



## PLANNING COMMISSION STAFF REPORT

PLANNING COMMISSION HEARING NOVEMBER 17, 2004  
Agenda Item #6

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**Project #** 04-010

**Request:** Tentative parcel map to divide a 15 acre parcel into 2 parcels of 7.5 acres each

**Location:** 7518 Pacific Avenue, Pleasant Grove (Assessor's Parcel No. 35-250-016)

**Planner:** Lisa Wilson, Senior Planner

**Zoning Code Designation:** M-2 PD (General Industrial, Planned Development Combining)

**General Plan Designation:** Industrial

**Applicant:** Chris Wolford

**Owner:** Carlston Family Trust

### **Staff Recommendation**

Staff is recommending approval of the parcel map, subject to the Conditions of Approval contained in this report.

### **Project Description**

The project is a tentative parcel map to divide a 15 acre parcel into 2 parcels at 7.5 acres each. The 15 acre site currently has a machinery business located on the southwest corner of the parcel and it will be retained on the southerly parcel. The tentative map will allow the parcels to be sold independently, and has no affect upon the allowed uses or density of development.

### **Setting**

The site is at the south end of several industrially zoned parcels in the midst of land primarily planted in rice. Adjacent parcels range from over 100 acres for the agricultural land to 10 acres of industrial land. The area topography is flat. The site has frontage on Pacific Avenue but takes access by an existing paved road. The surrounding land use, zoning and General Plan designations are listed below:

	<b>Land Use</b>	<b>Zoning Designation</b>	<b>General Plan Designation</b>
Site	Sierra Machinery Services	M2-PD	Industrial
North	Teichert batch plant, Tenco Tractor	M2	Industrial
South	Agriculture	AG	SSCI/C Reserve
East	Agriculture	AG	SSCI/C Reserve
West	Agriculture	AG	SSCI/C Reserve

### Previous Actions

There have been three previous actions on this property. In 1981 the site was rezoned from AG to M2-PD (RZ #268) with a restricted list of uses allowed. The PD was amended in 1987 to allow additional industrial uses (PD #19). In 1990 a subdivision map was approved to create 8 lots of approximately 1.5 acres each. This application was approved, but the final map was never recorded and has since expired.

### Analysis

This site was previously zoned industrial and supports an industrial business. The existing M-2 PD zone allows for a variety of additional uses by right. The parcel map will provide the ability for separate ownership of the proposed lots, it will not increase the density or intensity of the allowed uses. General Plan Policy 1.D-1 states: The County shall designate specific areas suitable for commercial and industrial development and reserve such lands in a range of parcel sizes to accommodate a variety of commercial and industrial uses.

The Planned Development (as amended by PD #19) retained the industrial zoning but provided the following:

*Restriction of uses:*

- a. *Use of the property shall be limited to heavy equipment sales, repair and/or assembly or agricultural crop production.*
- b. *Construction material storage yards.*
- c. *Use of the property for agriculturally related industries of primary and essential service to the surrounding area shall be permitted only upon approval of a Use Permit.*

The applicant currently operates a machinery business out of the existing industrial building on the southwest corner of the property. If the parcel map is approved, he proposes to own and eventually construct a new industrial building for his business on the northwest corner of the property.

## **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.

The application has recently been amended from the original request to create four parcels to a request for two parcels. The reduction in the number of parcels does not affect the conclusions reached in the environmental analysis as prepared and submitted.

## **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 and has been prepared in accordance with CEQA.
3. 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**

1. The proposed project has been reviewed and is consistent with the General Plan because the division will create two parcels that comply with industrial General Plan policies.
2. The proposed project parcel map has little or no probability of causing substantial detriment or interference with the adopted General Plan. The proposed division is

consistent with the General Plan Land Use Map because it creates a range of parcel sizes to accommodate industrial uses.

3. The proposed parcel map complies with all other applicable requirements of state law and local ordinances.

### **Tentative Parcel Map**

Approval of the proposed parcel map to create two parcels, subject to the recommended conditions, is consistent with the Industrial zoning. With the inclusion of the proposed Conditions of Approval, the map will be consistent with the Subdivision Map Act, Sutter County General Plan, Zoning Code and Subdivision Ordinance.

### **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 #04-010, a parcel map to allow the creation of 2 parcels as depicted on the attached tentative parcel map, based on the recommended findings and conditions contained in this staff report."

### **Attachments**

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

P:\Projects\2004\04-010 (Wolford)\Reports\11-17 PC report

**Conditions of Approval**  
**Project #04-010 - Chris Wolford**

7518 Pacific Avenue, Pleasant Grove

Parcel map to divide 15 acres into two 7.5 acre parcels.

**Conditions of Approval**

1. A Notice of Determination shall be filed in the Office of the County Clerk within 5 days of approval. (P)
2. Applicant shall be responsible for paying any outstanding account balance. (P)

**Prior to Recordation of the Map**

3. 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)
4. 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)
5. A 10 foot Public Utility Easement (P.U.E.) shall be deeded to Sutter County along the property frontage on Pacific Avenue. (PW)
6. A deferred improvement agreement, secured by a bond or other security approved by the director of Public Works shall be entered into with Sutter County. This agreement shall run with the land and shall be binding on all successors in interest. This agreement shall provide for street paving, curbs and gutters, and sidewalks along Pacific Avenue in accordance with Sutter County Standard Plans, June 11, 2002. (PW)
7. All proposed improvements within the development site must be in accordance with County design standards for industrial/commercial areas. Plans and construction of the roadway and other Public Works improvements shall be approved by the Director of Public Works. (PW)
8. All rights-of-way and easements, public or private, shall be shown on the final map along with the recording references. (PW)
9. 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)

## **Prior to Building Permit Issuance**

10. Prior to issuance of a building permit, a grading and drainage plan must be approved by the Public Works Department and Reclamation District 1000. (PW)
11. 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 PG&E facilities or inside any PG&E easements that exist within the subject project. (PG&E)
12. 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)
13. 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)
14. 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)
15. Prior to issuance of building permits, the property owner shall enter into an agreement with Sutter County, providing for the dedication of sufficient right-of-way needed for future widening of adjacent County roads. This agreement shall run with the land and shall be binding on all successors in interest. (PW)
16. The applicant shall install, and obtain a permit to operate, a public water system from the California State Department of Health Services, Division of Drinking Water & Environmental Management, if 25 or more people are employed. (EH)
17. An authorized professional shall design a non-residential on-site sewage system and shall certify that the proposed non-residential on-site sewage system meets Sutter County regulations and will adequately serve the proposed facility. The applicant shall have an authorized professional submit to the Environmental Health Division: (EH)
  - A. Information which shows that the sewage is non-industrial wastewater;
  - B. Information that establishes the sewage waste strength and identifies chemicals present in the sewage that are not found in residential sewage.
  - C. A design that provides treatment equal to that required for residential sewage; and
  - D. An approved operation and maintenance contract between the system owner and qualified operation and maintenance provider (certified by the proprietor of the treatment unit), if applicable.

18. The permitted use must be consistent with the design flow and waste strength established for the on-site sewage system. Any change of use or failure to comply with the terms of approval will result in the revocation of said permitted use. (EH)
19. The discharge of fuels, oils, other petroleum products, chemicals, or hazardous material, into the on-site sewage disposal system is prohibited. (EH)
20. All structures producing wastewater shall connect to the public sewer system when it is available, per the Uniform Plumbing Code. (UPC). (EH)
21. All operation and monitoring reports must be submitted by a qualified consultant as required by the on-site sewage system permit and/or manufacturer of the proprietary treatment unit. (EH)
22. 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)
23. The discharge of fuels, oils, other petroleum product, detergents, cleaners, or chemicals to the surface of the ground or to drainage ways on or adjacent to the site is prohibited. (EH)
24. 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)
25. Any proposed use must be consistent with the Planned Development approved for this site. The restriction of uses is as follows: (PL)
  - A. Use of the property shall be limited to heavy equipment sales, repair and/or assembly or agricultural crop production.
  - B. Construction material storage yards.
  - C. Use of the property for agriculturally related industries of primary and essential service to the surrounding area shall be permitted only upon approval of a use permit.