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PLANNING COMMISSION MEETING May 3, 2022

FILE NUMBER: PM 2022-001
PROPERTY OWNER: William and Crystal Harkness Family Trust
APPLICANT: William A. Harkness and Crystal M. Harkness
TYPE OF APPLICATION: Parcel Map

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LASSEN COUNTY PLANNING COMMISSION
STAFF REPORT
May 3, 2022

FILE NUMBER:	PM #2022-001
APPLICANT:	William and Crystal Harkness Family Trust
TYPE OF APPLICATION:	Parcel Map
GENERAL LOCATION:	Standish, CA
ASSESSOR'S PARCEL NUMBER:	119-270-064
ZONING:	C-T-D (Town Service Design Combining District)
GENERAL PLAN:	"Town Center" per the <i>Standish-Litchfield Area Plan, 1986</i>
APPEAL:	Lassen County Code Section 18.112.050 states that "any person not satisfied with the action of the planning commission... may, within ten days of the notice of the commission's action, appeal in writing to the board of supervisors."
ENVIRONMENTAL DOCUMENT:	Not subject to further CEQA review pursuant to Section 15183 of the CEQA Guidelines
ASSIGNED STAFF:	Nancy McAllister, Senior Planner

AUTHORITY FOR APPLICATION:

Subdivision Map Act, Government Code Section 66410 et seq. established regulations.
Parcel Map Provision, Lassen County Code Section 16.20 et seq. established regulations.

REGULATING AGENCIES:

<u>Agency</u>	<u>Identified Permits/Approvals</u>
Planning Commission	Parcel Map Approval

PROJECT DESCRIPTION: Proposal to divide a 9.68-acre parcel into two parcels; proposed resultant Parcel A-2-A would be 1.07 acres and proposed resultant Parcel A-2-B would be 8.61 acres.

PROJECT SITE CHARACTERISTICS: The subject parcel is located at 470-825 County Road A-3 (Standish Buntingville Rd), Standish, CA 96128, approximately 12 miles east of Susanville, via U.S. Highway 395 North. Improvements on the subject parcel include a single-family residence with detached garage, one septic system, three wells, a barn, a shed, and a commercial shop (HVAC, sheet metal, electric). If the parcel map application were approved, resultant Parcel A-2-A would contain the commercial shop, and resultant Parcel A-2-B would contain all other improvements. Currently, the shop and residence share one septic system. The subject parcel is zoned C-T-D (Town Service Design Combining District) and has a "Town Center" land use designation in the *Lassen County General Plan, 2000*, per the *Standish-Litchfield Area Plan, 1986*. The subject parcel is in the Local Responsibility Area

(LRA) for fire protection (*not* within a “Very High” fire hazard severity zone) and is located within the Federal Emergency Management Agency (FEMA) Flood Zone “X”, which is not part of the 100-year flood zone as described by FEMA.

ACCESS/REQUIREMENTS: tentative parcel map submitted for Parcel Map No. 2022-001 shows that access to the subject property is by way of Standish Buntingville Road (A-3), County Road No. 301, which is in the Lassen County maintained road system. The existing parcel currently abuts this road and both proposed parcels will directly abut it as well.

SURROUNDING PROPERTY CHARACTERISTICS AND ZONING: Parcels in the vicinity consist of a mixture of agricultural, residential, and commercial parcels. Surrounding property information is as follows:

	Zoning	Parcel Size (acres)	Land Use Designation (Standish-Litchfield Area Plan, 1986)
North	C-T-D*	4.78	“Town Center”
Northeast	C-T-D*/C-T**	23	“Town Center”
East	A-2-B-20-D***/ A-2-B-20****	87.5	“Agricultural Residential”
Southeast	A-2-B-20-D***/ A-2-B-20****	40	“Agricultural Residential”
South & Southwest	C-T-D* & E-A-D*****/ E-A*****	2.07, 1.64, & 120	“Town Center” & “Intensive Agriculture”
West	E-A*****	103.99	“Town Center” & “Intensive Agriculture”
Northwest	C-T**	5	“Town Center”

* C-T-D (Town Service Design Combining District)

** C-T (Town Service District)

***A-2-B-20-D (Agricultural Residential 20-Acre Building Site Design Combining District)

****A-2-B-20 (Agricultural Residential 20-Acre Building Site Combining District)

*****E-A-D (Exclusive Agricultural Design Combining District)

*****E-A (Exclusive Agricultural District)

ZONING: The subject parcel is zoned C-T-D (Town Service Design Combining District). There is no minimum parcel size identified for C-T zoning districts. If the parcel map application were approved, the commercial and residential uses on resultant Parcels A-2-A and A-2-B would be consistent with the primary uses allowed by right within the C-T zoning district, pursuant to Lassen County Code Sections 18.34.030(2) and (5), which identify repair shops and single-family dwellings, respectively.

GENERAL PLAN: The subject parcel has a General Plan land use designation of “Town Center” per the *Standish-Litchfield Area Plan, 1986*. The *Lassen County General Plan, 2000*, describes the “Town Center” land use designation as follows:

Town Center

“A Town Center... designates the central area of a small, unincorporated community. It typically serves as the commercial and social center of the surrounding community with a mixture of commercial and residential uses and may also include community services and social buildings (e.g., school, post office, fire hall, Grange, etc.) ...

The building intensity of Town Centers is largely dependent upon the availability (or lack of) community water and/or sewer services. Some Town Centers have one or both services provided by service districts. Some centers have neither. In some communities, past development patterns may have produced lots which would be considered substandard in size today, but which are often recognized as legal building sites. Building intensity may range from one dwelling unit per acre (DUA) in areas requiring individual wells and septic systems to 7.25 DUA in centers having both community water and sewage systems.

Population density in Town Centers also depends largely upon available water and sewer services. In the residential areas of a Town Center where both services are available, the density will typically average 22 PPA (people per acre). If neither service is available, the average may be as low as three PPA.

Corresponding Zoning: A Town Center may have separately zoned residential and commercial districts (see below), or zoning may be addressed with a "C-T" Town Service District which provides for a mixture of commercial and residential uses. ”

The *Standish-Litchfield Area Plan, 1986*, describes the “Town Center” land use designation as follows:

Usually designated at existing communities. Identifies local commercial districts and social centers. Commercial uses may be mixed with residential and/or other compatible land uses.

The proposed parcel map is consistent with the definition and density limits of the “Town Center” land use designation as found in the *Lassen County General Plan, 2000*, and the *Standish-Litchfield Area Plan, 1986*.

LOCAL GOVERNMENTAL SERVICES:

- Fire protection is provided by the Standish-Litchfield Fire Protection District
- Police protection is provided by the Lassen County Sheriff’s Department
- School service is provided by the Shaffer Elementary School District and the Lassen Union High School District

LASSEN COUNTY CODE: Lassen County Code Chapter 16.20 et seq. sets forth standards relating to the Planning Commission's approval or denial of parcel map applications. Selected sections of Chapter 16.20 read as follows:

16.20.060 Planning commission action—Notice of public hearings.

... The planning commission shall approve, conditionally approve or deny the tentative map and shall report its decision to the board of supervisors and the subdivider within fifty days after the tentative map has been accepted for filing. If an environmental impact report is prepared, the decision shall be made within forty-five days after certification of the environmental impact report. (Ord. 475 § 1(16.05.161), 1985).

16.20.070 Planning commission action—Approval.

In approving or conditionally approving the tentative map, the planning commission, acting in the capacity of the advisory agency, shall find that the proposed parcel map, together with its provisions for its design and improvements, is consistent with applicable general or specific plans adopted by Lassen County.

The planning commission may modify or delete any of the conditions of approval recommended in the technical advisory committee report, except conditions required by county ordinance. The planning commission may add additional requirements as a condition of its approval.

If no action is taken by the planning commission within the time limit as specified, the tentative map as filed shall be deemed to be approved, insofar as it complies with other applicable provisions of the Subdivision Map Act, this chapter or other county ordinances, and it shall be the duty of the county clerk to certify the approval. (Ord. 475 § 1(16.05.162), 1985).

16.20.080 Planning commission action—Denial.

The tentative map may be denied by the planning commission on any of the grounds provided by county ordinances or the Subdivision Map Act.

The planning commission shall deny approval of the tentative map if it makes any of the following findings:

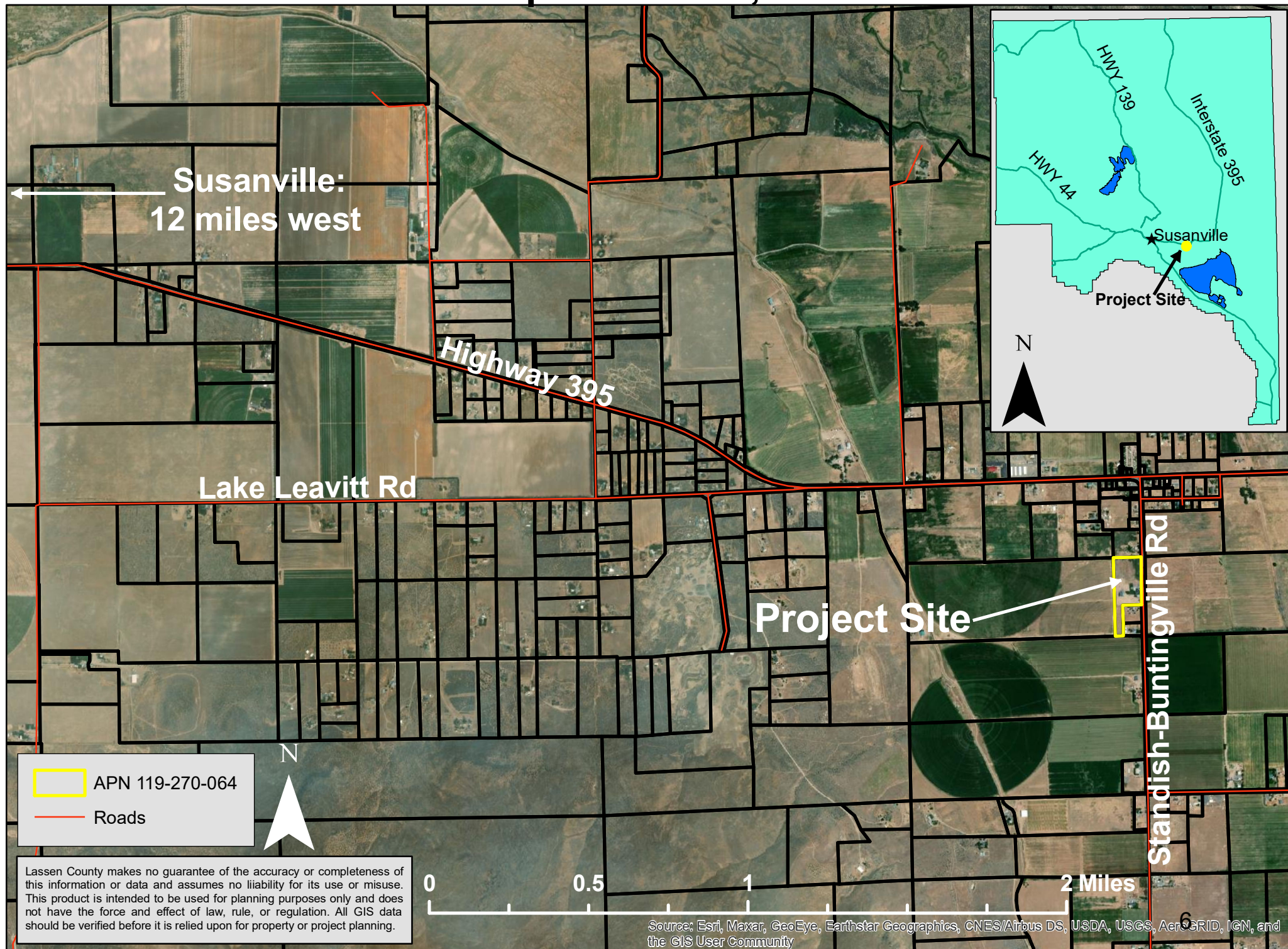
- (1) That the proposed map is not consistent with applicable general and specific plans;*
- (2) That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans;*
- (3) That the site is not physically suitable for the type of development;*

- (4) That the site is not physically suitable for the proposed density of development;*
- (5) That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat;*
- (6) That the design of the subdivision or the type of improvements is likely to cause serious public health problems;*
- (7) That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternate easements for access or for use will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is hereby granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision. (Ord. 475 § 1(16.05.163), 1985).*

ENVIRONMENTAL DOCUMENT: The Environmental Review Officer of Lassen County has determined that this proposal is not subject to further California Environmental Quality Act (CEQA) review under Section 15183 of the CEQA Guidelines, which applies to projects that are consistent with a community plan, general plan, or zoning. For further discussion, see the attached memorandum to the Technical Advisory Committee for the April 7, 2022, meeting.

FINDINGS and/or RECOMMENDATIONS BY TAC: The Technical Advisory Committee (TAC) met on April 7, 2022, and has developed recommended findings and conditions for consideration by the Planning Commission. The recommended findings and conditions can be found in the memos to the TAC attached to this staff report. In addition, the recommended conditions can be found in Exhibit “A” of a draft resolution that is included in this packet.

Parcel Map #2022-001, Harkness



Parcel Map #2022-001, Harkness

Parcel A-2-B
8.61 acres

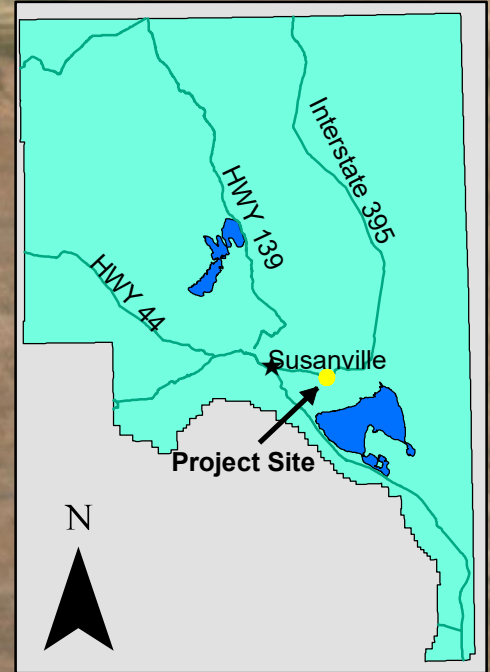
APN 119-270-064

Parcel A-2-A
1.07 acres

Standish-Buntingville Rd

0 37.5 75 150 Yards

N



- Parcel A-2-A
- Parcel A-2-B
- APN 119-270-064
- Roads

Lassen County makes no guarantee of the accuracy or completeness of this information or data and assumes no liability for its use or misuse. This product is intended to be used for planning purposes only and does not have the force and effect of law, rule, or regulation. All GIS data should be verified before it is relied upon for property or project planning.

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

RESOLUTION NO. _____

RESOLUTION OF THE LASSEN COUNTY PLANNING COMMISSION APPROVING
PARCEL MAP APPLICATION #2022-001, HARKNESS; APN 119-270-064

WHEREAS, the Planning Commission of Lassen County, after due notice, and a public hearing conducted May 3, 2022, has considered Parcel Map Application #2022-001, Harkness, proposing to divide a 9.68-acre parcel into a 1.07-acre parcel and an 8.61-acre parcel; and

WHEREAS, the Environmental Review Officer has determined that the proposed parcel map application is not subject to further environmental review under the California Environmental Quality Act pursuant to Section 15183 of the Guidelines.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The foregoing recitals are true and correct.
2. The Planning Commission finds that the proposed parcel map application is consistent with the *Lassen County General Plan, 2000*, and the *Standish-Litchfield Area Plan, 1986*, and that the proposed parcels are consistent with permissible parcel sizes and uses under the C-T-D zoning district.
3. The Planning Commission hereby concurs with the Environmental Review Officer that the proposed parcel map is not subject to further environmental review under the California Environmental Quality Act pursuant to Section 15183 of the Guidelines.
4. The Planning Commission hereby adopts the Technical Advisory Committee's recommended findings attached with the staff report for PM #2022-001, Harkness.
5. The Planning Commission hereby approves Parcel Map #2022-001, Harkness, subject to the conditions set forth in Exhibit "A" attached hereto.

RESOLUTION NO. _____

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PASSED AND ADOPTED at a regular meeting of the Planning Commission of the County of Lassen, State of California, on the 3rd day of May, 2022, by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

Chairman
Lassen County Planning Commission

ATTEST:

Maurice L. Anderson, Secretary
Lassen County Planning Commission

EXHIBIT "A"
RECOMMENDED CONDITIONS OF APPROVAL
PARCEL MAP #2022-001, HARKNESS

1. The final map for Parcel Map No. 2022-001 shall meet all provisions of Title 16 Subdivisions, as determined by the Lassen County Surveyor and the Lassen County Planning Commission.
2. Prior to recordation of the parcel map, the applicants must record an easement granting the commercial shop on resultant Parcel A-2-A, access to the associated well and septic system located on resultant Parcel A-2-B. Alternatively, a well and septic system can be constructed and inspected on resultant Parcel A-2-A to serve the commercial shop.
3. Prior to recordation of the parcel map, the applicants must obtain written confirmation from the Lassen County Fire Warden that the proposed parcel map meets all requirements of Lassen County Code Chapter 9.16, or otherwise obtain an exception from the Fire Warden.
4. Multiple access shall be required, unless a recommendation otherwise is made by the county fire warden or the responsible fire protection agency, and approved by the county, prior to recordation of the final map for Parcel Map No. 2022-001, based on one or more of the findings listed in Lassen County Code Section 9.16.190.
5. A note shall be recorded on the final map for Parcel Map No. 2022-001 requiring that in the event any archeological or cultural resources are discovered during construction or any ground disturbing activities, such work is to be halted in the immediate are of the discovery until a qualified archeologist, retained at the project proponent's expense, is consulted to assess the find's significance and recommend appropriate mitigation measures, which the project proponent shall implement to reduce potentially significant impacts to identified cultural resources to a less than significant level.
6. Owners, owner's agent(s) or applicants shall satisfy and the project shall meet all applicable requirements provided by law.
7. The parcel shall be subdivided as shown on the tentative parcel map submitted on January 25, 2022, for Parcel Map No. 2022-001.
8. Owners shall cause a field survey of the property shown on the tentative parcel map submitted for Parcel Map No. 2022-001 to be completed in accordance with Section 66448 of the Subdivision Map Act and Section 16.20.160 of the Lassen County Code.
9. In accordance with Section 66411.1 of the Subdivision Map Act, if the applicant requests a deferral for the construction of any on or off-site improvements required by the conditional approval of the tentative parcel map submitted for Parcel Map No. 2022-001,

the parcel map shall contain a note stating the construction of improvements required by the conditional approval of the tentative parcel map submitted for Parcel Map No. 2022-001 shall be completed before any permit or other grant of approval for development of the parcels shown on the parcel map is approved and/or issued.

10. Owners, owner's agent(s) or applicants shall provide information and/or required documentation to demonstrate the project meets all applicable requirements established by the Subdivision Map Act and Lassen County Code. The applicant shall also provide documentation required to demonstrate that all conditions of approval for Parcel Map No. 2022-001 have been satisfied or fulfilled.
11. Owners, owner's agent(s) or applicants shall submit a preliminary copy of the parcel map meeting the requirements of Article 3, Parcel Maps, Sections 66444-66450 of the Subdivision Map Act and Lassen County Code, Chapter 16.20, Sections 16.20.170 and 16.20.180, to the Lassen County Surveyor for review and approval. The parcel map shall reference and show all easements of record, or any created or offered for dedication, including those shown on the tentative parcel map for Parcel Map No. 2022-001, which affect the parcel being subdivided or those being created. This review submittal shall also include the following:
 - a. A current Condition of Title report for the property shown on the tentative parcel map submitted for Parcel Map No. 2022-001.
 - b. All information required by Lassen County Code, Chapter 16.20, Sections 16.20.180 and 16.20.190.
 - c. An index of specific recorded survey maps (i.e. Records of Surveys, parcel maps, subdivision maps, GLO maps and field notes) used to prepare the parcel map.
 - d. Copies of other maps, documents and data used to prepare the parcel map if unavailable in the Lassen County Surveyor's Office.
 - e. All fees required for this review.
12. After the parcel map, including its form and content, have been determined to be acceptable by the County Surveyor, in accordance with Lassen County Code, Section 16.20.200, and all conditions of the conditional approval of the tentative parcel map submitted for Parcel Map No. 2022-001 have been acceptably met, the owners, owner's agent(s) or applicants shall submit an original mylar of the parcel map, corrected to its approved final form and signed by all parties required to execute the certificates on the map, to the County Surveyor for recording in the office of the Lassen County Recorder in accordance with Lassen County Code, Sections 16.20.210 and 16.20.220. This submittal of the parcel map shall also include any documents which are required to be recorded concurrently with the parcel map. A Parcel Map Guarantee shall also be submitted along with the appropriate fees necessary to the record the parcel map and any related documents.

13. If there are any Deeds of Trust on the property, either the Trustee or the Beneficiary shall sign a certificate statement on the parcel map approving of the subdivision and the recording of the parcel map in accordance with Section 66445(e) of the Subdivision Map Act and Section 16.20.180(3)(A)(B) of the Lassen County Code.
14. Prior to recordation of Parcel Map No. 2022-001, evidence shall be provided to the Lassen County Surveyor's Office which demonstrates that the Lassen County Tax Collector is satisfied that all current and delinquent property taxes have been paid, including funds deposited that are equivalent to all estimated taxes which have become a lien not yet due or payable, for all parcels involved in the proposed land division.

RESOLUTION NO. _____

RESOLUTION OF THE LASSEN COUNTY PLANNING DISAPPROVING PARCEL MAP
APPLICATION #2022-001, HARKNESS; APN 119-270-064

WHEREAS, the Planning Commission of Lassen County, after due notice, and a public hearing conducted May 3, 2022, has considered Parcel Map Application #2022-001, Harkness, proposing to divide a 9.68-acre parcel into a 1.07-acre parcel and an 8.61-acre parcel; and

WHEREAS, the California Environmental Quality Act does not apply to projects which a public agency rejects or disapproves, pursuant to Sections 15061(4) and 15270(a) of the Guidelines.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The foregoing recitals are true and correct.
2. The Planning Commission finds that the proposed parcel map application is not consistent with the *Lassen County General Plan, 2000*, and the *Standish-Litchfield Area Plan, 1986*.
3. The Planning Commission finds that the design or improvement of the proposed parcel map is not consistent with the *Lassen County General Plan, 2000*, and the *Standish-Litchfield Area Plan, 1986*.
4. The Planning Commission finds that the site is not physically suitable for the type of development proposed.
5. The Planning Commission finds that the site is not physically suitable for the proposed density of development.
6. The Planning Commission finds that the design of the parcel map or the proposed improvements are likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat.
7. The Planning Commission finds that the design of the parcel map or the type of improvements is likely to cause serious health problems.
8. The Planning Commission finds that the design of the parcel map or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.
9. The Planning Commission hereby concurs with the Environmental Review Officer that the California Environmental Quality Act does not apply to projects which a public agency rejects or disapproves, pursuant to Sections 15061(4) and 15270(a) of the Guidelines.
10. The Planning Commission hereby disapproves Parcel Map #2022-001, Harkness.

RESOLUTION NO. _____

Page 2 of 2

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the County of Lassen, State of California, on the 3rd day of May, 2022, by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

Chairman
Lassen County Planning Commission

ATTEST:

Maurice L. Anderson, Secretary
Lassen County Planning Commission

TECHNICAL ADVISORY COMMITTEE
RECOMMENDED FINDINGS AND CONDITIONS
April 7, 2022
Parcel Map #2022-001, Harkness

Parcel Maps:

- ☒ County Planning Director (present, findings and conditions)
- ☒ County Public Works Director (present, no findings or conditions)
- ☒ County Surveyor (present, findings and conditions)
- ☒ County Sanitarian (present, no findings or conditions)
- ☒ County Fire Warden (present, no findings or conditions)
- ☒ County Assessor (present, no findings or conditions)



County of Lassen

Department of Planning and Building Services

• Planning • Building • Environmental Health • Code Enforcement • Surveyor • Surface Mining

March 24, 2022

Maurice L. Anderson, Director

707 Nevada Street, Suite 5

Susanville, CA 96130-3912

Phone: 530 251-8269

Fax: 530 251-8373

email: landuse@co.lassen.ca.us


website: www.co.lassen.ca.us

TO: Technical Advisory Committee
Agenda Date: April 7, 2022

Zoning & Building

Inspection Requests

Phone: 530 257-5263

FROM: Maurice L. Anderson, Director 

Environmental Health

Messages: 530 251-8528

email: EHE@co.lassen.ca.us

RE: Parcel Map #2022-001, Harkness

Project Description

PARCEL MAP #2022-001, Harkness. Proposal to divide a 9.68-acre parcel into two parcels; proposed resultant Parcel A-2-A would be 1.07 acres and proposed resultant Parcel A-2-B would be 8.61 acres. The subject parcel is zoned C-T (Town Service District) and has a "Town Center" land use designation in the *Lassen County General Plan, 2000*, per the *Standish-Litchfield Area Plan, 1986*. The proposed project is exempt from the California Environmental Quality Act (CEQA) under Section 15183 of the CEQA Guidelines. The subject parcel is located at 470-825 County Road A-3 (Standish Buntingville Rd), Standish, CA 96128, approximately 12 miles east of Susanville, via U.S. Highway 395 North. APN: 119-270-064. Staff Contact: Nancy McAllister, Senior Planner

The Planning Division of the Lassen County Department of Planning and Building Services finds as follows:

1. The subject parcel is zoned C-T (Town Service District).
2. The subject parcel has a "Town Center" land use designation in the *Lassen County General Plan, 2000*, per the *Standish-Litchfield Area Plan, 1986*.
3. The applicants are proposing to divide a 9.68-acre parcel into two parcels; proposed resultant Parcel A-2-A would be 1.07 acres and proposed resultant Parcel A-2-B would be 8.61 acres.
4. There is no minimum parcel size identified for the C-T zoning district. Lassen County Code Section 18.102.050(3) identifies a minimum of one acre, and minimum lot width 150 feet, for property utilizing individual septic system and individual well. Lassen County Code Section 12.12.020 identifies a minimum of one acre for new divisions of land if the lot is to be served by a single connection well for the source of domestic water and the sewage disposal is by means of a septic tank system. The proposed parcel map meets these requirements.

5. Improvements on the subject parcel include a single-family residence with detached garage, one septic system, three wells, a barn, a shed, and a commercial shop (HVAC, sheet metal, electric). If the parcel map application were approved, resultant Parcel A-2-A would contain the commercial shop, and resultant Parcel A-2-B would contain all other improvements. Currently, the shop and residence share one septic system.
6. The subject parcel is not within the 100-year flood zone as described by the Federal Emergency Management Agency (FEMA).
7. A parcel map meets the definition of a “subdivision” pursuant to Lassen County Code Section 16.08.180.
8. Lassen County Code Chapter 16.20 et seq. establishes the regulations regarding approval of tentative parcel maps.
9. Pursuant to Lassen County Code Section 16.20.070, the Planning Commission may approve the tentative map if it finds that the parcel map, together with its provision for its design and improvements, is consistent with the applicable general or specific plans adopted by Lassen County. Said section also states that the Planning Commission may modify or delete any of the conditions of approval recommended in the technical advisory committee report, *except conditions required by county ordinance*. The Planning Commission may add additional requirements as a condition of its approval.
10. Pursuant to Lassen County Code Section 16.20.080, the Planning Commission may deny the tentative map on any of the grounds provided by county ordinances or the Subdivision Map Act. The Planning Commission shall deny approval of the tentative map if it makes any of the following findings:
 1. *That the proposed map is not consistent with applicable general and specific plans;*
 2. *That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans;*
 3. *That the site is not physically suitable for the type of development;*
 4. *That the site is not physically suitable for the proposed density of development;*
 5. *That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat;*
 6. *That the design of the subdivision or the type of improvements is likely to cause serious public health problems;*

7. *That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternate easements for access or for use will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is hereby granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision.*

11. Lassen County Code Chapter 18.34 *C-T Town Service District*, describes the intent of the C-T zoning district as follows:

18.34.010 Intent

C-T districts are intended to promote and enhance the diversified uses compatible with and necessary for the maintenance and viability of town centers and rural communities. In combination with residential and public uses, these groupings of stores provide daily and weekly convenience shopping and services for the surrounding area. The C-T districts also provide for social and cultural headquarters for the county subareas with schools, fraternal organizations, churches, etc.

12. If the parcel map application were approved, the commercial and residential uses on resultant Parcels A-2-A and A-2-B would be consistent with the primary uses allowed by right within the C-T zoning district, pursuant to Lassen County Code Sections 18.34.030(2) and (5), which identify repair shops and single-family dwellings, respectively.
13. Consistency with the *Lassen County General Plan, 2000*, and the *Standish-Litchfield Area Plan, 1986*, is to be determined by the Lassen County Planning Commission.
14. The *Lassen County General Plan, 2000*, describes the “Town Center” land use designation, in part, as follows:

Town Center

“A Town Center... designates the central area of a small, unincorporated community. It typically serves as the commercial and social center of the surrounding community with a mixture of commercial and residential uses and may also include community services and social buildings (e.g., school, post office, fire hall, Grange, etc.) ...

The building intensity of Town Centers is largely dependent upon the availability (or lack of) community water and/or sewer services. Some Town Centers have one or

both services provided by service districts. Some centers have neither. In some communities, past development patterns may have produced lots which would be considered substandard in size today, but which are often recognized as legal building sites. Building intensity may range from one dwelling unit per acre (DUA) in areas requiring individual wells and septic systems to 7.25 DUA in centers having both community water and sewage systems.

Population density in Town Centers also depends largely upon available water and sewer services. In the residential areas of a Town Center where both services are available, the density will typically average 22 PPA (people per acre). If neither service is available, the average may be as low as three PPA.

Corresponding Zoning: A Town Center may have separately zoned residential and commercial districts (see below), or zoning may be addressed with a "C-T" Town Service District which provides for a mixture of commercial and residential uses."

15. The Lassen County General Plan, 2000, and the Standish-Litchfield Area Plan, 1986, relate the following goals and policies that inform the proposed project:

Standish-Litchfield Area Plan, 1986

Policy: Town Center/Commercial

5-A The townsites of Standish and Litchfield are designated as Town Centers and shall be considered as the appropriate location for mixed use residential/commercial development in the Planning Area.

Lassen County General Plan, 2000

GOAL L-4: Compatibility between land use types by providing for complementary mixtures and patterns of land uses.

LU-6 POLICY: The County recognizes general plan land use designations and consistent zoning as the appropriate and primary tools for attempting to achieve and maintain compatibility of land uses within the context of the County's land use authority and local control.

LU10 POLICY: Subdivision map applications proposing to create parcels primarily for residential development shall not be approved in areas outside of fire protection districts (with limited exceptions, supported with special findings, through processes such as Segregation of Homesites, etc.).

16. The proposed project is consistent with the Lassen County General Plan, zoning ordinance, and subdivision ordinance.
17. The subject parcel is within the Standish-Litchfield Fire Protection District.

18. Parcel map applications are subject to the provisions of Lassen County Code Chapter 9.16, which outlines fire-safe requirements.
19. The Environmental Review Officer has found that this project is not subject to further environmental review under Section 15183 of the CEQA Guidelines.
20. Section 15183(a) of the CEQA Guidelines states:

CEQA mandates that projects which are consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site. This streamlines the review of such projects and reduces the need to prepare repetitive environmental studies.

21. Section 15183(d) of the CEQA Guidelines states:

This section shall apply only to projects which meet the following conditions:

1. *The project is consistent with:*
 - (A) A community plan adopted as part of a general plan,*
 - (B) A zoning action which zoned or designated the parcel on which the project would be located to accommodate a particular density of development, or*
 - (C) A general plan of a local agency, and*
 2. *An EIR was certified by the lead agency for the zoning action, the community plan, or the general plan.*
22. The *Lassen County General Plan, 2000*, sets forth a density of 1 to 7.25 dwelling units per acre, and 3 to 22 people per acre for the “Town Center” land use designation, depending on the availability of water and sewer services. The density proposed by the parcels to be created by this parcel map application are consistent with the above density. Additionally, an EIR was adopted for the *Lassen County General Plan, 2000*. Therefore, Section 15183, as described above, applies to the project, and so the project is not subject to further environmental review.

The Planning Division of Lassen County Planning and Building Services Department recommends the following conditions be placed on the project if approved.

1. The final map for Parcel Map No. 2020-003 shall meet all provisions of Title 16 Subdivisions, as determined by the Lassen County Surveyor and the Lassen County Planning Commission.

2. Prior to recordation of the parcel map, the applicants must record an easement granting the commercial shop on resultant Parcel A-2-A, access to the associated well and septic system located on resultant Parcel A-2-B. Alternatively, a well and septic system can be constructed and inspected on resultant Parcel A-2-A to serve the commercial shop.
3. Prior to recordation of the parcel map, the applicants must obtain written confirmation from the Lassen County Fire Warden that the proposed parcel map meets all requirements of Lassen County Code Chapter 9.16, or otherwise obtain an exception from the Fire Warden.
4. Multiple access shall be required, unless a recommendation otherwise is made by the county fire warden or the responsible fire protection agency, and approved by the county, prior to recordation of the final map for Parcel Map No. 2020-003, based on one or more of the findings listed in Lassen County Code Section 9.16.190.
5. A note shall be recorded on the final map for Parcel Map No. 2020-003 requiring that in the event any archeological or cultural resources are discovered during construction or any ground disturbing activities, such work is to be halted in the immediate are of the discovery until a qualified archeologist, retained at the project proponent's expense, is consulted to assess the find's significance and recommend appropriate mitigation measures, which the project proponent shall implement to reduce potentially significant impacts to identified cultural resources to a less than significant level.

MLA:njm

S:\PLA\Planning\2022\PM #2022-001, Harkness\TAC



County of Lassen

Department of Planning and Building Services

• Planning • Building • Environmental Health • Code Enforcement • Surveyor • Surface Mining

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APR 07 2022

LASSEN COUNTY DEPARTMENT OF
PLANNING AND BUILDING SERVICES

Maurice L. Anderson, Director
707 Nevada Street, Suite 5
Susanville, CA 96130-3912
Phone: 530 251-8269
Fax: 530 251-8373
email: landuse@co.lassen.ca.us
website: www.co.lassen.ca.us

Zoning & Building
Inspection Requests
Phone: 530 257-5263

Environmental Health
Messages: 530 251-8528
email: EHE@co.lassen.ca.us

March 23, 2022

TO: Technical Advisory Committee
Agenda Date: April 7, 2022

FROM: Don Willis, Lassen County Surveyor

RE: Parcel Map No. 2022-001 – The William and Crystal Harkness Family Trust.
Assessor's Parcel Number: 119-270-064.

LASSEN COUNTY SURVEYOR FINDS AS FOLLOWS:

1. The parcel to be considered, as the same is shown on the tentative parcel map submitted with application for Parcel Map No. 2022-001, is owned by William A. Harkness and Crystal M. Harkness, Trustees of The William and Crystal Harkness Family Trust created under a Declaration of Trust dated May 22, 2017, for the benefit of William A. Harkness and Crystal M. Harkness and the other beneficiaries of said trust, and as the community property of William A. Harkness and Crystal M. Harkness, per a Trust Transfer Grant Deed recorded on June 8, 2017 as Document No. 2017-02312 of the Official Records of Lassen County, California. The subject parcel is represented by Assessor's Parcel Number 119-270-064 and is located in a portion of Section 20, Township 29 North, Range 14 East, Mount Diablo Base and Meridian.
2. The legal description shown in the vesting deed listed in Findings Item Number One above describes the subject property as Parcel A-2 of Parcel Map No. 41-5-80, as the same was filed on October 29, 1980 in Book 18 of Maps, Page 64, of the Official Records of Lassen County. There are several errors in this description, one of which is that the number of the parcel map is cited incorrectly, and the other is that a 22 ft. x 22 ft. area located along one of the southerly boundaries should be excepted from the property. The missing exception is evidenced by the prior deed of the Harkness' which was recorded on October 7, 2014 as Document No. 2014-04387 of the Official Records of Lassen County. This 22 ft. x 22 ft. area was included in that deed, and is also included in the adjoining deed to the south, so it appears that it simply was not included with the trust transfer deed. Although this area was included with said Parcel A-2 when the parcel map was originally filed in 1980, a Lot Line Adjustment in 1985/1986 approved it to be combined with the adjoining parcel to the south. This is evidenced by an Individual Grant Deed subtitled "Lot Line Adjustment" that was recorded on January 17, 1986 in Book 453, Page 589, of the Official Records of Lassen County. This deed conveyed the

small parcel between two separate ownerships and states "*This conveyance is made pursuant to Lot Line Adjustment Application #12-02-85, and Lassen County Ordinance 435, approved by the Lassen County Planning Commission on December 18, 1985.*"

3. The underlying legal parcel of the subject property was created from said Parcel Map No. 41-5-80 as described in Findings Item Number Two above. This parcel map was approved by the Lassen County Board of Supervisors on October 29, 1980 and filed on the same day in said Book 18 of Maps, Page 64, of the Official Records of Lassen County. Therefore, this parcel was created in accordance with the provisions of the Subdivision Map Act and local ordinances.
4. The subject property is encumbered by a 50 feet wide access easement that was created per said Parcel Map No. 41-5-80 (18 Maps 64). The purpose of this easement is to provide access from Standish Buntingville Road to Parcel A-1 of said Parcel Map No. 41-5-80 and its location is approximately in the middle of Parcel A-2 (the subject property of this proposal).
5. The subject property is also subject to a 50 feet wide leachfield exclusion area located along the northerly boundary line, as is shown on said Parcel Map No. 41-5-80.
6. The subject property is further subject to a ditch easement located along the southerly boundary line of the subject property, as is shown on said Parcel Map No. 41-5-80. This ditch easement is referenced on said parcel map by a document recorded on May 26, 1976 in Book 301, Page 524, of the Official Records of Lassen County. This document is titled "*Well Water Agreement*" and generally speaks about the sharing of water from a well, however it does not provide a width of the easement.
7. The subject property was previously proposed to be divided by William H. Harkness, the prior owner to the current owners, William A. Harkness and Crystal M. Harkness. Parcel Map No. 2005-001 was approved by the Lassen County Planning Commission on May 4, 2005 per Resolution No. 5-04-05 and proposed to divide the parcel into a 4.66 acre parcel and a 5.02 acre parcel. This parcel map was subsequently extended by the Planning Commission on July 11, 2007 per Resolution No. 07-01-07 for an additional period of twelve months, however the parcel map was never filed and the approved tentative map has since expired.
8. The existing acreage of the subject property is 9.68 acres. The tentative parcel map submitted for Parcel Map No. 2022-001 shows the proposed division will create a 180 ft. x 260 ft. parcel within the existing parcel boundaries. This parcel, labeled as Parcel

A-2-A on the tentative parcel map, results in a parcel that is 46,800 square feet, or 1.07 acres in size. This results in creating a second parcel that is 8.61 acres in size, which is labeled as Parcel A-2-B on said tentative parcel map.

9. The tentative parcel map submitted for Parcel Map No. 2022-001 shows that access to the subject property is by way of Standish Buntingville Road (A-3), County Road No. 301, which is in the Lassen County maintained road system. The existing parcel currently abuts this road and both proposed parcels will directly abut it as well.
10. The tentative map that was submitted for Parcel Map No. 2022-001 does not indicate a right-of-way width for said Standish Buntingville Road. Several record parcel maps (11 Maps 45 and 17 Maps 14) show a total right-of-way width of 52 feet, with 30 feet being on the westerly side and 22 feet being on the easterly side. An offer of dedication for public roadway purposes was made to the County of Lassen per the parcel map filed at said Book 11 of Maps, Page 45, of the Official Records of Lassen County. This offer resulted in the westerly 30 feet of said Standish Buntingville Road, specifically within the boundaries of the subject parcel, being accepted by the Lassen County Board of Supervisors on May 11, 1976. This dedication, which also offered additional right-of-way beyond the boundaries of the current subject parcel, includes all of the right-of-way for the current proposal and therefore an additional offer of dedication would not be necessary for the current project.
11. The requirements for the subdivision of land in California are established by California Government Code Section 66410, et seq., known as the Subdivision Map Act.
12. The requirements for the subdivision of land in Lassen County are established by Lassen County Code Title 16, Subdivisions.
13. The requirements for Parcel Maps in Lassen County are established by Lassen County Code, Chapter 16.20.

LASSEN COUNTY SURVEYOR RECOMMENDS THE FOLLOWING CONDITIONS FOR PARCEL MAP NO. 2022-001 (THE WILLIAM AND CRYSTAL HARKNESS FAMILY TRUST):

1. Owners, owner's agent(s) or applicants shall satisfy and the project shall meet all applicable requirements provided by law.

2. The parcel shall be subdivided as shown on the tentative parcel map submitted on January 25, 2022 for Parcel Map No. 2022-001.
3. Owners shall cause a field survey of the parcels shown on the tentative parcel map submitted for Parcel Map No. 2022-001 to be completed in accordance with Section 66448 of the Subdivision Map Act and Section 16.20.160 of the Lassen County Code.
4. In accordance with Section 66411.1 of the Subdivision Map Act, if the applicants request a deferral for the construction of any on or off-site improvements required by the conditional approval of the tentative parcel map submitted for Parcel Map No. 2022-001, the parcel map shall contain a note stating the construction of improvements required by the conditional approval of the tentative parcel map submitted for Parcel Map No. 2022-001 shall be completed before any permit or other grant of approval for development of the parcels shown on the parcel map is approved and/or issued.
5. Owners, owner's agent(s) or applicants shall provide information and/or required documentation to demonstrate the project meets all applicable requirements established by the Subdivision Map Act and Lassen County Code. The applicants shall also provide documentation required to demonstrate that all conditions of approval for Parcel Map No. 2022-001 have been satisfied or fulfilled.
6. Owners, owner's agent(s) or applicants shall submit a preliminary copy of the parcel map meeting the requirements of Article 3, Parcel Maps, Sections 66444-66450 of the Subdivision Map Act and Lassen County Code, Chapter 16.20, Sections 16.20.170 and 16.20.180, to the Lassen County Surveyor for review and approval. The parcel map shall reference and show all easements of record, or any created or offered for dedication, including those shown on the tentative parcel map for Parcel Map No. 2022-001, which affect the parcel being subdivided or those being created. This review submittal shall also include the following:
 - (a) A current Condition of Title report for the property shown on the tentative parcel map submitted for Parcel Map No. 2022-001.
 - (b) All information required by Lassen County Code, Chapter 16.20, Sections 16.20.180 and 16.20.190.
 - (c) An index of specific recorded survey maps (i.e. Records of Surveys, parcel maps, subdivision maps, GLO maps and field notes) used to prepare the parcel map.

- (d) Copies of other maps, documents and data used to prepare the parcel map if unavailable in the Lassen County Surveyor's Office.
 - (e) All fees required for this review.
7. After the parcel map, including its form and content, have been determined to be acceptable by the County Surveyor, in accordance with Lassen County Code, Section 16.20.200, and all conditions of the conditional approval of the tentative parcel map submitted for Parcel Map No. 2022-001 have been acceptably met, the owners, owner's agent(s) or applicants shall submit an original mylar of the parcel map, corrected to its approved final form and signed by all parties required to execute the certificates on the map, to the County Surveyor for recording in the office of the Lassen County Recorder in accordance with Lassen County Code, Sections 16.20.210 and 16.20.220. This submittal of the parcel map shall also include any documents which are required to be recorded concurrently with the parcel map. A Parcel Map Guarantee shall also be submitted along with the appropriate fees necessary to the record the parcel map and any related documents.
 8. If there are any Deeds of Trust on the property, either the Trustee or the Beneficiary shall sign a certificate statement on the parcel map approving of the subdivision and the recording of the parcel map in accordance with Section 66445(e) of the Subdivision Map Act and Section 16.20.180(3)(A)(B) of the Lassen County Code.
 9. Prior to recordation of Parcel Map No. 2022-001, evidence shall be provided to the Lassen County Surveyor's Office which demonstrates that the Lassen County Tax Collector is satisfied that all current and delinquent property taxes have been paid, including funds deposited that are equivalent to all estimated taxes which have become a lien not yet due or payable, for all parcels involved in the proposed land division.

Respectfully submitted,



Don Willis, L.S. 7742
Lassen County Surveyor



TENTATIVE PARCEL MAP/SUBDIVISION APPLICATION

FILING FEE: \$1,600 PARCEL MAP; \$1,750 AND \$56 PER LOT SUBDIVISION
DEPARTMENT OF PLANNING AND BUILDING SERVICES
707 Nevada Street, Suite 5 · Susanville, CA 96130-3912
(530) 251-8269 · (530) 251-8373 (fax)
www.co.lassen.ca.us

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JAN 25 2022

LASSEN COUNTY DEPARTMENT OF
PLANNING AND BUILDING SERVICES

Form must be typed or printed clearly in black or blue ink.

All sections must be completed in full. Only attach additional sheets if necessary.

FILE NO. PM 2022-001

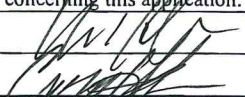
Property Owner/s	Property Owner/s
Name: <u>William A. Harkness, Crystal M. Harkness</u>	Name:
Mailing Address: <u>470-825 County Rd A3</u>	Mailing Address:
City, ST, Zip: <u>Standish, CA 96128</u>	City, ST, Zip:
Telephone: <u>(530) 254-4641</u> Fax:	Telephone: Fax:
Email: <u>bchark187@gmail.com</u>	Email:

Applicant/Authorized Representative*	Agent (Land Surveyor/Engineer/Consultant)
Same as above: <input checked="" type="checkbox"/>	Correspondence also sent to: <input type="checkbox"/>
Name:	Name:
Mailing Address:	Mailing Address:
City, ST, Zip:	City, ST, Zip:
Telephone: Fax:	Telephone: Fax:
Email:	Email: License #:

Project Address or Specific Location: <u>470-825 County Rd A-3, Standish CA 96128</u>			
Deed Reference: Book:	Page:	Year:	Doc#:
Zoning: <u>C-T-D</u>	General Plan Designation:		
Parcel Size (acreage):	Section:	Township:	Range:

Assessor's Parcel Number(s):	<u>119 - 270 - 064</u>	-	-	-	-
------------------------------	------------------------	---	---	---	---

<input type="checkbox"/> Subdivision (5 or more parcels created)
Number of Parcels: _____ Parcel Size Range: _____ (acres or square feet). Use: _____
<input checked="" type="checkbox"/> Parcel Map (4 or fewer parcels created).
Parcel No. _____ Size: _____ (acres or square feet). Uses: _____
Parcel No. _____ Size: _____ (acres or square feet). Uses: _____
Parcel No. _____ Size: _____ (acres or square feet). Uses: _____
Parcel No. _____ Size: _____ (acres or square feet). Uses: _____

SIGNATURE OF PROPERTY OWNER(S): I HEREBY ACKNOWLEDGE THAT: I have read this application and state that the information given is both true and correct to the best of my knowledge. I agree to comply with all County ordinances and State laws concerning this application.	*SIGNATURE OF APPLICANT/AUTHORIZED REPRESENTATIVE (Representative may sign application on behalf of the property owner only if Letter of Authorization from the owner/s is provided).
 Date: <u>1/25/22</u>	Date: _____
Date: <u>1/25/22</u>	Date: _____

See associated process form for required attachments.

1. Multiple (secondary) access provided for emergency fire equipment and shown on the Tentative Map:
Yes ☒ No. Explain reason for lack of multiple access (e.g. parcels over forty acres, parcels front a publicly maintained road, etc.; see Lassen County Code Section 9.16.102): none

2. Proposed Water Source: ☐ Public System ☒ Private System

Explain none

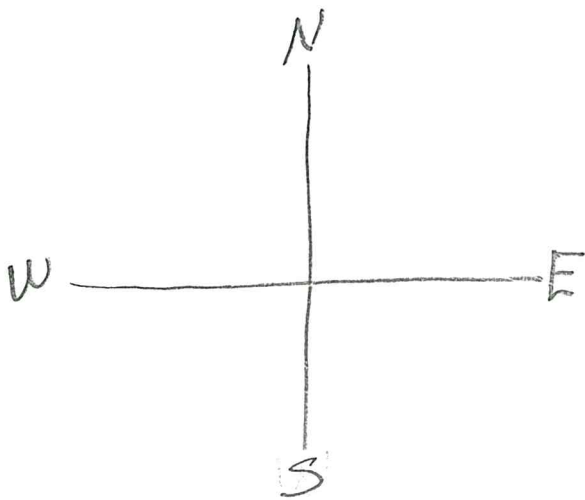
3. Method of Sewage Disposal: ☐ Public System ☐ Private System

Explain NONE.

4. List All Recorded Access and Utility Easements: LAND AND ADJACENT AGRICULTURAL PLOTS

5. Does the Owner Own Other Land Near the Project Site? ☐ No ☒ Yes APN(s) _____

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PLANNING AND BUILDING SERVICES



1313.35

511.00

449.12

A-2-B

BARN

PROPOSED

AREA

FENCE

OKWELL

STOP

HOUSE

SEWER TRAIL

150

WELL
SLOPE
WELL

802.55
(622.55 PROPOSED)
1/4" = 20'

COUNTY ROAD A 3

180'