

AGENDA
LASSEN COUNTY PLANNING COMMISSION
BOARD OF SUPERVISORS CHAMBERS
707 NEVADA STREET
SUSANVILLE, CA 96130
AUGUST 1, 2023

1:10 p.m. Convene in Regular Session
Flag Salute
Roll Call
General Update of Planning Activities
Matters Initiated by Commissioners
Correspondence
Presentation by Staff
Approval of Minutes
Matters Initiated by the General Public
Next Resolution in line for adoption: 8-01-23

1:20 p.m. **PARCEL MAP #2023-001, Forgash.** Proposal to divide a 7.72-acre parcel into two parcels; proposed resultant Parcel 1 would be 4.44 acres and proposed resultant Parcel 2 would be 3.28 acres. The subject parcel is zoned A-2-B-4 (Agricultural Residential 4-Acre Building Site Combining District), and has a General Plan land use designation of "Rural Residential" per the *Janesville General Plan Amendments, 1993*. 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 462-725 County Road A-3, Janesville, CA 96114. APN: 129-280-003. Staff Contact: Chris Martin, Assistant Planner

ADJOURN

Certain actions of the Commission are appealable to the Board of Supervisors. The appeal period is ten days from the date of the Commission's action. For specific information on appeals, please contact the Lassen County Planning and Building Services Department at 530-251-8269.
MLA:aje

CM *MTN*

UNAPPROVED MINUTES
LASSEN COUNTY PLANNING COMMISSION
July 6, 2023

The Commission convened in regular session at 1:10 p.m. at 707 Nevada Street Susanville, CA. Vice Chairman John Shaw presided with Commission members Jeff Askew, Mark Higgins and Carol Clark present. Commissioner Solomon was absent. Also present were Gaylon Norwood (Deputy Director and Acting Planning Commission Secretary), Planning and Building Services Department staff; and Recording Secretary Anetia Elliott.

(Note: The following is summary minutes of this meeting and is not a transcript. Contact the Planning and Building Services Department {530} 251-8269 to determine if an audio recording is available.)

GENERAL UPDATE OF PLANNING ACTIVITIES:

Deputy Director Gaylon Norwood reported on the the Board of Supervisors approving the Traphagen Use Permit for a one year extension.

MATTERS INITIATED BY COMMISSIONERS:

Commissioner Clark spoke about the Bureau of Land Management MOU being revisited.

CORRESPONDENCE:

None

PRESENTATION BY STAFF:

None

APPROVAL OF MINUTES:

June 6, 2023

MOTION:

It was moved by Commissioner Higgins, seconded by Commissioner Clark, and carried to approve the June 6, 2023, minutes. Commissioner Clark, Shaw, Higgins and Askew voted "Aye". Commissioner Solomon absent.

MATTERS INITIATED BY THE GENERAL PUBLIC:

None

Use Permit #2023-005, Benson. The applicant is proposing to construct a new 613-square-foot detached commercial kitchen with a 59-square-foot covered porch, at 712-960 Sunnyside Road in Janesville, CA 96114 (APN 129-440-023). This kitchen will be used to make pizza sauce to provide to Shaffer school for a Farm to School Incubator program, to make breads and seasonal baked goods for a farm stand, and to make fresh salsa and pepper jams to sell at a farm stand and IGA grocery store. The applicant estimates one delivery per week to Shaffer school and proposes to operate from 10:00 a.m. to 4:00 p.m., two days per week. Chris Martin, Assistant Planner presented the staff report and power point presentation.

Sara Chandler, Manager of Environmental Health Division explained the Bensons have a type B permit that stands for Cottage Food Operator, that allows them to sell products that they make in their home. So they are in compliance with that and she goes on to explain the commercial kitchen opens up their opportunities to do more with their products.

The public hearing was opened at 1:26 p.m.

Cheryl Sanders, area resident spoke about the traffic and speed limit on Sunnyside road.

The public hearing was closed at 1:31 p.m.

MOTION:

It was moved by Commissioner Clark, seconded by Commissioner Higgins, and carried to adopt Resolution 7-01-23, Use Permit #2023-005, Benson with the conditions from Environmental Health added to the Resolution. Commissioners Higgins, Askew, Clark and Shaw voted "Aye". Commissioner Solomon was absent.

The meeting adjourned at 1:55 p.m.

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PLANNING COMMISSION

August 1, 2023

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LASSEN COUNTY PLANNING COMMISSION
STAFF REPORT
August 1, 2023

FILE NUMBER:	PM #2023-001
APPLICANT:	Pamela & Jesse Forgash
TYPE OF APPLICATION:	Parcel Map
GENERAL LOCATION:	Janesville, CA
ASSESSOR'S PARCEL NUMBERS:	129-280-003
ZONING:	A-2-B-4 (Agricultural Residential 4-Acre Building Site Combing District)
GENERAL PLAN:	"Rural Residential," per the <i>Janesville General Plan Amendments, 1993</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:	Exempt from CEQA review pursuant to Section 15183 of the 2023 CEQA Guidelines
ASSIGNED STAFF:	Chris Martin, Assistant 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: The applicant is proposing to divide a 7.72-acre parcel into two parcels; proposed resultant Parcel A would be 4.44 acres and proposed resultant Parcel B would be 3.28 acres.

PROJECT SITE CHARACTERISTICS: The subject parcel is located approximately 12 miles Southeast of Susanville, CA, via Highway 395. The address provided is 462-725 County A-3, Janesville, CA. (APN: 129-280-003). Improvements include two single-family residences, two barns, a garage, two sheds, two wells, and two septic systems. If the subject parcel map application were approved, resultant Parcel A would contain a single-family residence, two barns, two sheds, two wells, and septic system. Parcel B would contain a single-family residence, garage, and septic system. The subject parcel is zoned A-2-B-4 (Agricultural Residential 4-Acre Building Site Combing District) and have a General Plan land use designation of "Rural Residential," per the *Janesville General Plan Amendments, 1993*. The subject parcel is in the Local Responsibility Area (LRA) for fire protection (not within a "Very High" Fire Hazard Severity Zone) and the proposed location is 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: Access to the project site is from Standish Buntingville Rd. Janesville, CA 96114.

SURROUNDING PROPERTY CHARACTERISTICS AND ZONING: Parcels in the vicinity consist of similarly sized parcels. & have residential uses to the, east, south, and an agricultural area to the north, and west:

	Zoning	Parcel Size (acres)	Land Use Designation (<i>Janesville General Plan Amendments, 1993</i>)
North	A-3*	209	“Intensive Agriculture”
East	A-3*	209	“Intensive Agriculture”
South	A-3, A-2-B-4**	3, 1, 1.4, & 228.210	“Rural Residential & Intensive Agriculture”
West	A-2-B-4**	3.26 & 1.130	“Rural Residential”

*A-3 (Agricultural District)

**A-2-B-4 (Agricultural Residential 4-Acre Building Site Combining District)

ZONING: The subject parcel is zoned A-2-B-4 (Agricultural Residential 4-Acre Building Site Combining District). Lassen County Code Section 18.18.030(2).

GENERAL PLAN: The subject parcel has a “Rural Residential” land use designation pursuant to the *Lassen County General Plan, 2000*, as amended by the *Janesville Planning Area Amendment, 1993*. Said designations is described as follows:

Rural Residential:

“The Rural Residential designation provides for medium density residential use in a generally rural environment. Parcels may or may not be served by paved roads and will usually not be connected to community water or sewer services. Parcel sizes generally range from three to twenty acres. Parcels may be clustered and/or smaller parcels may be created in exchange for the retention of agricultural and other open space areas (e.g., use of the "density option" provisions of the County's zoning code). Building intensity will typically range from 0.05 to 0.33 DUA (dwelling units per acre). Population density will range from 0.15 to 1 PPA (people per acre).

Corresponding Zoning: "A-2", Agricultural-Residential District. An A-2 District is typically combined with a "B ", Building Site Combining District, to indicate minimum or average building sites ranging from three to twenty acres (e.g., A-2-B-5). Minimum parcel sizes may be regarded as average parcel sizes under special "density option" provisions of the "B" Combining District.”

JANESVILLE GENERAL PLAN AMENDMENTS, 1993:

Policy: Rural Residential

“Rural residential uses are the primary type of residential development in the Janesville area. This type of residential use serves to preserve the area's rural character and recognizes the area's physical constraints such as ground water availability and suitability of soils for use of individual sewage disposal systems. Rural residential uses should not be allowed where they will conflict with agricultural, resource, wildlife, or safety objectives”.

Implementation:

“Rural Residential Lands designated on the land use map as Rural Residential shall be zoned "A-2", Agricultural Residential”.

The Planning Commission will determine whether the proposed project is consistent with the *Janesville General Plan Amendments, 1993*, and the *Lassen County General Plan, 2000*, unless the proposed project is appealed to the Board of Supervisors, in which case, said body would determine the above.

LOCAL GOVERNMENTAL SERVICES:

- Police protection is provided by the Lassen County Sheriff's Department
- Janesville Elementary School District
- 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.

FINDINGS and/or RECOMMENDATIONS: The recommended findings and conditions can be found in the memos to the director 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.

A power point presentation will be provided to the commission with site visit photos of the proposed projects surrounding landscape and architecture.

RESOLUTION NO. _____

RESOLUTION OF THE LASSEN COUNTY PLANNING COMMISSION APPROVING
PARCEL MAP APPLICATION #2023-001, FORGASH; APN 129-280-003

WHEREAS, the Planning Commission of Lassen County, after due notice, and a public hearing conducted August 1, 2023, has considered Parcel Map Application #2023-001, Forgash, proposing to divide a 7.72-acre parcel into a 4.44-acre parcel and a 3.28-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 *Janesville Planning Area Amendment, 1993*, and that the proposed parcels are consistent with permissible parcel sizes and uses under the A-2-B-4 zoning district.
3. The Planning Commission hereby adopts the recommended findings determined through Technical Review.
4. 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.
5. The Planning Commission hereby approves Parcel Map #2023-001, Forgash, subject to the conditions set forth in Exhibit "A" attached hereto.

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the County of Lassen, State of California, on the 1st day of August, 2023, 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 #2023-001, Forgash

1. The final map for Parcel Map #2023-001 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, or an easement must be shown on parcel map, granting resultant Parcel B access to the associated well located on resultant Parcel A.
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 #2023-001, 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 #2023-001 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 area 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 June 9, 2023 for Parcel Map No. 2023-001.
8. Owners shall offer for dedication to the County of Lassen an easement for public road and public utility purposes over the most southerly 10 feet of the subject property, thus creating an approximate 30 feet wide right-of-way lying northerly of the centerline of Standish-Buntingville Road, County Road No. 301.

9. Owners shall cause a field survey of the parcels shown on the tentative parcel map submitted for Parcel Map No. 2023-001 to be completed in accordance with Section 66448 of the Subdivision Map Act and Section 16.20.170 of the Lassen County Code.
10. 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. 2023-001, 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. 2023-001 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.
11. 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. 2023-001 have been satisfied or fulfilled.
12. 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 16.20.180 and 16.20.190, 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. 2023-001, 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. 2023-001.
 - (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.
13. 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 16.20.220, and all conditions of the conditional approval of the tentative parcel map submitted for Parcel Map No. 2023-001 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 16.20.230 and 16.20.240. 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.

14. 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 16.20.190(C)(1)(2) of the Lassen County Code.
15. Prior to recordation of Parcel Map No. 2023-001, 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.
16. The project as proposed would result in each single-family residence maintaining its onsite wastewater treatment system. If an onsite wastewater treatment system requires repair or replacement in the future and/or if a new onsite treatment system is required by the applicants will need to comply with current onsite wastewater system permitting procedures.
17. The project as proposed would result in Parcel A maintaining both existing water wells. A source of water must be identified for Parcel B, either by drilling of a new well or the recording of an easement for continuance of use of the well on Parcel A. Any new wells drilled will need to comply with current well drilling permit procedures.

RESOLUTION NO. _____

RESOLUTION OF THE LASSEN COUNTY PLANNING DISAPPROVING PARCEL MAP
APPLICATION #2023-001, FORGASH; APN 129-280-003

WHEREAS, the Planning Commission of Lassen County, after due notice, and a public hearing conducted August 1, 2023, has considered Parcel Map Application #2023-001, Forgash, proposing to divide a 7.72-acre parcel into a 4.44-acre parcel and a 3.28-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 *Janesville Planning Area Amendment, 1993*.
3. The Planning Commission hereby disapproves Parcel Map #2023-001, Forgash.

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the County of Lassen, State of California, on the 1st day of August, 2023, by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

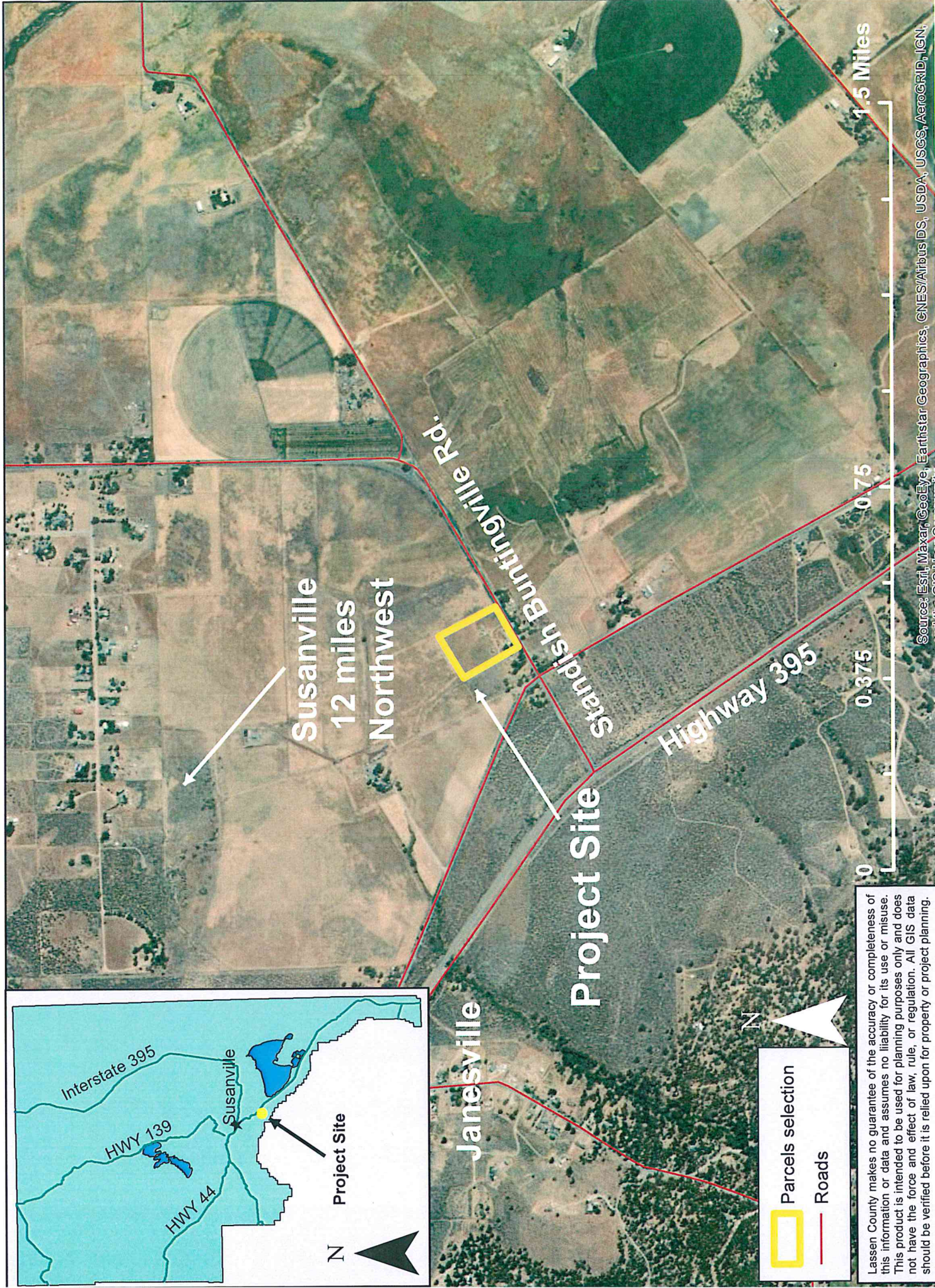
ABSENT: _____

Chairman
Lassen County Planning Commission

ATTEST:

Maurice L. Anderson, Secretary
Lassen County Planning Commission

Parcel Map #2023-001, Forgash



Parcel Map #2023-001, Forgash





County of Lassen

Department of Planning and Building Services

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

July 18, 2023

TO: Maurice Anderson, Director
FROM: Matt May, Manager of Planning
RE: Parcel Map #2023-001, Forgash

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

Approved for Tax
MCM
7-26-23

Project Description

Parcel Map #2023-001, Forgash. The applicant is proposing to divide a 7.72-acre parcel into two parcels; proposed resultant Parcel A would be 4.44 acres and proposed resultant Parcel B would be 3.28 acres. The subject parcel is zoned A-2-B-4 (Agricultural Residential 4-Acre Building Site Combining District), and has a General Plan land use designation of "Rural Residential" per the *Janesville General Plan Amendments, 1993*. 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 462-725 County Road A-3, Janesville, CA 96114. APN: 129-280-003.

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

1. The applicant has submitted Parcel Map Application #2023-001, proposing to divide a 7.72-acre parcel into two parcels under the same ownership.
2. If the proposed parcel map is approved, resultant Parcel A would be 4.44 acres, and resultant Parcel B would be 3.28 acres.
3. The subject parcels are zoned A-2-B-4 (Agricultural Residential 4-Acre Building Site Combining District) have an "Rural Residential" land use designation, per the *Janesville General Plan Amendments, 1993*.
4. The minimum parcel size identified for the A-2-B-4 zoning district is four acres. A four-acre average parcel size for all parcels created by a project may be allowed by the Planning Commission upon making the findings outlined in Lassen County Code Section 18.84.060(3). Additionally, per Board Resolution 94-133, "the subdivision of lands resulting in the creation of parcels which do not meet the minimum area requirement of the zoning district in which they are located may be approved upon making an

affirmative finding that the size of the resultant parcel is consistent with the spirit and intent of the applicable district.”

5. 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 of a septic tank system for sewage disposed. The proposed parcel map meets these requirements.
6. Improvements on APN 129-280-003 include two single-family residences, two barns, a garage, two sheds, two wells, and two septic systems. If the subject parcel map application were approved, resultant Parcel A would contain a single-family residence, two barns, two sheds, two wells, and septic system. Parcel B would contain a single-family residence, garage, and septic system.
7. The subject parcel is not within the 100-year flood zone as described by the Federal Emergency Management Agency (FEMA).
8. Lassen County Code Chapter 18.18 *A-2 Agricultural Residential District*, describes the intent of the A-2 zoning district as follows:

18.18.010 Intent

The A-2 district is intended to provide an area where rural residential uses can be compatibly mixed with agricultural activities, at the same time protecting these agricultural uses and safeguarding the character, peace and general welfare of the county.

9. If the parcel map application were approved, the residential uses on both resultant parcels would be consistent with the primary uses allowed by right within the A-2 zoning district, pursuant to Lassen County Code Section 18.18.030.
10. The *Janesville General Plan Amendments, 1993*, describes the “Rural Residential” land use designation as follows:

Policy: Rural Residential

Rural residential uses are the primary type of residential development in the Janesville area. This type of residential use serves to preserve the area’s rural character and recognizes the area’s physical constraints such as ground water availability and suitability of soils for use of individual sewage disposal systems.

Rural residential uses should not be allowed where they will conflict with agricultural, resource, wildlife, or safety subjects.

Implementation: Rural Residential

Lands designated on the land use map as Rural Residential shall be zoned "A-2", Agricultural Residential.

11. The *Lassen County General Plan, 2000*, describes the "Rural Residential" land use designation as follows:

Rural Residential

"The Rural Residential designation provides for medium density residential use in a generally rural environment. Parcels may or may not be served by paved roads and will usually not be connected to community water or sewer services. Parcel sizes generally range from three to twenty acres. Parcels may be clustered and/or smaller parcels may be created in exchange for the retention of agricultural and other open space areas (e.g., use of the "density option" provisions of the County's zoning code).

Building intensity will typically range from 0.05 to 0.33 DUA (dwelling units per acre). Population density will range from 0.15 to 1 PPA (people per acre).

Corresponding Zoning: "A-2", Agricultural-Residential District. An A-2 District is typically combined with a "B ", Building Site Combining District, to indicate minimum or average building sites ranging from three to twenty acres (e.g., A-2-B-5). Minimum parcel sizes may be regarded as average parcel sizes under special "density option" provisions of the "B" Combining District. "

12. Consistency with the *Lassen County General Plan, 2000*, and the *Janesville General Plan Amendments, 1993*, is to be determined by the Lassen County Planning Commission.
13. The *Lassen County General Plan, 2000*, relates the following goals and policies that inform the proposed project:

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.).

GOAL L-9: Protection of the open, rural character of the county.

LU22 POLICY: The County shall encourage expansion of existing residential areas and discourage sprawl and scattered development

14. The subject parcel is within the Janesville Fire Protection District

15. Parcel map applications are subject to the provisions of Lassen County Code Chapter 9.16, which outlines fire-safe requirements.
16. The Environmental Review Officer has found that this project is not subject to further environmental review under Section 15183 of the CEQA Guidelines.
17. 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.

18. 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.*
19. The Lassen County General Plan, 2000, sets forth a typical building intensity of 0.05 to 0.33 DUA (dwelling units per acre) and a population density of 0.15 to 1 PPA (people per acre) for the "Rural Residential" land use designation. 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.
20. Lassen County Code Chapter 16.20 et seq. establishes the regulations regarding approval of tentative parcel maps.
21. 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 director of planning and building services or designated representative's report, *except conditions*

required by county ordinance. The Planning Commission may add additional requirements as a condition of its approval.

22. 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.*

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

1. The final map for Parcel Map #2023-001 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, or an easement must be shown on parcel map, granting resultant Parcel B access to the associated well located on resultant Parcel A.
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 #2023-001, 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 #2023-001 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 area 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:Cjm



County of Lassen

Department of Planning and Building Services

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

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

July 17, 2023

Zoning & Building
Inspection Requests
Phone: 530 257-5263

TO: Maurice Anderson, Director
Lassen County Planning and Building Services Department

FROM: Don Willis, Lassen County Surveyor

RE: Parcel Map No. 2023-001 – Pamela Lynne Forgash and Jesse Paul Forgash.
Assessor's Parcel Number: 129-280-003.

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. 2023-001, is owned by Pamela Lynne Forgash, a single woman, and Jesse Paul Forgash, a single man, as joint tenants, per a Grant Deed recorded on September 26, 2022 as Document No. 2022-04327 of the Official Records of Lassen County, California. The subject parcel is represented by Assessor's Parcel Number 129-280-003 and is located in a portion of Section 14, Township 28 North, Range 13 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 with a metes and bounds description, the result of which is a parcel represented by said Assessor's Parcel Number 129-280-003.
3. The underlying legal parcel for the subject property was created when the estate of Ella Hoffman was divided by her heirs in the early 1950's. The subject parcel was first separately conveyed by an Executor's Deed that was recorded on November 14, 1951 in Book 73, Page 354, of the Official Records of Lassen County. This parcel had been confirmed for sale by the Lassen County Superior Court as evidenced by an *Order Confirming Sale of Real Estate* that was recorded on November 6, 1951 in Book 73, Page 286, of the Official Records of Lassen County. Prior to the November 14, 1951 conveyance, this parcel had previously been combined with the northerly 3.26 acres of Assessor's Parcel Number 129-280-001 when Ms. Hoffman acquired it on November 1, 1948, as evidenced by a Grant Deed recorded in Book 49, Page 270, of the Official Records of Lassen County. The conveyance in 1951, which caused a division of land, would have been allowable at that point in time because parcels could be created by the recordation of a deed. Parcel maps, which require approval of a local agency, were not

4. The subject parcel has been issued permits for development by the Lassen County Building Department. This constitutes “*real property which has been approved for development*” per Section 66499.34 of the Subdivision Map Act and would allow the owners of the real property to receive a Certificate of Compliance for the parcel from the local agency if requested.
5. The existing parcel size of the subject property is approximately 7.72 acres as listed on the application and shown on the tentative parcel map submitted for Parcel Map No. 2023-001. These documents show that the property is proposed to be divided into a 4.44 acre parcel (listed and shown as Parcel A) and a 3.28 acre parcel (listed and shown as Parcel B).
6. The tentative parcel map that was submitted for Parcel Map No. 2023-001 shows that access to the subject property is by way of Standish-Buntingville Road (A-3), County Road No. 301, which is in the County maintained road system. The existing parcel currently abuts this road and both proposed parcels would directly abut it as well if the proposed parcel map were approved. The existing residences on the subject property currently utilize separate driveways and these driveways would each be located on the separate parcels if the proposed adjustment were approved.
7. The tentative parcel map that was submitted for Parcel Map No. 2023-001 does not show a right-of-way width for said Standish-Buntingville Road. Book 2 of Maps, Page 45, of the Official Records of Lassen County, graphically shows a right-of-way for Hoffman Lane (the predecessor to Standish-Buntingville Road), however no right-of-way width is specified. This right-of-way scales to a width of 40 feet which generally agrees with the improvements that have been constructed on the ground. Book 2 of Maps, Page 16, of the Official Records of Lassen County, also graphically shows a right-of-way for Hoffman Lane that scales to 60 feet at the westerly end and 50 feet at the easterly end. It is unknown why the variable width right of way is shown and not reflected on the later map. A parcel map completed in 1973 (9 Maps 50), for a project westerly of Lakecrest Road, shows a right-of-way width of 100 feet, however no offers of dedication were made by the owners and no acceptance/ rejection was given by the Lassen County Board of Supervisors. The legal description for the subject property and the descriptions for other properties in the area, along with the two survey maps of record (2 Maps 16 and

2 Maps 45) describe/show that the boundaries of the properties only extend to the right-of-way lines and not to the centerline of Standish-Buntingville Road. It is also unknown if the County possesses a fee title interest for this right-of-way or if its interest is prescriptive in nature, as no preliminary title report or Condition of Title report has been submitted for the project as of this date.

8. 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.
9. The requirements for the subdivision of land in Lassen County are established by Lassen County Code Title 16, Subdivisions.
10. 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. 2023-001 (PAMELA LYNNE FORGASH AND JESSE PAUL
FORGASH):

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 June 9, 2023 for Parcel Map No. 2023-001.
3. Owners shall offer for dedication to the County of Lassen an easement for public road and public utility purposes over the most southerly 10 feet of the subject property, thus creating an approximate 30 feet wide right-of-way lying northerly of the centerline of Standish-Buntingville Road, County Road No. 301.
4. Owners shall cause a field survey of the parcels shown on the tentative parcel map submitted for Parcel Map No. 2023-001 to be completed in accordance with Section 66448 of the Subdivision Map Act and Section 16.20.170 of the Lassen County Code.
5. 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. 2023-001, 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. 2023-001 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.

6. 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. 2023-001 have been satisfied or fulfilled.
7. 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 16.20.180 and 16.20.190, 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. 2023-001, 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. 2023-001.
 - (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.
8. 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 16.20.220, and all conditions of the conditional approval of the tentative parcel map submitted for Parcel Map No. 2023-001 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

Maurice Anderson, Director
Lassen County Planning and Building Services Department
Lassen County Surveyor's Findings and Conditions
Page 5 of 5

map, to the County Surveyor for recording in the office of the Lassen County Recorder in accordance with Lassen County Code, Sections 16.20.230 and 16.20.240. 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.

9. 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 16.20.190(C)(1)(2) of the Lassen County Code.
10. Prior to recordation of Parcel Map No. 2023-001, 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



County of Lassen

Department of Planning and Building Services

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

July 20, 2023

To: Maurice Anderson, Director
Lassen County Planning and Building Services
Department

From: Sara Chandler, Division Manager *sc*
Lassen County Environmental Health

RE: Parcel Map #2023-001, Forgash

Maurice L. Anderson,
Director
707 Nevada Street, Suite 5
Susanville, CA 96130-3912
Main 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

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

1. SANITARY SEWAGE DISPOSAL

Sanitary sewage disposal is provided to this area by individual onsite wastewater treatment systems for any residence. According to our records there are currently two onsite wastewater treatment systems installed on the parcel of which each is attached to a separate single-family residence.

2. WATER SUPPLY AVAILABILITY:

Water in this area is provided by private wells. According to our records there are currently two domestic water wells installed on the parcel.

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

1. The project as proposed would result in each single-family residence maintaining its onsite wastewater treatment system. If an onsite wastewater treatment system requires repair or replacement in the future and/or if a new onsite wastewater treatment system is required the applicants will need to comply with current onsite wastewater treatment system permitting procedures.
2. The project as proposed would result in Parcel A maintaining both existing water wells. A source of water must be identified for Parcel B, either by the drilling of a new well or the recording of an easement for continuance of use of the well on Parcel A. Any new wells drilled will need to comply with current well drilling permit procedures.

:sc



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

RECEIVED

JUN 09 2023

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. PM2023-001

Property Owner/s	Property Owner/s
Name: <u>Pamela Lynne Forgash</u>	Name: <u>Jesse Paul Forgash</u>
Mailing Address: <u>P.O. Box 306</u>	Mailing Address: <u>P.O. Box 306</u>
City, ST, Zip: <u>Janesville CA 96114</u>	City, ST, Zip: <u>Janesville CA 96114</u>
Telephone: <u>530-251-7636</u> Fax: <u>-</u>	Telephone: <u>530-251-7636</u> Fax: <u>-</u>
Email: <u>violetacres@frontier.net</u>	Email: <u>immense-cat@hotmail.com</u>

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>462-725 County Rd. A-3</u>			
Deed Reference: Book:	Page:	Year:	Doc#: <u>2022-04327</u>
Zoning: <u>Resid. Multiple Family A-2-B-4</u>	General Plan Designation:		
Parcel Size (acreage): <u>7.72</u>	Section: <u>14</u>	Township: <u>28</u>	Range: <u>13</u>

Assessor's Parcel Number(s):	<u>129-280-003</u>	-	-	-	-
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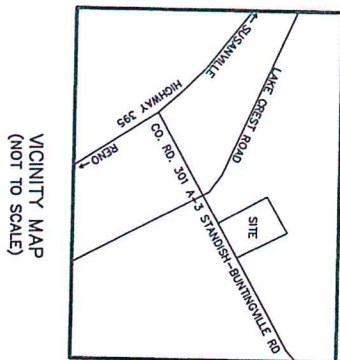
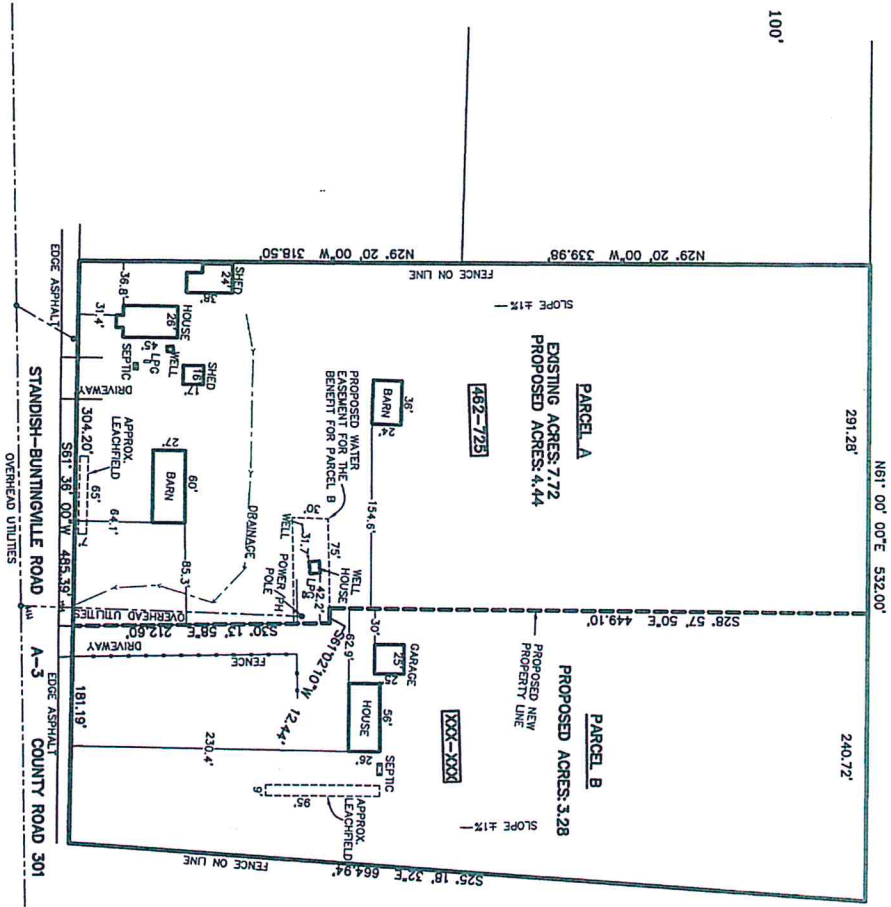
<input type="checkbox"/> Subdivision (5 or more parcels created)	
Number of Parcels: _____ Parcel Size Range: _____ (acres or square feet). Use: _____	
<input checked="" type="checkbox"/> Parcel Map (4 or fewer parcels created).	
Parcel No. <u>A</u>	Size: <u>4.44</u> (acres or square feet). Uses: _____
Parcel No. <u>B</u>	Size: <u>3.28</u> (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).	
<u>Jesse Forgash</u> Date: _____		Date: _____	
Date: <u>05/06/23</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): Parcels front Co.Rd. A-3.
2. Proposed Water Source: ___ Public System ☒ Private System
Explain Well system
3. Method of Sewage Disposal: ___ Public System ☒ Private System
Explain septic tanks & leachfields
4. List All Recorded Access and Utility Easements: N/A
5. Does the Owner Own Other Land Near the Project Site? ☒ No ___ Yes APN(s) _____

SCALE : 1" = 100'



VICINITY MAP
(NOT TO SCALE)

JUN 09 2023

RECEIVED

CLASSEN COUNTY DEPARTMENT OF
PLANNING AND COMMUNITY SERVICES

MAY 2023



NST Engineering, Inc.

1408 Riverside Drive
Lassen County, CA 96045
(530) 257-5173

2023-026

SHEET 1 OF 1

**PAMELA LYNNE FORGASH &
JESSE PAUL FORGASH**

IN SECTION 14, T.28N., R.13E., M.D.B. & M.
LASSEN COUNTY, CALIFORNIA

SCALE : 1" = 100'

TENTATIVE PARCEL MAP
FOR

P/M#