



County of Yuba

Community Development & Services Agency

915 8th Street, Suite 123, Marysville, CA 95901

Planning Department

Phone: (530) 749-5470

Fax: (530) 749-5434

Web: <http://www.co.yuba.ca.us>

DEVELOPMENT REVIEW COMMITTEE STAFF REPORT

MEETING DATE: October 03, 2019

TO: DEVELOPMENT REVIEW COMMITTEE

FROM: Vanessa Franken, Planner I

RE: TENTATIVE PARCEL MAP TPM 2019-0004 (Shauna Way)

REQUEST: The applicant is requesting approval of a tentative parcel map to subdivide a 159.7 acre parcel into two parcels. Parcel 1 will be 40.2+/- acres in size and Parcel 2 will be 119.5 +/- acres in size. The proposed project site is connected to address 10352 Highway 70, located in the community District 10, with access off of Highway 70 (Attachment 1). The project site is identified as Assessor's Parcel Number 005-010-046. Parcel 1 and 2 are zoned as "AE-40", Exclusive Agricultural (40 acre minimum lot size), both parcels have a general plan designation of Natural Resources.

RECOMMENDATION: Staff recommends that the Development Review Committee (DRC) make a determination that the project is exempt from environmental review pursuant to California Environmental Quality Act (CEQA) Section 15061 (b)(3) and approve Tentative Parcel Map TPM 2019-0004 subject to making the necessary findings and the conditions of approval contained herein (Attachment 2).

BACKGROUND/DISCUSSION: The proposed parcel map would subdivide a 159.7 acre parcel and create two parcels; Parcel 1, will be 40.2+/- acres in size and Parcel 2 will be 119.5 acres in size. The current use of the project site is agricultural, with orchards being planted on the property for crop production. Parcels 1 and 2 both have direct access off of Shauna Way, from State Highway 70. Parcel 1 is located entirely west of the levee that divides the existing property, the proposed map will be utilizing the levee as a boundary separation between Parcel 1 and Parcel 2. The 159.7 acre project site is void of any wetlands or watercourses, and contains no habitat for protected biological resources.

The 2030 General Plan designates the land use as Natural Resources and the zoning is "AE-40" Exclusive Agricultural (40 acre minimum lot size). The proposed lots are consistent with the 2030 General Plan Natural Resources land use designation and the "AE-40" Exclusive Agricultural zoning district. Additionally, the proposed parcels are large enough to meet setback requirements for any future development of the parcels.

SURROUNDING USES:

	GENERAL PLAN LAND USE DESIGNATION	ZONING	EXISTING LAND USE
North	Natural Resources	Agricultural Estate	Rural Residential
East	Natural Resources	Agricultural Estate	Agricultural
South	Natural Resources	Agricultural Estate	Rural Residential
West	Natural Resources	Agricultural Estate	Agricultural

Surrounding properties range from 1.83 acres to 45 acres in size. The surrounding area is zoned as Agricultural Estate, being utilized as both residential and agricultural purposes. The proposed map would be consistent with the surrounding properties and their uses.

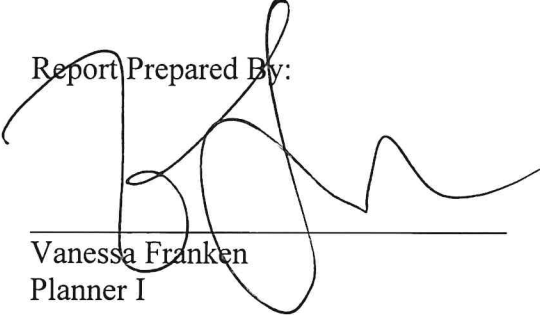
GENERAL PLAN/ZONING: The project site is designated Natural Resources as shown on the 2030 General Plan Land Use Map. The Natural Resources land use classification is intended to conserve and provide natural habitat, watersheds, scenic resources, cultural resources, recreational amenities, agricultural and forest resources, wetlands, woodlands, minerals, and other resources for sustainable use, enjoyment, extraction, and processing. Appropriate uses for this classification include but are not limited to mining, agriculture, including viticulture and other types of cultivation, and residential uses that are secondary to the primary natural resource-oriented use. This project will create two lots, both lots intended to be utilized for crop production. The proposed project is consistent with the General Plan Land Use designations, the proposed map will create parcels that would be both utilized for agricultural purposes.

ENVIRONMENTAL REVIEW: Staff has determined that the project is exempt from environmental review per the California Environmental Quality Act (CEQA) Section 15061(b)(3), (Review for Exemption). The project site is currently being utilized for agricultural crop production. The project is not proposing any new development that would have any new impact on the environment. Access to the project site currently exists; no additional homes are proposed for the project; no new sources of air pollution, noise, or impacts to wildlife would be generated.

COMMENTS: Planning staff has received a comment letter from the United Auburn Indian Community (Attachment 3) requesting AB 52 (Tribal Cultural Resources) consultation for the project. AB 52 requires tribal cultural resource consultation, when requested by a tribe, for projects that have a written CEQA document such as a Mitigated Negative Declaration or an Environmental Impact Report. Staff has determined that this project qualifies for a CEQA exemption and as a result the project is not subject to the requirements of AB 52, making consultation with the UAIC a non-requirement.

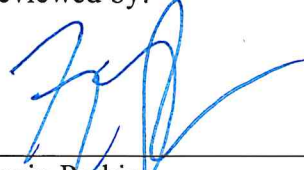
FINDINGS: The necessary environmental review and tentative parcel map findings are contained in (ATTACHMENT 2) to this report.

Report Prepared By:



Vanessa Franken
Planner I

Reviewed by:

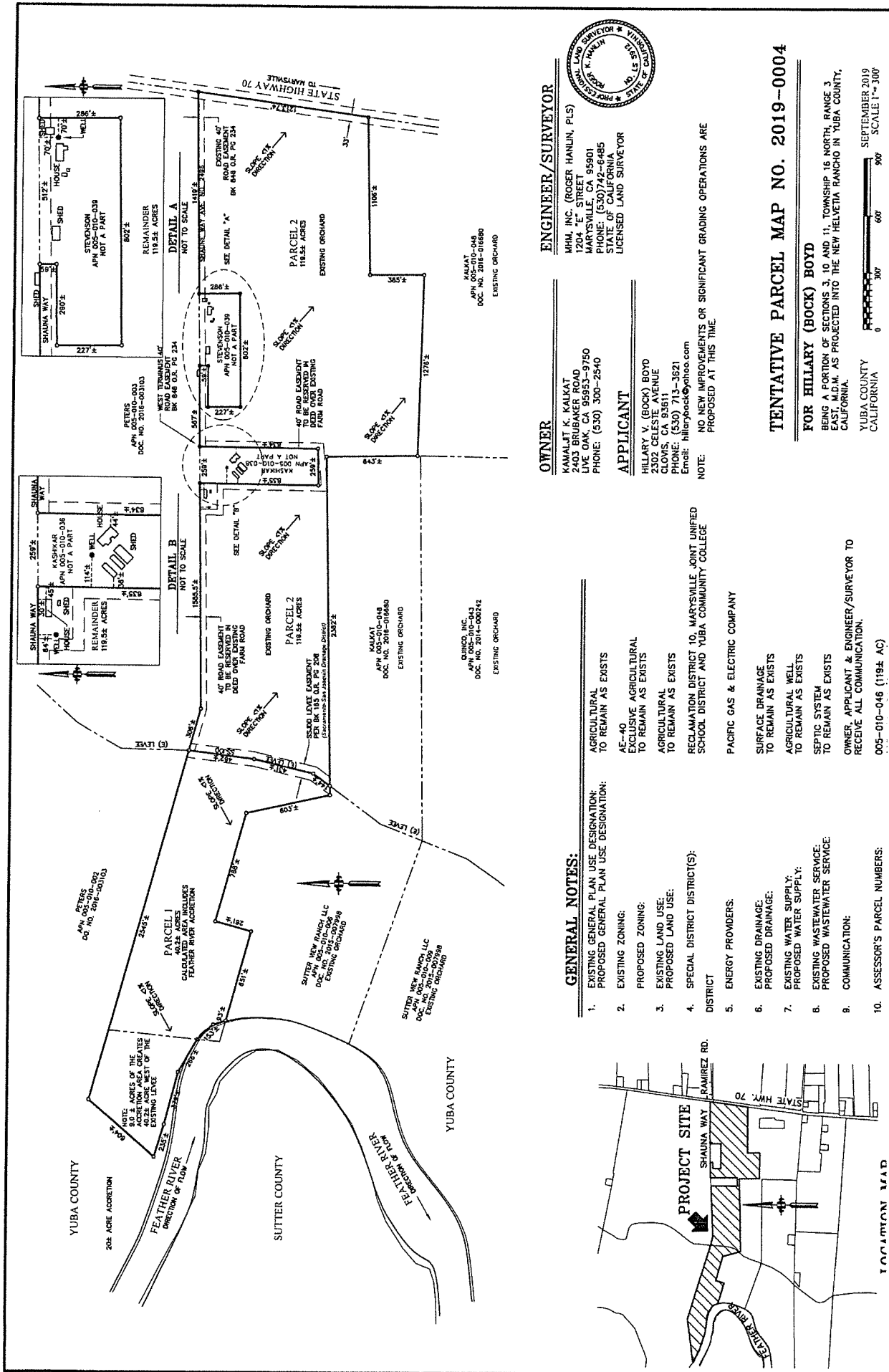


Kevin Perkins
Planning Manager

ATTACHMENTS:

1. Site Map
2. Conditions of Approval
3. Comment Letter

cc: Van Boeck/Chris Benedict



ENGINEER/SURVEYOR

MMH, INC. (ROGER HANLIN, PLS)
1204 "E" STREET
MARYSVILLE, CA 95901
PHONE: (530) 742-6485
STATE OF CALIFORNIA
LICENSED LAND SURVEYOR

KAMALJIT K. KALKAT
2403 BRUBAKER ROAD
LIVE OAK, CA 95853-9750
PHONE: (530) 300-2540

APPLICANT

HILLARY V. (BOCK) BOYD
2302 CELESTE AVENUE
CLOVIS, CA 93611
PHONE: (530) 713-3521
Email: hillarybock@yahoo.com

NOTE: NO NEW IMPROVEMENTS OR SIGNIFICANT GRADING OPERATIONS ARE PROPOSED AT THIS TIME

TENTATIVE PARCEL MAP NO. 2019-0004

FOR HILLARY (BOCK) BOYD

BEING A PORTION OF SECTIONS 3, 10 AND 11, TOWNSHIP 16 NORTH, RANGE 3 EAST, 1211M. AS PROJECTED INTO THE NEW HELVETIA RANCHO IN YUBA COUNTY, CALIFORNIA.

YUBA COUNTY
CALIFORNIA
SEPTEMBER 2019
SCALE 1"=300'

GENERAL NOTES:

- EXISTING GENERAL PLAN USE DESIGNATION:
PROPOSED GENERAL PLAN USE DESIGNATION:
AGRICULTURAL
TO REMAIN AS EXISTS
- EXISTING ZONING:
AE-40
EXCLUSIVE AGRICULTURAL
TO REMAIN AS EXISTS
- EXISTING LAND USE:
AGRICULTURAL
TO REMAIN AS EXISTS
- SPECIAL DISTRICT DISTRICT(S):
RECLAMATION DISTRICT 10, MARYSVILLE JOINT UNIFIED
SCHOOL DISTRICT AND YUBA COMMUNITY COLLEGE
- ENERGY PROVIDERS:
PACIFIC GAS & ELECTRIC COMPANY
- EXISTING DRAINAGE:
SURFACE DRAINAGE
TO REMAIN AS EXISTS
- EXISTING WATER SUPPLY:
AGRICULTURAL WELL
TO REMAIN AS EXISTS
- EXISTING WASTEWATER SERVICE:
SEPTIC SYSTEM
TO REMAIN AS EXISTS
- COMMUNICATION:
OWNER, APPLICANT & ENGINEER/SURVEYOR TO
RECEIVE ALL COMMUNICATION.
- ASSESSOR'S PARCEL NUMBERS:
005-010-046 (119± AC)

DRAFT CONDITIONS OF APPROVAL

**Applicant: Hillary Bock
Owner: Kamaljit Kalkat
APN: 005-010-046 & 047**

**Case Number: TPM 2019-0004
DRC Hearing Date: October 3, 2019**

ACTIONS FOR CONSIDERATION: Staff recommends that the Development Review Committee take the following actions:

- I. After review and consideration, staff has Determined the project is exempt from further environmental review pursuant California Environmental Quality Act Section “what the exemption number” (Review for Exemption)
- II. Approve Tentative Parcel Map 2019-0004 subject to the conditions shown below, or as may be modified at the public hearing making the following findings:
 - A. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the General Plan, any applicable specific plan, this Code, and other applicable provisions of the County Code. A proposed subdivision shall be considered consistent with the General Plan or a specific plan only when the proposed subdivision or land use is compatible with the objectives, policies, general land uses, and programs specified in such a plan;
 - B. The design of the subdivision shall provide, to the extent feasible, for future passive and natural heating and cooling features in accordance with Section 66473.1 of the Subdivision Map Act; and
 - C. Water will be available and sufficient to serve a proposed subdivision with more than 500 dwelling units in accordance with Section 66473.7 of the Subdivision Map Act.

STANDARD CONDITIONS:

1. Unless specifically provided otherwise herein or by law, each condition of these Conditions of Approval shall be completed to the satisfaction of the County. Failure to comply with this provision may be used as grounds for revocation of this permit.
2. As a condition for tentative and final map approval, Owner or an agent of Owner acceptable to County shall defend, indemnify, and hold harmless the County and its agents, officers, and employees from any claim, action, or proceeding, against the County or its agents, officers, and employees; including all costs, attorneys' fees, expenses, and liabilities incurred in the defense of such claim, action, or proceeding to attack, set aside, void or annul an approval by the County, Planning Commission, Development Review Committee, or other County advisory agency, appeal board, or legislative

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body concerning the subdivision. County shall promptly notify owner of any such claim, action, or proceeding and shall cooperate fully in the defense of said claim, action, or proceeding.

3. This tentative parcel map may be effectuated at the end of the ten (10) appeal period which is October 14, 2019. Tentative Parcel Map TPM 2019-0004 shall be designed in substantial conformance with the approved tentative map filed with the Community Development & Services Agency and as conditioned or modified below. Minor modifications to final configuration of the Final Map may be approved by the Community Development & Services Agency Director; however, the number of parcels shall not exceed that shown on the approved tentative map
4. This tentative parcel map shall expire 36 months from the date of approval October 3, 2022 unless extended pursuant to Chapter 11.40.050 of the Yuba County Development Code.
5. Owner(s), Owner's agent(s) or Applicant shall comply with all applicable federal, state, and local laws, ordinances, and regulations, including the requirements provided by Chapter 11 of the Yuba County Development Code.

PUBLIC WORKS DEPARTMENT:

6. The Public Works Director may reasonably modify any of the Public Works conditions contained herein. The required street widths as stated herein shall take precedence over those as shown on the tentative map.
7. Owner shall provide a non-exclusive easement to be reserved in deeds, for road and public utility purposes, 40 feet in width, connecting Parcel 1 to State Route 70. The easement shall be located in such a manner as to permit the construction of an access to Parcel 1 in compliance with the requirements of the Yuba County Improvement Standards.
8. Prior to the approval of any grading permit or improvement plans, owner must submit documentation demonstrating that all necessary permits and approvals have been obtained, which may include: a 404 permit from Army Corps of Engineers; including Section 7 consultation with the U.S. Fish and Wildlife Service, 401 certification from the Regional Water Quality Control Board, 2081/1602 permit, as necessary, from the California Department of Fish and Game, and pre-construction surveys for special status species.
9. Whenever construction or grading activities will disrupt an area of 1 acre or more of soil or is less than 1 acre but is associated with a larger common plan of development, the applicant is required to obtain a Yuba County grading permit issued

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by the Public Works Department and a National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction Activities, NPDES No. CAS000004, Order No. 2013-0001-DWQ prior to any grading activities. Coverage under the General Permit must be obtained prior to any construction. More information may be found at <http://www.swrcb.ca.gov/stormwtr/construction.html>. Owner must obtain an approved and signed Notice of Intent (NOI) from the Regional Water Quality Control Board (RWQCB), a Waste Discharge Identification (WDID) number and a Storm Water Pollution Prevention Plan (SWPPP), as described by either the RWQCB or the State Water Regional Control Board (SWRCB). The SWPPP shall describe and identify the use of Storm Water Best Management Practices (BMP's) and must be reviewed by the Yuba County Public Works Department prior to the Department's approval of Improvement Plans or issuance of a Grading Permit for the project. See Yuba County's Stormwater Regulations for Construction Activities Procedures for details. According to state law it is the responsibility of the property owner that the SWPPP is kept up to date to reflect changes in site conditions and is available on the project site at all times for review by local and state inspectors. Erosion and sediment control measures, non-stormwater and material management measures, and post-construction stormwater management measures for this project shall be in substantial compliance with the SWPPP.

10. Erosion control shall conform to section 11 of the Yuba County Improvement Standards.
11. Any construction work within the State right-of-way shall be accomplished under an encroachment permit issued by Caltrans.
12. Owner shall pay an in-lieu fee for parkland dedication per Yuba County Development Code §11.45.060 prior to filing the parcel map.
13. Owner shall be responsible for giving sixty (60) days notice to the appropriate public utilities, PG&E, AT&T, Comcast, etc., prior to any new construction or development of this project.
14. Approximate centerlines of all perennial streams, seasonal drainages or ditches within this division shall be shown on the Parcel Map and dimensioned from the nearest corner at the intersection with property lines.
15. Should a fire suppression system be required by the responsible fire protection authority for compliance with the Yuba County Fire Safe Standards and the Uniform Fire Code, which facilities may include a community water supply system, wells, water storage tanks, etc., Owner shall provide easements as necessary for such system for the benefit of each lot within the parcel map. All easements shall be shown on the parcel map.

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16. Owner shall provide public service easements as necessary for any existing overhead or underground utilities, sewer lines, waterlines, etc. which may provide service to any or all of the parcels being created by this parcel map. Such easements shall have a minimum width of 10 feet or larger as may be required by the service provider and shall be clearly identified by metes and bounds on the parcel map. Any relocation or rearrangement of the public service provider's facilities to accommodate this project shall be at the Owner's expense.
17. Owner shall be required to pay all taxes, past and current, including those amounts levied as of January 1, but not yet billed, on the property prior to filing the parcel map.
18. Owner shall submit a current Preliminary Title Report or Parcel Map Guarantee, in favor of Yuba County, two (2) check prints of the parcel map, calculations, supporting documentation and map checking fees to the County Surveyor, Department of Public Works for checking, approval and filing of the parcel map. An updated Parcel Map Guarantee shall be provided 1 week prior to filing the parcel map with the Yuba County Recorder.
19. Owner shall have the property surveyed and have corner monuments placed at all parcel corners in conformance with requirements of the County Surveyor, chapter 11.41 of the Yuba County Ordinance Code and the California Subdivision Map Act (Government Code section 66410 and following).
20. Prior to commencing performance of any public improvement or facility to be dedicated to County, and subject to approval by the Public Works Department, Owner shall acquire and present proof of general and automobile liability and Workers Compensation and Employers Liability insurance. Such general and automobile liability insurance shall name the County and its agents as additional insured.
21. All easements of record that affect this property are to be shown on the parcel map.
22. Prior to submitting the parcel map to the Recorder's Office for filing, all outstanding County fees due to the Community Development and Services Agency departments shall be paid in full.
23. Owner shall submit a copy of the parcel map for review by the Planning Department for conformance with the Department's conditions of approval, mitigation measures or other requirements. Before the parcel map can be filed with the Yuba County Recorder, a statement from the Planning Director which states that the parcel map is found to be in conformity with the Department's conditions of approval, mitigation measures and requirements shall be received by the County Surveyor.

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24. Owner shall submit a copy of the parcel map for review by the Environmental Health Department for conformance with the Department's conditions of approval and other requirements. Before the parcel map can be filed with the Yuba County Recorder, a statement from the Environmental Health Department Director which states that the parcel map has been found to be in conformity with the Environmental Health Department conditions and requirements and that it is in conformance with the requirements of Chapter 7.07 of the Yuba County Ordinance Code shall be received by the County Surveyor.
25. Owner shall submit a copy of the final map for review by Yuba County and the appropriate Fire Protection Authority to determine conformance with the conditions of approval, the Yuba County Fire Safe Ordinance and the Uniform Fire Code requirements. Before the final map can be filed with the Yuba County Recorder, a letter from the Fire Protection Authority shall be submitted to the County Surveyor which states that the Fire Safe requirements have been met and that there are no objections to filing the final map.

ENVIRONMENTAL HEALTH DEPARTMENT:

26. Owner shall submit a file map to the Environmental Health Department showing that parcel 1, contains the minimum useable sewage disposal area as established by the Yuba County Sewage Disposal Ordinance, 7.07, and the precise location of all existing sewage disposal systems and that parcel 2, contains a 100% repair area for the existing septic system, and shall clearly identify the location of all soil mantles and percolation tests. This file map shall also show contour, slope, all bodies of water (seasonal and year-round), water wells, and all existing structures. Furthermore, a 100' septic exclusion area (as measured from the seasonal high water line) shall be delineated around all rivers, streams, and ponds. A 200' exclusion area is to be delineated around all lakes and reservoirs.
27. Owner shall submit for the Environmental Health Department review and approval the results of soils studies for parcel(s) 1 and 2, conducted in accordance with the Yuba County Sewage Disposal Ordinance, Chapter 7.07.
28. All soil profiles must be witnessed by Environmental Health Department staff. Schedule soil profile appointments with Environmental Health Department staff in advance of the testing.
29. The design and location of wells and sewage disposal systems shall be in conformance with standards established by Yuba County Environmental Health. Each lot must be self-reliant for domestic water and sewage disposal unless public utilities are available.

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30. Septic systems crossing ditches, drainages, or creeks will need to meet all Environmental Health or other agency (i.e. DFG, Army Core, etc.) requirements prior to approval.
31. All abandoned, wrecked, dismantled, or inoperative vehicles, machines, and equipment shall be removed by Owner from the subject site.
32. All existing trash and debris shall be removed from the subject site.
33. All abandoned or inactive wells on the subject site shall be destroyed or maintained in accordance with the "Water Well Standards: State of California, Bulletin 74-81".
34. All abandoned septic tanks on the subject site shall be destroyed in accordance with the requirements of Yuba County Environmental Health Department.
35. Owner shall submit for Environmental Health Department review and approval the results of soil studies representative of the repair sewage disposal area, conducted in accordance with Yuba County Ordinance, Article 2 of Chapter 7.07 (commencing at Section 7.07.440).
36. The following shall apply to all land divisions where domestic water is to be supplied by individual wells:
 - Prior to final map wells will be required on 10% of the parcels to be developed that meet or exceed the requirements for creation of new parcels as outlined in Ordinance 1400, as it amends chapter 7.03 of Title VII of the Yuba County Ordinance Code regarding water wells.
 - All wells drilled to meet this requirement shall have a minimum yield of 2 gallons per minute if tested with the airlift method and 3 gallons per minute if a production test is run. If a well is drilled that does not meet these standards it can be destroyed or placed inactive until used and a replacement well drilled. Before approval of test wells, a well log, a drillers report on production and lab tests must be submitted for each test well.
37. **The following statement shall also apply to this division:**

"There is no assurance that underground water sources exist within the limits of the hereon shown parcel(s) which will be adequate in sufficient quantity or

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quality to meet future needs. Developer(s) of the parcel(s) herein created will be responsible for demonstrating that adequate on-site water is available for the proposed use of the parcel(s).

Surface water (i.e. Springs, Creeks, Irrigation ditch's, etc.) is not an approved domestic potable water source."

PLANNING DEPARTMENT:

38. Minor modifications to the final site configuration may be approved by the Community Development & Services Agency Director.
39. 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 allowed under or over any PG&E facilities or inside any PG&E easements that exist within the subject area. Any road encroachments within the PG&E easements shall be subject to review and approval of PG&E.
40. Owner shall meet all requirements of the Feather River Air Quality Management District during any project related construction.
41. Should any prehistoric or historic artifacts, including human remains be exposed during construction and excavation operations, work shall cease and the Community Development & Services Agency shall be immediately notified and will ensure adherence to CEQA Guideline Section 15064.5(e). If apparent human remains are exposed, the County Coroner shall be consulted to determine whether any such materials require special treatment prior to resuming construction.
42. All structures shall maintain a 150' setback distance from the edge of all seasonal and year-around creeks, rivers, ponds, and riparian areas pursuant to Yuba County 2030 General Plan Action NR5.3

Vanessa Franken, Planner I

Franken, Vanessa

From: Anna Starkey <astarkey@auburnrancheria.com>
Sent: Thursday, September 26, 2019 9:23 AM
To: Franken, Vanessa
Subject: RE: AB 52 Consultation for the Proposed Subdivision at Ramirez Road and Shauna Way (TPM2019-0004)

Good morning,

The consultation letters require signature by the Tribe's Chairman, which is only available about once a week. So unfortunately, the signed copy won't be available until at least 1 to 2 weeks for mailing. I can send you the unsigned version if you like.

Please let me know.

Best,
Anna

From: Franken, Vanessa <vfranken@CO.YUBA.CA.US>
Sent: Thursday, September 26, 2019 8:15 AM
To: Anna Starkey <astarkey@auburnrancheria.com>
Subject: RE: AB 52 Consultation for the Proposed Subdivision at Ramirez Road and Shauna Way (TPM2019-0004)

Hello Anna,

I would like to request an expedited PDF of the hard copy consultation letter we are to receive for processing purposes. If I can receive the PDF consultation letter today it would help me immensely, thank you & I appreciate your assistance.

Kind Regards,
Vanessa Franken
Planner I
County of Yuba
Planning Department
(530)749-5470

From: Anna Starkey <astarkey@auburnrancheria.com>
Sent: Wednesday, September 25, 2019 3:13 PM
To: Franken, Vanessa <vfranken@CO.YUBA.CA.US>
Subject: AB 52 Consultation for the Proposed Subdivision at Ramirez Road and Shauna Way (TPM2019-0004)

Dear Vanessa Franken,

Thank you for your letter received on 9/13/2019. I am contacting you in order to request:

- Consultation for this project;
- All existing cultural resource assessments;
- Requests for and results of records searches;
- GIS SHP files for the proposed project's APE;
- A (possible) site visit.

Thank you for involving UAIC in the planning process at an early stage. A hard copy consultation letter will be

Attachment 3

mailed to you shortly. We ask that you make this correspondence a part of the project record and we look forward to working with you to ensure that tribal cultural resources are protected.

Thank you,

Anna Starkey



Anna M. Starkey, M.A., RPA
Cultural Regulatory Specialist
Tribal Historic Preservation Department | UAIC
10720 Indian Hill Road
Auburn, CA 95603
Direct line: (916) 251-1565 | Cell: (530) 863-6503
astarkey@auburnrancheria.com | www.auburnrancheria.com

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