

# ATTACHMENT D

## 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.*