

ATTACHMENT D

FINDINGS ZONE FILE #2022-0072 DUNNIGAN TRUCK AND TRAVEL CENTER TENTATIVE PARCEL MAP AND USE PERMIT

Upon due consideration of the facts presented in the staff report and at the public hearing for Zone File #2022-0072, the Planning Commission approves the proposed Tentative Parcel Map #5259 and Use Permit. 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

1. That the proposed Addendum to the Initial Study/Mitigated Negative Declaration (SCH#2003062057) prepared for the project is the appropriate environmental documentation in accordance with the California Environmental Quality Act (CEQA) and CEQA Guidelines.

An Addendum to the Dunnigan Truck and Travel Center Initial Study/Mitigated Negative Declaration (SCH #2003062057) has been prepared in accordance with CEQA Guidelines Section 15164. The Mitigated Negative Declaration was adopted by the Yolo County Board of Supervisors on January 6, 2004. The Addendum analyzes the proposal for the existing parcel to be divided into four parcels, with a remainder parcel, so that each of the commercial uses evaluated may be located on the resultant parcels. The analysis provided in the Addendum demonstrates that the circumstances and impacts identified in the adopted Mitigated Negative Declaration remain substantially unchanged by the proposed project, and supports the finding that the proposed modifications do not raise any new issues and do not cause the level of impacts identified in the previous Mitigated Negative Declaration to be exceeded.

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 Commercial General (CG). The parcel's Highway Service Commercial zoning (C-H) is consistent with the General Commercial land use designation. As conditioned, the Tentative Parcel Map and Use Permit is consistent with the policies, goals, and objectives of the General Plan. The uses proposed for the project are consistent with the commercial designation.

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

Policy LU-3.3 Allow commercial and industrial growth, subject to all required County approvals. Within the areas designated for commercial and industrial land uses...the County shall target...Highway-oriented and regional commercial development, particularly along Interstate 5 and Interstate 505...

Policy CC-4.27 Design highway service commercial uses at identified rural interchanges to preserve surrounding agriculture, rural character, scenic quality and the natural environment.

Policy ED-4.1 Provide for the development of a visitor network, conveniently located, that includes a mix of lodging, attractions, transportation, restaurants, retail, gas stations and other services.

Policy ED-4.9 Support the development of tourist services (consistent with this General Plan) along Interstate 5 (Yolo, Zamora, Dunnigan), State Route 16 (Madison, Esparto) and State Route 113 (Knights Landing).

And following Dunnigan Community Plan policy:

Policy D-LU-6 Development at County Road 8 will continue to support highway-oriented commercial land uses that provide economic opportunities for the community.

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 would create four parcels with a remainder and meets the criteria set forth in County Code Section 8-1.302(a), which states that a tentative parcel map and a parcel map shall be required for all subdivisions creating four or fewer lots.

4. That the proposed Tentative Parcel Map and Use Permit is consistent with the applicable zoning standards set forth in Title 8, Chapter 2, Article 6 of the Yolo County Code (Commercial Zones).

The proposed project is a request for a Tentative Parcel Map and Use Permit to divide a 100-acre parcel into four parcels between 5 and 12 acres in size with a 48-acre remainder. As conditioned, the Tentative Parcel Map meets or exceeds the minimum parcel sizes (2 acres) and will be consistent with applicable zoning standards set forth in Title 8, Chapter 2, Article 6 of the Yolo County Code. The various uses proposed for development are allowed in the C-H zone as a by-right use or conditional use.

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 proposed Tentative Parcel Map is consistent with the 2030 Countywide General Plan and the adopted Dunnigan Community Plan. The Dunnigan Community Plan includes Policy D-LU-6 to support highway-oriented commercial land uses at I-5 and CR 8 to provide economic opportunities for the

community. The junction of County Road 8 and Interstate 5 currently supports a number of highway service commercial uses that cater to large trucks and their drivers. The proposed project envisions gas and electric charging stations, a motel, restaurants, truck repair and sales, and a full range of services for truck drivers and travelers.

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

The design and improvement of the proposed parcel map is consistent with the Countywide General Plan, Dunnigan Community Plan, and Yolo County Zoning Ordinance. The parcel has a land use designation of Commercial General and is zoned for Highway Service Commercial. The proposed project as conditioned is consistent with these documents.

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

The 100-acre site has been determined to be suitable for this type of development based on the Addendum to the Mitigated Negative Declaration adopted for this project. The parcel is large enough to support the mix of proposed uses and the infrastructure required. Road improvements are included as a part of the project that would meet access and general requirements of the Yolo County Code and the 2030 Countywide General Plan.

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

Approximately half of the 100-acre parcel would be used for a truck stop and other travel-related uses, such as a hotel and restaurants, while the other half would be available to support the uses with well, wastewater, and stormwater infrastructure. County Road 8 would be upgraded with extra lanes and a roundabout to mitigate for the increased traffic.

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

The project is designed to accommodate, and improvement plans will be required for streets and sidewalks, public water systems, wastewater and stormwater systems, lighting, and landscaping prior to approval of the Parcel Map. The design of the subdivision will be in accordance with Article 9 of the County subdivision regulations, and the Yolo County Improvement Standards.

- 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.

The Addendum to the previously adopted Mitigated Negative Declaration determined that no significant impacts would occur that could cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. Additionally, the project is required to comply with the requirements of the Yolo Habitat Conservation Plan/Natural Community Conservation Plan to avoid and minimize potential impacts.

- g) That the design of the subdivision or type of improvements is likely to cause serious public health problems.

All issues regarding health, safety, and general welfare will be addressed accordingly by the appropriate regulatory agency prior to the filing of the Parcel Map, issuance of a building permit, or occupancy of any commercial establishment. Due to these statutory requirements, the proposed development is not likely to cause serious public health problems.

- 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 involve the abandonment of a section of public right-of-way for County Road 90 due to safety improvements for the site which will include construction of a roundabout and interior roads within the project area to connect County Road 8 and County Road 90 more safely. The improvements and additional roads will be dedicated to the County and not further 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 proposed Dunnigan Truck and Travel Center proposes landscaping and other design features which present natural cooling opportunities.

- 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 project proposes to treat wastewater onsite rather than connect to a community sewer system. Any system would be required to receive permitting from the Centra Valley Regional Water Quality Control Board so that it would comply with all existing requirements.

- 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.

Bird Creek runs through the southeast corner of the property, but the proposed Tentative Parcel Map will have no effect on existing access to the stream. The project is conditioned to provide a 100-foot setback from the top of bank.

- 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 proposed Tentative Parcel Map does not propose any development in the flood hazard area adjacent to Bird Creek. The project is conditioned to provide a 100-foot setback from the top of bank. Development activities are not proposed within the 100-year or 200-year floodplain.