



PLANNING COMMISSION STAFF REPORT

PLANNING COMMISSION HEARING AUGUST 18, 2004
Agenda Item #8

Project #: 04-011

Request: A Parcel Map to subdivide 26.99 acres into two parcels of 2.0 acres and 24.99 acres (Assessors Parcel No. 10-161-016)

Location: West side of Madden Road, near Sanders Road, Yuba City;

Planner: Dale Follas, Associate Planner

Zoning Code Designation: AG (General Agricultural) District

General Plan Designation: Ag 20 (Agriculture, 20 acre minimum)

Applicant: Runjit Davit

Property Owner: Same

Staff Recommendation

Staff recommends the Planning Commission approve the tentative parcel map.

Project Description

The project is the subdivision of 26.99 acres into two parcels, a 2.0-acre property owner's homesite parcel and a 24.99-acre agricultural remainder (see Exhibit B). The homesite parcel will eventually have one, single-family residence constructed on it that would be served by an individual septic system and well. The agricultural remainder parcel would contain an existing 3,750 square foot agricultural building and be required to record a development rights agreement on it prohibiting any residential development. Access to both parcels would be from Madden Road.

Setting

	Land Use	Zoning Designation	General Plan Designation
Site	Orchard and Agricultural Building	AG (General Agricultural) District	Ag 20
North	Orchard	AG (General Agricultural) District	Ag 20
South	Orchard and Homesites	AG (General Agricultural) District	Ag 20
East	Orchard and Homesites	AG (General Agricultural) District	Ag 20
West	Orchard	AG (General Agricultural) District	Ag 20

Background

The subject property was created through a series of lot line adjustments and parcel maps over the last 13 years.

Analysis

The project would divide a 27-acre parcel into a 2.0-acre home owner homesite parcel with a 24.99-acre agricultural remainder. A condition has been included to require the signing of a development rights agreement on the agricultural remainder parcel.

The proposed homesite parcel and agricultural remainder parcel are consistent with General Plan Policies 6.A-4 and 6.A-6.

Zoning Code section 1500-1414 contains requirements similar to those contained in the General Plan pertaining to parcel size; therefore, the parcel map will be consistent with the existing polices for homesite parcels and agricultural remainder parcels as contained in the General Plan and Zoning Code.

The Subdivision Map Act has specific criteria for the approval of a subdivision map. The Map Act states that in order to approve a map the local agency must find that the proposed subdivision along with provisions for its design and improvements is consistent with the general plan.

Environmental Analysis

An Initial Study was prepared for this project in accordance with the California Environmental Quality Act and the Guidelines. The study determined that the project, as proposed, would not have a significant impact on the environment. Therefore, if the Planning Commission wishes to approve the project, staff recommends the Commission adopt the attached Negative Declaration (see Attachment C)

Recommended Findings

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

CEQA

1. In accordance with the California Environmental Quality Act and the Guidelines, an Initial Study was prepared to analyze the potential impacts of the proposed project for the subject property. The study determined that the project, as proposed, would not create a significant 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.
2. 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.

Tentative Parcel Map

The proposed parcel map will be consistent with the County's Zoning Code and General Plan. Furthermore, staff has identified no effects from the proposal that would result in a significant impact on adjoining or neighboring properties if the conditions, as recommended by staff, are adopted.

Recommended Action

Should the Planning Commission agree with staff's recommendation, the following motions would be appropriate:

1. "I move that the Planning Commission adopt the proposed Negative Declaration prepared for this project subject to the findings included in the August 18, 2004 staff report."
2. "I move that the Planning Commission approve Application #04-011 for a tentative parcel map to allow the division of the subject property into a 2.0-acre homesite parcel and a 24.99-acre agricultural remainder parcel, based on the recommended findings and conditions contained in August 18, 2004 staff report."

Attachments

- A. Study Sketch
- B. Reduced size parcel map
- C. Negative Declaration and Initial Study

P:\Projects\2004\04-011 (Davitt)\Reports\Davit Report for 8-18-04 #4 Approval

Conditions of Approval

Ranjit Davit - Applicant, location - west side of Madden Road,
approximately 500 feet north of Sanders Road

Application #04-011 for a Tentative Parcel Map for the division of a 27-acre parcel
into a 2.0-acre homesite parcel and a 24.99-acre agricultural remainder parcel

Upon Approval of the Map

1. A Notice of Determination shall be filed in the Office of the County Clerk within five (5) days of the approval of the project becoming final. (P)

Prior to Recordation of the Map

2. The subdivider shall provide to Environmental Health a map, which clearly shows the exact location of the Minimum Useable Sewage Disposal Area (MUSDA) for the homesite parcel. The MUSDA delineation shall comply with Sutter County Environmental Health regulations. (EH)
3. 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)
4. The following notes shall be recorded on or with the map:
 - a. All structures producing wastewater shall connect to the public sewer when it is available, per the Uniform Plumbing Code (UPC).
 - b. The 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).
 - c. The Minimum Usable Sewage Disposal Area (MUSDA) on record with Sutter County Environmental Health Division 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.”
 - d. “A site evaluation to determine the suitability of the agricultural remainder parcel for utilizing an on-site sewage system has not been conducted prior to approval of the parcel map. No use shall be permitted on the agricultural remainder parcel that generates sewage or wastewater regulated by the Sutter County Environmental Health Division or the Regional Water Quality Control Board unless all requirements of the

Sutter County Ordinance Code, or any amendments thereto in effect at the time of development are met. (EH)

5. The subdivider shall sign a standard development rights agreement prohibiting residential use of the agricultural remainder parcel. (P)
6. All rights of way and easements, public or private, shall be shown on the final map along with the recording references. (PW)
7. The following note shall be recorded on or with the map:

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. Additionally, no grading or alteration of the existing terrain that would direct additional waters from one lot to any adjacent lot is allowed. (PW)

8. 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)
9. 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:

Madden Road 25.0' R/W + 10.0' P.U.E.

Ongoing

10. Encroachment permits are to be obtained from the Public Works Department for any new driveways or road connections to be made to existing County roads. Construction of any new driveway(s) shall comply with current County standards. (PW)
11. 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)
12. Any relocation or rearrangement of any existing PG&E facility to accommodate this project will be at the developers/applicants expense. There shall be no buildings or structures, including signs, or the storage of any materials allowed under or over any PG&E facility or inside any PG&E easements that exist within the subject property. (PG&E)