

October 30, 2002

To: Sutter County Planning Commission

Re: Agenda Item #11: Public hearing on General Plan Amendment #02-02 to amend Policy 1.C-5 of the Policy Document regarding the number of ranchette parcels that may be created, and the addition of new policies regarding lot line adjustment requirements as they relate to minimum acreage requirements; and

Agenda Item #12: Public hearing on Zoning Code Amendment #02-04 for Amendments to the Zoning Code, Ranchette District, Section 1500-1816, relating to the division of ranchette parcels through lot line adjustment; located Countywide; initiated by the County of Sutter

Current Proposal

- A. Modify General Plan Policy 1.C-5, according to Resolution #02-078, providing an interpretation of Ranchette Provisions as an interim measure.
- B. Amend General Plan to include new Policies 1.A-7 and 1.A-8 delineating the circumstances for Lot Line Adjustments. These policies are consistent with and reflect policies in the Zoning Code.
- C. Adopt an Ordinance to implement the necessary Zoning Code change to Section 1500-1816 (Ranchettes).

Background

- A. The Public Works/Support Services Committee met on July 25, 2002 and August 8, 2002 to discuss how to resolve issues with Ranchette parcels and Lot Line Adjustments. The committee recommended the Board of Supervisors adopt a resolution of interpretation as an interim measure. On September 10, 2002, the Board of Supervisors adopted Resolution #02-078.
- B. On October 2, 2002, the Planning Commission initiated a General Plan Amendment to bring the General Plan policies relating to Lot Line Adjustments into conformance with the California Subdivision Map Act.

- C. On July 16, 2002, the Board of Supervisors initiated a General Plan Amendment and Zoning Code Amendment to resolve a potential policy conflict related to Ranchettes.

Environmental Consideration

An Initial Study was prepared for this project in accordance with the California Environmental Quality Act and the Guidelines. The study revealed that the project as proposed could not have a significant impact on the environment and if the Board of Supervisors was to approve this project, staff would recommend adoption of the attached Negative Declaration.

Staff Comments

The proposed actions consist of changes to both the General Plan Policy document and the Zoning Code. Specifically, the changes proposed are represented below in *italics for new language* and ~~strikeout text for deletions~~.

General Plan changes:

- 1.C-5 Any Ranchette proposal shall not result in the creation of more than four (4) total lots (including any designated remainder). Once a Ranchette designation is approved and the maximum four lots have been created on a specific piece of land, no further division of the subject land will be permitted until the County's next Comprehensive General Plan Revision. *In rare circumstances, an existing ranchette lot may be altered by lot line adjustment with adjacent properties to allow such adjacent properties to be divided as ranchette lots. "Rare Circumstances" refers to a situation where a variance would otherwise be required, access needs to be obtained, or such other similar situation as determined by the Director of Community Services.*
- 1.C-6 *Low Density Residential and Residential Estate designated parcels which do not meet the minimum acreage requirement, or exceed the maximum acreage requirement, as specified by the land use policies of the General Plan, may be adjusted by lot line adjustment pursuant to §65412(d) of the Government Code under the following conditions:*
- a. *For any adjustment involving parcels that do not meet the minimum parcel size as identified on the General Plan land use diagram, the size of the smallest resultant parcel shall not be smaller than the size of the smallest parcel prior to the lot line adjustment; and*
 - b. *No parcel meeting the minimum parcel size as identified on the General Plan land use diagram shall be diminished to a size less than the minimum parcel size as identified on the land use diagram.*

Renumber existing policy 6.A-7 to become 6.A-8 and add a new policy at 6.A-7.

- 6.A-7 *Agriculturally designated parcels (not located in a rural community) which do not meet the minimum acreage requirement, as specified by the land use policies of the General Plan, may be*

adjusted by lot line adjustment pursuant to §65412(d) of the Government Code under the following conditions as specified in the Zoning Code:

- a. Are in conformance with the General Plan policies for homesites; or*
- b. Are for agricultural support facilities that have been approved by use permit; or*
- c. Are necessary in order to comply with the requirements of the Sutter County Ordinance Code provision pertaining to Environmental Health, Zoning, or Building regulations for the maintenance or expansion of existing improvements, or*
- d. Are an adjustment between two adjoining lots, one or both of which are less than 20 Or 80 acres in area as identified on the General Plan land use diagram.*

9.B-2 Parcels located within rural communities which do not meet the minimum acreage requirement, or exceed the maximum acreage requirement, as specified by the land use policies of the General Plan, may be adjusted by lot line adjustment pursuant to §65412(d) of the Government Code under the following conditions:

- a. For any adjustment involving parcels that do not meet the minimum parcel size as identified on the General Plan land use diagram, the size of the smallest resultant parcel shall not be smaller than the size of the smallest parcel prior to the lot line adjustment; and*
- b. No parcel meeting the minimum parcel size as identified on the General Plan land use diagram shall be diminished to a size less than the minimum parcel size as identified on the land use diagram.*

Zoning Code changes:

1500-1816 Special Restrictions:

In the Ranchette District, no more than four lots may be created by parcel or subdivision map (including any designated remainder). Once a Ranchette designation is approved and the maximum four lots have been created on a specific parcel, no further division of the subject land will be permitted until the effective date of the County's next Comprehensive General Plan Revision. *In rare circumstances, an existing ranchette lot may be altered by lot line adjustment with adjacent properties to allow such adjacent properties to be divided as ranchette lots. "Rare Circumstances" refers to a situation where a variance would otherwise be required, access needs to be obtained, or such other similar situation as determined by the Director of Community Services.*

Recommended Findings

Based upon information contained in the staff report and/or testimony received at the public hearing, the Planning Commission recommends the following findings:

- A. In accordance with the California Environmental Quality Act and the Guidelines, an Initial Study was prepared to analyze the potential for impacts of the proposed code amendments. The study revealed that the project, as proposed, would not create a negative impact on the environment. No written comments have been provided which present evidence that the project will have a significant impact on the environment. Therefore, the proposed Negative Declaration attached to this staff report is appropriate.
- B. The Planning commission has independently reviewed, analyzed, and considered the Initial Study and Negative Declaration prior to making its recommendation on the project and finds that the Negative Declaration reflects the independent judgment of the County of Sutter.
- C. The Planning Commission has reviewed, analyzed, and considered the request and public testimony prior to making its recommendation and finds that the proposed code changes will not be detrimental or injurious to property and improvements or to the general welfare of the County.
- D. Since the proposed code amendments are consistent with the General Plan, the proposed project will not be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the County, or be detrimental or injurious to the general welfare of the County.

Recommended Action

- 1. Forward the findings, as recommended by staff, to the Board of Supervisors.
- 2. Recommend the Board of Supervisors adopt the Negative Declaration.
- 3. Recommend that the Board of Supervisors approve Zoning Code Amendment #02-04 and General Plan Amendment #02-02.

Sincerely,

THOMAS A. LAST
PLANNING DIVISION CHIEF

Lisa Purvis Wilson
Senior Planner

Attachment: Negative Declaration and Initial Study

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