

**COLUSA COUNTY PLANNING COMMISSION
AGENDA REPORT – AUGUST 5, 2015**

APPLICANT: Leo LaGrande (Hedwig LaGrande Trust)

FILE #: **TPM #15-2-3 (ED #15-7)**

REQUEST: A Tentative Parcel Map to divide an existing 717±-acre parcel. Approval of the tentative map would result in the creation of Parcel 1 – 291.2±-acres and a designated remainder of 425.6±-acres.

GENERAL PLAN: Upland Agriculture (UA)

ZONING: Foothill Agriculture (F-A)

APN: 016-190-041 and 016-190-047

LOCATION: The project site is located approximately one mile southwest of intersection of Walnut Drive and the Spring Valley Road.

PARCEL SIZE: 717±-acres

PLANNER: Kent Johanns

ATTACHMENTS: A: Conditions of Approval
 B: Vicinity Map
 C: Tentative Parcel Map

STAFF COMMENT:

Staff is recommending approval of the Tentative Parcel Map with findings and conditions.

PROJECT AND SITE DESCRIPTION:

The project consists of a proposed Tentative Parcel Map allowing the division of one existing parcel totaling 717±-acres into: Parcel 1 – 291.2±-acres and a designated remainder of 425.6±-acres.

The project site is located in central Colusa County at the transition between the Central Valley and the California Coast Range. The City of Williams is located 5-miles to the northwest. There are farm structures located on the project site on the area encompassed by proposed Parcel 1.

There are two Assessor's Parcels Numbers that are applied to one legal parcel. APN 016-190-041 is approximately 291.2±-acres and is utilized for orchard crops. APN 016-190-0047 is approximately 425.6±-acres in size and is utilized for livestock grazing

General Plan and Zoning

The General Plan land use designation is Agriculture Upland (UA). The Upland Agriculture General Plan land use designation has minimum parcel size of 80-acres. The existing zoning classification is Foothill Agriculture (F-A), which has a minimum standard parcel size of 80-acres.

The General Plan Land Use Policies do not conflict this type of proposed tentative map in the Agriculture Upland (UA) designated areas. The proposed tentative map complies with the General Plan Land Use Designation - Table LU-1, both in allowable uses and parcel size.

The project site is zoned Foothill Agriculture (F-A). According to Section 44-2.20.10, Allowed Uses in the Agriculture Zones, Table 44-2.20-2, opportunities for structural development are limited to one single family residence agriculture related associated accessory buildings. Any significant additional structural development may require a use permit. Use permits are discretionary permit issued by the County that can require California Environmental Quality Act (CEQA) analysis.

The stated purpose of the tentative map is for farm management purposes and no construction is proposed.

Issues and Concerns

Access – The property is currently accessed by Spring Valley Road. Spring Valley Road is a county maintained road and would access both Parcel 1 and the designated remainder by an existing farm road. Any future residential construction on Parcel 1 or the remainder would require a building permit. During the building permit process for residential buildings a routing form is issued prior to building permit issuance. The applicant is directed to the Department of Public Works and the local Fire District. During this process Public Works and/or the Fire District will determine driveway access standards, which is typically six to eight inches of packed gravel 12-feet wide.

Williamson Act - The project site is located in Agricultural Preserve I and is currently under Williamson Act contract. The property is considered non-prime land and requires a minimum of 40-acres to be eligible for the Williamson Act. The proposed tentative map meets this requirement. The Williamson Act contract requires that any division of property in the

Williamson Act requires the application and approval of new contracts. A condition of approval has been developed to address this issue.

Surrounding Land Use and Compatibility

Surrounding parcels are used for agricultural purposes to the north, south, west, and east. The project is considered to be compatible with surrounding land uses.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

The project is considered to be exempt from under Section 15061(b)(3), General Rule. In this case, map approval would result in more efficient farm management. The property is utilized for grazing. Access to both parcels currently exists via Spring Valley Road and private farm road. No change in land use is proposed or likely given the large parcel sizes and nature of the property. As a result, the project is categorically exempt under Section 15061(b)(3).

ACTIONS FOR CONSIDERATION:

Staff recommends that the Planning Commission take the following actions:

I. Adopt a Categorical Exemption, specifically 15061(b)(3), General Rule

Section 15061(b)(3) The activity is covered by the general rule that CEQA applies only to projects, which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA

II. Approve the LaGrande TPM #15-2-3, subject to the following findings and conditions found in Exhibit A:

FINDINGS

- A. The proposed project will not impair the integrity and character of the area in which the land lies, and that the use would not be injurious or detrimental to the health, safety and general welfare of the persons residing or working in the neighborhood, or to the general health, safety and welfare of the County.
1. The project would not be unreasonably incompatible with surrounding land uses.
 2. The project will be in a zoning classification conditionally suitable for the proposed use.

3. The configuration of the parcels and improvement of the property will not conflict with easements, access through or use of the property.
 4. Approval of this project will not be detrimental to the public health, safety and welfare with compliance of the required conditions and mitigation measures
- C. The project is consistent with the Colusa County General Agriculture Upland (UA) Land Use Designation.
- D. The project is not subject to CEQA based upon the general rule exemption Section 15061(b)(3).

EXHIBIT A

Tentative Parcel Map Conditions for Hedwig LaGrande Trust, TPM #15-2-3: A Tentative Parcel Map that would result in the creation of Parcel 1 – 291.2±-acres parcel and designated remainder of 425.6±-acres

CONDITIONS OF APPROVAL

Department of Planning and Building

1. The final Parcel Map shall conform to Tentative Map #15-2-3 submitted and on file at the Colusa County Department of Planning and Building and as approved by the Colusa County Planning Commission. Major revisions to the Parcel Map as determined by the County Surveyor shall not occur without prior formal approval by the Colusa County Planning Commission.
2. The applicant agrees, as a condition of issuance and use of this entitlement, to indemnify and defend the County, at applicant's sole cost and expense, in any claim, action, or proceeding brought against the County within 180-days after the issuance of this entitlement because of, or resulting from, any preliminary approval or actual issuance of this entitlement, or, in the alternative, to relinquish such entitlement. Applicant will reimburse the County for any damages, court costs and attorney fees which the County may be required by a court to pay as a result of such claim, action or proceeding. The County shall promptly notify the applicant of any such claim, action, or proceeding and will cooperate in its defense. The County may also, at its sole discretion, participate in the defense of any such claim, action, or proceeding but such participation shall not relieve applicant of its obligations under this condition.
3. The applicant shall also comply with all state, federal and local statutes, ordinances and regulations.
4. A Williamson Act Contract identical to the contract currently covering the land shall be executed by the new Owner(s) of each parcel created by the division at the time of sale. Any such division shall be made only upon approval of the County and upon condition that each parcel after division meets the requirements of the agricultural preserve.

Public Works

5. Prior to issuance Certificate of Occupancy, driveway access will be approved by the Department of Public Works and/or local Fire District

Environmental Health

6. Prior to new well construction, the applicant shall ensure that any abandoned wells shall be destroyed under permit and inspection by Environmental Health.
7. During the Building Permit Project Routing Form process the applicant shall contact Environmental Health to apply for on-site sewage disposal permit and well permit.

II. NOTATION:

Minor changes may be approved administratively by the Directors of Planning and Building (Zoning Administrator), Environmental Health, Public Works or Fire Chief, or their respective designee, upon receipt of a substantiated written request by the applicant. Prior to such approval, verification shall be made by each Department or Division that the modification is consistent with the application fees paid and environmental determination as conditionally approved. Changes deemed to be major or significant in nature shall require a formal application or amendment.



NOTE:
 CONTOURS AND TOPOGRAPHIC INFORMATION SHOWN HEREON
 WERE DEVELOPED FROM THE 45' SALT CANYON QUADRANGLE
 MAP

LEGEND

- PARCEL BOUNDARY
- ADJOINING PARCEL BOUNDARY
- SECTION LINE, NOT A BOUNDARY
- CONTOUR LINE WITH ELEVATION

SURVEYOR
 CAROL W. WHITE, PLS. 3043
 1700 WEST WOOD STREET, SUITE D
 WILSON, CA 95690
 (916) 934-7055
 FAX (916) 934-4850

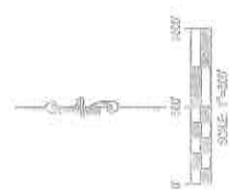
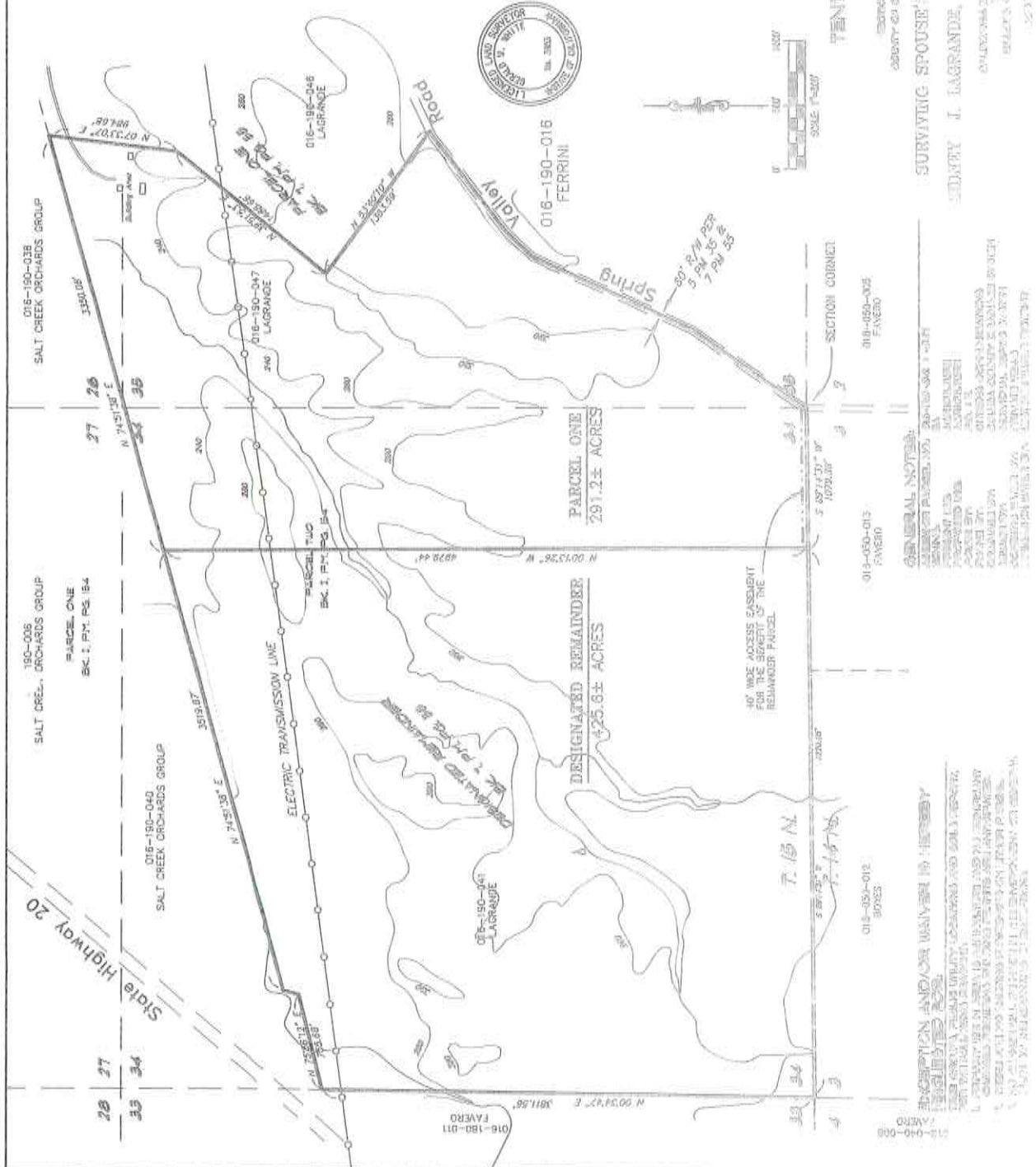
OWNERS AND INTERESTS:
 JOHN J. LAGRANDE, JR. (50%)
 MARGARET LAGRANDE (50%)
 SURVIVORS OF THE ESTATE OF JOHN J. LAGRANDE, JR. AND
 MARGARET LAGRANDE, BY AND THROUGH THEIR ESTATE
 TRUSTEES: J. LAGRANDE, JR. & LAGRANDE, TRUSTEES
 2000 FERRIN DRIVE
 WILSON, CA 95690 (916) 934-4333

DRAFT
 FOR REVIEW ONLY

TENTATIVE PARCEL MAP
 FOR THE SURVEY OF
 PARCELS 27, 28, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

GENERAL NOTES:
 1. THIS PARCEL MAP IS A TENTATIVE PARCEL MAP.
 2. THE BOUNDARIES SHOWN ON THIS MAP ARE BASED ON THE SURVEY OF THE SEVENTH OF THE REMAINDER PARCEL.
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SURVIVING SPOUSE'S TRUST, Hedwig A. Lagrande, Trustee
 STEVEN J. LAGRANDE, TRUSTEE
 HEDWIG A. LAGRANDE, TRUSTEE
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 (916) 934-4333



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SECTION CORNER
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 FAVERO

018-050-013
 FAVERO

018-050-012
 BOXES

018-050-008
 FAVERO