



ATTACHMENT A.

Time Set 10.

Planning Commission

Meeting Date: 01/16/2025

Information

SUBJECT

ZF #2024-039: Public hearing to consider a request for a two-year term extension to the Development Agreement for the E. Parker residential subdivision project in Esparto (APN: 049-160-021, 62 units approved on 17 acres), and determine the project is exempt from the California Environmental Quality Act (CEQA) based on the 'common sense' exemption under CEQA Guidelines Section 15061(b)(3). A Mitigated Negative Declaration was previously adopted for the project (SCH No. 2007012126). (Applicant/Owner: Yocha Dehe Wintun Nation) (Planner: JD Trebec)

SUMMARY

FILE # 2024-039: E. Parker Development Agreement Fourth Extension	
APPLICANT: Yocha Dehe Wintun Nation PO Box 18 Brooks, CA 95606	OWNER: same
LOCATION: The parcel is located north of the intersection of County Road 86A and State Route 16 in the unincorporated community of Esparto (APN: 049-160-021)	SOILS: Tehama loam (TaA, Class II), Marvin silty loam clay (Mf, Class II)
GENERAL PLAN: Residential Low (RL) and Parks and Recreation (PR)	FMMP: Farmland of Local Importance
ZONING: Low Density Residential/Planned Development 60 (R-L/PD-60) and Parks and Recreation (PR)	WILLIAMSON ACT: No
SUPERVISORIAL DISTRICT: 5 (Supervisor Barajas)	FLOOD ZONE: 0.2% Annual Chance Flood Hazard
PUBLIC HEARING NOTICE: Neighbor notice sent on 01/03/2025 (Published in Davis Enterprise on 01/05/2025)	FIRE SEVERITY ZONE: Non-Wildland/Non-Urban
ENVIRONMENTAL DETERMINATION: The Board of Supervisors adopted a Mitigated Negative Declaration (MND) for the E. Parker residential subdivision on October 23, 2007 (SCH# 2007012126). The common sense exemption applies to the 2-year extension [CEQA Guidelines Section 15061 (b)(3)], but it is also consistent with the adopted MND.	

RECOMMENDED ACTION

That the Planning Commission:

1. Hold a public hearing and receive public comments on the proposed two-year term extension to the E. Parker Development Agreement; and
2. Recommend that the Board of Supervisors:

- A. Determine the extension is consistent with the existing Mitigated Negative Declaration (SCH No. 2007012126) and adopt the 'common sense' exemption as the appropriate level of environmental documentation in accordance with the California Environmental Quality Act (CEQA) and CEQA Guidelines (Attachment A); and
- B. Approve the Ordinance to amend the E. Parker Development Agreement for a fourth term extension until December 31, 2026 (Attachment B).

REASONS FOR RECOMMENDED ACTIONS/BACKGROUND

The Board of Supervisors approved Tentative Subdivision Map No. 4755 and the Development Agreement for the E. Parker residential subdivision in 2007 with a term of ten years. The deadline for the Final Map was extended by legislative enactments following the housing crisis. The project never received a Final Map and when the DA's term was due to expire in 2017, the Board of Supervisors extended the term of the DA and tentative map by two years. The property and its associated entitlements were sold to the Yocha Dehe Wintun Nation in 2019 and a second extension of three years was granted. In 2023, the Board of Supervisors approved a third extension for a term of two years so that the Tribe could complete the Capay Valley Health and Community Center and have time to engage the community to determine if the project was meeting current needs.

The approved tentative map for the E. Parker project consists of 62 low-density residential lots on 17 acres of land (APN: 049-160-021) located immediately east of the Tuli Mem Park and Aquatic Center between State Route 16 and Lamb Valley Slough (Attachment C). Without the DA, the tentative map would have since expired. Thus, extending the term of the Development Agreement (Attachment D) also extends the life of the tentative map.

Developer obligations contained within the E. Parker DA include: A.) \$125,000 for downtown Esparto street improvements; B.) the extension of Alpha Street across Lamb Valley Slough and improvements at the State Route 16/County Road 86A intersection; C.) Visitability design features for homes; and D.) Lamb Valley Slough channel improvements, trails, and a playground. The Tribe has requested an additional two-year extension due to delays caused by the COVID pandemic to the Capay Valley Health and Community Center and other projects serving Esparto and the Capay Valley.

ANALYSIS

A "Development Agreement" is a voluntary legal contract between a local jurisdiction and a person who owns or controls property within the jurisdiction, detailing the obligations of both parties and specifying the standards and conditions that will govern development of the property. Development agreements are usually employed for large, complex development projects that are constructed in phases over a period of years. The agreements set the specific zoning, design, and other construction requirements for the project and give certainty to the developer that the rules will not be significantly changed over time. In return for this regulatory certainty, public agencies often negotiate additional benefits (or mitigation programs) that the developer will provide with the project. The framework and requirements for a DA are set forth in provisions of State law. The approval and any subsequent amendment of a DA requires a public hearing before the Planning Commission and Board of Supervisors.

An extension to the Development Agreement for the E. Parker residential subdivision would allow the Tribe to engage with the community of Esparto to consider the best course of action for the property, which may change substantially based on community input and needs of the Tribe. The extension of the E. Parker Development Agreement to December 31, 2026, would allow the DA and Tentative Subdivision Map No. 4755 to remain active while alternative development plans are considered by the Tribe.

A Mitigated Negative Declaration (MND) for the E. Parker residential subdivision was adopted on October 23, 2007 (SCH#2007012126). A 'common sense' exemption has also been prepared for the

requested DA term extension. Section 15061(b)(3) of the CEQA Guidelines consists of activities covered by the 'common sense' rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Extending the term of the E. Parker DA and tentative map will not have an effect on the environment and is consistent with the previously adopted MND. Additional environmental review may be required should more substantial changes to the DA or tentative map be proposed.

SUMMARY

Staff recommends the Planning Commission recommend the two-year DA extension for the E. Parker project to the Board of Supervisors to allow the Tribe time to further engage with the community of Esparto, determining that the extension of the DA meets the following findings:

- (1) The provisions of the E. Parker DA and the development of the E. Parker property, as approved, are consistent with and conform to the 2030 Countywide General Plan and Esparto Community Plan;
- (2) The DA is consistent with the Yolo County Code that governs the uses authorized in the Zoning Regulations for the Low Density Residential (R-L) Zone;
- (3) The execution of the DA is in the public interest as it provides assurance of compliance with all County requirements, including a Mitigation Monitoring and Reporting Program approved in connection with the adoption of the Mitigated Negative Declaration;
- (4) Development of the E. Parker project would be served by public water and wastewater, meet public safety requirements, and provide mitigation for the loss of agricultural and habitat resources. Additionally, the DA provides many public benefits that would not have been achieved in the absence of the DA, such as flood controls, universal design and visitability features in the homes, and higher standards for residential energy efficiency components;
- (5) The E. Parker project is suitable for the site, as is consistent with the Esparto Community Plan, and includes provisions for implementing measures to ensure the design of the subdivision will not cause environmental damage or serious public health problems;
- (6) The E. Parker DA provides many public benefits that would not have been achieved in the absence of the DA, including recreational areas, a reconstructed south levee of Lamb Valley Slough with a maintenance road and pedestrian and bicycle path, landscaped transportation improvements along State Route 16, and economic development; and
- (7) The DA ensures the project will meet 100-year flood protection requirements.

COLLABORATIONS

The Esparto Citizens Advisory Committee reviewed the request at their meeting on December 17, 2024, and unanimously recommended to extend the term of the E. Parker DA until December 31, 2026. The Office of the County Counsel has assisted staff and approved the Resolution as to form.

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. Notice of Exemption
 - Att. B. Ordinance to Amend Development Agreement
 - Att. C. Project Location
 - Att. D. Original Development Agreement
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Form Review

Inbox

Eric May
Stephanie Cormier
Form Started By: JD Trebec
Final Approval Date: 01/08/2025

Reviewed By

Eric May
Stephanie Cormier

Date

01/07/2025 06:11 PM
01/08/2025 12:04 PM
Started On: 12/24/2024 08:24 AM