

April 24, 2002

To: Sutter County Planning Commission

Re: Agenda Item #6: Public hearing on Rezoning #02-01 to change the zoning classification of the subject properties from R-1 (One Family Residence) District to P (Public) District; located at 2340 California Street, on the west side of California Street between Barrows and Washington Streets, Sutter; A. P. #14-184-004 & -005; applicant - County of Sutter/ property owner - Sutter Volunteer Fire Department (Location: District: 3 - Commissioner Barringer)

### **Current Proposal**

A. Project Description:

This project involves rezoning two contiguous parcels in Sutter from R-1 (One Family Residence) to P (Public) in order to achieve greater consistency with the use of the property as a fire station. In subsequent project phases, the Sutter Volunteer Fire Department intends to deed the property to the County, which will demolish the existing outmoded station and construct a new fire station on the parcels. Use and capacity of the new station will be similar to that of the existing station, except that the new facility will house the County's Emergency Operations Center.

B. Environmental Consideration:

An Initial Study was prepared for this project in accordance with the California Environmental Quality Act and the CEQA Guidelines. Although the rezoning itself would not result in any foreseeable environmental impacts, CEQA Guidelines section 15378 defines "project" as "...the whole of an action..." and is meant to include any underlying activity or project phases. Therefore, the Initial Study analyzed the potential environmental impacts of the rezoning, the demolition of the existing station and the construction of the new station. The study revealed that the project could not have a significant effect on the environment. Therefore, should the Commission recommend approval of this project, staff recommends that the Commission recommend the Board adopt the attached Negative Declaration.

**Background**

A. Property Description

Subject property A P. #14-184-004 is a 0.46-acre parcel located on the west side of California Street between Barrows and Washington Streets in the community of Sutter. The property has 150 feet of frontage on California Street and is 135 feet deep. An existing fire station occupies the site.

Subject property A. P. #14-184-005 is a 0.46-acre parcel located on the east side of Maple Street between Barrows and Washington Streets. The property has 150 feet of frontage on Maple Street and is 135 feet deep. The site is undeveloped but is used for overflow parking and other occasional outdoor uses of the existing fire station occupying the adjoining parcel that fronts California Street.

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

<b>Property</b>	<b>Use</b>	<b>Zoning</b>	<b>General Plan</b>
Subject Properties	Fire Station	R-1	LDR
North	Residences	R-1	LDR
East	Elementary School	P	P
South	Residences	R-1	LDR
West	Residences	R-1	LDR

C. Previous Planning Commission Actions/Policies:

On December 5, 1972 the Planning Commission approved Rezoning #125, a Commission-initiated rezoning that in part converted most of the central area of the community of Sutter from A-1 (General Agriculture) District to R-1 (One-Family Residence) District.

On August 20, 1974 the Planning Commission recommended denial of Rezoning #151 to change the zoning of Block 24 (including the subject properties) from R-1 (One Family Residence) to R-1-T (One-Family Residence-Trailer Combining) District. (The Board of Supervisors approved the application on September 17, 1974 but limited the rezoning to the one parcel in Block 24 that contained a mobile home, A.P. #14-184-007 at the northwest corner of the intersection of Maple and Washington Streets.)

**Staff Comments**

A. Environmental Health (EH):

See Criteria of Development #2-7.

B. Public Works Department(PW):

See Criteria of Development #8-11.

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

The Office of the Sheriff/Coroner responded with no comments and no expected impacts on their services.

D. Planning (P):

Although the existing R-1 zoning is consistent with the General Plan land-use designation of LDR (Low Density Residential), a fire station is not a permitted use in the R-1 District. The proposed Public zoning designation is also consistent with the General Plan land-use designation and is appropriate zoning for the use of the site.

**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 CEQA Guidelines, an Initial Study was prepared to analyze the potential impacts of the proposed project, including the rezoning, the demolition of the existing fire station and the construction of the new station. The study revealed that the project, as proposed, could not have a significant effect on the environment. Therefore, the Negative Declaration attached to this 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 requested rezoning from R-1 (One-Family Residence) District to P (Public) District is consistent with the General Plan and with uses on the subject and adjacent properties.

**Action Required for Project Approval**

- A. Make the recommended findings as recommended by staff.
- B. Recommend that the Board of Supervisors adopt the proposed Negative Declaration attached to this report.

- C. Recommend that the Board of Supervisors approve Rezoning #02-01 changing the classification of the subject parcels from R-1 (One-Family Residence) District to P (Public) District, subject to the following Criteria of Development.

**Criteria of Development**

1. The applicant shall file a Notice of Determination in the office of the County Clerk within five (5) days after the date that the project approval becomes final. (P)
2. Water supply shall be from the Sutter Community public water system. (EH)
3. Any abandoned on-site sewage systems and individual water supply wells shall be 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)
4. All wastewater shall be disposed into the approved on-site sewage system. (EH)
5. The discharge of fuels, oils, other petroleum products, chemicals, or hazardous materials, into the on-site sewage disposal system is prohibited. (EH)
6. The septic tank serving the project shall be pumped by a registered septic tank pumper at a minimum frequency of at least once every five (5) years. A copy of the pump report must be submitted to Sutter County Environmental Health. (EH)
7. All activities and use must comply with State and County laws and regulations pertaining to the handling and disposal of all hazardous or acutely hazardous materials. (EH)
8. 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. (PW)
9. Encroachment permits shall be obtained from the Department of Public Works for any new driveway or road connections to be made to existing County roads. New driveway(s) shall be constructed to current County standards. (PW)
10. 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)

11. Prior to issuance of a building permit, a drainage and grading plan shall be approved by the Department of Public Works. (PW)

Sincerely,  
THOMAS A. LAST  
PLANNING DIVISION CHIEF

William J. Caplinger  
Assistant Planner

Attachments: Exhibit A – Study Sketch  
Exhibit B – Site Plan  
Exhibit C – Initial Study & Proposed Negative Declaration

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