



County of Lassen
Department of Planning and Building Services

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

October 28, 2019

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: November 7, 2019

Zoning & Building
Inspection Requests
Phone: 530 257-5263

FROM: Maurice L. Anderson, Director

SUBJECT: **TENTATIVE PARCEL MAP APPLICATION NO. 2019-002, DENNIS FIDDAMENT**, single lot parcel map (no parcels will be created) to modify the designated building sites, located along the southwestern boundary of the subject parcel, shown on the Final Parcel Map, titled Parcel Map for Scott Armstrong & Susan Armstrong, recorded at Book 31 of Maps, Page 17. The project site is zoned A-2-B-4 (Agricultural Residential, 4 Acre Building Site Combining District) and has a land use designation of "Rural Residential" pursuant to the *Janesville Planning Area Amendments, 1993* and the *Lassen County General Plan, 2000*. A Mitigated Negative Declaration was adopted for the approval of the Parcel Map for Scott Armstrong & Susan Armstrong and this project is not subject to additional environmental review pursuant to Section 15162 of the California Environmental Quality Act Guidelines. The project site is located at 461-805 Jackpot Lane, Janesville, CA 96114. APN: 129-210-67. Staff Contact: Kelly Mumper, Associate Planner.

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

1. Consistency with the *Lassen County General Plan 2000* and the *Janesville Planning Area Amendments, 1993*, is to be determined by the Lassen County Planning Commission.
2. The project site is zoned A-2-B-4 (Agricultural Residential, 4 Acre Building Site Combining District) and has a land use designation of "Rural Residential" pursuant to the *Janesville Planning Area Amendments, 1993* and the *Lassen County General Plan, 2000*.
3. The subject parcel is developed with a single family residence, garage and other associated accessory structures and improvements.
4. This single lot parcel map proposes to add a building site designation of approximately 1,104 square feet, 35 feet from the southwest portion of Parcel D-1 of the Scott Armstrong & Susan Armstrong Parcel Map, recorded at Book 31 of Maps, page 17. No parcels are proposed to be created.
5. Access to the project site is by Jackpot Lane, which is not a county maintained road. The southern boundary of the parcel fronts Janesville Grade (a publicly maintained road). The project site is less than 100 feet from Janesville Grade. Because the project site is already

developed with an approved access pursuant to the Scott Armstrong & Susan Armstrong Parcel Map, multiple access as provided for at section 9.16.102 is not required.

6. The proposed addition of a building site on the Southwest corner of Parcel D-1 of the Scott Armstrong & Susan Armstrong Parcel Map would remain consistent with the originally approved CEQA document as long as no Black Oaks larger than 8" in diameter are removed to accommodate the future accessory structure proposed by the applicant.
7. Any construction that may occur if the project is approved, should the new building site be approved, must comply with the 30 foot setback required by the Lassen County Fire Safe Ordinance.
8. As is required by Section 16.16.100 of the Lassen County Code, the planning commission shall deny approval of the tentative map if it makes any of the following findings:
 - i. That the proposed map is not consistent with applicable general and specific plans;
 - ii. That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans;
 - iii. That the site is not physically suitable for the type of development;
 - iv. That the site is not physically suitable for the proposed density of development;
 - v. 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;
 - vi. That the design of the subdivision or the type of improvements is likely to cause serious public health problems;
 - vii. 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 the 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.

9. The above Scott Armstrong & Susan Armstrong Parcel Map was processed as Parcel Map Application PM No. 91-0019. The project was approved by the Lassen County Board of Supervisors on September 14, 1993 and the final map was filed on September 16, 1993 in Book 31 of Maps, Pages 17-18, of the Official Records of Lassen County.
10. The Scott Armstrong & Susan Armstrong Parcel Map was recorded with two building sites per parcel and a note was recorded on the map (which is enforceable by Lassen County Code Section 16.04.060) which requires that no Black Oak Trees larger than 8" in diameter be removed.
11. According to the applicant, should the new building site be approved by the proposed parcel map, no Black Oaks over 8" in diameter would be removed for the proposed accessory structure.
12. The Initial Study prepared for the Scott Armstrong & Susan Armstrong Parcel Map indicates that, in part, the building site designation approved on the original parcel map was to mitigate the need to remove mature conifers, black oak trees, and bitterbrush within the area and was identified as a deer migratory corridor by the U.S. Department of Fish and Wildlife.
13. It is noted that designated building sites, were specifically established as mitigation measure in the adopted Negative Declaration to mitigate a potentially significant impact.
14. In accordance with the Lassen County Environmental Review Guidelines (Board Resolution 01-043) Section 4(b), the Lassen County Environmental Review Officer is responsible for first determining the appropriate level of environmental review analysis required by the CEQA. Ultimately, the approving body for the project will determine if the Environmental Review Officer's recommendation is appropriate.
15. Pursuant to Section 15162 of the CEQA Guidelines, a subsequent or supplemental EIR is required if an agency has continued discretionary authority over a project and determines on the basis of substantial evidence (versus the "fair argument" standard used for the initial consideration) that one or more of the following apply:
 - i. Substantial changes to the project are proposed.
 - ii. New or substantially increased environmental effects are introduced that would require substantial revision to the adopted Environmental Impact Report.
 - iii. New information was discovered that did not exist or could not have been known at the time the Environmental Impact Report was adopted.

16. Pursuant to section 15162 of the Guidelines, a subsequent EIR or Negative Declaration is not required for this project and no further environmental review is necessary because no substantial changes to the project are proposed, no new or substantially increased environmental effects are introduced that would require substantial revision to the adopted Mitigated Negative Declaration, and no new information was discovered that did not exist or could not have been known at the time the Mitigated Negative Declaration was adopted.
17. In accordance with the findings made herein, and Section 15162(b), the Environmental Review Officer has concluded that no further environmental review under the CEQA is required for this project.

**The Planning Division of Lassen County Planning and Building Services Department
Recommends the Following Conditions if the Project is approved:**

1. In accordance with Section 18.108.235 of the Lassen County Code, a design review application must be approved before any residential construction that requires a building permit application, unless waived pursuant to Lassen County Code Section 18.118.050.

MLA:km



County of Lassen
Department of Planning and Building Services

• Planning • Building Permits • 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

October 22, 2019

Zoning & Building
Inspection Requests
Phone: 530 257-5263

TO: Technical Advisory Committee
Agenda Date: November 7, 2019

FROM: Don Willis, Lassen County Surveyor

SUBJECT: Parcel Map No. 2019-002 – Dennis and Amy Fiddament.
Assessor's Parcel Number: 129-210-67.

LASSEN COUNTY SURVEYOR FINDS AS FOLLOWS:

1. The parcel to be considered as shown on the tentative map submitted on October 17, 2019 with application for Parcel Map No. 2019-002 is owned by Dennis K. Fiddament and Amy L. Fiddament, husband and wife as joint tenants, per that certain Grant Deed recorded on October 22, 1996 in Book 653, Page 878, of the Official Records of Lassen County, California.
2. The legal description shown in the vesting deed in Findings Item Number One above describes the property as Parcel "D-1" of Parcel Map No. 910019, as the same is recorded at Book 31 of Maps, Pages 17-18, of the Official Records of Lassen County. This parcel is located in a portion of Section 16, Township 28 North, Range 13 East, Mount Diablo Base and Meridian, in Lassen County, and is further known as Assessor's Parcel Number 129-210-67.
3. The underlying legal parcel of the parcel shown on the tentative map submitted for Parcel Map No. 2019-002 was created as a result of said Parcel Map No. 910019. This parcel map created four parcels and was approved by the Lassen County Board of Supervisors on September 14, 1993. The map was filed on September 16, 1993 in Book 31 of Maps, Pages 17-18, of the Official Records of Lassen County.
4. The subject parcel consists of 4.32 acres as shown on the application submitted for Parcel Map No. 2019-002. This figure agrees with the acreage shown on the parcel map that created the subject parcel, Parcel Map No. 910019, which is described in Findings Item Number Three above.
5. The subject parcel has been issued building permits by the Lassen County Building Department. This constitutes "real property which has been approved for development" per Section 66499.34 of the California Subdivision Map Act and allows the owners of the real property to request a Certificate of Compliance for the parcel from a local agency.
6. The tentative map submitted for Parcel Map No. 2019-002 shows that no new parcels are being created as a result of the proposed division. The reason for the single lot parcel

map application is due to the fact that the current owners would like to construct a new building for equipment storage and its proposed location is outside of certain approved building sites that are shown on the latest parcel map of record, Parcel Map No. 910019. There is also a note on the record map which states that the building sites are "*DFG approved bldg. sites*". Section 16.04.060 of the Lassen County Code states that "*No use of property shall be allowed, nor shall any subdivision of property be allowed, if such a use or subdivision would conflict with any note attached to any recorded final map or parcel map. Any notes affecting a property are valid and operative until such a time as a note is included on the most current recorded final or parcel map that identifies specific notes on previous final or parcel maps that are no longer valid or operative*". This portion of the County Code requires that another parcel map be filed which provides for an additional building site as only two locations were originally approved on said Parcel Map No. 910019.

7. The tentative map submitted for Parcel Map No. 2019-001 shows access to the subject property by way of Jackpot Lane which is a privately maintained road. A 50 feet wide easement for access and utilities over this roadway was created by Parcel Map No. 4-01-86, as the same is filed at Book 27 of Maps, Pages 89-90, of the Official Records of Lassen County. Subsequently, Parcel Map No. 910019 created additional 10 feet wide easements for public utilities on either side of the 50 feet wide access easement. Each of the easements (the 50 feet wide easement for access and utilities and the ten feet wide easements for public utilities) were offered to the County of Lassen for dedication as shown on said Parcel Map No. 910019. These offers of dedication were accepted by the Lassen County Board of Supervisors on September 14, 1993 as shown on the filed parcel map.

The subject parcel also abuts Janesville Grade, County Road No. 208, which is in the County maintained road system. It appears that the right-of-way for said Janesville Grade is likely prescriptive. Interestingly, no offers of dedication were made to or requested by the County of Lassen when Parcel Map No.'s 4-01-86 (27 Maps 89) or 910019 (31 Maps 18) were approved by the Lassen County Board of Supervisors.

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. 2019-002 (DENNIS AND AMY FIDDAMENT):**

1. Owner(s), owner's agent(s) or applicant shall satisfy and the project shall meet all applicable requirements provided by law.
2. The parcel shall be delineated as shown on the "Tentative Parcel Map" submitted on October 17, 2019 for Parcel Map No. 2019-002.
3. Owner(s) shall offer for dedication to the County of Lassen an easement for public road and public utility purposes over that portion of Janesville Grade, County Road No. 208, lying 30 feet Northerly of the centerline, which fall within the limits of the boundaries of Parcel "D-1", as the same are shown on Parcel Map No. 910019, filed at Book 31 of Maps, Pages 17-18, of the Official Records of Lassen County.
4. Owner(s) shall cause a field survey of the property shown on the tentative map submitted for Parcel Map No. 2019-002 to be completed in accordance with Section 66448 of the Subdivision Map Act and Section 16.20.160 of the Lassen County Code. The parcel map shall show the location of the new building site that is being proposed since its location is *not* within the two approved building sites that are shown on Parcel Map No. 910019 (the parcel map that originally created the parcel).
5. In accordance with Section 66411.1 of the Subdivision Map Act, if the applicant requests a deferral of the construction of any on or off site improvements required by the conditional approval of a tentative parcel map, the Parcel Map shall contain a note stating the construction of improvements required by the conditional approval of a submitted tentative parcel map 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. Owner(s), owner's agent(s) or applicant shall provide information and/or required documentation to demonstrate the project meets all applicable requirements established by the California 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. 2019-002 have been satisfied or fulfilled.
7. Owner(s), owner's agent(s) or applicant 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. 2019-002, which affect the parcel being delineated. 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. 2019-002.

- (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, G.L.O. Plats 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 16.20.200, and all conditions of the conditional approval of the tentative parcel map submitted for Parcel Map No. 2019-002 have been acceptably met, the owner(s), owner's agent(s) or applicant 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.
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 recordation of the Parcel Map in accordance with Section 66445(e) of the Subdivision Map Act and Section 16.20.180(3)(B) of the Lassen County Code.
10. Prior to recordation of Parcel Map No. 2019-002, documentation 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.

Respectfully submitted,



Don Willis, L.S. 7742
Lassen County Surveyor

DEPARTMENT of PUBLIC WORKS

County of Lassen



LARRY MILLAR, Director
Public Works/Road/Transportation
County Engineer

RECEIVED

707 Nevada Street, Suite 4
Susanville, CA 96130

☎ 530) 251-8288
FAX: (530) 251-2675

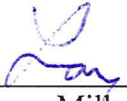
NOV 07 2019

TAC
2018/281

LASSEN COUNTY DEPARTMENT OF
PLANNING AND BUILDING SERVICES

TO: County Planning and Building Services

FROM:



Larry Millar
Department of Public Works, Road Department

SUBJECT: Tentative Parcel Map # 2019-002, Dennis Fiddament
Technical Advisory Meeting, November 7, 2019

FINDINGS: Access is by way of Jackpot Lane which is not in the County
Maintained Road System.

CONDITIONS: None



LASSEN COUNTY
ENVIRONMENTAL HEALTH DEPARTMENT
1445 Paul Bunyan Road Susanville, CA 96130 (530) 251-8528 Fax (530) 251-2668

Memorandum

Date: November 8, 2019

To: Technical Advisory Committee
Agenda Date: December 3, 2019

From: Ellen Cognina, Director

RECEIVED

NOV 08 2019

LASSEN COUNTY DEPARTMENT OF
PLANNING AND BUILDING SERVICES

RE: Tentative Parcel Map Application No. 2019-002
Dennis Fiddament

The Lassen County Environmental Health Department finds as follows:

This department has no conditions for this tentative parcel map.