

ATTACHMENT B

RESOLUTION NO. _____

RESOLUTION OF ACCEPTANCE OF PARCEL MAP NO. 5250 (Muller Parcel Map)

WHEREAS, on July 11, 2024, the Yolo County Planning Commission approved Tentative Parcel Map No. 5250 which is attached as Exhibit A; and

WHEREAS, in connection with Tentative Parcel Map No. 5250, the Planning Commission established certain conditions and made certain findings, which are attached as Exhibit B and Exhibit C; and

WHEREAS, County staff has ascertained that all of the conditions established by the Planning Commission have been complied with; and

WHEREAS, County staff has ascertained that Parcel Map No. 5250 conforms to the approved Tentative Parcel Map and the conditions of approval thereof; and

WHEREAS, County staff has ascertained that Parcel Map No. 5250 conforms to all the requirements of the State Subdivision Map Act and all provisions of applicable County ordinances; and

WHEREAS, Parcel Map No. 5250 was timely filed pursuant to Government Code, Section 66463.5(b) as it was submitted to the County Surveyor for first review on September 19, 2024; and

WHEREAS, approval of Parcel Map No. 5250 by the Board of Supervisors is a ministerial act as all the conditions have been complied with, the Parcel Map conforms to the approved Tentative Parcel Map, and the Parcel Map conforms to all the requirements of the State Subdivision Map Act and all provisions of applicable County ordinances.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Board of Supervisors of the County of Yolo as follows:

1. Parcel Map No. 5250 is approved.
2. The Clerk of the Board of Supervisors is authorized and directed to take all necessary steps to file Parcel Map No. 5250 with the County Recorder.

/ / /

/ / /

PASSED AND ADOPTED by the Board on this 3rd day of December, 2024, by the following vote:

AYES:
NOES:
ABSTENTIONS:
ABSENT:

Lucas Frerichs, Chair
Board of Supervisors

Attest:
Julie Dachtler, Senior Deputy Clerk

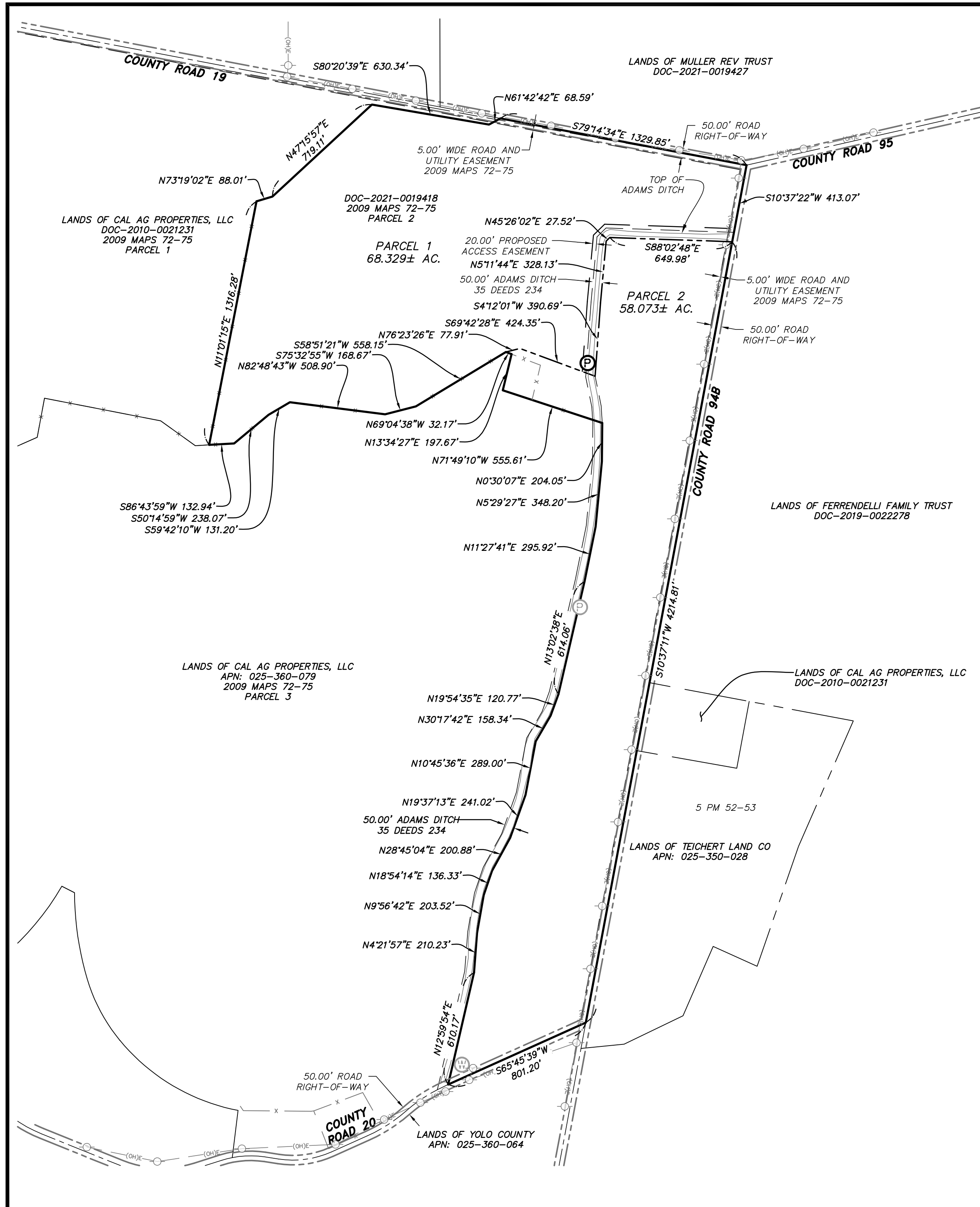
By: _____
Deputy (Seal)

Approved As To Form:
Philip J. Pogledich, County Counsel

By: 
Eric May, Senior Deputy County Counsel

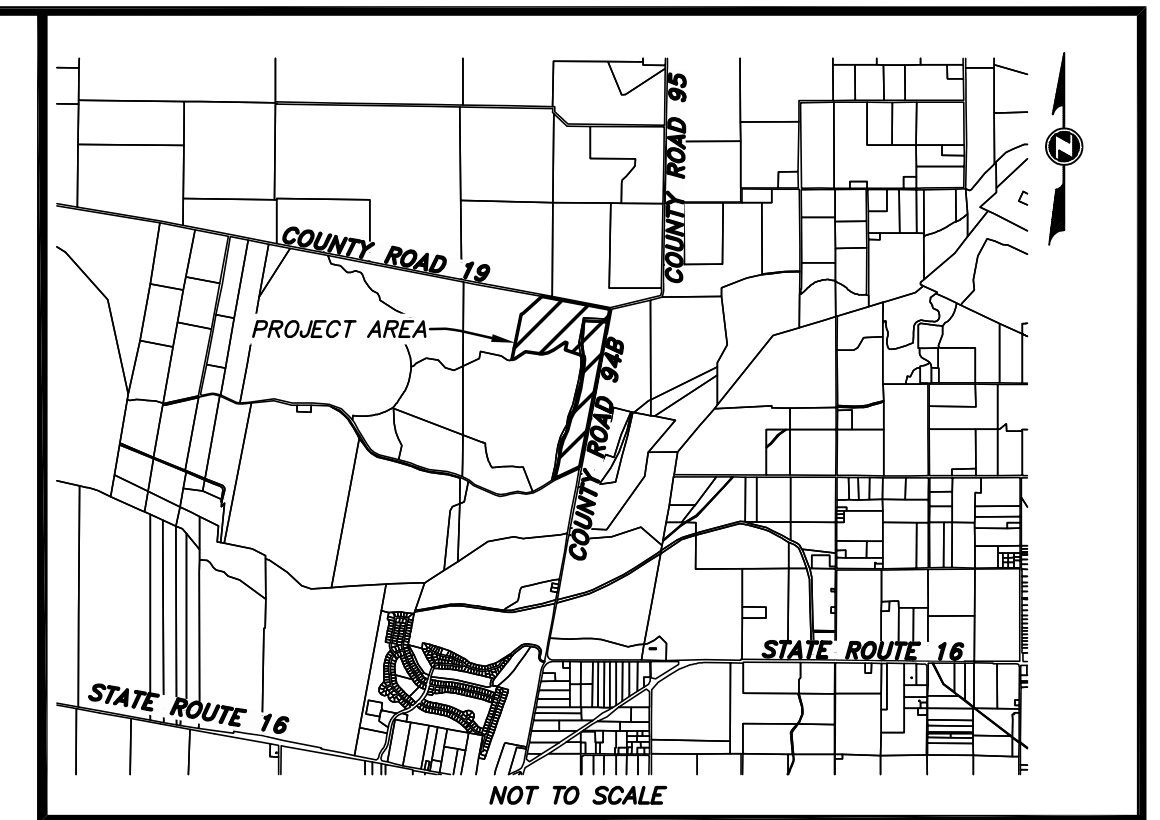
Exhibits:
Exhibit A – Tentative Parcel Map No. 5250
Exhibit B – Project Conditions of Approval
Exhibit C – Project Findings

EXHIBIT A



LEGEND:

- UTILITY POLE
- EXISTING WELL AND PUMP
- PROPOSED PUMP STATION
- PROPERTY LINE (SUBJECT IS BOLD)
- PROPOSED PROPERTY LINE
- PROPOSED ACCESS EASEMENT
- ROAD RIGHT OF WAY
- EXISTING FENCE LINE
- OVERHEAD ELECTRICAL



OWNER/SUBDIVIDER: THOMAS MULLER AND MICHELLE MULLER;
FRANK L. MULLER AND NANCY G. MULLER
REVOCABLE TRUST; LOUIE AND MARIA
MULLER FAMILY TRUST
15810 COUNTY ROAD 95
WOODLAND, CA 95695
PHONE: (530) 383-9583

ENGINEER/SURVEYOR: LAUGENOUR AND MEIKLE
CIVIL ENGINEERS
608 COURT STREET
WOODLAND, CA 95695
PHONE: (530) 662-1755

ASSESSOR'S NUMBER: 025-360-069 &
025-360-073

EXISTING USE: AGRICULTURE

PROPOSED USE: AGRICULTURE

EXISTING ZONING: A-N (AGRICULTURAL INTENSIVE)

PROPOSED ZONING: A-N (AGRICULTURAL INTENSIVE)

SEWER SERVICE: N/A

DRAINAGE SERVICE: OVERLAND TO ROADSIDE DITCHES

WATER SERVICE: AG WELL

ELECTRIC SERVICE: PACIFIC GAS & ELECTRIC

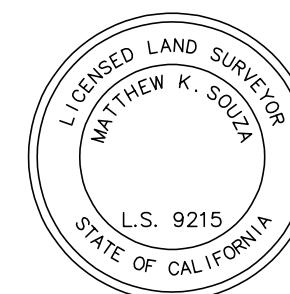
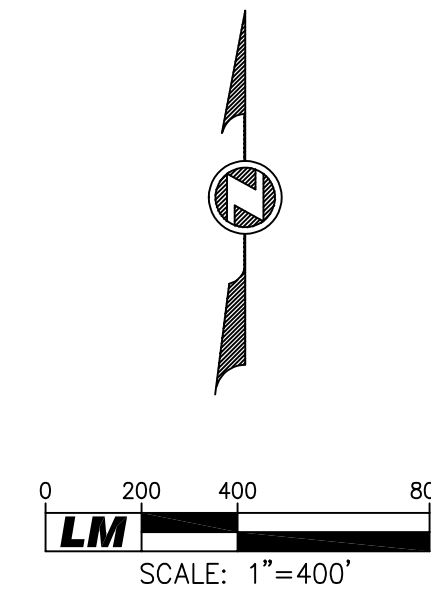
GAS SERVICE: N/A

TELEPHONE SERVICE: N/A

FLOOD ZONES: 06113C0430H ZONE X

GROSS AREA: 126.402± ACRES

BUILDING SETBACK PER A-N ZONING: FRONT: 20' FROM PROPERTY LINE
50' FROM CENTERLINE OF ROADWAY
(WHICHEVER IS GREATER)
REAR: 25' FROM PROPERTY LINE
SIDE: 20' FROM PROPERTY LINE



TENTATIVE PARCEL MAP NO. 5250
FOR
MULLER PROPERTIES
BEING A PART OF THE GORDON GRANT IN PROJECTED SECTION 21,
TOWNSHIP 10 NORTH, RANGE 1 EAST, MOUNT DIABLO BASE AND MERIDIAN
YOLO COUNTY, CALIFORNIA

LM LAUGENOUR AND MEIKLE
CIVIL ENGINEERING · LAND SURVEYING · PLANNING
608 COURT STREET, WOODLAND, CALIFORNIA 95695 · PHONE: (530) 662-1755
P.O. BOX 828, WOODLAND, CALIFORNIA 95776 · FAX: (530) 662-4602

EXHIBIT B

**CONDITIONS OF APPROVAL
AS ADOPTED AND MODIFIED BY THE PLANNING COMMISSION
ON JULY 11, 2024
MULLER TENTATIVE PARCEL MAP
ZONE FILE #2024-006**

PLANNING DIVISION – COMMUNITY SERVICES (530) 666-8803

1. The project shall be developed in compliance with all adopted Conditions of Approval for Zone File #2024-006. The Applicant shall be responsible for all costs associated with implementing the Conditions of Approval as approved by the Yolo County Planning Commission.
2. The Parcel Map for the project shall be filed and recorded, at the Applicant's expense, with the Department of Community Services. The 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.
 - a) Prior to conveyance of Parcel 1, a water-sharing agreement shall be executed for continued use of the well on Parcel 2, unless a new well has been constructed.
3. The Applicant shall pay fees, under Public Resources Code Section 21089, and as defined by Fish and Game Code Section 711.4, at the time of the filing of Notice of Determination, to cover the cost of review of the environmental document by the California Department of Fish and Wildlife. The total amount for 2024 is \$2,966.75 (\$2,916.75 for state filing fee, plus \$50 Clerk-Recorder processing fee).
4. 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 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.
5. 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.
6. 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.

PUBLIC WORKS DIVISION – COMMUNITY SERVICES (530) 666-8436

7. Where necessary, the Applicant shall dedicate easements to the County for road and utility purposes on the south side of the existing right-of-way for County Road (CR) 19, and on the west side of CR 94B, to provide at least total half-street easements of thirty feet along all County Road frontages. If such easement already exists, display and reference on the certificate of compliance/parcel map.
8. Show all existing easements on Tentative Parcel/Subdivision Map. Applicant may refer to Title Report exceptions, if available.
9. If subdivided parcels are sold off in the future, recordation of an access easement may be required.

PRIOR TO FINAL PARCEL MAP APPROVAL:

PLANNING DIVISION – COMMUNITY SERVICES (530) 666-8803

10. The Parcel Map submitted for recordation shall have the Parcel Map Number (PM #5250) indelibly printed on it. Said PM #5250 shall be prepared to conform to the Subdivision Map Act and as provided for final maps in Section 8-1.502 of the Yolo County Code including all certificates specified in Section 8-1.502(e).

PRIOR TO ISSUANCE OF ANY BUILDING PERMIT:

PLANNING DIVISION – COMMUNITY SERVICES (530) 666-8803

11. Any future development on the newly created parcels shall comply with the County's Zoning Regulations for the Agricultural Zones contain in Articles 3 and 4 of Chapter 2, Title 8, Yolo County Code of Ordinances.
12. The Applicant/Property Owner shall comply with the Yolo County Habitat Conservation Plan/Natural Community Conservation Plan (Yolo HCP/NCCP) Section 4.2.1.2, *Private Projects under the Discretionary Authority of Permittees*, for any new homesite proposed for development on the newly created parcel (Parcel 1) following the approval of a Tentative Parcel Map by the Planning Commission. The new homesite shall be considered a 2.5-acre disturbance for the purposes of determining appropriate land cover fees. The requirements will include the submittal of the Yolo HCP/NCCP application for coverage, the associated application fee, and any land cover and mitigation fees, which will be determined at the time of payment. Fees and application materials can be found online: <https://www.yolohabitatconservancy.org/>
 - The newly created parcel is identified as Parcel 1 on Tentative Parcel Map #5250 and will be subject to the HCP/NCCP and associated fees mentioned above.
 - The requirements described above shall be met prior to the issuance of any building or grading permits to establish a 2.5-acre homesite on Parcel 1.
13. Prior to the issuance of any building or grading permits on Parcel 2, the in-lieu mitigation fee for 2.5 acres shall continue to be as required per Condition of Approval #7 (ZF 2008-064) for the previously-filed Parcel Map (#4965), approved by the Yolo County Board of Supervisors on November 10, 2009. The Swainson's hawk mitigation fee shall be subject to those fees

currently set by the Yolo Habitat Conservancy and collected at the time of building or grading permit for a new homesite.

14. 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 this 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.

BUILDING DIVISION - COMMUNITY SERVICES (530) 666-8037

15. All building plans for development on any of the parcels subject to this project shall be submitted to the Community Services Department for review and approval in accordance with County building standards prior to the commencement of any construction.
16. ~~Any new construction shall comply with the provisions of Chapter 4, Flood Protection, of Title 8 of the Yolo County Code, for building within a designated flood plain, as applicable.~~
17. The Applicant shall pay all appropriate fees prior to the issuance of building permits, including, but not limited to School and Fire District fees, County Facility and Service Authorization (FSA) fees, and Environmental Health fees.

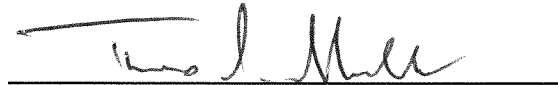
ENVIRONMENTAL HEALTH - COMMUNITY SERVICES (530) 666-8646

18. Hazardous Materials
 - Handling hazardous materials in quantities equal to or greater than 55-gallons for liquids, 500-pounds for solids, or 200-cubic feet for compressed gases, requires a Hazardous Materials Business Plan (HMBP) to be completed and submitted to YCEH by submitting to the California Environmental Reporting System (CERS) web site (<http://cers.calepa.ca.gov/>). For assistance with CERS, please visit our web site at <https://www.yolocounty.org/government/general-governmentdepartments/community-services/environmental-healthdivision/hazardous-materialsprogram/california-environmental-reporting-system-cers> or call YCEH at (530) 666-8646 and ask to speak to a Hazmat Specialist. If a facility only generates below reportable quantities of hazardous waste, it is not required to submit a HMBP in CERS, but the facility will be regulated by the YCEH Hazardous Materials (CUPA) program. Please contact the YCEH office and ask to speak to a Hazmat Specialist.
 - Prior to the installation, upgrade, or repair of Underground Storage Tanks (USTs), a UST Installation Packet (Underground Storage Tank Program Application Packet for Installations, Modifications, and Repairs) shall be completed and submitted on paper to YCEH. This packet requires that the applicant update facility information including UST forms online in CERS. For assistance with CERS or questions about the UST Installation Packet, please call YCEH at (530) 666-8646 and ask to speak to a Hazmat Specialist. The forms for the UST Installation Packet are also available at: <https://www.yolocounty.org/government/general-governmentdepartments/> community-

services/environmental-health-division/forms-applicationspage# underground. In addition, a UST operating permit shall be obtained from YCEH.

ACKNOWLEDGEMENT of CONDITIONS OF APPROVAL for ZONE FILE #2024-006. I hereby concur with the conditions of approval as set forth above.

Signature of Owner/Authorized Agent:



Thomas Muller

Aug 3, 24
Date



Louie Muller

8-5-24
Date

EXHIBIT C

FINDINGS ZONE FILE #2024-006 MULLER TENTATIVE PARCEL MAP

Upon due consideration of the facts presented in the staff report and at the public hearing for Zone File #2024-006, the Planning Commission approves the proposed Tentative Parcel Map. In support of this decision, the Planning Commission makes the following finding (*A summary of the evidence to support each FINDING is shown in italics*):

California Environmental Quality Act

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

*The Negative Declaration (**Attachment C**) 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 [14 CCR § 15070(a)]. Pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines, an environmental evaluation (Negative Declaration) has been circulated for 20 days for public review, and to Responsible Agencies having jurisdiction over the project, with no significant comments noted [14 CCR § 15073(a)]. The proposed Negative Declaration is the appropriate level of environmental review pursuant to Section 15070 of the CEQA Guidelines.*

Yolo County General Plan

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

The Yolo County 2030 Countywide General Plan designates the subject property as Agriculture (AG). As conditioned, the Tentative Parcel Map is consistent with the policies, goals, and objectives of the General Plan. No development is proposed as part of the project.

Specifically, the project is consistent with the following General Plan policies:

Policy LU-2.3 *Prohibit the division of land in an agricultural area if the division is for non-agricultural purposes and/or if the result of the division will be parcels that are infeasible for farming. Projects related to clustering and/or transfers of development rights are considered to be compatible with agriculture.*

Policy AG-1.2 *Maintain parcel sizes outside of the community growth boundaries large enough to sustain viable agriculture and discourage conversion to non-agricultural home sites.*

Policy AG-1.3 *Prohibit the division of agricultural land for non-agricultural uses.*

Policy AG-2.5 *Support high value and intensive farming practices on appropriate agricultural soils. Prime soils and other productive agricultural land outside of growth boundaries shall be preserved wherever feasible.*

Development and Zoning Code

3. That the proposal is consistent with applicable standards set forth in Title 8, Chapter 1, Article 3 of the Yolo County Code (Subdivision Map Requirements).

The proposed project meets the criteria set forth in County Code Section 8-1.302, which states that a tentative parcel map and a "final" parcel map shall be required for all subdivisions creating four or fewer lots.

- a. *Resultant Parcel 1 will be approximately 68.329-acres and resultant Parcel 2 will be approximately 58.073-acres. The project will not result in any new development, assures adequate access to each proposed parcel, assures access to water resources for irrigation purposes, assures consistency with the public interests, and generally serves to protect land values for the individual.*

4. That the proposed Tentative Parcel Map is consistent with the applicable zoning standards set forth in Title 8, Chapter 2, Article 3 of the Yolo County Code (Agricultural Zones).

The proposed project is a request for a Tentative Parcel Map to create two parcels from one 126.402-acre parcel. As conditioned, the Tentative Parcel Map meets or exceeds the minimum parcel size (40 acres) for irrigated parcels in permanent crops and will be consistent with applicable zoning standards set forth in Title 8, Chapter 2, Article 3 of the Yolo County Code.

Subdivision Map Act

5. Pursuant to Section 66474 of the Subdivision Map Act and Section 8-1.312 of the Yolo County Code, 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 of the Government Code.

The subject property for the Tentative Parcel Map is designated as Agriculture in the 2030 Countywide General Plan. The property has been historically planted in permanent crops (8th leaf almond orchard) and farmed as two separate fields. The proposed project will allow the property owner to create two parcels to a more practicable configuration that will follow the physical boundaries of the farming operations along the Adams Canal that intersects the parcel from north to south, and to keep the parcels in productive agriculture. The proposed request will also assist the Mullers with financing in the future to diversify their crops and obtain a production loan secured by the property.

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

No residential development is proposed as part of the Tentative Parcel Map. However, the County Code provides that a property within the Agricultural Intensive (A-N) zone can establish a 2.5-acre homesite [County Code Sections

8-2.304/Table 8-2.304(e) and 8-2.402(b)]. The A-N zone allows for the construction of one primary and one ancillary dwelling on each of the newly created parcels.

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

The resulting parcels of the Tentative Parcel Map meet or exceed the minimum parcel size requirements for the A-N zone, access, and general requirements of the Yolo County Code and the 2030 Countywide General Plan. Resultant Parcel 1 will consist of approximately 68.329-acres and resultant Parcel 2 will be approximately 58.073-acres. No development is proposed as part of the Project.

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

The Tentative Parcel Map does not propose residential development or any other urban development as part of this application. However, the size of the resultant parcels will be able to support future residential development and maintain agricultural viability.

- e) The design of the subdivision provides for public improvements in accordance with Article 9 of this title, and the Yolo County Improvement Standards.

No residential development, or any other urban development, is proposed as part of the Tentative Parcel Map.

- f) 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 for the Tentative Parcel Map and staff have determined that a Negative Declaration is the appropriate level of environmental review pursuant to the CEQA Guidelines. No residential development is proposed and the creation of two parcels will not cause environmental damage or substantially injure fish or wildlife or their habitat. The project's Conditions of Approval address compliance with the requirements of the Yolo Habitat Conservation Plan/Natural Community Conservation Plan for any future development on the newly created parcels.

- g) 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. No residential development, or any other urban development, is proposed as part of this application.

- h) 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.

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

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

The Tentative Parcel Map does not propose residential or any other urban development as part of this application. The land will remain in agricultural production.

- 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 prescribed by a California Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 13000) of the Water Code.

The Tentative Parcel Map does not propose any development that would require the discharge of waste into an existing community system and would therefore not violate any existing requirements prescribed by a California Regional Water Quality Control Board.

- k) If the proposed subdivision fronts along a public waterway, public river or public stream, it provides for a dedication of a public easement along a portion of the bank of the waterway, river or stream bordering or lying within the subdivision, which easement is defined so as to provide reasonable public use and maintenance of the waterway, river or stream consistent with public safety.

The project site does not front along a public waterway, public river, or public stream. The property is landlocked by agricultural uses, including irrigation ditches that provide surface water to the property.

- l) If the project is within the 100-year and 200-year floodplain the project meets FEMA and local flood requirements and is consistent with the findings required by Government Code 66474.5.

The project site is not located within the 100-year or 200-year floodplain and is therefore not subject to FEMA and local flood requirements.