fire Severity Zone map, 2008.

Fehr & Peers Associates, *Final Eastern Esparto Traffic Study*, December 7, 2006.

Les-Thomas Associates, *Yolo County Historic Resources Survey*, 1986.

Psomas, *Esparto 1996 Facilities Plan Update*, May, 2003

Town of Esparto General Plan, 2007.

Town of Esparto General Plan Tiered Mitigated Negative Declaration, 2006.

Wood & Rogers, *Drainage Study*, 2006.

Yolo County General Plan, 1983, as amended.

Yolo County Local Agency Formation Commission, *Esparto Community Services District Final Municipal Service Review/Sphere of Influence*, March 10, 2003.

Yolo County Zoning Ordinance, Title 8, *Chapter 2 of the County Code*, 2004, as amended.

Yolo Solano Air Quality Management District, *Handbook for Assessing and Mitigating Air Quality Impacts*, 2007.

ATTACHMENT A

ESPARTO DOWNTOWN MIXED USE (DMX) ZONING DISTRICT

ARTICLE 12.1 ESPARTO DOWNTOWN/MIXED USE ZONE (DMX)

8-2.1211 Applicability and Purpose

The Esparto Downtown Mixed Use (DMX) zone is to be applied to unincorporated areas that are planned for development or redevelopment of a mixture of primarily commercial, retail, office and residential uses.

The purposes of the DMX District are to:

- (a) Accommodate a physical pattern of development often found along village main streets and in neighborhood commercial areas of older cities;
- (b) Encourage mixed-use buildings with neighborhood and community-serving retail, service, and other uses on the ground floor and residential and live/work units above the nonresidential space;
- (c) Require mixed use for new construction on vacant lands within the district, but do not mandate mixed use for infill or changes of use within existing buildings in the historic downtown;
- (d) Encourage development that exhibits the physical design characteristics of pedestrian-oriented, storefront-style shopping streets;
- (d) Promote the health and well-being of residents by encouraging physical activity, alternative transportation, and greater social interaction; and
- (f) Provide flexibility for the development of live/work units, particularly within existing buildings and ensure that the exterior design of live/work buildings is compatible with the exterior design of commercial, industrial, and residential buildings in the area, while remaining consistent with the predominant workspace character of live/work buildings.

8-2.1212 Definitions

As used in this ordinance, the following words and terms shall have the meanings specified herein:

- (a) "Gross floor area" is the sum of the gross horizontal areas of all floors of a building measured from the exterior faces of the exterior walls or from the centerline of walls separating two buildings. Gross floor area does not include basements when at least one half the floor-to-ceiling height is below grade, accessory parking (i.e., parking that is available on or off-site that is not part of the use's minimum parking standard), attic space having a floor-to-ceiling height less than seven feet, exterior balconies, uncovered steps, or inner courts.
- (b) "Mixed use development project" means a development project of one or more buildings that includes a mixture of uses, i.e., residential, retail, office, service, industrial, or public, either vertically integrated (a mixture of uses on separate floors of a single building) or horizontally integrated (a mixture of uses in more than one

- building spread over a large parcel, e.g., retail, office, and upstairs apartments in a building along a main frontage arterial, with residential uses behind).
- (c) "Live/work unit" or "Live/work space" means a building or spaces within a building used jointly for commercial and residential purposes where the residential use of the space is secondary or accessory to the primary use as a place of work. "Live-work unit" is further defined as a structure or portion of a structure:
 - (1) That combines a commercial or manufacturing activity allowed in the zone with a residential living space for the owner of the commercial or manufacturing business, or the owner's employee, and that person's household;
 - (2) Where the resident owner, occupant, or employee of the business is responsible for the commercial or manufacturing activity performed; and
 - (3) Where the commercial or manufacturing activity conducted takes place subject to a valid business license associated with the premises.
 - (d) "Predominantly" for the purpose of interpreting this ordinance means a primary use or related accessory use that is proposed for construction on eighty-five percent (85%) or more of the gross acreage of vacant land.
 - (e) "Vacant land" means land that is currently undeveloped with urban structures, but may be occupied by a rural residence or structure, and is designated for future urban growth.

8-2.1213 Allowed Uses

Uses are allowed in the DMX zoning district in accordance with the following use table

Specific Use Type

P= Allowed by-right
 C = Conditional use
 N = Not allowed

Household Living

Artist Live/Work Space located above the ground floor	P
Artist Live/Work Space, ground floor	P
Dwelling Units located above the ground floor	P
Detached Single Family Units	N
Attached Single Family Units (duplex, townhouse, condo)	C or P with commercial use
Multiple-Family Units (apartments)	C
Single-Room Occupancy	P

Group Living

Assisted Living	P or C over 6 beds
Group Home	C
Nursing Home	C
Temporary Overnight Shelter	C
Transitional Residences	C
Transitional Shelters	C

Public/Quasi-Public

Colleges and Universities	C
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Cultural Exhibits and Libraries	P
Day Care	P
Hospital	N
Urgent Care Clinic	C
Lodge or Private Club	N or P if on second floor
Parks and Recreation	P
Postal Service	P
Public Safety Services	P
Religious Assembly	P if on second floor
School	C
Utilities and Services, Minor	P
Utilities and Services, Major	C
Adult Use	N
Animal Services	
Shelter/Boarding Kennel	N
Sales and Grooming	P
Veterinary	P
Artist Work or Sales Space	P
Eating and Drinking Establishments	
Restaurant	P
Sale of alcohol	C
Bars/Tavern	C
Drive-Through Facility	C
Outdoor eating and drinking	P
Entertainment and Spectator Sports	
Small (1–149 seats)	P
Medium-Large (150+ seats)	N
Lodging	
Small (1–16 guest rooms)	P
Large (17+ guest rooms)	C
Commercial Services	
Financial Services	P
Food and Beverage Retail Sales	P
Gas Stations	N
Medical Service	P
Office	P
Parking, Commercial (Non-accessory)	C
Personal Service, including health clubs and gyms	P
Repair Service, Consumer, including bicycles	P
Residential Storage Warehouse	N
Vehicle Service and Repair	C
Vehicle Sales	N
Retail	
Retail Sales, General, under 5,000 square feet	P

Retail Sales, General, over 5,000 square feet C

Manufacturing, Production and Industrial Services

Artisan (hand-tools only; e.g., jewelry or ceramics) C

Wireless Communication Facilities

Co-located P

Freestanding (Towers) C

Temporary Uses

Seasonal farmers market P

Other temporary uses (as allowed by County Code)

8-2.1214 Projects on Large Parcels

For large projects proposed on vacant lands of more than one acre in size, the following regulations apply:

- (a) Projects must include a mix of residential and non-residential uses (a mixed use development project), integrated either vertically or horizontally, except as allowed by (b), below.
- (b) Projects that are predominantly one single commercial use (e.g., a large retail or service establishment such as a hardware store, or a motel/hotel) must be accompanied by one or more significant community benefits, such as a public plaza, park, or other public use. All predominantly commercial projects, regardless of type of commercial use, will be subject to conditional use permit review.
- (c) Projects that are predominantly residential are prohibited.
- (d) All projects must include some public amenities such as public open areas, public art, public meeting rooms, pedestrian walkways, etc.
- (e) All projects must be designed with a grid circulation pattern that connects with the existing community.
- (f) The architecture and design of buildings must be coordinated throughout the site and must be harmonious with the adjacent community.
- (g) All projects shall conform with all other regulations in this section, and should be consistent with the Design Review Guidelines of the Esparto General Plan.

8-2.1215 Residential Uses and Density

- (a) The maximum residential density allowed in new buildings in the DMX zone is the maximum number of dwelling units per net acre allowed under the Residential High (RH) General Plan designation, not including density bonuses allowed under Yolo County and State laws.
- (b) The minimum residential density allowed in new buildings in the DMX zone is 10 dwelling units per net acre for new residential structures, and for large projects proposed on vacant lands of more than one acre in size.
- (c) The maximum and minimum residential density standards in (a) and (b), above, shall not be applied to new, converted, or expanded residential uses proposed within existing urban buildings located in the historic downtown along Yolo Avenue and Woodland Avenue.

8-2.1216 Height and Minimum Retail Floor Space

- (a) The maximum building height shall be 50 feet, or four stories, whichever is greater, for all buildings.
- (b) The minimum height for new or renovated mixed-use buildings located in the historic downtown along Yolo Avenue, and Woodland Avenue shall be 22 feet.
- (c) The gross floor area of individual commercial establishments in the DMX district shall not exceed 25,000 square feet.
- (d) The ground floor frontage space of new or renovated mixed-use buildings located along Yolo Avenue, Woodland Avenue, and County Road 87 shall not include apartments and shall contain the following minimum retail (non-residential) space:
 - (1) At least 800 square feet or 25 percent of the ground floor area (whichever is greater) on lots with street frontage of less than 50 feet; or
 - (2) At least 20 percent of the ground floor area on lots with 50 feet of street frontage or more.

8-2.1217 Setbacks

The following setbacks are required:

- (a) The entire building façade of new or renovated buildings located along Yolo Avenue, Woodland Avenue, and County Road 87 shall generally abut front and street side property lines or be located within 10 feet of such property lines. An exception may be made for the "train station" property (APN: 049-240-17). However, a portion of new or renovated buildings may be set back from the maximum setback line in order to provide a specific feature or to reflect the prevailing setbacks of existing buildings along the block or the street. Specific features include an articulated façade, or to accommodate a building entrance feature or an outdoor eating area.
- (b) Special architectural features such as balconies, bay windows, arcades, and awnings may project into front setbacks and public street right-of-ways (but not extend past the curb line) provided they meet minimum required clearance above the sidewalk and leave a minimum five foot wide unobstructed sidewalk. Prior to new encroachment into the public right-of-way, a permit shall be obtained from the County Planning and Public Works Department, or Caltrans.
- (c) The minimum rear setback is 10 feet.
- (d) No interior side setbacks are required in the DMX district, except when DMX zoned property abuts R-zoned property, in which case the minimum side setback required in the DMX district shall be the same as required for a residential use on the abutting R-zoned lot, unless a different setback is approved by the Director of Planning and Public Works.

8-2.1218 Other Building Regulations

- (a) All permitted uses in the DMX district must be conducted within completely enclosed buildings unless otherwise expressly authorized. This requirement does not apply to off-street parking or loading areas, automated teller machines, or outdoor eating or drinking areas.
- (b) Building frontage of new or renovated buildings shall be eighty percent (80%) to one hundred percent (100%) of the frontage measured from side property line to side property line at front property line.

- (c) A minimum of forty percent (40%), and a maximum of seventy-five percent (75%), of the street-facing building façade of new or renovated commercial buildings shall be comprised of clear windows that allow views of indoor space or product display areas between two feet and eight feet in height. The bottom of any window or product display window used to satisfy this transparency standard shall not be more than three (3) feet above the adjacent sidewalk, and product display windows used to satisfy this requirement must have a minimum height of four (4) feet and be internally lighted.
- (d) No more than thirty (30) feet of horizontal distance of wall shall be provided without architectural relief, such as windows, for building walls and frontage walls facing the street.
- (e) Commercial buildings shall have a primary entrance door facing a public sidewalk. Entrances at building corners may be used to satisfy this requirement. Building entrances may include doors to individual shops or businesses, lobby entrances, entrances to pedestrian-oriented plazas, or courtyard entrances to a cluster of shops or businesses.

8-2.1221 Sign Regulations

- (a) Signs shall be provided for commercial uses and buildings along Yolo Avenue and Woodland Avenue that are appropriate in scale and location, and shall be architecturally integrated with the surroundings.
- (b) Signs shall be clearly integrated and consistent in design and materials with the architecture of the building. Signage in the business district should support the district's character and not detract from the area.
- (c) Monument signs are preferred. Pole signs are prohibited.
- (d) Ground signage shall be limited in height of five (5) feet.
- (e) Attached signs shall be flat against the facade, or mounted projection from the facade.
- (f) Window signage shall be limited to twenty (20) percent of the total window frontage per storefront.
- (g) The maximum area of any single sign mounted perpendicular to a given facade shall not exceed ten (10) square feet.
- (h) Signs shall maintain a minimum clear height above sidewalks of eight (8) feet.
- (i) Signs shall not extend beyond the curb line.
- (j) Signs located on the interior of a structure, but visible from the exterior of the building, are permitted and are not charged against the maximum allowable signage area if such signs are not physically attached or painted to the window and do not obscure more than 10% of ground floor street side building transparency. The 10% is not to exceed total glass area calculated for both unattached and temporary window signs.
- (k) Temporary signs can take the form of banners, window graphics, or as placards integrated with a window display. Temporary signs are permitted on the interior of the business establishment only and shall be no more than 5 square feet of text and shall not exceed 10 square feet in size and no more than 10% of ground floor street side building transparency. Temporary signs shall not be displayed more than thirty days in a calendar year.
- (l) One menu or sandwich board shall be allowed per street address. Menu boards shall not exceed eight (8) square feet in size (sign and copy area is calculated on one side only) and shall be positioned so as to be adjacent to that restaurant or business listed on the board and information on that board shall advertise exclusively the goods and services of that business and be placed in a manner which is clearly

visible to pedestrian traffic. All signs shall be removed at the end of each business day. All signs shall be securely anchored to the ground.

- (m) Murals are allowed and shall be reviewed for design by the Esparto Citizens Advisory Committee.

8-2.1222 Building Design Guidelines

- (a) New and renovated buildings should be designed consistent with this section and with the Design Review Guidelines of the Esparto General Plan. Historical buildings may be exempted from some of these individual guidelines, at the discretion of the Director of Planning and Public Works.
- (b) Building surface variation should be incorporated in new buildings through the placement of windows and entries, planar changes (where the building surface recedes or projects), significant color changes, material changes, or other elements that add variation along the length of a building.
- (c) Structures should be designed with articulation at entries, bases, and tops. The organization used shall break up the mass into smaller elements. Buildings shall provide as much visual interest as possible without creating a chaotic image.
- (d) New and renovated buildings shall utilize at least three of the following design features to provide architectural relief along all elevations of the building:
 - (1) divisions or breaks in materials and color (materials should be drawn from a common palette)
 - (2) window bays
 - (3) separate entrances and entry treatments
 - (4) variation in roof lines
 - (5) projecting architectural elements (porches, awnings, balconies, etc.)
 - (6) recessed entries (at least three (3) feet from the primary façade)
 - (7) protruding entries (at least three (3) feet from the primary façade)
 - (8) cupolas
- (e) Buildings shall include a clear visual division (e.g., a cornice or awning) between the first and upper floors.
- (f) Variable roof forms shall be incorporated into the building design. Long, uninterrupted horizontal lines of parapet are discouraged. Generally it is preferred to break up the parapet, eaves, or ridge line by vertical or horizontal off-sets or changing the roof forms.
- (g) Commercial and mixed-use buildings shall express a "storefront character," by including corner building entrances on corner lots, and including regularly spaced and similar-shaped windows with window hoods or trim (all building stories).

8-2.1223 Outdoor Eating Space

- (a) Outdoor dining is permitted and may occur within the public right-of-way.
- (b) A minimum of five (5) feet of clear sidewalk access for pedestrians shall be maintained.

8-2.1224 Live/Work Uses

- (a) Live/work units are permitted in the DMX zone.
- (b) Any commercial use permitted in the DMX zone is permitted in the live/work unit.
- (c) Live/work units at street level are subject to the development and transparency standards of ground-floor retail or commercial establishments, and the living area shall not exceed one-third of the total floor area of the unit.

- (d) At least one resident in each live/work unit shall maintain a valid business license and other required permits for a business on the premises.

8-2.1225 Off-Street Parking

- (a) For large mixed use development projects on vacant lands of more than one acre, off-street parking shall be provided for all residential and nonresidential uses, as required by Article 25.
- (b) For all other projects, the following parking requirements apply:
 - (1) No off-street parking is required for new or expanded nonresidential uses in the DMX zone unless such uses exceed 3,000 square feet of gross floor area, in which case off-street parking shall be provided for the floor area in excess of 3,000 square feet, in accordance with Article 25, or as modified by (3), below.
 - (2) Off-street parking for new residential uses of four or more units in the DMX zone shall be provided, in accordance with Article 25, or as modified by (3), below.
 - (3) Off-street parking requirements for nonresidential and residential uses may be modified by the Director of Planning and Public Works based on a parking supply study prepared by a civil engineer which indicates an ample supply of on-street or other nearby public parking, or adequate nearby private parking for shared nonresidential uses. Shared parking is permitted between different categories of uses or uses with different hours of operation. An agreement providing for the shared use of parking, executed by the parties involved, shall be filed with the Planning Director or Zoning Administrator.
- (c) For live/work units of less than 2,500 square feet, one parking space is required for each unit. For live/work units greater than 2,500 square feet, required parking will be based on the applicable parking standard for the nonresidential use or the closest similar use as determined by the Planning Director or Zoning Administrator.
- (d) Off-street parking requirements for both nonresidential and residential uses may be satisfied by the leasing of nearby parking spaces on adjacent parcels within 400 feet of the use.
- (e) Off-street parking spaces provided on the site must be located to the rear of the principal building or otherwise screened so as to not be visible from public right-of-way or residential zoning districts.



County of Yolo

John Bencomo
DIRECTOR

PLANNING AND PUBLIC WORKS DEPARTMENT

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

PLANNING COMMISSION STAFF REPORT

August 14, 2008

FILE #2008-034: Request for a road abandonment of a 40-foot wide strip of land enclosed entirely within one parcel, located southwest of Capay at the western terminus of County Road 23 (**Attachment A**).

APPLICANT/OWNER: Dirk Van Vuren and Cheryl Scott
22322 County Road 23
Esparto, CA 95627

LOCATION: 22322 County Road 23, southwest of Capay (APN: 047-060-19) (**Attachment B**).

GENERAL PLAN: Agriculture


ZONING: Agricultural Preserve (A-P)

SOILS: Balcom-Dibble complex, 30 to 50 percent slopes, eroded (Class VI), Sehorn-Balcom complex, 30 to 50 percent slopes, eroded (Class VI), Sehorn-Balcom complex, 15 to 30 percent slopes, eroded (Class IV), Tehama loam, 2 to 5 percent slopes (Class II), and Sehorn-Balcom complex, 2 to 15 percent slopes (Class III).

FLOOD ZONE: C (area outside the limits of the 500-year and 100-year flood plains).

ENVIRONMENTAL DETERMINATION: CEQA Exemption

REPORT PREPARED BY:


Stephanie Berg, Associate Planner

REVIEWED BY:


David Morrison, Assistant Director

RECOMMENDED ACTIONS

That the Planning Commission recommend the Board of Supervisors take the following actions:

1. **HOLD** a public hearing and receive comments;
2. **DETERMINE** that the project is exempt under the California Environmental Quality Act (CEQA) and Guidelines pursuant to Section 15061(b)(3) of the CEQA Guidelines (**Attachment C**);

3. **ADOPT** the Findings (**Attachment D**) and Conditions of Approval (**Attachment E**); and
4. **APPROVE** the request for a road right-of-way abandonment of a 40-foot strip of land deeded to the County for roadway dedication.

REASONS FOR RECOMMENDED ACTIONS

The road right-of-way abandonment would remove a roadway dedication from the deed on APN: 047-060-19 (lands of Van Vuren). The road right-of-way was deeded to the county in 1888 for use as a public road, and has never been used as a public right-of-way. There is no anticipated necessity to have that strip of land reserved for public purposes, as it is contained solely on the single parcel, and does not provide for a western continuation of County Road 23. Land uses surrounding the site primarily consist of agricultural and range lands. The property lies within the Capay Valley.

BACKGROUND

The proposed project is a request to abandon a 40-foot strip of land deeded to the county in 1888. The right-of-way begins at the eastern boundary of APN: 047-060-19 and terminates at the western boundary of the same parcel. The project site is located at the western terminus of County Road 23, southwest of Capay. The property is designated Agriculture in the Yolo County General Plan and zoned Agricultural Preserve (A-P).

The roadway is described on the deed to APN: 047-060-19 as, "A strip of land 48 feet in width extending in a generally easterly and westerly direction across the fractional west half of Section 28." The roadway was sold to Yolo County by Henry Epstein in 1888, in which the original 1888 deed specifies a width of 40 feet, not 48 feet. The roadway is enclosed entirely within the boundaries of APN: 047-060-19 and does not extend west into the next parcel (APN: 047-060-02).

The original 1888 deed provided that, "This conveyance is made for the right of way for a public road or highway to the said county of Yolo, so long as actually used for road purposes, and no longer." The applicant maintains that the deeded roadway, as described in the 1888 legal description, and mapped by a licensed surveyor, has never been used and/or was never constructed as an actual road; and therefore does not meet the criteria of a continued use as a public road. The property does contain evidence of two other abandoned roads, one extending in a generally east-west direction and the other in a generally north-south direction. Both are unimproved dirt roads impassable in wet weather and passable only by high-clearance vehicles in dry weather. The eastern portion of the east-west road is graveled and is currently used as a driveway for the property's home site.

STAFF ANALYSIS

The 40-foot strip of land on the deed to APN: 047-060-19 is not a constructed, maintained, or used public roadway; therefore, the public does not have access to any area open to the public from the roadway dedication. The applicant would like the county to abandon the deeded roadway to clear the public right-of-way from the title of the deed. The California Streets and Highways Code allows the vacation of roads or easements through a public hearing process. Pursuant to Section 8321 (a) of the code, ten or more freeholders may petition the Board of Supervisors to vacate a street or highway under this chapter. At least two of the petitioners shall be residents of the road district in which some part of the street or highway proposed to be vacated is situated. The county has received a petition (**Attachment F**) consistent with these criteria.

Pursuant to Section 8324 (b) of the California Streets and Highways Code, "If the legislative body

finds, from all the evidence submitted, that the street, highway, or public service easement described in the notice of hearing or petition is unnecessary for present or prospective public use, the legislative body may adopt a resolution vacating the street, highway, or public service easement. The resolution of vacation may provide that the vacation occurs only after conditions required by the legislative body have been satisfied and may instruct the clerk that the resolution of vacation not be recorded until the conditions have been satisfied." That 40-foot strip of land deeded to the county in 1888 for public use does not currently serve as a public roadway and is not a necessary road right-of-way for present or prospective public use. The county does not have immediate or long-term plans to construct a road within this right-of-way. The right-of-way is not a part of any anticipated future trail system, nor does it provide access to any public recreational areas.

AGENCY COMMENTS

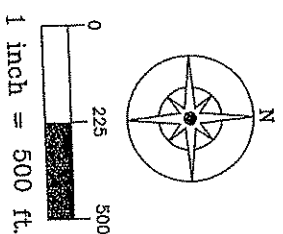
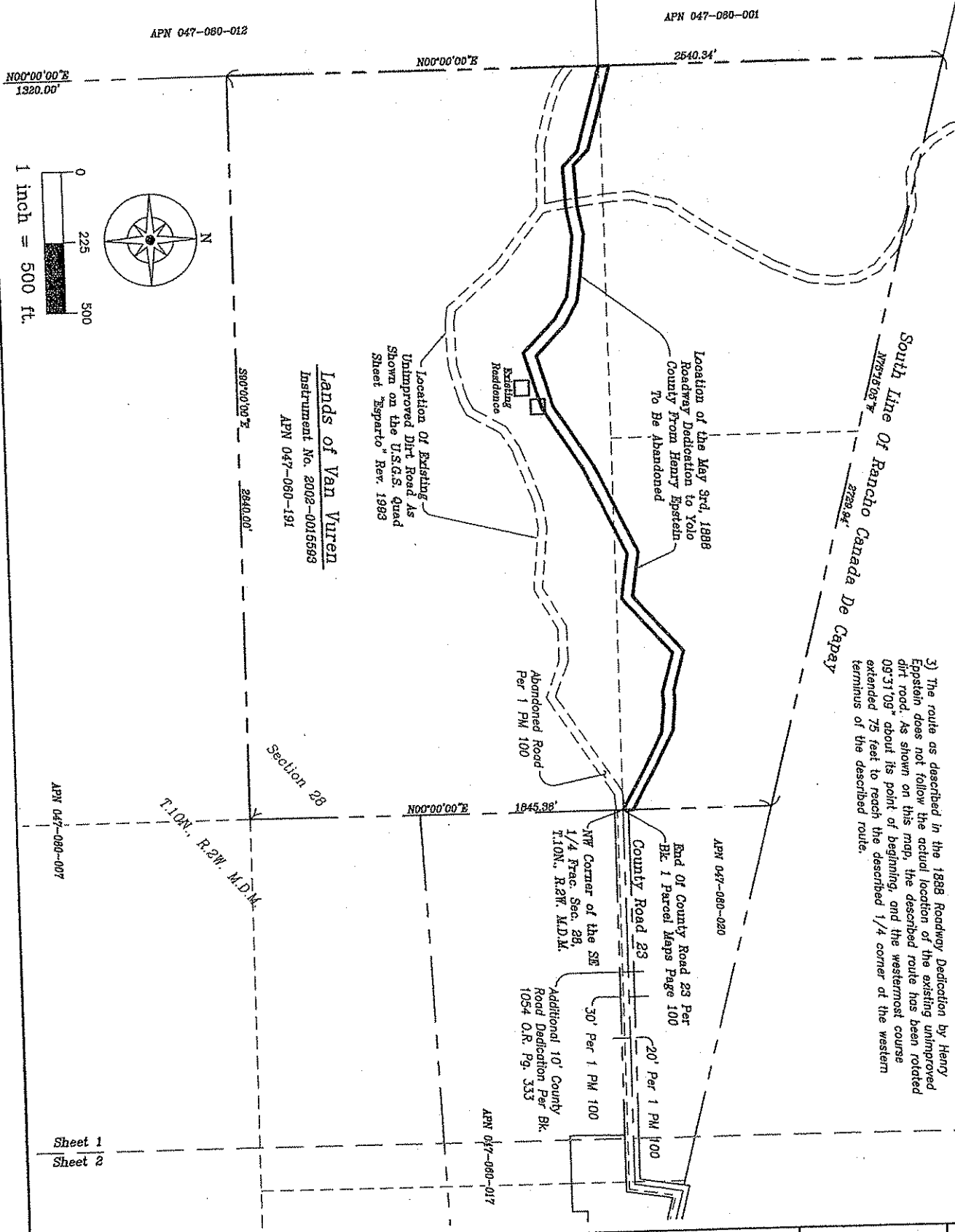
A "Request for Comments" was prepared and circulated for the proposed project from July 2, 2008 to July 18, 2008. No significant comments were received. However, Public Works did request verification that the owners of the parcel to the immediate west of the project site (lands of Hershey) do not require an access and/or utility easement. Hershey Land Company Cowell Ranch, LLC, issued a letter verifying there is no need for access on the easement crossing the Van Vuren/Scott property (**Attachment G**).

APPEALS

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 for appeal 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.

ATTACHMENTS

- Attachment A** - Site Plan
- Attachment B** - Project location
- Attachment C** - Notice of Exemption
- Attachment D** - Findings
- Attachment E** - Conditions of Approval
- Attachment F** - Petition for Road Abandonment
- Attachment G** - Hershey Land Company letter



Lands of Van Vuren
 Instrument No. 2002-0015593
 APN 047-080-191

Location Of Existing Unimproved Dirt Road As Shown on the U.S.G.S. Quad Sheet "Esparto" Rev. 1993

Existing Residence

Location of the May 3rd, 1888 Roadway Dedication to Yolo County From Henry Epstein To Be Abandoned

Abandoned Road Per 1 PM 100

NW Corner of the SE 1/4 Frac. Sec. 28, T.10N., R.2W. M.D.M.

Additional 10' County Road Dedication Per Bk. 1054 O.R. Pg. 333

End Of County Road 23 Per Bk. 1 Parcel Maps Page 100

20' Per 1 PM 100

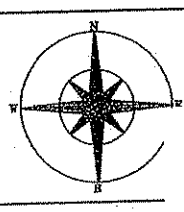
30' Per 1 PM 100

South Line Of Rancho Canada De Capay
 N79°18'05\"/>

- GENERAL NOTES:**
- 1) This document was compiled from record data sources and is not the result of a field survey.
 - 2) The bearings and distances shown hereon are based on the GLO notes for Fractional Section 28, Township 10 North, Range 2 West on file at the Yolo County Public Works Dept.
 - 3) The route as described in the 1888 Roadway Dedication by Henry Epstein does not follow the actual location of the existing unimproved dirt road. As shown on this map, the described route has been rotated 09°31'09\"/>

Sheet 1
 Sheet 2

Ty Hawkins LS 7973
 3636 Oak Canyon Ln.
 Vacaville CA. 95688
 Ph. 707-974-9890
 Fx. 707-447-7171



Proposed Road Abandonment
 Lands of Van Vuren
 Inst. No. 2002-0015593

28

ATTACHMENT A

Date: 06/16/08	Scale: 1"=500'
Job #: 08025	
	Sheet 1 of 2

GENERAL NOTES:
 1) This document was compiled from record data sources and is not the result of a field survey.
 2) The bearings and distances shown hereon are based on the GLO notes for Fractional Section 28, Township 10 North, Range 2 West on file at the Yolo County Public Works Dept.
 3) The route as described in the 1888 Roadway Dedication by Henry Epstein does not follow the actual location of the existing unimproved dirt road. As shown on this map, the described route has been rotated 09.31'09" about its point of beginning, and the westernmost course extended 75 feet to reach the described 1/4 corner of the western terminus of the described route.

South Line Of Rancho Canada De Capay
 N79°16'05"W 2729.64'

Location of the May 3rd, 1888
 Roadway Dedication to Yolo
 County From Henry Epstein
 To Be Abandoned

Location Of Existing
 Unimproved Dirt Road As
 Shown on the U.S.G.S. quad
 Sheet "Esparto" Rev. 1993

Lands of Van Vuren
 Instrument No. 2002-0015593
 APN 047-080-191

S90°00'00"E 2846.00'

Section 28

T.10N., R.2W. M.D.M.

APN 047-080-007

APN 047-080-020

End Of County Road 23 Per
 Bk. 1 Parcel Maps Page 100

NW Corner of the SE
 1/4 Trac. Sec. 28,
 T.10N., R.2W. M.D.M.

Additional 10' County
 Road Dedication Per Bk.
 1054 O.R. Pg. 333

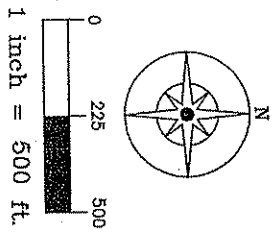
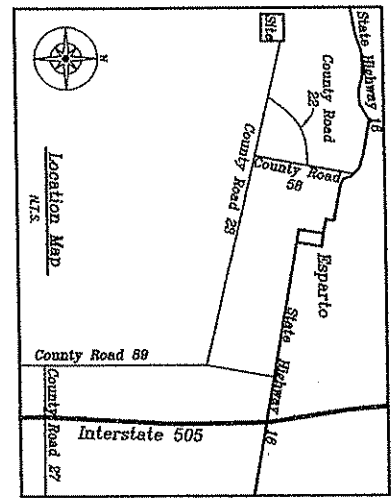
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APN 047-080-008

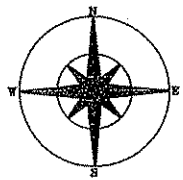
End of Road Dedication
 Per Book 39 of Deeds
 Page 460

Sheet 1
 Sheet 2

Sheet 1
 Sheet 2



Ty Hawkins LS 7973
 3636 Oak Canyon Ln.
 Vacaville CA. 95688
 Ph. 707-974-9890
 Fx. 707-447-7171



Proposed Road Abandonment
 Lands of Van Vuren
 Inst. No. 2002-0015593
 Located in Fractional Section 28
 T.10N., R.2W. M.D.M.
 Yolo County, California

Date: 06/16/08	Scale: 1"=500'
Job #: 08025	
	Sheet 2
	of
	2

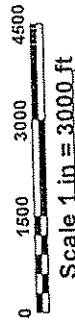
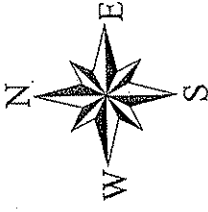
ZF 2008-034

Yolo County

Planning and

Public Works

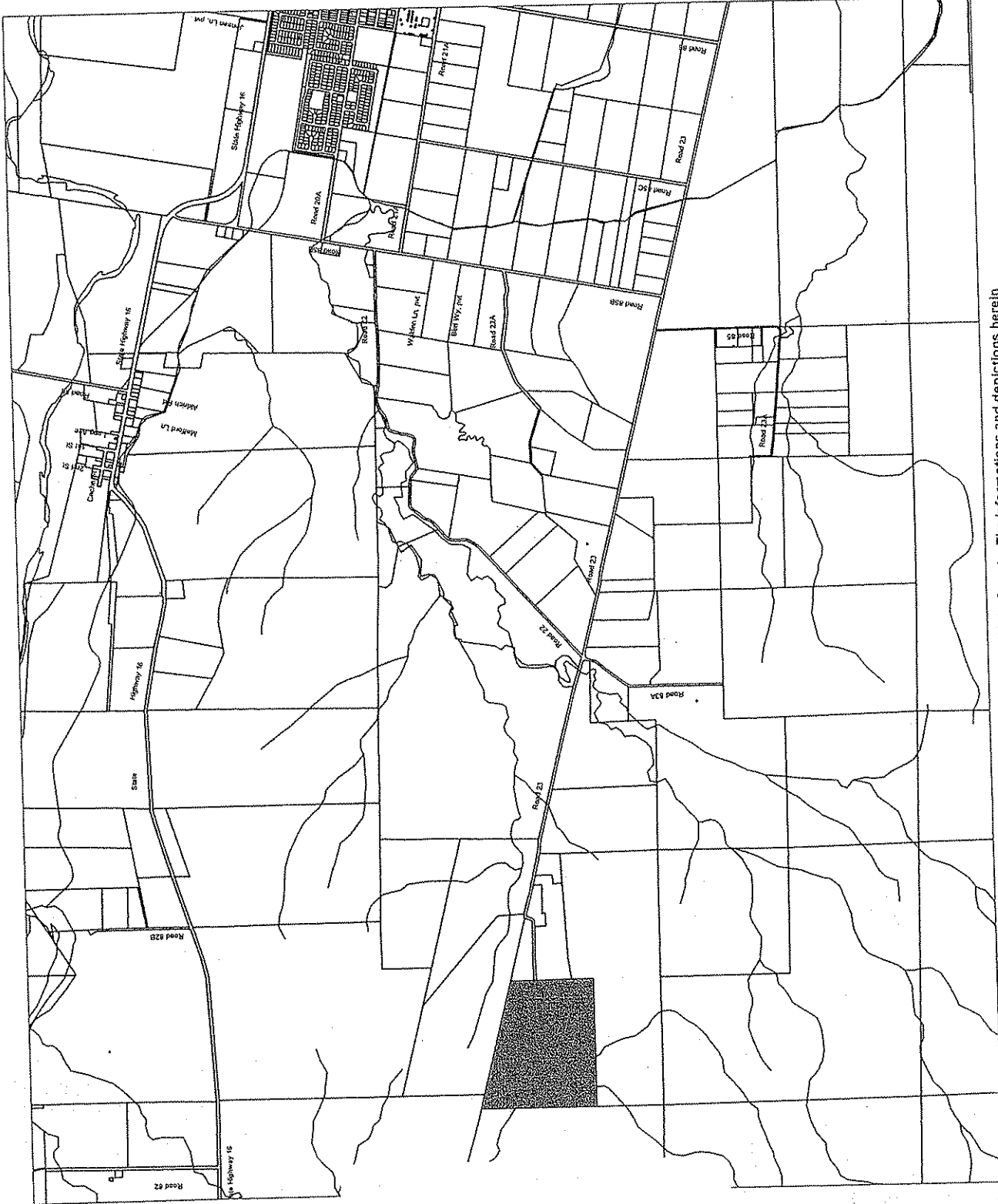
Road Abandonment



Scale 1 in = 3000 ft



Printed 8/6/2008



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ATTACHMENT B

Notice of Exemption



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

To: Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

Project Title: ZF# 2008-034(Road Right-of-Way Abandonment)

Dirk Van vuren and Cheryl Scott
22322 County Road 23
Esparto, CA 95627

Project Location: Subject property is located southwest of Capay at 22322 County Road 23. APN: 047-060-19

Project Description: A road right-of-way abandonment of a 40-foot wide strip of land enclosed entirely within one parcel. The roadway was deeded to the County in 1888 for use as a public road, but has never been used as a public right-of-way. There is no anticipated necessity to have that strip of land reserved for public purposes. It is contained solely on the single parcel and does not provide for a western continuation of CR 23.

Exempt Status:

Ministerial (21080(b)[1] (15268):

No Impact or other Statutory Exemptions. State Section number: Section 15061(b-3)

Reasons why project is exempt:

The project is exempt from CEQA because there is no possibility that the road abandonment can have a significant effect on the environment.

Lead Agency Contact Person: Stephanie Berg, Associate Planner

Telephone Number: (530) 666-8850

Signature (Public Agency):

Date:

8-14-08

Date received for filing at OPR:

ATTACHMENT C

FINDINGS
VAN VUREN-SCOTT ROAD ABANDONMENT
ZONE FILE #2008-034

Upon due consideration of the facts presented in this staff report and at the public hearing for Zone File #2008-034, the Yolo County Planning Commission recommends that the Board of Supervisors find the following:

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

California Environmental Quality Act (CEQA) and Guidelines

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

The notice of exemption for the project, prepared pursuant to Section 15060(c)(2) of the CEQA Guidelines, provides the necessary proportionate level of environmental review for the proposed project. The environmental review process has concluded that the project is exempt from CEQA, as the project will not result in a direct or reasonably foreseeable indirect physical change in the environment.

General Plan

That the proposal is consistent with the Yolo County General Plan as follows:

Circulation Policy CIR-19 Rights-of-Way: "Yolo County shall require public rights-of-way to all properties."

The dedicated 40-foot strip of land does not serve as a public right-of-way for any adjoining property, including the subject parcel. A roadway has never been constructed for public use or was abandoned long ago.

Streets and Highways Code

That the proposal is consistent with Section 8321 of the Streets and Highways Code.

The road vacation petition is consistent with Section 8321(a,) which prescribes that ten or more freeholders may petition the board of supervisors to vacate a street or highway under this chapter. At least two of the petitioners shall be residents of the road district in which some part of the street or highway proposed to be vacated is situated.

That the proposal is consistent with Section 8324 of the Streets and Highways Code.

The 40-foot dedicated strip of land that runs in a generally east-west direction is not a constructed public right-of-way and does not serve as a public access road. The county has no plans to construct this right-of-way for future public use.

Section 8324 of the Streets and Highways Code states, "If the legislative body finds, from all the evidence submitted, that the street, highway, or public service easement described in the notice of hearing or petition is unnecessary for present or prospective public use, the legislative body may adopt a resolution vacating the street, highway, or public service easement. The resolution of vacation may provide that the vacation occurs only after conditions required by the legislative body have been satisfied and may instruct the clerk that the resolution of vacation not be recorded until the conditions have been satisfied."

**CONDITIONS OF APPROVAL
VAN VUREN-SCOTT ROAD ABANDONMENT
ZONE FILE #2008-034**

1. The applicant shall comply with all requirements of agencies of jurisdiction.
2. The applicant shall be responsible for all costs associated with implementing the Conditions of Approval contained herein.
3. The applicant shall submit a revised road abandonment map to the Planning and Public Works Department for review and approval. Said map shall be approved by the Director of Planning and Public Works and recorded in the Office of the County Recorder upon approval by the Yolo County Board of Supervisors.
4. In accordance with Section 8-2.2415 of the Yolo County Code, the applicant shall agree to indemnify, defend, and hold harmless the county or its agents, officers and employees from any claim, action, or proceeding (including damage, attorney fees, and court cost awards) against the county or its agents, officers, or employees to attach, set aside, void, or annul an approval of the county, advisory agency, appeal board, or legislative body concerning the permit or entitlement when such action is brought within the applicable statute of limitations.

The county shall promptly notify the applicant of any claim, action or proceeding and that the county cooperates fully in the defense. If the county fails to promptly notify the applicant of any claim, action, or proceeding, or if the county fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold the county harmless as to that action.

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

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

ATTACHMENT E



TO THE HONORABLE BOARD OF SUPERVISORS
OF THE COUNTY OF YOLO
STATE OF CALIFORNIA

We, the undersigned freeholders of the County of Yolo, State of California, being at least ten in number, hereby petition the Honorable Board of Supervisors of the County of Yolo to abandon

A strip of land 48 feet in width extending in a generally easterly and westerly direction across APN 047-060-~~057~~¹⁹¹, which was conveyed to Yolo County for road purposes in 1888 (Book 62 of Deeds, page 274)

in Yolo County, under the provisions of § 8300 et seq of the Streets and Highways Code in the State of California.

That at least two of the said freeholders are residents of the district wherein said County highway (s) lies.

WHEREFORE, petitioners pray that the Honorable Board of Supervisors of the County of Yolo, set a time and place for the hearing of this petition, and that notice be given of the date set for hearing as required by § 8320 of the Streets and Highways Code of the State of California.

Date: 20 June, 2008

(All writing must be legible or it will not count)

Initial Petitioner:	Address	Phone
1. <u>Almi Van N...</u>	<u>22372 CR23, Esparto</u>	<u>902-9009</u>
<u>Cheryl Scott (Cheryl Scott)</u>	<u>22322 RD 23 ESPARTO</u>	<u>95627</u>

Freeholders:

Name	Address	Phone
<u>Hershey Land Co. Cowell Ranch, LLC</u>	<u>1619 Farnham Ave</u>	<u>662-4777</u>
2. <u>Roger Dennis (Roger Dennis)</u>	<u>Woodland, CA</u>	<u>95776</u>
3. <u>Robert A. Gorn</u>	<u>16 Toyon Dr. Woodland</u>	<u>95676 (662-1159)</u>
4. <u>Miriam V. Sanchez</u>	<u>22945 County Rd 23, Esparto</u>	<u>787-35</u>
5. <u>Charles L. Sanford</u>	<u>22945 County Rd 23, Esparto</u>	<u>787-355</u>
6. <u>Bonnie Cole</u>	<u>712 Radcliffe Dr - Davis, CA</u>	<u>95616 (530) 752-0846</u>
7. <u>Ralph Cimin</u>	<u>22755 Co. Rd 23 Esparto, CA</u>	<u>Rd 23 Esparto, CA</u>
8. <u>Xpan Cimin</u>	<u>22755 Co. Rd 23 Esparto, CA</u>	
9. <u>Juan R. Nicks</u>	<u>22553 County Rd 23 Esparto, CA</u>	
10. <u>[Signature]</u>	<u>17521 Woodside Dr. Woodland CA</u>	<u>530-662-95695</u>

PETITION SIGNERS

Dirk Van Vuren, 22322 County Road 23, Esparto; 902-9009

Cheryl Scott, 22322 County Road 23, Esparto; 902-9099

Roger Dorris, 1619 Farnham Ave., Woodland; 662-4777

Robert A. Dorris, 16 Toyon Dr., Woodland; 662-1159

Michael V. Sanford, 22945 County Road 23, Esparto; 787-3557

Cheryl L. Sanford, 22945 County Road 23, Esparto; 787-3557

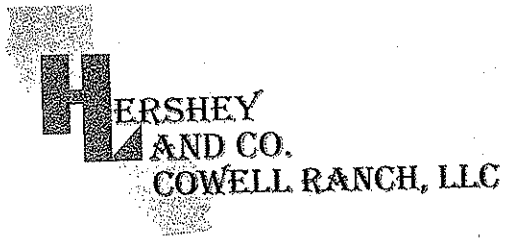
Ronald E. Cole, 712 Radcliffe Dr, Davis; 756-0844

Ralph Criner, 22755 County Road 23, Esparto; 787-3912

Fran Criner, 22755 County Road 23, Esparto; 787-3912

June R. Nichols, 22553 County Road 23, Esparto; 787-1780

Douglas A. Kelt, 1754 Woodside Dr, Woodland; 662-2563



1619 Farnham Ave.
Woodland, CA 95776
Phone (530) 662-4777
Fax (530) 662-4464

E-Mail: hersheyland@sbcglobal.net

COMMERCIAL CATTTL
GENERAL FARMING
LAND MANAGEMENT

July 22, 2008

Yolo County Planning and Public Works
Attn: Stephanie Berg
292 West Beamer St.
Woodland, CA 95695

Dear Ms. Berg:

Hershey Land Company Cowell Ranch, LLC has no current need for vehicle access or utility access using the county road easement crossing the Dirk Van Vuren/Cheryl Scott property. Currently we access our property on County Road 81, approximately 1 mile west from the, to be abandoned easement. Should you need any additional information please don't hesitate to contact me. I can be reached through any of the above phone numbers, e-mail, or street address.

Sincerely,

A handwritten signature in black ink, appearing to read 'Roger Dorris'. The signature is fluid and cursive.

Roger Dorris, Manager
Hershey Land Company Cowell Ranch, LLC

ATTACHMENT

G



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

August 14, 2008

FILE #2008-036: A Zone Boundary Adjustment to rezone a four-acre parcel (identified as APN: 048-130-23) from A-1 (Agricultural General) to A-P (Agricultural Preserve) in order to provide consistency with the Orciuoli residential subdivision mitigation project (Capay Farm Lot Line Adjustment, Rezone and Williamson Act Successor Amendment) (**Attachment A**).

APPLICANT/OWNER: Dan Boatwright
Castle Companies/ Archangel Investments, LLC
12885 Alcosta Blvd., Suite A
San Ramon, CA 94583

LOCATION: West of Capay and north of SR 16 (APN: 048-130-23) (**Attachment B**).

GENERAL PLAN: Agriculture

ZONING: Agricultural General (A-1)

SOILS: Yolo silt loam (Class I), Tehama loam, 2 to 5 percent slopes (Class II), Capay silty clay (Class II)

FLOOD ZONE: C (area outside the 100-year and 500-year flood plains).

ENVIRONMENTAL DETERMINATION: Categorical Exemption

REPORT PREPARED BY:

Stephanie Berg, Associate Planner

REVIEWED BY:

David Morrison, Assistant Director

RECOMMENDED ACTIONS

That the Planning Commission recommend the Board of Supervisors take the following actions:

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 Guidelines (**Attachment C**);
3. **ADOPT** the Findings (**Attachment D**); and
4. **ADOPT** an Ordinance approving the Zone Boundary Adjustment (**Attachment E**).

REASONS FOR RECOMMENDED ACTIONS

The proposed actions will rezone four acres of land (APN: 048-130-23) from A-1 (Agricultural General) to A-P (Agricultural Preserve), to allow the implementation of a recently approved lot line adjustment that merged the four-acre parcel with approximately 111 acres of A-P zoned lands. Recent approval of the lot line adjustment and a concurrent Williamson Act contract amendment eliminated two parcels, redefined the two remaining parcels, and divided an existing Williamson Act contract. The entire 114.9 acres will be encumbered by a conservation easement to satisfy agricultural and habitat mitigation requirements of the Orciuoli residential subdivision. The proposed rezoning will allow the recently merged four acres to be included under Williamson Act contract.

BACKGROUND

The project proposes to rezone approximately 4.02 acres from A-1 to A-P, consistent with zoning requirements that regulate Williamson Act contracts. A recently approved lot line adjustment merged the four-acre parcel with approximately 111 acres into two remaining parcels of 60.60 acres and 54.30 acres, for a total of 114.9 acres. The 111 acres were already zoned A-P and under a single Williamson Act contract. A Williamson Act successor amendment divided the existing contract into two separate contracts. The entire 114.9 acres will be encumbered by a conservation easement to satisfy mitigation requirements for the loss of agricultural and habitat lands from the Orciuoli residential subdivision in Esparto.

STAFF ANALYSIS

Conditions of Approval for the Orciuoli residential subdivision project require the developer to mitigate for the loss of agricultural and habitat lands by designating 80± acres, comparable in agricultural and habitat capabilities, to be protected by conservation easements and deeded to a land trust. The conservation site is located west of Capay and north of State Route 16, known as Capay Farm (APNs: 048-130-23, -27, and -31), which includes the subject four-acre parcel. The four-acre parcel was recently eliminated through a lot line adjustment that merged four parcels into two. The rezone will allow an additional four acres of land to be included in the Williamson Act, which is consistent with zoning requirements regulating Williamson Act contracts and General Plan policies that govern the conservation of agricultural lands. The Yolo County General Plan Land Use policies and the County's Agricultural Element policies emphasize the use of Williamson Act Contracts as tools to preserve agricultural lands.

Staff supports the request for a rezone, since it will add an additional four acres to currently contracted lands, thereby maintaining the agricultural integrity of the area. Future home site development will be limited due to a conservation easement that will encumber a total of 114.9 acres.

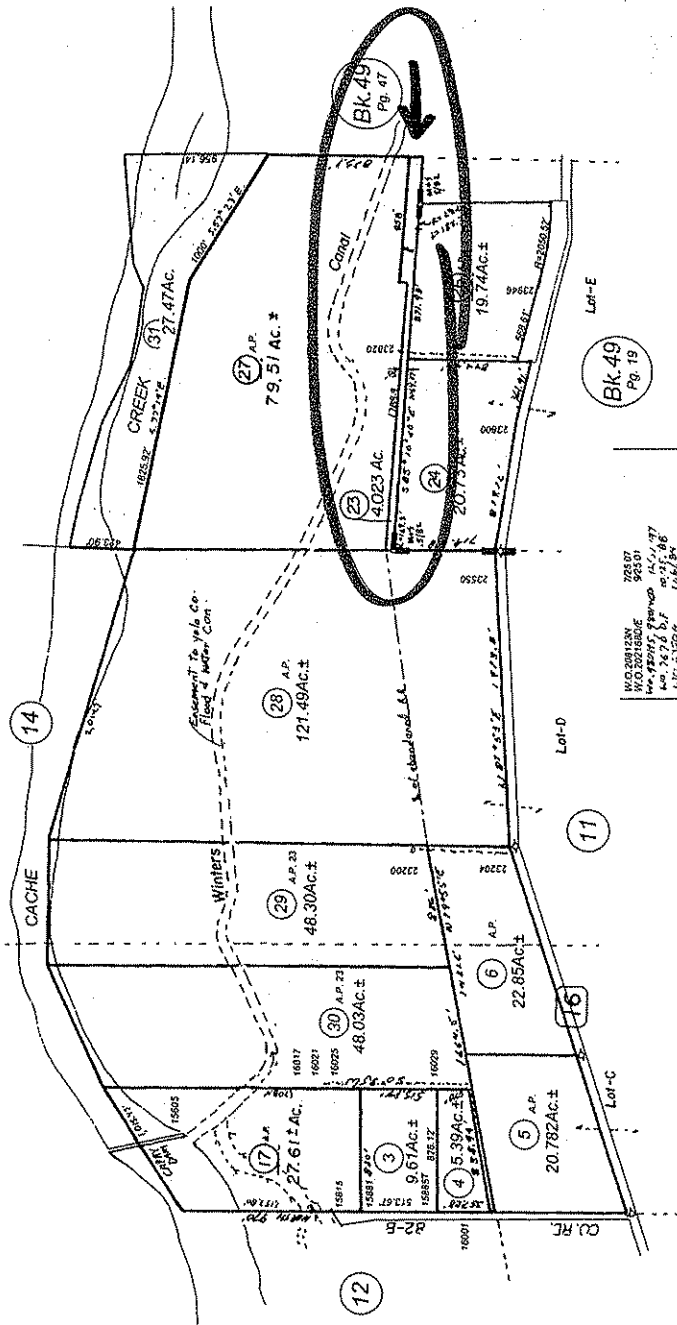
AGENCY COMMENTS

A "Request for Comments" was prepared and circulated for the project from July 17, 2008 to August 4, 2008. No significant comments were received during the review period.

ATTACHMENTS

- Attachment A** - Site Plan
- Attachment B** - Location Map
- Attachment C** - Categorical Exemption
- Attachment D** - Findings

Attachment E - Ordinance of Zoning Boundary Adjustment
Attachment F - Lot Line Adjustment Map
Attachment G - Conservation Easement



NO. 2081256	28301
NO. 2081257	15311/37
NO. 2081258	15311/38
NO. 2081259	15311/39
NO. 2081260	15311/40
NO. 2081261	15311/41
NO. 2081262	15311/42
NO. 2081263	15311/43
NO. 2081264	15311/44
NO. 2081265	15311/45
NO. 2081266	15311/46
NO. 2081267	15311/47
NO. 2081268	15311/48
NO. 2081269	15311/49
NO. 2081270	15311/50
NO. 2081271	15311/51
NO. 2081272	15311/52
NO. 2081273	15311/53
NO. 2081274	15311/54
NO. 2081275	15311/55
NO. 2081276	15311/56
NO. 2081277	15311/57
NO. 2081278	15311/58
NO. 2081279	15311/59
NO. 2081280	15311/60
NO. 2081281	15311/61
NO. 2081282	15311/62
NO. 2081283	15311/63
NO. 2081284	15311/64
NO. 2081285	15311/65
NO. 2081286	15311/66
NO. 2081287	15311/67
NO. 2081288	15311/68
NO. 2081289	15311/69
NO. 2081290	15311/70
NO. 2081291	15311/71
NO. 2081292	15311/72
NO. 2081293	15311/73
NO. 2081294	15311/74
NO. 2081295	15311/75
NO. 2081296	15311/76
NO. 2081297	15311/77
NO. 2081298	15311/78
NO. 2081299	15311/79
NO. 2081300	15311/80

Arnold & Gilligs Subd. - For Lots C, D & E.
 M. & S. Bk. 5, Pg. 82 - Record of Survey for Gray & Vannucci

Assessor's Map Bk. 48, Pg. 13
 County of Yolo, Calif.

08 / 09

NOTE - Assessor's Block Number Shown in Ellipses.
 Assessor's Parcel Number Shown in Circles.

(formerly por. 21 - 29)

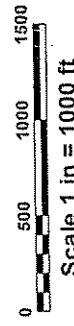
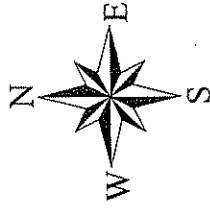
ZF 2008-036

Yolo County

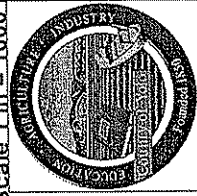
Planning and

Public Works

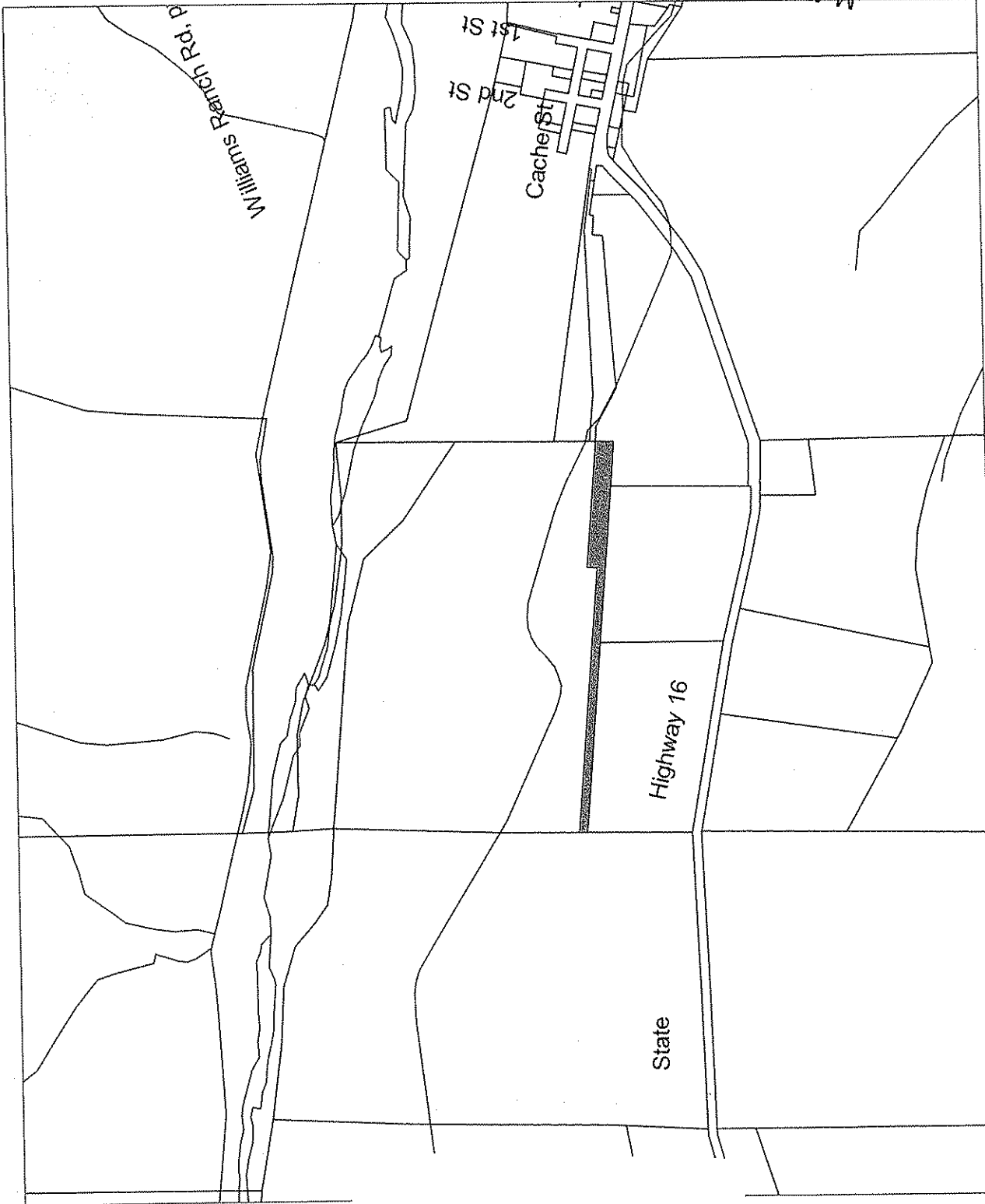
Rezone from A-1 to A-1



Scale 1 in = 1000 ft



Printed 8/6/2008



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ATTACHMENT B

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 Berg

Notice of Exemption



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

To: Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

Project Title: ZF# 2008-036(Lot Line Adjustment/Williamson Act Contract Division)

Archangel Investments, LLC
12885 Alcosta Blvd., Suite A
San Ramon, CA 94583

Project Location: Subject properties are located west of Capay north of State Route 16. APNs: 048-130-23, 048-130-27 and 048-130-31

Project Description: A Lot Line Adjustment and Williamson Act Contract Division in the Agricultural Preserve (AP Zone).

Exempt Status:

Ministerial (21080(b)[1] (15268):

Categorical Exemption: Minor Alterations in Land use Limitations "15305" Class 5

No Impact or other Statutory Exemptions. State Section number: Section 15061(b-3)

Open Space Contracts "15317" Class 17

Reasons why project is exempt:

§ 15305, Class 5, consists of minor alterations in land use limitations in areas with an average slope of 20%, which do not result in any changes in land use or density including but not limited to (a) *Minor lot line adjustments*, side yard, and set back variances not resulting in the creation of any new parcels.

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

Lead Agency Contact Person: Stephanie Berg, Associate Planner

Telephone Number: (530) 666-8850

Signature (Public Agency):

Date:

8.14.08

Date received for filing at OPR:

ATTACHMENT C

FINDINGS
CAPAY FARM ZONE BOUNDARY ADJUSTMENT
ZONE FILE #2008-036

(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 #2008-036, the Yolo County Planning Commission recommends that the Board of Supervisors find the following:

California Environmental Quality Act (CEQA) and Guidelines

That the recommended Class 5 and Class 17 Categorical Exemptions are the appropriate levels of environmental review in accordance with the California Environmental Quality Act (CEQA) and Guidelines.

Pursuant to CEQA 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 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

That the project is consistent with the Yolo County General Plan and policies in the Agricultural Element in that it continues to conserve and preserve agricultural lands, especially areas currently farmed.

The proposed Zone Boundary Adjustment will bring an additional four acres of land under Williamson Act contract for the conservation and preservation of agricultural lands.

Zoning Code

That the purpose of the Agricultural Preserve Zone (A-P), Section 8-2.401 of the Yolo County Code, shall be to preserve land best suited for agricultural use from the encroachment of nonagricultural uses. The A-P Zone is intended to be used to establish agricultural preserves in accordance with the California Land Conservation Act of 1965, as amended. Uses approved on contracted land shall be consistent and compatible with the provisions of the Act.

The four-acre parcel (APN: 048-130-23) was recently merged with approximately 111 acres through a lot line adjustment that resulted in two remaining parcels – one of 60.60 acres and one of 54.30 acres. The resulting two parcels currently meet and will continue to meet all the requirements of the A-P zone with regard to land use in the zoning requirements of the Yolo County Code (Section 8-2.402) and the amended Williamson Act Contract (Section 8-2.408).

ATTACHMENT D