

CHAPTER ELEVEN: ADMINISTRATION

11.1 OVERVIEW

This chapter of the Dunnigan Specific Plan (DSP) outlines the Specific Plan process and its relationship to the subsequent entitlement processes that are necessary to allow construction of individual projects. This chapter also describes the administrative procedures that will occur to implement, amend, interpret and enforce the Specific Plan.

11.2 SPECIFIC PLAN PROCESS AND SUBSEQUENT ENTITLEMENTS

This section describes the project entitlements and the relationship between the concurrent approvals which occurred with the adoption of the Dunnigan Specific Plan and the subsequent entitlement process to occur after Specific Plan adoption.

11.2.1 Specific Plan and Concurrent Approvals

The following entitlements have been approved as part of the Specific Plan project:

- **Final Environmental Impact Report (FEIR)**
The Yolo County Board of Supervisors certified the FEIR addressing the Dunnigan Specific Plan and other related entitlements. The FEIR includes the Draft EIR and all appendices.
- **Dunnigan Specific Plan (DSP)**
The Yolo County Board of Supervisors (the Board) adopted the Dunnigan Specific Plan and all Appendices by ordinance. The Board adopted the DSP Development Standards (Appendix S) by resolution.
- **Zoning**
The Specific Plan and the Development Standards (Appendix S) constitute the zoning for the Plan Area. The County Zoning Map has been revised to rezone the Plan Area to “DSP”. Prior to the start of each phase of development, affected landowners must consent to the Zoning by accepting the conditions, policies and requirements of the Specific Plan, as well as any Mitigation Measures. This requires non-participating landowners to participate in financing policies of the Specific Plan, including the requirement to pay the Specific Plan Fee (see Policy 10-10 in Chapter 10.4.2). The County must then approve certain subsequent entitlements and determine consistency with the applicable Goals, Policies, Standards, Strategies, and other requirements in the Specific Plan, as well as any applicable Mitigation Measures.
- **Public Facilities Financing Plan (PFFP) and Public Services Financing Plan (PSFP)**
The Public Facilities Financing Plan (PFFP), Appendix N, identifies the estimated costs of public facilities and describes the mechanisms for funding these facilities. The Public Services Financing Plan (PSFP), Appendix N, identifies the level of public services expected in the Plan Area and describes the funding methods which may be used to deliver these services. These plans have been accepted by the Board and will be updated

and refined following Specific Plan adoption and prior to the recordation of the first large lot final map or the approval of the first small lot tentative map for any development project within the Plan Area.

- **Large Lot Tentative Subdivision Map**

A large lot tentative subdivision map for a portion of the Plan Area was approved concurrently with the Specific Plan in order to create legal parcels which conform to the parcel configurations defined by the Land Use Plan.

11.2.2 Subsequent Plan Approvals

Additional actions or approvals must occur following the adoption of the Specific Plan, and prior to the development of the first Phase. One or more special districts (or financing districts) must be created or expanded to provide public services within the Plan Area, which may require action by the Yolo County Local Agency Formation Commission (LAFCO). Several plans and programs must be reviewed and accepted by the County for each Phase of development and prior to the recordation of the first large lot final map or the approval of the first tentative subdivision map or development permit for any development application within the Plan Area:

- Specific Plan Fee Ordinance
- Affordable Housing Plan
- Master Agricultural Mitigation Program
- Updates to PFFP and PSFP
- Implementing Plan Area Fee Ordinance
- Public Area Landscape Master Plan
- Recycling Plan
- VMT Reduction Plan¹

11.2.3 Subsequent Entitlements

Individual development projects within the DSP are subject to review and approval of subsequent permits by Yolo County. Subsequent entitlements include subdivision or parcel maps; Rezoning, Site Plan Reviews, Use Permits, Lot Line Adjustments or Lot Mergers, building and grading permits, etc. Once the plans and programs described in Section 11.2.1 are completed, individual developers may submit and process applications for subsequent entitlements.

Application and processing requirements shall be in accordance with the Yolo Zoning Ordinance and other regulations, as otherwise modified by this Specific Plan. Any application for a subsequent entitlement shall be subject to the Planning Application Fee Schedule, Plan Area Fees and any other fees in effect at the time of the application submission. In addition to the foregoing, any application for a subsequent entitlement filed by a non-participating landowner shall be required to pay the Specific Plan Fee, pursuant to Policy 10-10 of this Specific Plan, prior to the approval of any subsequent entitlements.

All subsequent development projects, public improvements and other activities shall be consistent with this Specific Plan and accompanying Design Guidelines, the Specific Plan Development Agreements, and all applicable County policies, requirements and standards.

¹ Table 4.5 identifies the early implementation measures to be adopted following approval of the Specific Plan.

In acting to approve a subsequent project or permit, the County may impose conditions as are reasonably necessary to ensure that the project is in compliance with the Specific Plan and all applicable plans and regulations.

In conjunction with submittal of any required County application for a subsequent development entitlement, site specific information is required to be submitted to enable the County to make a determination of consistency with the Specific Plan and the EIR, including but not limited to the following:

- Biological Study
- Cultural Resources Study/Survey
- Traffic Study
- Geotechnical Report
- Water Quality/Stormwater BMP's
- Acoustical Analysis (if applicable)
- Infrastructure Checklist
- Agricultural Mitigation
- Habitat Mitigation

11.3 ENVIRONMENTAL REVIEW

An Environmental Impact Report (EIR) has been prepared for this Specific Plan and was certified by the Board of Supervisors concurrently with the approval of the Specific Plan. Section 65457(a) of the California Government Code and Section 15182(a) of the California Environmental Quality Act provides that no EIR or negative declaration is required for any residential project undertaken in conformity with an adopted Specific Plan for which an EIR has been certified. The EIR certified for this project has been written to qualify all residential projects for this exemption, assuming they are consistent with the adopted Specific Plan and fulfill all conditions and CEQA mitigation measures. Non-residential land uses may be able to rely on the EIR, pursuant to Section 15183 of the CEQA Guidelines, assuming the proposed projects are found consistent with the Specific Plan and fulfill all conditions and CEQA mitigation measures.

11.4 SPECIFIC PLAN AMENDMENTS AND MINOR REVISIONS

During the long-term build out of the Plan Area, amendments to the adopted Specific Plan may be necessary because of changing circumstances. Additionally, because of unforeseen circumstances, some design guidelines or development standards may not be feasible on a particular parcel. In these situations, the procedures listed below will be followed to amend the adopted Specific Plan.

11.4.1 Scope of Amendment

Any proposed changes to the Specific Plan can include but are not limited to changing land use designations, design criteria, development standards or policies. Changes proposed to this adopted Specific Plan shall be categorized by the Planning Director as either an amendment or a minor revision. Amendments require Planning Commission and Board of Supervisors approval. Minor revisions may be reviewed and acted upon by the Planning Director without Planning Commission or Board of Supervisors review, unless appealed. A request to change the Specific

Plan shall be accompanied by an application filing fee, a detailed justification statement which explains why an amendment or minor revision is warranted and any exhibits deemed necessary by the Planning Director. All requirements of CEQA will be applicable.

11.4.2 Specific Plan Amendments

An amendment is required when one of the following criteria is met:

- A new type of land use not specifically discussed in this Specific Plan is introduced.
- Significant changes to the distribution of land uses beyond that allowed by Section 3.10, Density Transfers, or other changes affecting land use are proposed which may substantially affect the Specific Plan.
- Changes to design guidelines and/or development standards, which, if adopted, would substantially change the physical character of the Plan Area as envisioned by the Specific Plan as determined by the Planning Director.
- Changes to the approved Phasing Plan are proposed which significantly increases or alters the area boundaries or units allocated by the proposed phasing schedule.
- Any change that would trigger the preparation of any form of negative declaration or environmental impact report.

11.4.3 Minor Revisions

A minor revision to the Specific Plan may be processed if determined by the Planning Director to be in substantial conformance with the following criteria:

- The Planning Director determines that the modification does not have a significant impact on the character of the Plan.
- The proposed adjustments to the development standards or design guidelines are offset by the merits of the design and do not significantly change the anticipated physical characteristics of the development.
- The proposed changes to the alignment of streets, which if adopted, would not substantially alter the land use or circulation concepts set forth in this Specific Plan.
- Adverse environmental impacts are not significantly increased by the proposal.
- The proposed change to the approved Phasing Plan boundaries will not result in increase of more than 10% in the total number of units proposed for a particular phase.
- The request is in compliance with Section 3.10, Density Transfers.

11.5 INTERPRETATIONS

In the event that the requirements and guidelines of the Specific Plan may appear to provide alternative guidance or differ from other adopted County policies, interpretations may be necessary. These would typically arise regarding specific issues and situations in the land use development process. Interpretations may be needed when the County is considering a discretionary development application, such as a subdivision map, or a ministerial application, such as a building permit. Interpretations for the Dunnigan Specific Plan shall be made as described in Section 8-2.304 (Zoning District boundary determinations) and Section 8-2.3215 (Interpretation of Uses) of the Yolo County Land Development and Zoning Ordinance. Whenever the Planning Director determines that the meaning or applicability of any of the requirements of this Specific Plan is ambiguous, misleading, or unclear, the Director may issue an

official interpretation or refer the question to the Planning Commission for a determination. The Planning Department shall keep records of the official determinations on file for future reference and to ensure consistency of interpretations over time.

11.6 ENFORCEMENT

The Specific Plan includes a considerable number of development regulations and environmental mitigation measures. Assurances must be made that adequate enforcement mechanisms are in place to ensure that all adopted regulations and mitigation measures will be followed. Complaints of violations of any Specific Plan requirements will be investigated consistent with established enforcement procedures and due process. Enforcement of the Specific Plan shall be in accordance with Section 8-2.3101 – 8-2.3104 of the Yolo County Land Development and Zoning Ordinance.