

February 27, 2002

To: Sutter County Planning Commission

Re: Agenda Item #6: Public hearing on Tentative Parcel Map #01-13 to allow the division of an 80.4-acre parcel into four parcels ranging from 20 to 20.2 acres in size; AG (General Agricultural) District; located on the east side of George Washington Boulevard at the Best Road intersection, Yuba City; A. P. #23-140-149; applicant/property owner - Amerjit S. Bhatti (Location: District 5 - Commissioner Shannon).

Current Proposal

A. Project Description:

The applicant requests approval of a tentative parcel map to divide the subject 80.4-acre parcel into four parcels ranging from 20 to 20.2 acres in size.

B. 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, would not have a significant impact on the environment. Staff therefore recommends the Commission adopt the attached Negative Declaration.

Background

A. Property Description:

The subject site is developed with an orchard.

B. Surrounding Land Use, Zoning District and General Plan Designation:

	Use	Zoning	General Plan
Subject Property	Agricultural (orchard)	AG	AG-20
North	Agricultural	AG	AG-20
East	Agricultural	AG	AG-20
South	Agricultural	AG	AG-20
West	Agricultural	AG	AG-20

C. Previous Commission Action/Policies:

According to County records, there have been no previous Commission actions on the subject property.

Staff Comments

A. Public Works (PW):

See Conditions 3-9.

B. Environmental Health (EH):

See Conditions 10-15.

C. Office of the Sheriff/Coroner (S/C):

The Sheriff/Coroner responded the project would not impact services provided by their department.

D. Building Division (B):

The Building Division responded with no comments to the proposal.

E. Pacific Gas and Electric Company: (PG&E)

See Condition 16.

F. Planning (P):

The request to divide the subject parcel into four, 20+ acre parcels is consistent with County regulations, as will be addressed below. Based on the AG-20 General Plan designation, each parcel is permitted a density of one residence per 20 acres. Both parcels also have the potential to be developed with all uses provided for by the Zoning Code within the AG zone district.

The State Subdivision Map Act requires that the proposed map be consistent with the County's General Plan, Zoning Ordinance, and Subdivision Ordinance.

Conformance with General Plan

General Plan Policy 6.A-6 states in part, "Minimum parcel sizes in agriculturally designated areas shall be 20 acres in those areas containing orchard compatible soil and 80 acres in those areas with soils used primarily for row crops, field crops, and range land as shown on the Land Use Diagram..."

The subject property contains a General Plan Land Use Designation of Agriculture, 20-acre minimum (AG-20). The applicant is proposing to create four parcels that are all 20 acres in size. Therefore, the request is consistent with the General Plan.

Conformance with the Zoning Ordinance

The site is currently zoned General Agricultural (AG). Section 1500-1414 of the Sutter County Zoning Ordinance provides that minimum lot size for lots within the AG District be either 20 or 80 acres as determined by the overlaying General Plan Land Use Designation. As indicated above, the land use designation is AG-20. Therefore, the request is also consistent with the Zoning Ordinance.

Conformance with the Subdivision Ordinance

The County Subdivision Ordinance establishes standards and requirements to regulate and control the design and improvement of land. Staff has reviewed the proposal against the Subdivision Ordinance and believes it complies with established standards.

Conclusion

The proposed project is consistent with the County General Plan, Zoning Ordinance, and Subdivision Ordinance. Staff is therefore recommending approval, subject to conditions.

Recommended Findings

Based on the information contained in the staff report and/or testimony received at the public hearing, the Planning Commission finds:

- A. In accordance with the California Environmental Quality Act and the Guidelines, an Initial Study was prepared to analyze the potential impacts of the proposed tentative parcel map. The Study revealed that the project, as proposed, would not create an impact on the environment. There have been no comments provided demonstrating the project will have a significant effect 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 decision on the project and finds that the Negative Declaration reflects the independent judgment of the County of Sutter.

- C. The proposed tentative parcel map and use of the subject property complies with the applicable requirements of the Sutter County General Plan, Zoning Ordinance, and Subdivision Ordinance.

Recommended Action

- A. Make the findings for approval as prepared by staff.
- B. Adopt the proposed Negative Declaration prepared for the project and attached to this report.
- C. Approve Tentative Parcel Map #01-13, subject to the following conditions:
 - 1. The applicant shall file a Notice of Determination, including payment of associated fees, in the office of the County Clerk within five (5) days after the end of the ten (10) day appeal period. (P)
 - 2. The final map shall be recorded within 36 months of the approval date or the engineer/surveyor shall submit a request for and receive approval of a time extension in accordance with the Sutter County Subdivision Ordinance. (P, PW)
 - 3. All rights-of-way and easements, public or private, shall be shown on the final map along with the recording references. (PW)
 - 4. Where existing rights-of-way are prescriptive or where their locations cannot be determined to a reasonable certainty, per official records, the subdivider shall grant to Sutter County rights of way to all roads within the lands being subdivided which are also shown as County maintained on the current County maintained mileage maps. (PW)
 - 5. No grading or alteration of the existing terrain that would direct additional waters to the County road shall be done without the approval of the Department of Public Works. This condition shall be so stipulated on the final map. (PW)
 - 6. All tests and investigations required to assure, to a reasonable certainty, that the lots created by this subdivision meet the minimum standards for its intended use shall be conducted prior to filing of a parcel or final map. (PW)
 - 7. Encroachment permits are to be obtained from the Public Works Department for any new driveway or road connections to be made to existing County roads. Construct new driveway(s) to current County standards. (PW)

8. If sufficient rights of way do not already exist, additional rights of way and/or public utility easements shall be deeded to Sutter County to provide the specified one-half widths of the following indicated roads: (PW)

George Washington Boulevard 36' R/W + 10' P.U.E.

9. Building pads shall be at elevations in conformance with Section 1300-022(F) of the Sutter County Ordinance Code, as defined by Resolution No. 92-124. (PW)
10. Prior to the recordation of the map, the subdivider shall provide to Environmental Health a map which clearly shows the exact location of the Minimum Useable Sewage Disposal Area (MUSDA) for each parcel. The MUSDA delineation shall comply with Sutter County Environmental Health regulations. (EH)
11. Prior to the recordation of the map, the subdivider shall provide a signed statement that any abandoned on-site wells and sewage systems have been destroyed in accordance with Sutter County Environmental Health regulations. Sutter County Environmental Health permits shall be obtained prior to the commencement of this work.(EH)
12. A note must be recorded on the map stating that all structures producing wastewater shall connect to the public sewer when it is available, per the Uniform Plumbing Code (UPC). (EH)
13. A note must be recorded on the map stating that water supply shall be from individual wells located on the subject properties. (Off-site private water supplies are prohibited unless proper documentation of easements and legal contracts are provided). (EH)
14. The following note shall be recorded on or with the map:

“The Minimum Usable Sewage Disposal Area (MUSDA) on record with Sutter County Environmental Health shall remain unimproved and reserved exclusively for on-site wastewater needs until such time as structures or facilities served by the MUSDA have been connected to a sewer system operating under permit from the California Regional Water Quality Control Board.” (EH)
15. Prior to the recordation of the map, the applicant shall submit to Environmental Health for review and approval the following documents:
 - A. A site plan prepared by a qualified consultant, showing lot boundaries, the minimum usable sewage disposal area designated for each lot, locations of existing and proposed water wells, test hole locations, roadways, driveways, easements, and other constraints to on-site sewage system siting.

- B. An individual plot plan (8-1/2" x 11" or 8-1/2" x 14") and soils testing or design package for each lot that includes all necessary design information for approval of the sewage system.
 - C. Additional soils testing information prepared by a qualified consultant indicating the basis for the sizing and design of the on-site sewage system. (EH)
16. Any relocation or rearrangement of any existing PG&E facilities to accommodate this project will be at the developer's/applicant's expense. There shall be no building of structures allowed under or over any PG&E facilities or inside any PG&E easements that may exist within the project site. (PG&E)

Sincerely,

THOMAS A. LAST
PLANNING DIVISION CHIEF

Steve Geiger
Associate Planner

Attachments: Exhibit A - Study Sketch
Exhibit B - Tentative Parcel Map
Exhibit C - Proposed Negative Declaration and Initial Study

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