County of Yolo

PLANNING AND PUBLIC WORKS DEPARTMENT

John Bencomo DIRECTOR

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PLANNING COMMISSION STAFF REPORT

MARCH 12, 2009

FILE #2008-064: A Tentative Parcel Map (TPM No. 4965) **(Attachment A)** to subdivide a 685-acre A-1 (Agricultural General) zoned parcel into three parcels of approximately 200.6 acres, 126.5 acres, and 358 acres, for the purpose of separating farming operations.

APPLICANT/OWNER: Lux Taylor

The Vineyards at Cache Creek Ranch

1792 Tribute Road, Suite 270 Sacramento, CA 95815

LOCATION: The project is bounded by County Roads 19, 94B, and 20, and located approximately 3.6 miles west of the City of Woodland (APNs: 025-360-46, 025-360-48, and) **(Attachment B)**.

GENERAL PLAN: Agriculture (Yolo County

General Plan)

ZONING: Agricultural General (A-1) **FLOOD ZONE:** C (areas outside the 100

year and 500 year flood plains) FIRE SEVERITY ZONE: None

SOILS: Brentwood silty clay loam, 0 to 2 percent slopes (Class I); Yolo silt loam (Class I); Sehorn cobbly clay, 2 to 15 percent slopes (Class IV); Sehorn clay, 2 to 15 percent slopes (Class III); Corning gravelly loam, 2 to 15 percent slopes, eroded (Class IV); Sycamore complex,

drained (Class II)

ENVIRONMENTAL DETERMINATION: Negative Declaration				
REPORT PREPARED BY:	REVIEWED BY:			
Stephanie Berg, Associate Planner	David Morrison, Assistant Director			

RECOMMENDED ACTIONS

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 CEQA Guidelines (Attachment C);
- 3. ADOPT the proposed Findings (Attachment D) for the project; and

AGENDA ITEM 7.4

4. **APPROVE** the Tentative Parcel Map (TPM #4965) (Attachment A) in accordance with the Conditions of Approval (Attachment E)

REASONS FOR RECOMMENDED ACTIONS

The 685-acre property is currently farmed in seasonal row crops, with irrigated level land and dry land rolling hills. Division of the property into three separate parcels will follow soil types, irrigation methods, and planned permanent crops. The owners are seeking to separate farming operations to attract investment and financing opportunities in order to plant permanent crops on two of the three resulting parcels. The property is not under the Williamson Act, and is currently undeveloped. No future residential development is proposed as part of this application.

BACKGROUND

The proposed project is a Tentative Parcel Map for the division of a 685-acre parcel into three parcels of approximately 200.6 acres, 126.5 acres, and 358 acres (Attachment A). The property, located approximately 3.6 miles west of the City of Woodland, is bounded on the north by County Road 19, on the south by County Road 20, and on the east by County Road 94B. County Road 92C lies to the west (Attachment B). The property is a portion of a larger 1,080-acre ranch known as The Vineyards at Cache Creek Ranch. The proposed 200.6-acre parcel (Parcel 1) is currently used for irrigated pasture and dry land pasture, with its water source supplied by the adjacent Clover Canal, which is operated by the Yolo County Flood Control and Water Conservation District (YCFCWCD). Use of the property would not change.

The proposed 126.5-acre parcel (Parcel 2) contains gently rolling hills, and is currently used for dry land pasture and dry land hay production. The proposal includes planting Parcel 2 to an olive orchard or vineyard. The parcel is adjacent to the Adams Ditch, which is also operated by the YCFCWCD. The applicant is currently working with an olive oil business owner to joint venture the property, which requires a separate parcel for financing and ownership purposes. Similarly, the proposed 358-acre parcel (Parcel 3) is intended to be planted in walnut trees or other permanent crop, which requires a separate parcel in order to secure financing, i.e., investment through a sale, bank loan, or joint venture partnership, to pay for the cost of planting the walnuts. Irrigation for Parcel 3 would continue from the Adams Ditch.

STAFF ANALYSIS

The property is currently in agricultural production, and is proposed to continue with its irrigated and dry land pasture on Parcel 1. Access to Parcel 1 would continue from County Road 19. Parcels 2 and 3 are proposed to be planted in permanent crops, such as walnuts, olives and/or vineyards, which will require separate investment and financing securities for each enterprise. The western portion of the Ranch property is currently planted in productive vineyards on a drip irrigation system using water supplied by the YCFCWCD. According to the applicant, success with the vineyards suggests that the property's soils are conducive and profitable for not only vineyards, but should be similarly successful for olives. Additionally, several olive orchards have been planted nearby and are very productive. Planting an olive orchard on the proposed Parcel 2 would be one of the larger plantings in the area. Parcel 2 is accessed off County Road 94B, County Road 19, and County Road 20. The proposed Parcel 3 contains prime soils, and is intended to be planted in walnut trees or other permanent crop. Adjacent property across CR 94B has recently been successfully planted to walnuts by Muller Farms. Parcel 3 is accessed off County Road 20.

AGENDA ITEM 7.4

In order to provide a uniform right-of-way for County Roads 94B and 19, the applicant will be required to dedicate to the county a five foot wide easement for road and utility purposes, where necessary, along both county road frontages. Additionally, the property lies within several different tax rate areas, i.e., two school districts, two cemetery districts, and a YCFCWCD benefit district. Division of the property into three separate parcels will place each newly created parcel into two different tax rate areas. At the request of the Yolo County Assessor's Office, the applicant will be required to provide legal descriptions for each separate tax rate area contained in each parcel. These Parcel Map requirements are addressed in the project's Conditions of Approval (Attachment E).

Although the applicant proposes no future residential development on the property, approval of the Parcel Map would allow for the creation of new home sites (one principal and one ancillary dwelling) on each newly created parcel. The property owner is already allowed, by-right, two single family dwellings; however, the property currently contains no structures. Approval of the Parcel Map would allow for up to a total of six new single family dwellings, and creates the capacity for the potential loss of Swainson's hawk foraging habitat on the newly created parcels. Mitigation requirements for the potential loss of Swainson's hawk foraging habitat from the creation of future home sites has been addressed in the Initial Study/Negative Declaration prepared for the project. The applicant would be required to pay an in-lieu mitigation fee of \$8,660 per acre for the potential disturbance of 2.5 acres of foraging habitat per each newly created parcel, for a total fee of \$43,300 (2.5 acres plus 2 new parcels equals 5 acres of potentially disturbed foraging habitat). This mitigation fee requirement is addressed in the project's Conditions of Approval (see Attachment E).

The agricultural viability of the parcels will not be affected by the approval of the Tentative Parcel Map, but may be enhanced with the planting of permanent crops. Water issues have been raised by adjoining property owners, who are concerned that the planting of permanent crops, such as walnuts, could result in groundwater overdraft, especially if the Adam's Ditch is dry. The YCFCWCD has confirmed the project's access to surface waters. Approval of the Parcel Map will allow the applicant to attract investment and financing opportunities to plant permanent crops on Parcels 2 and 3. Any future issues regarding water use would be addressed at the time of crop conversion and do not apply to this application.

SUMMARY OF AGENCY COMMENTS

A Request for Comments was prepared and circulated for the proposed project from December 12, 2008 to January 16, 2009; and an Initial Study/Negative Declaration was circulated between February 12, 2009 and March 4, 2009. Additionally, a courtesy notice was sent to property owners within 1,000 feet of the project site. The project was also reviewed at two Development Review Committee meetings on January 28, 2009, and February 25, 2009. The applicant will be required to address the issues of tax rate areas, county road right-of-way dedication, and Swainson's hawk habitat prior to approval of the final Parcel Map. Comments are addressed in the table below.

Date	Agency	Comment	Response
December 12, 2008	Yolo County LAFCO	The property has more than one tax rate area – division of the property will place each new parcel into two separate tax rate areas.	Addressed in the project's Conditions of Approval.
December 12, 2008	Yolo County Assessor's Office	Applicant will be required to provide legal descriptions that include the separate tax rate areas for each	Included in the Conditions of

AGENDA ITEM 7.4

		newly created parcel.	Approval.
December 17, 2008	Maria Wong, Habitat JPA Manager	The applicant shall be required to address the potential loss of Swainson's hawk habitat through participation in the Yolo County Habitat Conservation Plan.	Included in the Conditions of Approval.
January 26, 2009	Yolo County Public Works	Applicant shall be required to dedicate to the county a five foot wide easement for road and utility purposes on the west side of the existing right-of-way for County Road 94B, and the south side of the existing right-of-way for County Road 19, where necessary, to create a total half-street easement of thirty feet along all CR 94B and CR 19 frontages.	Included in the Conditions of Approval.
January 28, 2009	Yolo County Flood Control and Water Conservation District	Parcel configuration is conducive to receiving surface waters.	N/A

ATTACHMENTS

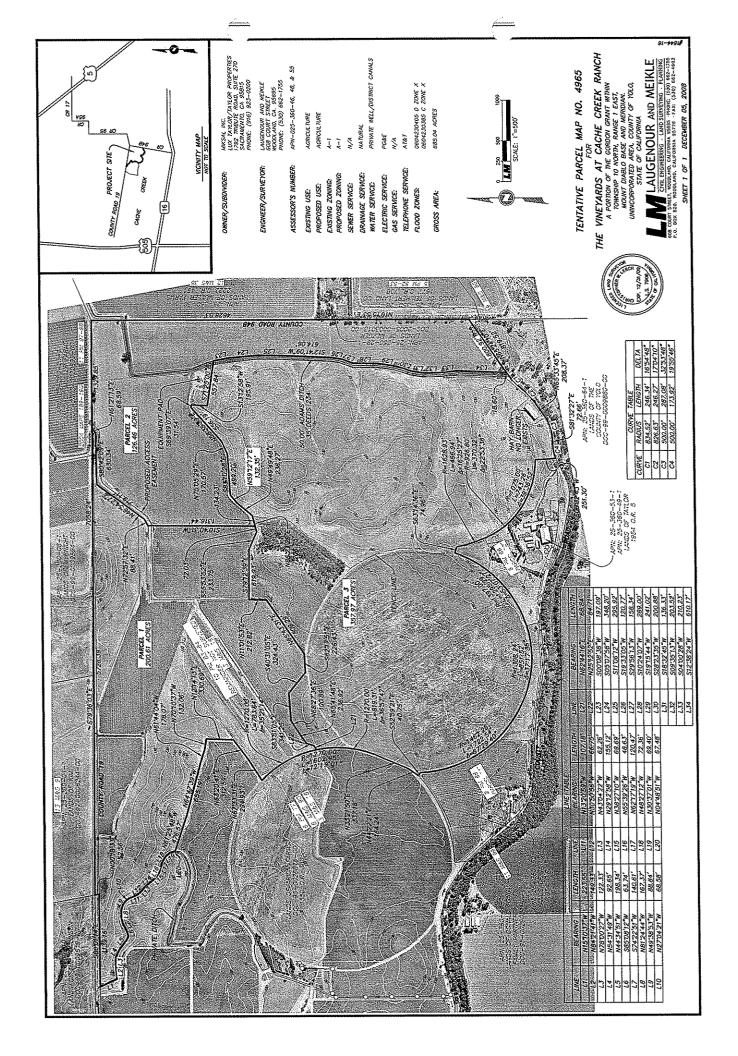
A: Tentative Parcel Map #4965

B: Location Map

C: Initial Study/Negative Declaration

D: Findings

E: Conditions of Approval





YOLO COUNTY PLANNING & PUBLIC WORKS DEPARTMENT

INITIAL STUDY/ NEGATIVE DECLARATION
ZONE FILE # 2008-064
Taylor
Tentative Parcel Map (TPM #4965)

February 2009

Negative Declaration / Initial Environmental Study

1. Project Title: Zone File No. 2008-064`

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:** Stephanie Berg at (530) 666-8850 or e-mail at Stephanie.berg@yolocounty.org.
- **4. Project Location:** The project site is located approximately 3.5 miles west of the City of Woodland, and is bounded by County Roads 19, 94B, and 20 (APNs: 025-360-46, 025-360-48, and 025-360-55) (Figure 1, Location Map).
- 5. Project Sponsor's Name and Address:

Lux Taylor The Vineyards at Cache Creek Ranch 1792 Tribute Road, Suite 270 Sacramento, CA 95815

- 6. General Plan Designation(s): Agricultural
- **7. Zoning**: A-1 (Agricultural General)
- 8. Description of the Project: The proposed project is a request to approve a Tentative Parcel Map (TPM #4965) to divide a 685.04-acre parcel into three parcels of 200.61 acres, 126.46 acres, and 357.97 acres, respectively (Figure 2, Project Map/Site Plan). The project site is zoned A-1 (Agricultural General) and is designated as Agricultural in the Yolo County General Plan. The property, which is a portion of a larger 1,080-acre ranch known as the Vineyards at Cache Creek Ranch, is currently farmed in seasonal row crops. The proposed Parcel Map will follow soil types, irrigation methods, and planned permanent crops. The proposed parcels will retain the same zoning and land use designation. The property is not under the Williamson Act.

The property contains irrigated level and dry land rolling hills, and receives water from two adjacent canals operated by the Yolo County Flood Control and Water Conservation District. The Parcel Map would divide the property into three separate farming operations, with projected uses as follows. The proposed Parcel 1 is currently used for irrigated pasture and dry land pasture, with its water source supplied by the adjacent Clover Canal. The use on this portion of the property would not change. The proposed Parcel 2 is gently rolling hills, and is currently used as dry land pasture and dry land hay production. The intended use on this parcel would be for future planting of an olive orchard or vineyard, with its water source supplied by the adjacent Adams Ditch. The applicant is currently working with an olive oil business owner in a joint venture of the property for financing and ownership purposes. The proposed Parcel 3 contains prime soils and is intended to be planted to walnut trees or other permanent crop. Adjacent property, known as Muller Farms, has recently been successfully planted in walnuts. Irrigation for this parcel would continue to be supplied by the Adams Ditch.

There are currently no structures, including home sites, on the 685.04-acre property, and the applicant does not propose any new development. However, the property owner is currently allowed by right, under existing zoning, to construct up to two single family homes (one primary and one ancillary dwelling). Approval of the Parcel Map would allow for the additional development of two single family homes on each newly created parcel, for a total of six homes, as permitted by Section 8-2 Article 6 of the Yolo County Code. As a standard condition of project approval, the applicant will be required to pay an inlieu fee to mitigate for the loss of Swainson's hawk foraging habitat due to future home site development.

The project site is bounded by County Road 94B to the east, County Road 19 to the north, and County Road 20 to the south; County Road 92C lies to the west. Access is provided off County Roads 19, 94B, and 20. The site is surrounded by agricultural and open space lands, with Cache Creek and the Cache Creek Preserve to the south.

9. Surrounding Land Uses and Setting:

Relation to Project	Land Use	Zoning	General Plan Designation
Project Location	Agricultural, irrigated and dry land crops	Agricultural General (A-1)	Agriculture
North	Agricultural, dry land crops	Agricultural Preserve (A-P)	Agriculture
South	Agricultural, row crops, horse stable, rural home site, and Cache Creek	Agricultural General (A-1)	Agriculture
East	Agricultural, row crops and walnuts	Agricultural General (A-1) and Agricultural Preserve (A-P)	Agriculture
West	Agricultural, vineyards	Agricultural General (A-1)	Agriculture

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.

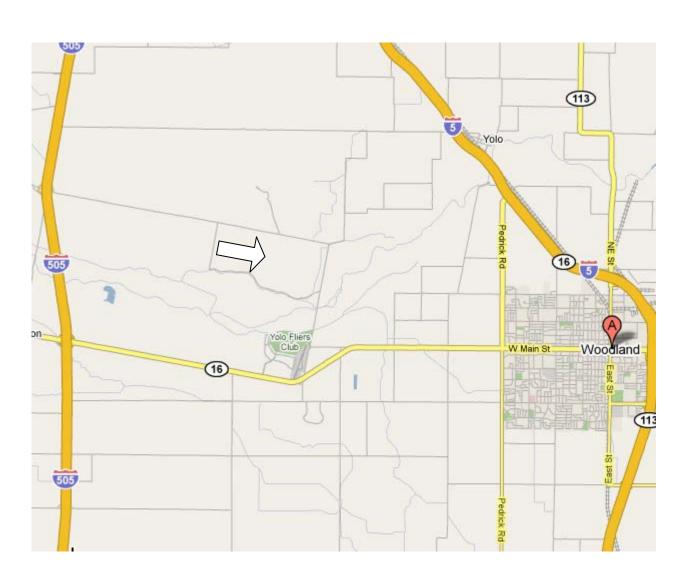
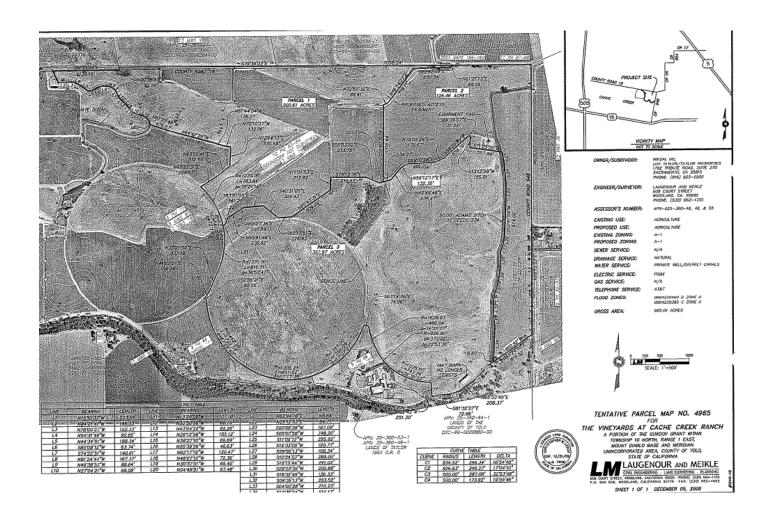


FIGURE 1 – LOCATION MAP

FIGURE 2 – SITE PLAN



ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

	Aesthetics		Agricultural Resources		Air Quality			
	Biological Resources		Cultural Resources		Geology / Soils			
	Hazards & Hazardous Materials		Hydrology / Water Quality		Land Use / Planning			
	Mineral Resources		Noise		Population / Housing			
	Public Services		Recreation		Transportation / Traffic			
	Utilities / Service Systems		Mandatory Findings of Significance					
DETI	ERMINATION: (To be comple	ted by	the Lead Agency)					
On b	ehalf of this initial evaluation:							
\boxtimes	I find that the proposed pro and a NEGATIVE DECLAR	•	OULD NOT have a significant N will be prepared.	effec	t on the environment,			
	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 pro ENVIRONMENTAL IMPAC		AY have a significant effect o	n the	environment, and an			
	significant unless mitigated been adequately analyzed and 2) has been addresse	d" implin an eled by ets. A	MAY have a "potentially significant on the environment, but earlier document pursuant to mitigation measures based in ENVIRONMENTAL IMPAC at remain to be addressed.	at lea applic on th	ast one effect 1) has able legal standards, e earlier analysis as			
	environment, because al adequately in an earlier standards, and (b) have	l pote EIR o been N, incli	osed project could have a entially significant effects or NEGATIVE DECLARATION avoided or mitigated pursuluding revisions or mitigation rang further is required.	(a) ha N pu ant to	ave been analyzed rsuant to applicable the earlier EIR or			
	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 onsite, 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.
- 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	Potentially	Less Than Significant With	Less Than	No		
Wc	uld the project:	Significant Impact	Mitigation Incorporated	Significant Impact	Impact		
a)	Have a substantial adverse effect on a scenic vista?						
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?						
c)	Substantially degrade the existing visual character or quality of the site and its surroundings?						
d)	Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?						
	Discussion of Impacts						
	(a)(b) 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. The area is rural in nature with agricultural operations surrounding the project vicinity. The project proposes to divide an existing parcel into three separate parcels based on soil types, farming practices, and irrigation methods; 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 agricultural character of the area, but may enhance with visual character by planting orchards and/or vineyards. The proposed Parcel 1 will continue to be used for irrigated pasture and dry land pasture Parcel 2 is gently rolling hills, and currently used as dry land pasture and dry land hay production with a proposed use as an olive orchard or vineyard. Parcel 3 is proposed to be planted to waln't trees or other permanent crop. No development is proposed in conjunction with the Parcel May agricultural uses will either remain the same or be planted in permanent crops as described above.						
	d) No Impact. Construction is not proposed as part of this application. The potential for future construction of buildings could produce additional sources of light to the surrounding agricultural area However, only uses that are consistent with the Agricultural General zone (Sec. 8-2 Article 6 of the Yolo County Code) will be permitted as a result of the project.						
II.	AGRICULTURAL RESOURCES:						
sig Ca (19 opt	determining whether impacts to agricultural resources are nificant environmental effects, lead agencies may refer to the lifornia Agricultural Land Evaluation and Site assessment Model 97) prepared by the California Department of Conservation as an ional model to use in assessing impacts on agriculture and mland. 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?						
b)	Conflict with existing zoning for agricultural use or a Williamson Act contract?						

		NEGATIVE L	JECLARATION/INI	HAL SIDDY C	HECKLIST
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?				
	Discussion of Impacts				
	(a)(b)(c) No Impact. The project site is composed of Class Farmland, Farmland of Statewide Importance, and prepared by the Farmland Mapping and Monitoring Conservation. The proposed Parcel 1 will continue as 2, currently used as dry land pasture and dry land hay or vineyard; and Parcel 3 will be planted to walnut development is proposed as part of this application. General zoning; and the property is not under William does not result in the conversion of any agricultural land	Unique Far g Program irrigated pa production, ut trees or The new passon Act co	mland, as dep of the Califor sture and dry la will be planted other perman parcels will rer	picted on to nia Departe and pasture to an olive ent crop. I nain in Agi	he map ment of e; Parcel orchard No new ricultural
Wh app may	AIR QUALITY: ere applicable, the significance criteria established by the blicable air quality management or air pollution control district y be relied upon to make the following determinations. Would 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?				\boxtimes
b)	Violate any air quality standard or contribute substantially to an existing or projected air quality violation?				
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)?				
d)	Expose sensitive receptors to substantial pollutant concentrations?				
e)	Create objectionable odors affecting a substantial number of people?				
Discussion of Impacts The Yolo Solano Air Quality Management District (YSAQMD) has published a set of recomment that provide specific guidance on evaluating projects under CEQA relative to the above general (YSAQMD, 2007). The Guidelines identify quantitative and qualitative long-term significance thr for use in evaluating the significance of criteria air pollutant emissions from project-related mobiliarea sources. These thresholds include:					iteria holds
	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	e ambient ai	r quality standa	rd for CO	
	Development projects are considered cumulatively significa	nt if:			
	1. The project requires a change in the existing land use de rezone); and	signation (i.	e., general plan	amendmer	nt,

- 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.
- No Impact. There is no change in the land use designation for the project site, and no new development is proposed. The project would not 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) Less than Significant Impact. The Yolo-Solano Region is a non-attainment area for state particulate matter (PM₁₀) and ozone standards, and the Federal ozone standard. The project site would continue to operate as irrigated and dry land pasture on the proposed Parcel 1, with the addition of planting permanent crops, such as olive orchards, vineyards, and/or walnuts on the proposed Parcels 2 and 3. No new development is proposed. Thresholds for project-related air pollutant emissions would not exceed significant levels as set forth in the 2007 YSAQMD Guidelines.
- (c)(d) Less Than Significant Impact. The project is a Parcel Map, which could result in the future development of additional agricultural operations and/or new home sites. The air pollutants generated by any future construction would be primarily dust and particulate matter during construction. Dust generated by construction activity would be required to be controlled through effective management practices, such as water spraying, and would therefore be a less than significant impact. Any future construction will be reviewed by the Planning and Building divisions to ensure compatibility with air quality standards. Any additional agricultural operations and/or the creation of new home sites would not exceed thresholds as indicated in the 2007 YSAQMD Guidelines. There are no sensitive receptors in the immediate vicinity, with the exception of a commercial horse stable and one home site at the project's southern boundary. The property is generally surrounded by agricultural lands and Cache Creek.
- e) No Impact. The proposed Parcel Map would not create objectionable odors.

IV.	BIOLOGICAL RESOURCES	Potentially	Less Than Significant With	Less Than	No
Wo	uld the project:	Significant Impact	Mitigation Incorporated	Significant Impact	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?				
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?				
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?				
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?				
e)	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or				
	Carrative at Vala		7 C!I- NI-	2000 074	/Tl

defined by the criteria in the CEQA Guidelines.

geologic features exist on the project site.

c) Less than Significant Impact. No paleontological resources are known or suspected and no unique

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	Potentially Significant	Less Than Significant With	Less Than Significant	No
Wo	uld the project:	Impact	Mitigation Incorporated	Impact	Impact
a)	Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
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?				\boxtimes
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?				
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?				
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?				

Discussion of Impacts

- a) Less Than Significant Impact.
 - i) 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, no development is proposed with the Parcel Map. Any development occurring as a result of the Parcel Map will be required to comply with all applicable Uniform Building Code and County Improvement Standards and Specifications requirements in order to obtain permit approval from the Yolo County Planning and Public Works Department.

- ii) 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 a major 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.
- iii) 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, under the Yolo County Code, any future structure may be required to provide a geotechnical report for the building foundation in order to obtain a Building Permit from the Yolo County Planning and Public Works Department.
- iv) The project area is not located in an area typically subject to landslides. In addition, no new construction is proposed as part of the application request.
- (b)(c)(d) *No Impact*. No new construction is proposed in conjunction with the Parcel Map. Any future construction would be required to comply with all applicable Uniform Building Code requirements. The project is located on highly expansive soils.
- e) Less Than Significant Impact. The project site is not currently served by a septic system, as there are no home sites or other buildings currently on the property. Any new septic systems must meet the requirements and be approved by Yolo County Environmental Health Department (YCEH).

VII. HAZARDS AND HAZARDOUS MATERIALS		Potentially Significant	Less Than Significant With	Less Than Significant	No
Wo	uld the project:	Impact	Mitigation Incorporated	Impact	Impact
a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				
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?				
c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				
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?				
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?				
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?				

			NEGATIVE I	JECLARATION/IN	IIIAL SIUDY C	HECKLIST
g)		pair implementation of or physically interfere with an adopted ergency response plan or emergency evacuation plan?				\boxtimes
h)	dea adj	cose people or structures to a significant risk of loss, injury or ath involving wildland fires, including where wildlands are acent to urbanized areas or where residences are intermixed h wildlands?				
	Dis	scussion of Impacts				
	(a)	(b)(c) No Impact. The Parcel Map does not involve any l	nazardous n	naterials or haz	ardous was	te.
	d)	No impact. The project is not located on a site whic sites.	h is include	d on a list of h	azardous n	naterials
	e)	No Impact. The project is not located within the vicinity runway clearance zones established to protect the adj safety hazards associated with aviation accidents.				
	f)	Less than Significant Impact. The project site is local Airport, but is not within the runway clearance zones esuses on adjoining properties. However, the property overflight zone that restricts uses within that safety area proposed Parcel Map would not result in large assembless than significant impact.	stablished for does adjo a to avoid di	or the protection oin a safety ar awing large cro	n of compati ea, an esta owds of peo	ble land ablished ple. The
	g)	No impact. The Parcel Map would not interfere with arplans.	ny adopted e	emergency resp	oonse or eva	acuation
	h)	No impact. The project is located in a moderate sever not expose urban development to the risk of wildland fir		idst an agricultu	ural setting,	and will
VII	I. F	HYDROLOGY AND WATER QUALITY	5	Less Than		
Wo	uld t	he project:	Potentially Significant Impact	Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)		plate any water quality standards or waste discharge uirements?				
b)	be gro nea exis	inificantly deplete groundwater supplies or interfere obstantially with groundwater recharge such that there would a net deficit in aquifer volume or a lowering of the local bundwater table level (e.g., the production rate of pre-existing parby wells would drop to a level which would not support sting land uses or planned uses for which permits have been unted)?				
c)	are or r	obstantially alter the existing drainage pattern of the site or ea, including through the alteration of the course of a stream river, in a manner which would result in substantial erosion or ation on- or off-site?				
d)	are or i	bstantially alter the existing drainage pattern of the site or a, including through the alteration of the course of a stream river, or substantially increase the rate or amount of surface of in a manner which would result in flooding on- or off-site?				

- g) No Impact. The project site is not located within the 100-year floodplain, as designated by the Federal Emergency Management Agency (FEMA), and would not be subject to 100-year flood flows.
- h) No Impact. See (g) above. The Parcel Map does not propose any new development.
- i) No Impact. 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. The Parcel Map does not propose any buildings. Any future construction will be reviewed through the building permit process.
- j) No Impact. The project would not result in the location of future construction near any enclosed bodies of water that would pose a seiche hazard. The project is not located near an ocean; therefore, it would not pose a tsunami hazard. In addition, the project site is not typically associated with mudflow hazard.

		AND USE AND PLANNING he project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Phy	ysically divide an established community?				\boxtimes
b)	of a limit or a	inflict with any applicable land use plan, policy, or regulation an agency with jurisdiction over the project (including, but not ited to the general plan, specific plan, local coastal program, zoning ordinance) adopted for the purpose of avoiding or igating an environmental effect?				
c)		nflict with any applicable habitat conservation plan or natural nmunity conservation plan?				
	Dis a)	Scussion of Impacts No impact. The Parcel Map would not physically dividenated within an agricultural area and is surrounded by			nity. The pr	roject is
	b)	No Impact. The resulting parcels will meet all the requ County General Plan.	irements of	the Yolo Count	y Zoning Co	ode and
	c)	No Impact. The County does not have an adopte HCP/NCCP. The Parcel Map would not conflict with natural community conservation plan.				
		NERAL RESOURCES he project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)		sult in the loss of availability of a known mineral resource t would be of value to the region and the residents of the te?				
b)	reso	sult in the loss of availability of a locally important mineral ource recovery site delineated on a local general plan, ecific plan or other land use plan?				

Discussion of Impacts

(a)(b) Less than Significant Impact. Portions of the project site have been designated as a mineral resource zone (MRZ), which is identified as an area of significant aggregate deposits, as classified by the State Department of Mines and Geology. The lower Cache Creek area is regulated by the County's Off Channel Mining Plan and Cache Creek Resources Management Plan, which, together, make up the Cache Creek Area Plan (CCAP) adopted by the Yolo County General Plan. The CCAP regulates and protects the lower Cache Creek area through groundwater protection, agricultural preservation, restoration of Cache Creek, and limitation and regulation of mining. Although portions of this Parcel Map are within the boundaries of a MRZ, its approval will not affect the availability of any known mineral resource or resource recovery sites, as the existing and proposed agricultural uses are compatible with the CCAP.

XI.	NOISE	Potentially Significant	Less Than Significant With	Less Than Significant	No
Wo a)	ald the project result in: 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?	Impact	Mitigation Incorporated	Impact	Impact
b)	Exposure of persons to or generation of excessive groundborne vibration noise levels?				\boxtimes
c)	A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?				\boxtimes
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-d) *No Impact.* Approval of the Parcel Map would not expose persons to or generate excessive noise levels. The project is located in a rural, low-traffic, low population area. The noise from potential future development or additional agricultural activity on the resulting parcels would not exceed noise levels already present on the site. The proposed Parcel 1 will continue to be used for irrigated pasture and dry land pasture. The proposed Parcel 2, currently used as dry land pasture and dry land hay production, is intended for planting to an olive orchard or vineyard. The proposed Parcel 3 is proposed to be planted to walnut trees or other permanent crop. The noise levels from the existing and proposed agricultural operations are found to be consistent with noise levels typically found in agricultural areas. No development is proposed as a part of this application.
- e) No Impact. The nearest public airport is not within the project vicinity, and therefore not within an airport land use plan.
- f) Less than Significant Impact. Although the project is located near the Watts-Woodland Airport, it is not within a designated airport noise restriction area, as established by the Watts-Woodland Airport

Comprehensive Land Use Plan, and thus would not expose people residing or working in the project area to excessive noise levels.

XII.	POPULATION		Loop Thon								
	uld 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)?										
b)	Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?										
c)	c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?										
	Discussion of Impacts										
	a) No Impact. The property currently contains no home sites, although two homes are currently allowed by-right. One primary dwelling and one ancillary dwelling would be allowed on each newly created parcel. The potential for four new homes, in addition to the two homes currently allowed by-right, is not a significant increase in population.										
	(b)(c) No Impact. No existing housing or people will be disp	laced by the	proposed Pard	cel 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?				\boxtimes						
b)	Police Protection?				\boxtimes						
c)	Schools?				\boxtimes						
d)	Parks?				\boxtimes						
e)	Other public facilities?										
	Discussion of Impacts										
	(a-e) No Impact. The proposed Parcel Map would allow for the construction of up to two homes on each of the newly created parcels, in addition to the two potential homes currently allowed by-right. Four new homes, in addition to the two homes currently allowed by-right, would not result in a significant impact on county public services.										

ΧI\	V. 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 recreations facilities such that substantial physical deterioration of the facility would occur or be accelerated?	al									
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?	S									
	Discussion of Impacts										
	a) No Impact. The project would not require the construction of additional recreational facilities no substantially increase the use of existing recreational facilities.										
	b) No Impact. The project would not require the co facilities.	nstruction of	nor include ad	ditional recr	eational						
	7. TRANSPORTATION/TRAFFIC ould the project:	Potentially Significant Impact	Less Than Significant With Mitigation	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 a intersections)?	., e	Incorporated								
b)	Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?										
c)	Result in a change in air traffic patterns, including either a increase in traffic levels or a change in location that results is substantial safety risks?										
d)	Substantially increase hazards due to a design feature (e.g sharp curves or dangerous intersections) or incompatible use (e.g., farm equipment)?										
e)	Result in inadequate emergency access?				\boxtimes						
f)	Result in inadequate parking capacity?				\boxtimes						
g)	Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	g 🗌									
	Discussion of Impacts										
	(a)(b) Less Than Significant Impact. The proposed Parc sites under the Agricultural General zone (one prim proposed parcels are served by County Roads 19 (I 3). The potential of two new homes on each of the	nary and one Parcels 1 and	ancillary dwelli 2), 94B (Parce	ng per parc ll 2), and 20	el). The (Parcel						

increase traffic or impact levels of service. Additionally, as a condition of project approval, the applicant will be required to dedicate to the county a five-foot wide easement for road and utility purposes on the west side of the existing right-of-way for County Road 94B, where necessary, and on the south side of the existing right-of-way for County Road 19, where necessary, to create a total half-street easement of thirty feet along each county road project frontage.

- 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.
- e) No Impact. The project will not have an effect on emergency access.
- f) *No Impact*. The resulting parcels will be 126.46, 200.61, and 357.97 acres in size, respectively. There will be adequate room for parking for any permitted use.
- g) No Impact. The project would not conflict with adopted policies, plans, or programs supporting alternative transportation.

ΧV	I. UTILITIES AND SERVICE SYSTEMS	Potentially	Less Than Significant With	Less Than	No	
Wo	uld the project:	Significant Impact	Mitigation Incorporated	Significant Impact	Impact	
a)	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?					
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?					
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?					
d)	Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?					
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?					
f)	Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?					
g)	Comply with federal, state, and local statutes and regulations related to solid waste.				\boxtimes	

Discussion of Impacts

a) No Impact. The proposed Parcel Map would allow for the addition of single-family home sites (one primary and one ancillary dwelling per parcel) under the Agricultural General zone. Any new septic system would have to be reviewed by and meet all the requirements of the Yolo County Environmental Health Department. Four new potential homes, in addition to the two potential homes currently allowed by-right, would not have a significant impact on wastewater requirements.

- b) No Impact. The project will not require the construction of new water or wastewater treatment facilities or expansion of existing facilities. Construction is not proposed on any of the proposed parcels. The property is currently without home sites.
- c) No Impact. The project will not require the construction or expansion of storm water drainage facilities.
- d) No Impact. The property is currently served by private wells and adjacent irrigation canals owned and operated by the Yolo County Flood Control and Water Conservation District. No new entitlements are anticipated to accommodate the project. Any new well systems would 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. Any solid waste resulting from future development as a result of the Parcel Map will not significantly impact disposal capacity at the county landfill.
- g) No Impact. No development is proposed as part of this Parcel Map. Any future development will be required to comply with all relevant statutes related to solid waste.

X۷	II. MANDATORY FINDINGS OF SIGNIFICANCE	Potentially	Less Than Significant With	Loop Thon	
Does the Project:			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 plan or animal or eliminate 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)?				
c)	Have environment effects which will cause substantial adverse effects on human beings, either directly or indirectly?				

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. Conditions of approval for the project will require habitat mitigation fees for the potential loss of Swainson's hawk foraging habitat from the creation of any future home sites.

- 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 and Background Report
- Application materials

FINDINGS ZONE FILE #2008-064 TAYLOR TENTATIVE PARCEL MAP

Upon due consideration of the facts presented in the staff report and at the public hearing for Zone File #2008-064, the Planning Commission approves the proposed Tentative Parcel Map #4965. In support of this decision, the Planning Commission makes the following findings:

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

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 CEQA 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 CEQA Guidelines, an environmental evaluation (Initial Study) has been circulated for 20 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. As conditioned, the Tentative Parcel Map is consistent with the policies, goals and objectives of the General Plan. Residential development is not proposed as part of this application.

Zoning Code

That the proposed Tentative Parcel Map is consistent with the applicable zoning standards.

The proposed project will result in the creation of three parcels of 200.6 acres, 126.5 acres, and 358 acres, respectively. The subject property is zoned Agricultural General (A-1), which has a minimum 20-acre lot size. The 200.6-acre parcel (Parcel 1) will retain its existing use as irrigated and dry land pasture, with irrigation provided by the adjacent Clover Canal. Parcel 2 (126.5 acres) is proposed to be planted in an olive orchard or vineyard, and will receive irrigation from the adjacent Adams Ditch. Parcel 3 (358 acres) contains the property's premier soils, and is intended to be planted in walnut trees or other permanent crop. Irrigation for the parcel would continue from the Adams Ditch. The

resulting three parcels will meet all the requirements of the A-1 (Agricultural General) zone, whose purpose is to provide uses on lands best suited for agriculture. The Tentative Parcel Map meets the minimum parcel sizes, width to depth ratio, access, and general requirements of the Yolo County Code.

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. The property is currently farmed in seasonal row crops, and will continue as such after approval of the Parcel Map, with the addition of planting permanent crops, such as olives, vineyards, and/or walnuts, on two of the three resulting parcels. The proposed Parcel Map complies with the minimum parcel size and use in the A-1 (Agricultural General) zone and Agricultural General Plan land use designation.

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 agricultural use based on designations in the Yolo County General Plan. Current agricultural uses, i.e. irrigated and dry land pasture, will remain the same, with the addition of planting permanent crops on two of the three resulting parcels, upon approval of the Parcel Map. The Tentative Parcel Map is consistent with the requirements of the General Plan.

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 A-1 (Agricultural General) zone and the Yolo County General Plan. The site is in agricultural production and will continue to be farmed in the future.

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

The proposed Tentative Parcel Map complies with the Yolo County Code and Improvement Standards adopted by the county. Residential development is not proposed as part of the application. The division of the parcel into three parcels of approximately 200.6 acres, 126.5 acres, and 358 acres is suitable for the continued use of irrigated and dry land pasture, and the planned permanent crops of olives, vineyards, and/or walnuts.

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 proposed creation of two new parcels (and one remaining parcel) will not cause environmental damage or substantially and avoidably injure fish and wildlife or their habitat. The project's Conditions of Approval address Swainson's hawk fees for the two additional parcels.

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 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 200.6-acre parcel (Parcel 1) will continue from County Road 19. The 126.5-acre parcel (Parcel 2) will be accessed from County Road 94B, County Road 19, and County Road 20. The 358-acre parcel (Parcel 3) will be accessed from County Road 20.

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 100 acres in size, providing significant opportunities for future development to incorporate passive or natural heating and cooling features.

CONDITIONS OF APPROVAL ZONE FILE #2008-064 TAYLOR TENTATIVE PARCEL MAP #4965

ON-GOING OR OPERATIONAL CONDITIONS OF APPROVAL:

PLANNING DIVISION—PPW (530) 666-8808

- 1. The applicant shall be responsible for all costs associated with implementing the Conditions of Approval as approved by the Yolo County Planning Commission.
- 2. A Final Parcel 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 Parcel Map shall be recorded within two years from the date of approval by the Yolo County Planning Commission, or the Tentative Parcel Map shall become null and void, without any further action in accordance with the State Subdivision Map Act.
- 3. The applicant shall pay fees in the amount of \$2,043 (\$1,993 for state filing fee, plus \$50 county processing fee), 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.

COUNTY COUNSEL (530) 666-8172

4. 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.

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

ATTACHMENT E

PRIOR TO FINAL PARCEL MAP APPROVAL:

PLANNING DIVISION—PPW (530) 666-8808

- 6. The Parcel Map submitted for recordation shall have the Parcel Map Number (PM #4965) indelibly printed on it. PM #4965 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.
- 7. The applicant shall be required to address the potential loss of Swainson's hawk habitat through participation in the Yolo County Habitat Conservation Plan (Yolo County Natural Heritage Program). The applicant shall pay a Swainson's hawk inlieu mitigation fee for each newly created parcel (Parcel 2 and Parcel 3), for a total of five acres. The fee is currently set at \$8,660 per acre, and shall be collected for the five acres (\$43,300 total) prior to the recording of the Final Parcel Map.

PUBLIC WORKS DIVISION—PPW (530) 666-8811

- 8. To provide a uniform right-of-way for County Road 94B and match the right-of-way on the east side of the road (see Official Record Book 1452, Pages 492 and 494), the applicant shall dedicate to the county a five-foot wide easement for road and utility purposes on the west side of the existing right-of-way for County Road 94B, where necessary, to create a total half-street easement of thirty feet along all County Road 94B frontage. The easement shall be shown on the Final Parcel Map.
- 9. To provide a uniform right-of-way for County Road 19 to match the sixty foot width approximately two miles to the west at Interstate 505, the applicant shall dedicate to the county a five-foot wide easement for road and utility purposes on the south side of the existing right-of-way for County Road 19, where necessary, to create a total half-street easement of thirty feet along all County Road 19 frontage. The easement shall be shown on the Final Parcel Map.

YOLO COUNTY ASSESSOR'S OFFICE - (530) 666-8135

10. The applicant shall prepare legal descriptions in accordance with the effective tax rate areas on each of the newly created parcels, for a total of two separate tax rate areas on each parcel.

PRIOR TO ISSUANCE OF ANY BUILDING PERMITS:

BUILDING DIVISION—PPW (530) 666-8775

- 11. 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 and Services Authorization (FSA) fees, and Environmental Health fees.
- 12. 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.

ENVIRONMENTAL HEALTH DEPARTMENT (530) 666-8646

13. Prior to the	ne issuance o	of any buildi	ng permits,	, well ar	nd septic	system (designs	shall	be
approved	l by the Enviro	onmental H	ealth Depa	rtment.	ı				