

ATTACHMENT D



County of Yolo

DEPARTMENT OF COMMUNITY SERVICES

Planning & Public Works
 292 West Beamer Street
 Woodland, CA 95695-2598
 (530) 666-8775
 FAX (530) 666-8156
 www.yolocounty.org

Environmental Health
 292 West Beamer Street
 Woodland, CA 95695-2598
 (530) 666-8646
 FAX (530) 669-1448
 www.yolocounty.org

Integrated Waste Management
 44090 CR 28H
 Woodland, CA 95776
 (530) 666-8852
 FAX (530) 666-8853
 www.yolocounty.org

Time Set 10.

Planning Commission
Meeting Date: 07/11/2024

Information

SUBJECT

ZF #2024-006: Consider a request for a tentative parcel map to create two parcels from one 126.402-acre parcel in the unincorporated area of Yolo County and adopt Negative Declaration as the appropriate level of review under the California Environmental Quality Act (CEQA). The property is located 3.6 miles west of the City of Woodland and north of Cache Creek, and no development is proposed as part of the tentative parcel map. (Applicant: Matthew K. Souza/ Owner: Muller, et al.) (Planner: Tracy Gonzalez)

SUMMARY

FILE # 2024-006: Muller Tentative Parcel Map	
APPLICANT: Matthew K. Souza Laugenour and Meikle 608 Court Street Woodland, CA 95695	OWNER: Thomas Muller and Michele Muller; Frank L. Muller and Nancy G. Muller Revocable Trust; Louie and Marie Muller Family Trust 15810 County Road 95 Woodland, CA 95695
LOCATION: No situs address (APNs: 025-360-069 and 025-360-073)	SOILS: Brentwood silty clay (Class IV), Sehor clay (Class IV), Sehorn cobbly clay (Class IV), Sycamore complex, drained (Class IV), and Yolo silt loam (Class IV)
GENERAL PLAN: Agriculture (AG)	FMMP: Prime Farmland, Farmland of Statewide Importance, and Unique Farmland
ZONING: Agricultural Intensive (A-N)	WILLIAMSON ACT: N/A
SUPERVISORIAL DISTRICT: 5 (Supervisor Barajas)	FLOOD ZONE: X
PUBLIC HEARING NOTICE: Neighbor notice sent on 06/28/2024 (published in Davis Enterprise on 06/30/2024)	FIRE SEVERITY ZONE: Non-Wildland/Non-Urban
ENVIRONMENTAL DETERMINATION: Negative Declaration	

RECOMMENDED ACTION

1. Receive staff presentation and hold a public hearing to accept public comment;

2. Adopt the Negative Declaration as the appropriate level of environmental review in accordance with the California Environmental Quality Act (CEQA) and CEQA Guidelines (Attachment C);
3. Adopt the proposed Findings (Attachment D); and
4. Approve the request for a tentative parcel map in accordance with the Conditions of Approval (Attachment E).

REASONS FOR RECOMMENDED ACTIONS/BACKGROUND

The proposed Project is a request for a tentative parcel map to create two parcels from one approximately 126.402-acre parcel in the unincorporated area of Yolo County. The resultant parcels, Parcel 1 and Parcel 2, both meet the minimum lot size requirements for newly created parcels (i.e., 40 acres for Agricultural Intensive zoned parcels planted in permanent crops and irrigated). Parcel 1 will consist of approximately 68.329 acres and Parcel 2 will consist of approximately 58.073 acres. The Project site is located within the Agricultural Intensive (A-N) zone, approximately 3.6 miles west of the City of Woodland, and north of Cache Creek, bordered by County Road (CR) 19 to the north, CR 94B to the east, and CR 20 to the south (APNs: 025-360-069 and 025-360-073).

No development is proposed as part of the tentative parcel map and the intent of the request is to create two parcels that align with the physical boundaries of the existing farming operations that have been farmed as two separate fields. The existing parcel is split by the Adams Canal that intersects the property from north to south. The proposed request will also assist the Mullers with financing in the future to diversify their crops and obtain a production loan. The Project is consistent with policies in the 2030 Countywide General Plan that aim to maintain parcel sizes large enough to sustain viable agricultural production and policies that prohibit the division of agricultural land for non-agricultural uses.

BACKGROUND

Section 8-1.302 of the Yolo County Code requires a tentative parcel map and a parcel map for all subdivisions creating four or fewer lots. The Project site consists of one legal parcel with two Assessor's Parcel Numbers (APNs: 025-360-069 and 025-360-073) and is designated as Agriculture (AG) by the Yolo County 2030 Countywide General Plan land use map. (Note: Assessor's Parcel Numbers are not always reflective of legal parcels.) The property has historically been farmed as two separate fields and planted in almond orchards, irrigated via surface water supplies and an agricultural well. According to the Natural Resources Conservation Service's Web Soil Survey, the soil composition of the Project area consists of Class IV soils that are considered prime farmland (if irrigated and drained), farmland of statewide importance, and unique farmland (the majority of the parcel is prime farmland). The property is not enrolled in the California Land Conservation Act (Williamson Act). The Project site is currently undeveloped, except for dirt/gravel access roads, and an equipment yard on the westerly side of the Adams Canal.

ANALYSIS

The proposed Project is a request for a tentative parcel map that would allow the property owners (Muller, et al.) to create two parcels from one 126.402-acre parcel to a more practicable configuration that will follow the physical boundaries of the farming operations along the Adams Canal which intersects the parcel from north to south. The parcel is currently farmed by members of the Muller family under separate entities. The portion of the property to the west and north of Adams Canal (proposed Parcel 1) is farmed by M3 Ranches, LLC, and the portion of the property to the east and south of Adams Canal (proposed Parcel 2) is farmed by Muller Ag, LLC. Upon approval of the proposed tentative parcel map, both properties will be solely farmed by Muller Ag, LLC. The creation of two parcels will allow the Mullers to obtain a production loan secured by the property, if needed. The applicant has indicated that portions of proposed Parcel 1 have poorer soils compared to Parcel 2 and is subject to flooding, which may necessitate future improvements to Parcel 1. The Project site is within the A-N zone and will not directly or indirectly affect the surrounding lands which primarily consist of agricultural uses, such as seasonal row crops, orchards, public open space, and rural residences.

As mentioned above, the almond orchards are irrigated via surface water from mid-March through mid-October, depending on water allocations, and well water when surface water is not available. Water is typically ordered for each field separately if water allocation is not enough to fully irrigate both fields. The existing agricultural well is located at the southwest corner of resultant Parcel 2 and the existing pump is located along the western boundary of resultant Parcel 2. A new pump station is proposed as part of the Project on Parcel 1 to provide surface water resources for continued irrigation from the Adams Canal. Additionally, access to the parcels will continue from existing gravel and dirt roads from CR 19 and CR 94B. A new 20-foot-wide access easement is proposed on resultant Parcel 1 to ensure Parcel 2 has adequate access from CR 94B to the equipment yard located across the Adams Canal.

Although no development is proposed as part of the Project, the A-N zone would allow for the construction of one primary dwelling and one ancillary dwelling for the newly created parcels. Since the County Code provides that a property on A-N zoned land can establish a 2.5-acre homesite [County Code Sections 8-2.304/Table8-2.304(e) and 8-2.402(b)] for the authorized residences, the potential exists for the disturbance of raptor and/or Swainson's hawk foraging habitat on the newly created parcel. The Project's conditions of approval (Attachment E) will require the payment of land cover fees established by the Yolo Habitat Conservancy for a 2.5-acre homesite if the development of residential uses occurs on Parcel 1, created as a result of approval of the tentative parcel map (payment of applicable land cover fees are due prior to issuance of building permit(s) for new homesites).

On March 12, 2009, the Planning Commission approved the Taylor tentative parcel map (TPM #4965), which subdivided a 685-acre parcel into three parcels, one of which is the subject 126.402-acre parcel currently owned by Muller, et al. The Board of Supervisors approved the Taylor parcel map on November 10, 2009. The conditions of approval for the Taylor TPM required the applicant at the time to record a notice in the chain of title for each newly created parcel stating the obligation to mitigate for the loss of 2.5 acres of Swainson's hawk foraging habitat by payment of in-lieu mitigation fee at time of building permit for a homesite. However, no building permits have been submitted to develop a homesite on the subject parcel. Staff have determined that this subsequent Tentative Parcel Map will require the owner to mitigate for the newly created parcel (Parcel 1), as well as the resultant Parcel 2 to satisfy the previous condition of approval from the Taylor TPM. See condition of approval item number 13 in Attachment E.

Proposed Parcel 1 and Parcel 2 meet the minimum parcel requirements for the A-N zone for parcels planted in permanent crops and are therefore consistent with policies within the 2030 Countywide General Plan that aim to maintain parcel sizes large enough to sustain viable agricultural production (Policy AG-1.2). Additionally, the tentative parcel map will allow the Muller family to obtain a production loan in the future to assist with financing to diversify or improve their crops, which is consistent with Policy AG-1.3 which prohibits the division of agricultural land for non-agricultural uses. Staff recommends the approval of the requested tentative parcel map to create two parcels from one 126.402-acre parcel. The required findings for approving the tentative parcel map are provided in Attachment D.

An Initial Study/Negative Declaration (IS/ND) was prepared for the Project. The IS/ND determined that no substantial evidence exists supporting a fair argument of significant environmental effects. The IS/ND was circulated for public review on June 20, 2024, and two responses were received. The Yolo County Department of Agriculture responded to inform staff that their agency had no comment on the proposed Project, and a letter of support of the Project was received by the Yolo County Farm Bureau, which can be found in Attachment G.

Should the Planning Commission approve the request for a tentative parcel map, the surveyor of record will prepare a technically accurate parcel map that will go before the Board of Supervisors as a consent item. Once the parcel map is accepted by the Board of Supervisors, it shall be filed for recordation with the County Clerk Recorder.

COLLABORATIONS

A Request for Comments was sent to local and regional agencies on March 26, 2024. Comments were received from the Yolo County Department of Agriculture, which did not foresee any issues with the Project as it does not propose development or changes to the existing farming operations. Comments

received from the Yolo County Environmental Health Division and the Yolo County Public Works Division can be found in Attachment F. The Project site does not fall within the comment area of the County’s Citizens Advisory Committees.

The Yolo Habitat Conservancy, upon a preliminary review of the Project’s HCP/NCCP Application, concluded that the Project is not subject to the Avoidance and Minimization Measures nor HCP/NCCP fees at this time. A condition of approval is included in Attachment E that will require compliance with the HCP/NCCP, including payment of applicable fees for homesite development on the newly created Parcel 1 prior to building permit issuance.

In compliance with Assembly Bill (AB) 52 (Public Resources Code [PRC] Section 21080.3.1), a Project notification letter was distributed on April 29, 2024, to representatives of the Cortina Rancheria Band of Wintun Indians of California, United Auburn Indian Community of the Auburn Rancheria, Wilton Rancheria, Lone Band of Miwok Indians, Torres Martinez Desert Cahuilla Indians, and Yocha Dehe Wintun Nation. No responses were received requesting further consultation.

Notice of the Planning Commission meeting for the Project was published on June 30, 2024, in the Davis Enterprise and mailed to property owners within 1,000 feet of the Project site on June 28, 2024.

A Courtesy Notice was previously mailed to interested parties, as well as property owners within 1,000 feet of the Project site on April 29, 2024. No responses were received.

APPEALS

Any person who is dissatisfied with the decisions of this Planning Commission may appeal to the Board of Supervisors by filing a notice of appeal with the Clerk of the Board within fifteen (15) days from the date of the action. A Planning Commission Appeal Form and appeal fee immediately payable to “County of Yolo” must be submitted at the time of filing. The Board of Supervisors may sustain, modify or overrule this decision. The Planning Commission Appeal Form can be accessed at the following link: <https://www.yolocounty.org/government/board-of-supervisors/clerk-of-the-board/planning-commission-appeal>

Attachments

- Att. A. Vicinity Map
- Att. B. Tentative Parcel Map #5250
- Att. C. Negative Declaration
- Att. D. Findings
- Att. E. Conditions of Approval
- Att. F. Agency Responses
- Att. G. Interested Party Comments

Form Review

Inbox	Reviewed By	Date
Eric May	Eric May	07/02/2024 12:41 PM
Stephanie Cormier	Stephanie Cormier	07/02/2024 01:59 PM
Form Started By: Tracy Gonzalez		Started On: 06/26/2024 11:40 AM
Final Approval Date: 07/02/2024		