



# *County of Yuba*

## Community Development & Services Agency

915 8<sup>th</sup> Street, Suite 123, Marysville, CA 95901

### Planning Department

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### DEVELOPMENT REVIEW COMMITTEE STAFF REPORT

**MEETING DATE:** March 07, 2019

**TO:** DEVELOPMENT REVIEW COMMITTEE

**FROM:** Vanessa Franken, Planning Technician

**RE:** TENTATIVE PARCEL MAP TPM 2018-0010 (Five Star)

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**REQUEST:** The applicant is requesting approval of a tentative parcel map to create two parcels from one parcel consisting of 0.38 acres located at 1736 Hammonton Smartsville Road within the community of Linda. The proposed parcel 1 will be 7,975 square feet in size and the proposed parcel 2 will be 8,625 square feet in size (Attachment 1). The project site is identified as Assessor's Parcel Number 021-052-019. Parcel 1 and 2 are zoned as Single Family Residential, both parcels have a general plan designation of Valley Neighborhood.

**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 15315 (Minor Land Division) and approve Tentative Parcel Map TPM 2018-0010 subject to making the necessary findings and the conditions of approval contained herein (Attachment 2).

**BACKGROUND/DISCUSSION:** The proposed parcel map would subdivide a 0.38 acre parcel and create two parcels; parcel 1, will be 7,975 square feet in size and parcel 2, will be 8,625 square feet in size. The project site was developed with two existing dilapidated mobile homes. In June of 2018, the applicant received a demolition permit from the Building Department to remove both mobile homes from the property and received building permits to replace the two mobile homes with two new 1,248sf stick built homes. Both new homes are currently being constructed.

Parcels 1 and 2 both have direct access off of Hammonton Smartsville Road which is improved to Yuba County road standards. Both new homes have been conditioned by the Environmental Health Department to be required to connect to Linda County Water District for both their water and wastewater needs. The 0.38 acre project site is flat (slope is less than 1%), is void of any wetlands or watercourses, and contains no habitat for protected biological resources.

### SURROUNDING USES

	GENERAL PLAN LAND USE DESIGNATION	ZONING	EXISTING LAND USE
North	Valley Neighborhood	Single Family Residential	Single Family Residential
East	Valley Neighborhood	Single Family Residential	Single Family Residential
South	Valley Neighborhood	Single Family Residential	Single Family Residential
West	Valley Neighborhood	Medium Density Residential	Single Family Residential

Surrounding properties range from 0.33 acres to 18 acres in size. The surrounding area is zoned as Single Family Residential with the neighboring property to the west zoned as Medium Density Residential. The General Plan Land Use Diagram has a General Plan designation of Valley Neighborhood.

GENERAL PLAN/ZONING: The project site is designated Valley Neighborhood as shown on the 2030 General Plan Land Use Map. The Valley Neighborhood land use classification is a mixed land use designation that allows for a variety of residential, commercial, and other land uses. The intent of the General Plan designation is to provide for the full range of housing types, commercial and public services, retail offices, and other components of a complete neighborhood in valley portions of the County. The proposed project is consistent with the land use designations, as the map will create parcels that would be both utilized for residential purposes.

ENVIRONMENTAL REVIEW: Staff has determined that the project is categorically exempt from environmental review per the California Environmental Quality Act (CEQA) Section 15315, (Minor Land Divisions).

Section 15315 (Minor Land Divisions) exemptions land divisions of four or fewer parcels when the division of property is in an urbanized area zoned residential, commercial or industrial in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previously 2 years, and the parcel does not have an average slope greater than 20 percent.

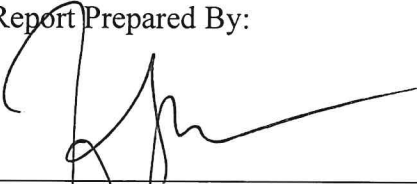
The proposed project meets all the requirements of Section 15315. The project is two parcels and is located in an urbanized area; it is consistent with both the General Plan and zoning; access exists to the site via Hammonton-Smartsville Road; Linda County Water District provides water and wastewater services and PG&E provides gas and electrical services; the project has not been subdivided in the last 2 years; no variances or exceptions to County standards are required; and the project does not have an average slope over 20 percent.

COMMENTS: Planning staff has received the following comment letters (Attachment 3):

Yuba County Building Department

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

Report Prepared By:



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Vanessa Franken  
Planner Technician

Reviewed by:



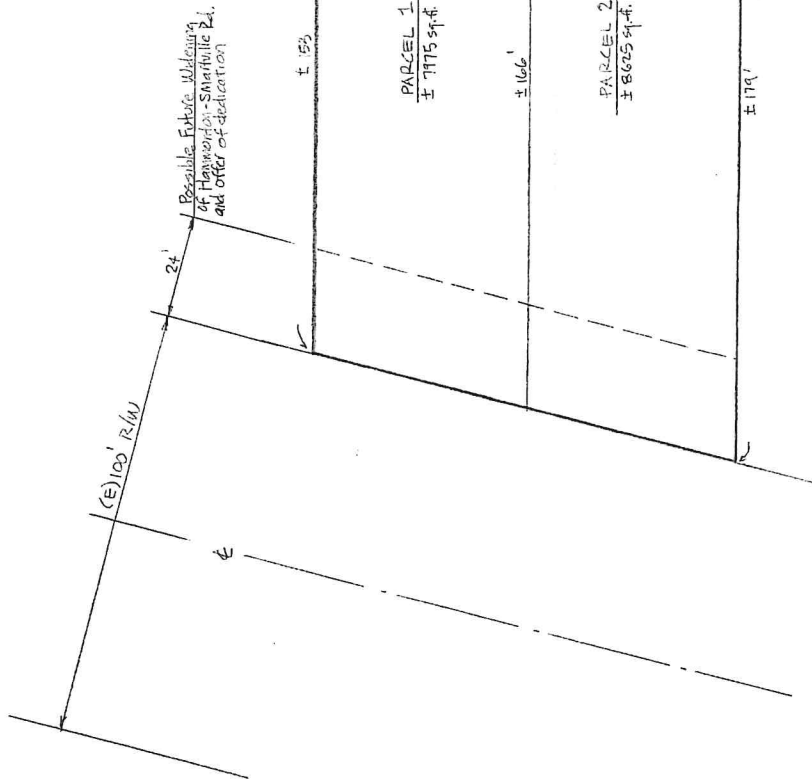
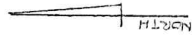
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Kevin Perkins  
Planning Manager

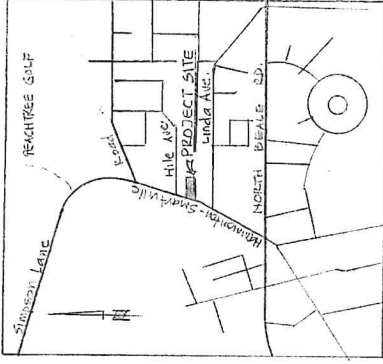
#### ATTACHMENTS

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

cc: Van Boeck/Chris Benedict



TENTATIVE PARCEL MAP



VICINITY PLAN

PROJECT DATA

OWNER  
FINE STAR PROPERTIES, INC.  
Joe Dulan, President  
1804 Torma Dr., Napa City, 94550

SERVICES  
SEWER } LINCOLN WATER DIST.  
water  
gas  
electric  
gate  
gate

RECEIVED  
NOV 26 2018  
COMPLAINTS/PERMIT  
& SERVICE UNIT

TENTATIVE PROPERTY DIVISION at APN 021-052-019

Location: 1736 and 1746 HAMMONTON-SMARTVILLE RD., LINDA, CA

Prepared By: Rose P. Shonfoull Engineer (530) 749-0142  
12245 S. Maple Ct., Browns Valley, CA 95718

Job No. 18-312  
Date Oct. 2018  
Sheet 1 of 1

## FINDINGS, ACTIONS and DRAFT CONDITIONS OF APPROVAL YUBA COUNTY DEVELOPMENT REVIEW COMMITTEE

**Applicant:** Manjit Dulai, Five Star Properties      **Case Number:** TPM 2018-0010  
**Owner:** Five Star Properties                          **DRC Hearing Date:** March 7, 2019  
**APN:** 021-052-019

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

- I. After review and consideration, make a determination that the project is exempt from environmental review pursuant to California Environmental Quality Act (CEQA) Section 15315 (Minor Land Divisions)
- II. Approve Tentative Parcel Map 2018-0010 subject to the conditions shown below, or as may be modified at the public hearing, making the following findings, pursuant to County of Yuba Title XI, Section 11.40.040(E):
  - A. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the General Plan, any applicable specific plan, the Development 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;

The project site is designated as Valley Neighborhood in the 2030 General Plan Land Use Map. The Valley Neighborhood land use classification is a mixed land use designation that is intended for a full range of residential housing types, commercial, and other land uses. The proposed project is consistent with the land use designations, as the map will create parcels for residential purposes.

- 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

The parcel sizes are 7,975 sq. ft. and 8,625 sq. ft., which provides ample room for the orientation of a structure to be placed in an east-west alignment for southern exposure and allow for a structure to take advantage of shade or prevailing breezes.

- 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.

The proposed development does not include more than 500 dwelling units.



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**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. The roadway along Hammonton-Smartsville Road fronting this property shall be constructed to meet the half-width requirements for an Urban Arterial Road in conformance with the Yuba County Standards (Drawing No. 103) or as modified by the Public Works Director. Such standard includes curbs, gutters, storm drain, with an attached sidewalk. Owner shall not be responsible for the inside 12-foot lane as shown on Drawing No. 103.
8. The required road construction along Hammonton-Smartsville Road fronting this property is hereby deferred by the Public Works Director under Section 11.46.060 of the Yuba County Ordinance Code finding that such deferment would not be injurious to health or safety. Such deferment is granted subject to the Owner entering into a Deferred Improvement Agreement with the County of Yuba, as a recorded covenant to run with the land, to defer the above frontage improvements and split the cost equally between Parcels 1 and 2, until such time as a building permit or other grant of development for each parcel is issued by the County or until such time the County determines that the extent of development along the street, the volume of traffic, or other factors such as the necessity to provide drainage, pedestrian walkways or bicycle paths, is such that the County, at its sole discretion, finds that the improvements are necessary, or in conjunction with a County funded improvement project.
9. All existing or proposed driveway encroachments onto Hammonton-Smartsville Road shall conform to the current Yuba County Standards for a paved Rural Driveway (Drawing No. 127 and 128) under permit issued by the Department of Public Works. When frontage improvements per Drawing No. 103 are constructed, then the driveways shall conform to Standard Drawing No. 200.
10. If the Deferred Improvement Agreement option is not chosen, then improvement plans, prepared in compliance with Sections 3 and 7 of the Yuba County Standards shall be submitted to and approved by the Public Works Department prior to any construction. The initial submittal shall also include the necessary calculations for all improvements and associated drainage facilities along with the appropriate plan checking fees based upon a preliminary engineer's estimate. The engineer's estimate shall include estimated costs for the construction of the road and drainage improvements, landscaping requirements (if any), construction staking, and

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11. All road and drainage construction required by these conditions of approval shall be inspected in compliance with Section 4 of the Yuba County Standards and approved by the Yuba County Department of Public Works. Owner's contractor shall meet on-site with the Public Works Department representative prior to the commencement of work to discuss the various aspects of the project.
12. Any improvement work within the County right-of-ways for roadway connections and/or road widening or other improvements shall be accomplished under an encroachment permit issued by the Public Works Department. Improvement plans and associated checking and inspection fees shall be submitted to the Public Works Department for review and approval before any construction will be permitted within the County right-of-way.
13. Owner, heirs or assigns of this property, or portions thereof, shall remove and/or relocate any fence(s) located within dedication(s) or offer(s) of dedication required by this division or within existing County easement(s) or right(s)-of-way which lies within or are adjoining this property. Such fence removal or relocation may be deferred until such time as the then owner is directed by the Public Works Department of Yuba County to remove or relocate the fence(s) at the owner's expense. Any new fences installed shall be constructed outside the limits of dedications or offer(s) of dedication required by this division, or existing County easements or right-of-ways.
14. Owner shall provide and offer to dedicate to the County of Yuba a 10-foot easement for public services and traffic control devices along the street frontage of this property measured from the County's right of way.
15. 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.
16. 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 by the Public Works Department and a National Pollutant Discharge Elimination



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17. Owner shall submit a stormwater quality plan, including all temporary erosion and sediment control measures, site-design measures, source control measures, treatment measures, and baseline hydromodification management measures for the project, in accordance with Sections 7.50 and 11.23 of the Yuba County Ordinance Code and Section 11 of the Yuba County Improvement Standards to the Department of Public Works for review and approval prior to construction and/or grading permit. Owner shall construct such management measures as per the approved plan prior to construction.
18. Erosion control shall conform to section 11 of the Yuba County Improvement Standards.
19. Owner shall pay an in-lieu fee for parkland dedication per Yuba County Development Code §11.45.060 prior to filing the parcel map.
20. 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.
21. 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

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22. 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.
23. 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.
24. 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).
25. 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.
26. All easements of record that affect this property are to be shown on the parcel map.
27. 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.
28. 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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- ENVIRONMENTAL HEALTH DEPARTMENT:**

- Page 7 of 8

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35. All abandoned, wrecked, dismantled, or inoperative vehicles, machines, and equipment shall be removed by Owner from the subject site.
36. All existing trash and debris shall be removed from the subject site.
37. 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". Environmental Health Division-Conditions of Approval.
38. All abandoned septic tanks on the subject site shall be destroyed in accordance with the requirements of Yuba County Environmental Health Division.

**PLANNING DEPARTMENT:**

39. Minor modifications to the final site configuration may be approved by the Community Development and Services Agency Director.
40. 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.
41. Should any prehistoric or historic artifacts, including human remains be exposed during construction and excavation operations, work shall cease and the Community Development and 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. Owner shall meet all requirements of the Feather River Air Quality Management District during any project related construction.

Vanessa Franken, Planning Technician

# BUILDING DEPARTMENT - PLANNING PROJECT REVIEW

RECEIVED

DEC 10 2018

Date: 12/10/2018

COMMUNITY DEVELOPMENT  
& SERVICES AGENCY

Reviewer: Dan Burns, Supervising Building Official

Planning Department Project Number: TPM2018-0010

Project Address: 1736 & 1746 HAMMONTON-SMARTSVILLE RD, LINDA CA

Review results: After the Building Departments review of the project listed above it has been determined that the Building Department will HOLD approval until the following items have been completed:

OPEN Code Enforcement Case (CE18-0567) will need to be inspected and closed by the Code Enforcement Department.

If you have any questions or need any assistance please feel free to contact me.

Dan Burns - X5644

A handwritten signature in black ink, appearing to read 'D Burns', followed by a long horizontal line extending to the right.