



## PLANNING COMMISSION STAFF REPORT

PLANNING COMMISSION HEARING NOVEMBER 17, 2004  
Agenda Item #12

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**Project #** 04-039

**Request:** Request for approval of a tentative parcel map to divide a 78.2-acre parcel into a 27.1-acre parcel and a 51.1-acre parcel

**Location:** 6091 Carlson Road, Yuba City (Assessor's Parcel No. 08-020-011).

**Planner:** Leanne Mueller, Associate Planner

**Zoning Code Designation:** AG (General Agricultural) District

**General Plan Designation:** AG-20 (General Agriculture-20 acre minimum parcel size.)

**Applicant/Owner:** Sierra Gold Nurseries

### **Staff Recommendation**

Staff recommends approval of the tentative parcel map to divide a 78.2-acre parcel into a 51.1-acre parcel and a 27.1-acre parcel in the AG (General Agricultural) District subject to the findings and Conditions of Approval contained in this staff report.

### **Project Description**

A tentative parcel map request to divide a 78.2-acre parcel into a 51.1-acre parcel and a 27.1-acre parcel.

### **Setting**

The parcel is located at the southwest corner of Hutchinson Road and Carlson Road. The parcel has an existing barn located along Carlson Road. The agricultural uses of the property consist of the cultivation of grain and orchard nursery stock.

	<b>Land Use</b>	<b>Zoning Designation</b>	<b>General Plan Designation</b>
Site	Grain and Orchard Nursery Stock	AG (General Agricultural) District	AG (20-acre minimum)
North	Orchard and residence	AG (General Agricultural) District	AG (20-acre minimum)
South	Orchard and residence	AG (General Agricultural) District	AG (20-acre minimum)
East	Orchard and residence	AG (General Agricultural) District	AG (20-acre minimum)
West	Orchard and residence	AG (General Agricultural) District	AG (20-acre minimum)

### Previous Actions

Parcel Map #00-02 was approved in 2000 to separate a 1.55-acre homesite parcel from a 77-acre parcel. The homesite parcel was for the property owner's son who was involved in the farming operation. A home has subsequently been built on the homesite parcel. It was a condition of approval of the tentative parcel map that the owner enter into a development rights agreement on the 75-acre remainder parcel. The development rights agreement limits residential development on the remainder parcel to two units. Therefore, a total of two residences could be built on the 75-acre parcel. The recorded parcel map indicated that the remainder parcel was 78.2-acres in size instead of 75-acres as indicated on the tentative parcel map.

### Analysis

The project is a tentative parcel map to divide a 78.2-acre parcel into two parcels. Parcel 1 will contain 27.1-acres and have frontage on Carlson and Hutchinson Roads. Parcel 2 will contain 51.1-acres and have frontage on Hutchinson Road. A barn exists on future Parcel 1 and is expected to remain. The General Plan designation is Agriculture 20-acre minimum parcel size (AG-20) and the proposed parcels sizes are consistent with the General Plan. The development rights agreement will not be modified as a result of the proposed tentative map because it will continue to apply to the resultant parcels. The project is an agricultural land division and the property is expected to remain in agricultural use.

### 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.

### 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 reviewed, analyzed, and considered the request and public testimony prior to making its recommendation and finds that the Parcel Map will not be detrimental or injurious to property and improvements or to the general welfare of the County.

## **General Plan**

The proposed parcel map is consistent with the General Plan Land Use Map.

## **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 in accordance with the California Environmental Quality Act and the Guidelines."
2. "I move that the Planning Commission approve #04-039, a tentative parcel map to divide a 78.2-acre parcel into a 51.1-acre parcel and a 27.1-acre parcel, based on the recommended findings and conditions contained in this staff report."

## **Attachments**

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

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**Conditions of Approval**  
**Project #04-039 - Sierra Gold Nurseries**

A tentative parcel map to divide a 78.2-acre parcel into a 51.1-acre parcel and a 27.1-acre parcel.

**Prior to Recordation of the Map**

1. All rights of way and easements, public or private, shall be shown on the final map along with the recording references. (PW)
2. 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)
3. 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:  

Hutchinson Road	25.0' R/W + 10.0' P.U.E.
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4. 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. This condition shall be so stipulated on the final map. (PW)
5. The final map shall be recorded within 36 months of the approved date or the applicant shall submit a request for and receive approval of a time extension in accordance with the Sutter County Subdivision Ordinance. (P)
6. 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)
7. For those parcels in agriculturally designated areas and in the Ag/Open Space area of FPARC proposed solely for agricultural use or other open spaces uses that do not generate sewage or wastewater regulated by the Department of the RWQCB, and meeting the minimum parcel size of 20 or 80 acres for the applicable soil type (i.e. orchard or field crop), established in the Sutter County General Plan 2015 Policy Document, an exemption to the requirements of Section 700-140-A may be provided by the Health Officer if the following condition is met: (EH)

A note is recorded on or with the parcel map or final map stating that a site evaluation to determine the suitability of the proposed

parcel(s) for utilizing an on-site sewage system has not been conducted nor shall any use be permitted that generates sewage or wastewater regulated by the Department or the RWCQB unless all requirements of this Ordinance, or any amendments thereto in effect at the time of development are met.

### **Prior to Building Permit Issuance**

8. Any relocation or rearrangement of any existing PG&E facilities to accommodate this project will be at the developers/applicants expense. There shall be no building of structures, or the storage of any materials allowed under or over any of our facilities or inside any PG&E easements that exist within the subject project. (PG&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. 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)
11. It is up to permittee/owners/builders and subcontractors to comply with all regulations and or permits for storm water regulations through the Regional Water Quality Control Board of the State of California. (PW)