



PLANNING COMMISSION STAFF REPORT

PLANNING COMMISSION HEARING DECEMBER 17, 2003
Agenda Item #7

Request: Public hearing for a development plan amendment to allow a lot line adjustment between two residential parcels.

Location: 2881 McKinley Road and 2847 Kira Court, Yuba City in Tierra Buena.

APN: 17-520-006, 17-520-0018, and 17-520-019

File: PD #03-02

Planner: Dale Follas

Applicants	Property Owners	
David Crother & Kathleen Hansen 2847 Kira Court Yuba City, CA 95993	David Crother & Kathleen Hansen 2847 Kira Court Yuba City, CA 95993	Theo & Bessie Buford 2881 McKinley Road Yuba City, CA 95993

Staff Recommendation

Approve the development plan amendment.

Project Description

The project is the amendment of an existing development plan and the amendment of a portion of a second development plan on two parcels of 1.82 acres and 0.81 acres. The amendment is to allow the property owners to complete a lot line adjustment between the two parcels.

Setting

The subject properties consist of two parcels that are assessed as three different parcels. The Buford property is located on the north side of McKinley Road at 2881 McKinley Road. This property contains an existing single-family residence on a 1.82 acre parcel.

The David Crother and Kathleen Hansen property is located at the westerly end of Kira Court at 2847 Kira Court and also contains an existing single-family residence. This

property is assessed as two assessor's parcels but is recorded as one legal parcel. It contains a total area of 0.81 acre.

Land uses, zoning, and General Plan designations on the subject and adjacent properties are summarized below:

	Land Use	Zoning Designation	General Plan Designation
Site	Residential	R-1 PD	Low Density Residential
North	Residential	R-1	Low Density Residential
East	Residential	R-1 PD and R-1 A	Low Density Residential
South	Residential	R-1 and R-1 A	Low Density Residential
West	Residential	R-1	Low Density Residential

Previous Actions

The Buford property was rezoned to R-1 PD District in 1992 and a development plan was also adopted for it that allowed for the future subdivision of the property into four separate single-family home sites when sewer and water services were provided to the area. Additionally, the 1992 PD plan proposed that a fifth portion of the Buford property was to be sold to an adjoining property owner (then Roland Zook) who proposed using the property for a swimming pool. The Buford property and the Zook property obtained a lot line adjustment after the County approved the rezoning. The Zook property was later purchased by Crother and Hansen.

In 1983, Lot 6 of the Kira Estates Subdivision was rezoned to R-1 PD District. Lot 6 is the portion of the Crother/Hansen property that contains their residence. The use restrictions under that PD allowed only a single, one-family residence on the property.

Environmental Analysis

This project is Categorically Exempt pursuant to the California Environmental Quality Act and the Guidelines and CEQA Guidelines Section (15305) which allows exemptions for Minor Alterations in Land Use Limitations.

Analysis

The subject property is composed of two different legal parcels. The existing use of the two properties is single-family residential. This use is consistent with both the base R-1 District zoning of the properties as well as the Low Density Residential designation of the Sutter County General Plan. The proposed amendment is necessary at this time in order to allow the property owners to complete a lot line adjustment between the two parcels.

The proposed amendment would place both parcels under the same development plan and allows those parcels the same development rights as if they are straight R-1 District parcels.

The net result of the amendment will be to place criteria on their property similar to other R-1 zone parcels which are not within a PD combining district. This will eliminate the need for the property owners to return to your Commission for a new development plan amendment each time that they wish to further develop their property as permitted under the R-1 District.

Recommended Findings

1. The project is Categorical Exempt from CEQA review.
2. The proposed development plan amendment has been reviewed and is consistent with the Sutter County General Plan and Zoning Code. The property is zoned R-1 PD and the General Plan designation is Low Density Residential.
3. Approval of proposed development plan amendment, subject to the recommended condition, will not be detrimental to the public's health, safety, or general welfare or be detrimental to public or private improvements in the area.

Recommended Motion

Should the Planning Commission agree with staff's recommendation, the following motion is appropriate:

"I move to adopt the recommended finding as included in the December 17, 2003 staff report to the Planning Commission and approve the planned development amendment with the condition as recommended in the December 17, 2003 staff report as the project's Criteria of Development."

Attachments

- A. Study Sketch
- B. Plot Plan

Condition of Approval

Development Plan Amendment #03-02
David Crother and Kathleen Hansen
2847 Kira Court
Yuba City

A development plan amendment to allow a lot line adjustment between two residential parcels of 0.81 acre and 1.82 acres.

Criteria of Development

Uses and development of the subject property shall be as permitted by the Sutter County Zoning Code for R-1 (One-family Residence) District properties. Any use of the property requiring a use permit under the R-1 district regulations shall obtain a use permit and shall not be required to obtain a development plan amendment.