

ATTACHMENT C

FINDINGS ZONE FILE #2021-0014 AMENDMENTS TO TENTATIVE SUBDIVISION MAP NO. 4691, CONDITIONS OF APPROVAL, AND DEVELOPMENT AGREEMENT for the STORY RESIDENTIAL PROJECT

Upon due consideration of the facts presented in the staff report and at the public hearing for Zone File #2021-0014, the Board of Supervisors approves the proposed amendments to the previously approved project for the Story Residential Subdivision, which include minor changes to Tentative Subdivision Map (TSM) #4691 and associated Conditions of Approval and Development Agreement. In support of this decision, the Board of Supervisors makes the following findings (*A summary of the evidence to support each FINDING is shown in italics*):

California Environmental Quality Act

1. That the proposed Addendum to the MND prepared for the project is the appropriate environmental documentation in accordance with the California Environmental Quality Act (CEQA) and CEQA Guidelines.

The addendum to the adopted Mitigated Negative Declaration (SCH #2007012125) shows that there is no substantial evidence, in light of the whole record before the County, that the minor changes to the Project would have a significant effect on the environment. The proposed Addendum to the MND is the appropriate level of environmental review pursuant to Article 6, Section 15070 of the CEQA Guidelines (Attachment B).

Yolo County General Plan

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

- a) *The 2030 Yolo Countywide General Plan designates the subject property as Residential Low (RL). The proposed amendments to the previously approved tentative subdivision map and associated conditions of approval and development agreement remain consistent with this General Plan designation, as the project still primarily consists of detached single-family residences with limited higher density development so that the overall density is less than 10 dwelling units per acre.*
- b) *The project is consistent with the following General Plan goals and policies:*
 - i. *Goal LU-1: Maintain an appropriate range and balance of land uses to maintain the variety of activities necessary for a diverse, healthy and sustainable society.*
 - ii. *Policy LU-3.1: Direct all the County's residential growth to the designated areas within the cities and growth boundaries of existing unincorporated communities.*
 - iii. *Policy LU-3.7: Prohibit the designation of new urban development in places without adequate emergency services and utilities, areas with significant*

hazards or natural resources, and areas not contiguous with existing urban development.

- iv. *Policy LU-5.7: Support the Community Advisory Committees to ensure direct, local input on land use issues and project applications.*
- v. *Policy HO-1.10: As a part of every project with a significant residential component, ensure that measures are taken that contribute to providing a range of new home prices, including both for-sale and rental units, that are affordable to families at all household income levels within each community.*

Yolo County Zoning and Development Code

3. That the proposed amendments to the previously approved Tentative Subdivision Map and Conditions of Approval are consistent with the applicable standards set forth in Title 8, Chapter 1, Article 3 of the Yolo County Code (Subdivision Map Requirements) including making the following findings pursuant to Sec. 8-1.312. The Board of Supervisors shall adopt the following findings in the approval of the amendments to the tentative map or deny approval of the proposed amendments to the tentative map if it cannot make the following findings based on information submitted at the public hearing:

- a) That the proposed map amendment is consistent with applicable general and specific plans as specified in Section 65451 of the Government Code.

As discussed above, the 2030 Yolo Countywide General Plan designates the subject property as Residential Low (RL). The amendment to the tentative subdivision map results in an approximate density of five residential units per acre, which falls within the range of less than 10 units per acre as required for the RL land use designation in the General Plan.

The Project also furthers the goals and objectives of the 2019 Esparto Community Plan such as providing a variety of housing options and placing the burden of construction of infrastructure on the developer.

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

The site has been determined to be suitable for low density residential use based on its designation in the 2030 Countywide General Plan. The proposed amendments to TSM #4691 are consistent with both the 2030 Countywide General Plan and 2019 Esparto Community Plan.

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

The Project site is contiguous with existing urban development and not located in an area designated for High or Very High Fire Hazard by Cal Fire. The Subdivision has been redesigned to minimize the number of lots within the Flood Hazard Zone as determined by FEMA and new homes within the Flood Hazard Zone would be required to build the foundation one foot above Base Flood Elevation. The Project has access from Woodland Avenue and County Road 20X.

- d) That the site is physically suitable for the proposed density or development.

The proposed amendment to TSM #4691 is within the community boundary of the town of Esparto and the Esparto Community Service District service area. Public services would be provided to the Project site including public water and sewer services from the Esparto Community Services District. The Esparto Fire Protection District and County Sheriff provide fire and police services.

- e) That the design of the subdivision provides for public improvements in accordance with Article 9 (Public Improvements) and the Yolo County Improvements Standards.

The proposed amendments to the previously approved tentative subdivision map will provide all improvements including streets, drainage, sidewalks, and public utilities that will meet all applicable standards required for dedication to the County and Esparto Community Service District.

- f) That the design of the subdivision is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

Pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines, a Mitigated Negative Declaration (SCH #2007012125) was adopted that found no significant impacts to the environment that could not be mitigated to less than significant levels including biological resources. The Addendum to the MND prepared for the proposed amendments found that minor changes in the project caused no new significant impacts.

- g) That the design of the subdivision or type of improvements is not likely to cause serious public health problems.

The proposed design of the requested amendments to TSM #4961 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 modified Conditions of Approval, by the appropriate regulatory agency prior to recordation of the Final Map, and/or issuance of building permits. The project has been reviewed by appropriate agencies including Environmental Health and Public Works to ensure public safety.

- h) That the design of the subdivision or the type of improvements will not conflict with easements which are of record or are established by judgement of a court of competent jurisdiction and which have been acquired by the public at large for access through or use of, property within the proposed subdivision.

The proposed amendments to TSM #4691 will continue to provide all necessary infrastructure including streets, sidewalk, stormwater detention, parks, and paths, as previously approved. Public water and wastewater services will be provided by the Esparto Community Service District. The design of the amended Tentative Subdivision Map or the type of improvements required will not conflict with easements acquired by the public at large. All Rights of Way, detention basins, parks, and other public improvements will be offered to the applicable jurisdiction.

- i) The design of the subdivision shall provide for, to the extent feasible, future passive or natural heating or cooling opportunities.

Development of the new residential lots would be required to meet State Building Code requirements and the lots are of sufficient size to provide opportunities for future residential development to incorporate passive or natural heating and cooling features, as applicable.

- j) The discharge of waste from the proposed subdivision into an existing community sewer system would not result in, or add to, a violation of existing requirements by a California Regional Water Quality Control Board.

The Central Valley Regional Water Control Board reviewed the project and provided no specific concerns. Future development would be served with public water and wastewater services by the Esparto Community Services District.

4. That the proposed amendments to the Development Agreement are consistent with the applicable standards set forth in Title 8, Chapter 5, Article 3 of the Yolo County Code (Development Agreement Hearings, Standards of Review, Findings and Decisions) including making the following findings pursuant to Sec. 8-5.301. The Planning Commission shall make recommendation to the Board of Supervisors following determinations in the approval of the amendments to the Development Agreement or deny approval of the proposed amendments to the Development Agreement if it cannot make the following findings based on information submitted at the public hearing that the agreement:

- a) Is consistent with the objectives, policies, general land uses and programs specified in the General Plan and any applicable specific plan.

The Development Agreement has been determined to be consistent with both the 2030 Countywide General Plan and 2019 Esparto Community Plan. As discussed above, the associated Tentative Subdivision Map (#4691) falls within the range of less than 10 units per acre as required for the RL land use designation in the General Plan and furthers the goals and objectives of the 2019 Esparto Community Plan such as providing a variety of housing options and placing the burden of construction of infrastructure on the developer.

- b) Is compatible with the uses authorized in, and the regulations prescribed for, the zoning district in which the real property is or will be located.

The Development Agreement for the Story residential subdivision map is compatible with the Low Density Residential zoning of the property which authorizes residential development and accessory uses.

- c) Is in conformity with and will promote public convenience, general welfare and good land use practice.

The Development Agreement conforms with and promotes public welfare and good land use practice by continuing to support new housing, economic development and accessibility.

- d) Will not be detrimental to the health safety and general welfare.

The Development Agreement will not be detrimental to public health, safety or welfare and will promote visitability standards in the new homes.

- e) Will not adversely affect the orderly development of the property or the preservation of property values.

The Development Agreement and the attached subdivision map will promote orderly development of the 17.25-acre property and increase the availability of home ownership.

- f) Will meet the intent of Section 8-5.202(a).

The Development Agreement will gain public benefit beyond standard conditions and mitigations by providing funding for community development and increased amenities for accessible homes.

- g) Is consistent with the findings required by Govt Code 65306.9.

The Development Agreement meets the findings of GC 65306.9 as the County has conditioned the map to require that residential development have a foundation that exceeds the Base Flood Elevation by one foot.