

STAFF REPORT

TO: Town of Loomis Planning Commission
FROM: Mary Beth Van Voorhis, Planning Director
DATE: September 28, 2021
RE: **#21-11 – CAGLE - MINOR LAND DIVISION AND VARIANCE**
6005 KATIE LANE, APN: 044-072-083

Recommendation:

1. Conduct a public hearing and receive public input; and
2. Find the project is exempt pursuant to CEQA Section 15061(b)(3); and
3. Adopt Resolution #21-05 approving minor land division and variance, per the findings in Exhibit A and conditions of approval in Exhibit B.

Issue Statement and Discussion

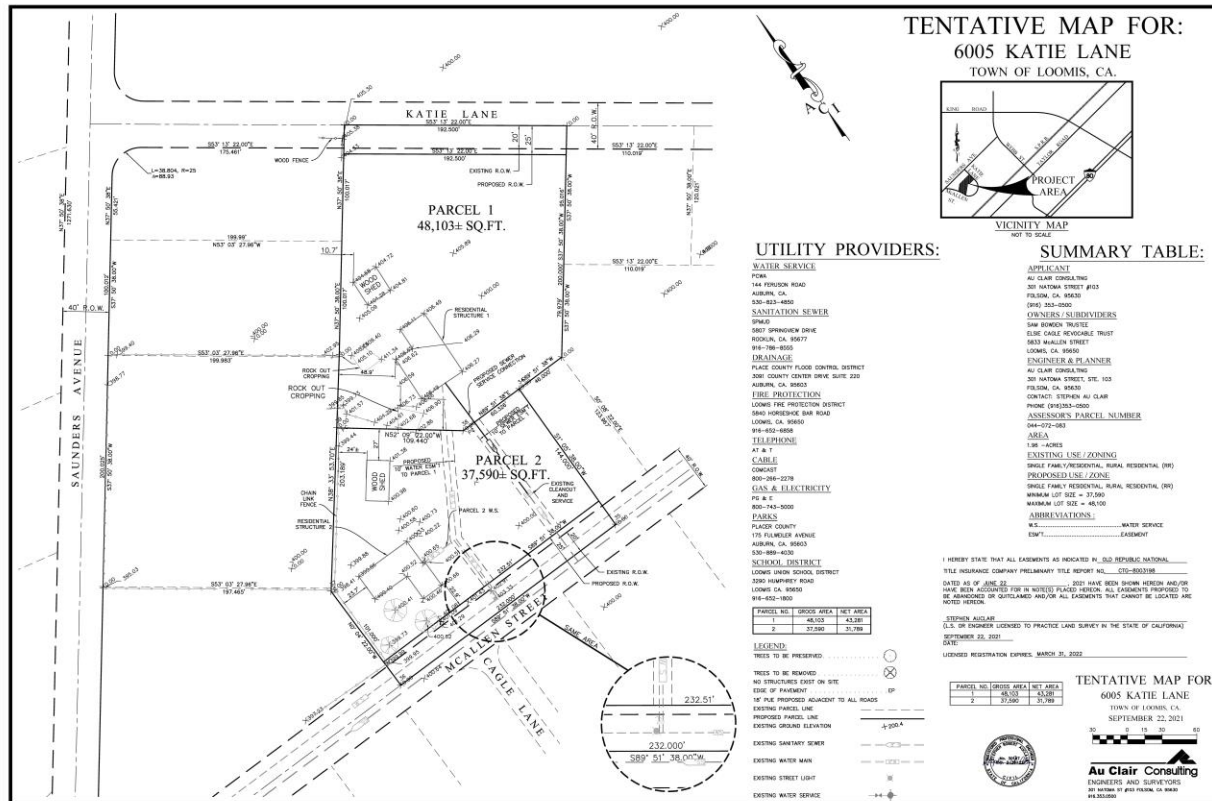
The applicant proposes to divide a 1.96 acre (gross) parcel into 2 separate parcels. Parcel 1 will be 1.1 acre (48,103 square feet) in size, and Parcel 2 will be 0.86 acre (37,590 square feet) in size. Parcel 1 will be consistent with the General Plan and Zoning designations of Rural Residential, 1-acre lot minimum (RR). Parcel 2 will require a variance as it will be smaller than the required 1.0-acre minimum.

This application was originally submitted under application #15-01 and approved by the Planning Commission by Resolution #15-09 on December 15, 2015 with an expiration of December 15, 2017. The applicant then filed for a one-year extension of time with Application #17-18 which was approved by the Planning Commission on January 23, 2018, Resolution #18-01, which extended the expiration date to December 15, 2018. The original approval has expired, and the applicant has re-submitted for approval at this time.

This application consists of a request to divide the subject parcel from one to two lots and the request for a variance on the second parcel that has a proposed gross area under one acre. The existing parcel consists of 85,690 square feet, 1.97 acres in size, and currently has two homes located onsite. One home is occupied by the property owner and is oriented towards Katie Lane. A second home is occupied by Mrs. Cagle's grandson and is oriented towards McAllen Street. The applicant would like to split the current parcel to create a lot for each home. This will allow the transfer of parcels in the future to the applicant's heirs and successors. Given the structure locations on the parcel, it is not feasible to split the parcel into two equal size lots. The applicant is therefore requesting approval of a parcel split for one parcel that exceeds the Rural Residential gross acre requirement with an area of 48,100 square feet and a second parcel with a variance for an area of 37,590 square feet. While the square footage of the second parcel is below the required minimum square footage (43,560), the proposed lot

configuration (**Figure 1 - Site Plan**) provides substantial setback distance for each residence between the structures and the property lines. Each parcel has water and sanitary sewer services to the public service lines provided by PCWA and SPMUD, respectively.

**Figure 1
Site Plan**

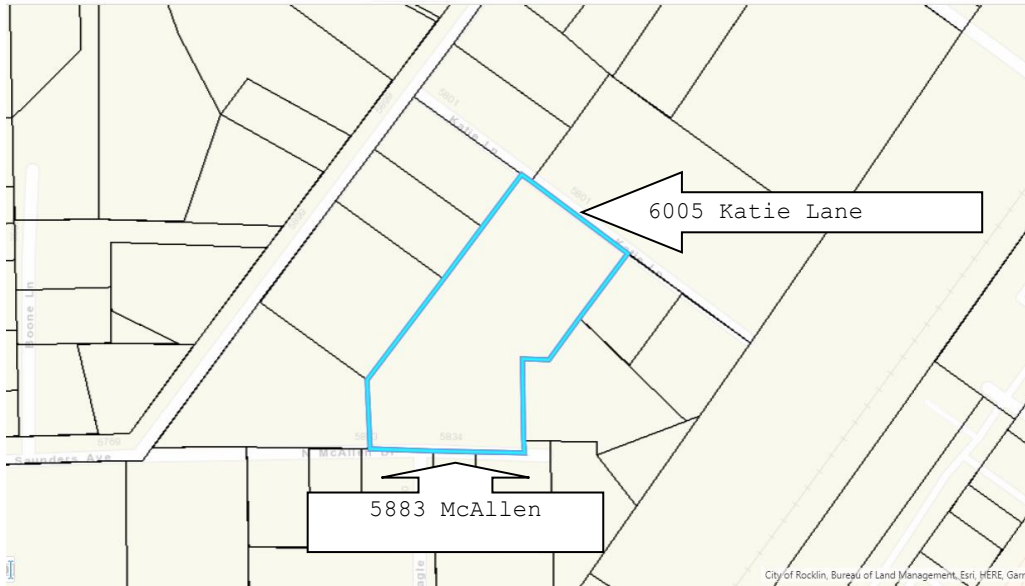


The applicant parcel resides in the Rural Residential zone and adjacent parcels, located in the same zoning, are under 1-acre in size. These parcels include:

- Parcel 044-080-034-000 (0.37 acres in size)
- Parcel 044-080-023-000 (0.22 acres in size)
- Parcel 044-072-017-000 (0.11 acre in size)
- Parcel 044-072-048-000 (0.30 acre in size)
- Parcel 044-072-049-000 (0.44 acre in size)
- Parcel 044-072-047-000 (0.55 acre in size)

Site: 6005 Katie Lane, Loomis, California 95650 - APNs 044-072-083 as shown in **Figure 2**.

**Figure 2
Parcel Configuration**



Existing adjacent Floodways, Floodplains, and Wetlands are depicted in **Figure 3**.

**Figure 3
Floodways, Floodplains, and Wetlands**



Existing Access: Existing access off Katie Lane and McAllen Street.

Surrounding Land Uses and Zoning: Surrounding uses and zoning are as follows:

	<u>General Plan Designation</u>	<u>Zoning Designation</u>
North -	Residential Medium	RS-10
East -	Residential Medium	RS-10
South -	Rural Residential	Rural Residential
West -	Rural Residential	Rural Residential

Improvements/Utilities/Service Systems:

Sewer – South Placer Municipal Utility District (SPMUD)

Water – Placer County Water Agency (PCWA)

Drainage – Placer County Flood Control District

Gas/Electric – PG&E

Environmental Review:

Typically a minor land division of a property into four or fewer parcels would be Categorically Exempt from environmental review under the California Environmental Quality Act (“CEQA”), Section 15315 Minor Land Divisions, Class 15. However, the Class 15 exemption requires that such a minor land division conform with the General Plan and zoning, that no variances or exceptions are required, that all services and access to the proposed parcels to local standards are available, that the parcel was not involved in a division of a larger parcel within the previous 2 years, and the parcel does not have an average slope of greater than 20 percent. The project applicant is requesting to split a 1.96-acre parcel into two separate parcels, Parcel 1 would be 1.1 acre, and Parcel 2 would be 0.86 acre. Therefore, the Minor Land Division requested by the project applicant requires a variance and thereby does not qualify for the Class 16 exemption.

Despite the Class 15 exemption being inapplicable in this case, this Project is nevertheless exempt from environmental review under CEQA under Section 15061(b)(3). Under Section 15061(b)(3), “A Project is exempt from CEQA if: (1) 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.” Therefore, staff respectfully recommends approval of the attached Notice of Exemption indicating the project is exempt under Section 15061(b)(3).

VARIANCE REQUEST

(To allow a parcel smaller than 1.0-acre minimum size in RR Zone)

Variance findings allowing a parcel smaller than 1.0-acre minimum size in RR Zone:

Required findings must be made by the Review Authority if the variance is to be approved.

The required findings are listed below:

13.62.060 - Variance and minor variance.

Findings and Decision. The review authority may approve a variance or minor variance, with or without conditions, only after first making all of the following findings, as applicable.

1. General Findings.

- a.** There are special circumstances applicable to the property (e.g., location, shape, size, surroundings, topography, or other conditions), so that the strict application of this title denies the property owner privileges enjoyed by other property owners in the vicinity and within the same zoning district.

b. Granting the variance is necessary for the preservation and enjoyment of substantial property rights enjoyed by other property owners in the same vicinity and zoning district and denied to the property owner for which the variance is sought;

c. The variance is consistent with the general plan and any applicable specific plan.

RECOMMENDATION: Hear staff report, take public comment, and adopt Resolution #21-05 approving minor land division and variance, per the findings in Exhibit A and conditions of approval in Exhibit B.

ATTACHMENTS:

- A. Resolution #21-05
- B. Planning Application #21-05 Cagle Minor Land Division and Variance
- C. Comments Received
- D. Municipal Code Sections: 13.42.060 Animal Keeping
13.42.260 Residential Uses – Accessory Structures
- E. Notice of Exemption

NOTE: Notice published in Loomis News on September 17, 2021 and mailed to adjacent property owners within 300' on September 15, 2021.

RESOLUTION NO. 21-05

A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF LOOMIS APPROVING A MINOR LAND DIVISION AND VARIANCE FOR 6005 KATIE LANE; ASSESSOR PARCEL NUMBER (APN) 044-072-083.

WHEREAS, AuClair Consulting Inc., the applicant, has proposed to subdivide the 1.96-acre APN 044-072-083 into two lots (Parcel 1 would be 1.1 acre and Parcel 2 would be 0.86 acre), such application being identified as #21-11; and

WHEREAS, on September 28, 2021, the Planning Commission conducted a public hearing of the application, at which time any person interested in the matter was given an opportunity to be heard; and

WHEREAS, the Planning Commission reviewed and considered the staff report relating to said application, the plans, the written and oral evidence presented to the Planning Commission in support of and in opposition to the application; and

WHEREAS, the Planning Commission of the Town of Loomis hereby makes the findings attached herein as Exhibit A in connection with #21-11 Cagle Minor Land Division; and

NOW THEREFORE, based upon the findings set forth hereinabove, the Planning Commission of the Town of Loomis, at its meeting of September 28, 2021, did resolve as follows:

1. The proposed Project is consistent with the goals policies and land uses in the Town of Loomis General Plan and Zoning Ordinance.
2. The proposed Project consists of a request for a Minor Land Division (MLD) to split a 1.96-acre parcel into two separate parcels (Parcel 1 would be 1.1 acre and Parcel 2 would be 0.86 acre) as well as a Variance to allow for a "Parcel 2" to be less than 1-acre in size within the Residential Rural (RR) Zone. The MLD would normally be Categorically Exempt under the California Environmental Quality Act (CEQA), Section 15315 Minor Land Divisions, Class 15; however, since the proposed Project requires a Variance the MLD cannot be considered Categorically Exempt under CEQA. If a project can be found to have "No Possible Significant Effects" then such a project may be considered exempt and a "Notice of Exemption" may be filed.
3. The project, #21-11 Cagle - Minor Land Division, is hereby approved per the findings set forth in Exhibit A, the conditions set forth in Exhibit B and as depicted in Exhibit C.

ADOPTED this 28th day of September, 2021, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAINED:

Greg Obranovich, Chairman

Carol Parker, Planning Secretary

FINDINGS
#21-11 Cagle – 6005 Katie Lane
Variance/Minor Land Division

Minor Land Division

Notice of Exemption – Minor Land Division

The project consists of the division of a 1.96 acre parcel occupied by two single family residential units into two residential parcels. Parcel 1 will be 1.1 acre in size, and Parcel 2 will be 0.86 acre in size. The project is not Categorically Exempt under CEQA Section 15315 Minor Land Divisions, Class 15.

1. This proposed minor land division, together with the provisions for its design and improvement, is not consistent with the Town of Loomis General Plan and the Zoning Ordinance in that the division would require a variance to ensure that Parcel 2 (0.86 acre) would conform to the standards of the General Plan and Zoning Ordinance.

Based on the need for a variance the Minor Land Division would not be Categorically Exempt under CEQA Section 15315 Minor Land Divisions, Class 15 and a Notice of Exemption cannot be issued.

Minor Land Division Analysis

Pursuant to Section 66474 of the Subdivision Map Act, the Planning Staff hereby finds and determines as follows:

1. The proposed project includes the division of a 1.96 acre parcel into Parcel 1, approximately 1.1 acre in size, and Parcel 2, approximately 0.86 acre in size. Parcel 1 would be consistent with the General Plan and Zoning designations of Rural Residential, 1-acre lot minimum (RR). Parcel 2 will require a variance as it will be smaller than the 1.0-acre minimum required by the RR Zoning designation. Issuance and approval of the variance would deem the proposed project consistent with the Town's General Plan and Zoning Ordinance.

2. The design and improvement of the proposed division are consistent with the General Plan because adequate infrastructure and services are currently in the direct frontage of the property, and will be available to serve the demand for services generated by the division including water, sanitary sewer and roadways.

3. The site is physically suitable for the primary and secondary single family residential unit currently occupying the parcel in that it meets the size requirements and there are no environmental constraints.

4. The site is physically suitable for the proposed density of development in that the existing primary and secondary single family residential unit is consistent with the allowed zoning density.

5. The design of the division will not cause substantial environmental damage, or injure fish or wildlife, or their habitat, in that the division is of an existing residential parcel which is already occupied by a primary and secondary single-family residential unit and no construction will occur with the proposed action.

6. The design of the division will not cause serious public health problems since water, sewer, sheriff, fire, and solid waste services will continue to be adequately provided to the project.

7. The design of the division will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed project.

Based on analysis provided above and in the attached Environmental Review Application for the request of the Minor Land Division, staff has determined that "No possible significant effect" would occur with implementation of the Project. Staff therefore recommends that a Notice of Exemption (NOE) be filed for the Minor Land Division request associated with this Project.

VARIANCE: (allowing a parcel smaller than 1.0-acre minimum size in RR Zone):

a. There are special circumstances applicable to the property (e.g., location, shape, size, surroundings, topography, or other conditions), so that the strict application of this title denies the property owner privileges enjoyed by other property owners in the vicinity and within the same zoning district. The proposed Project is located adjacent to and near parcels that are within the Rural Residential (RR) Zone that are less than 1.0-acres in size. The following parcels surrounding the proposed Project are smaller than 1.0 acre in size in the Rural Residential (RR) Zone:

- Parcel 044-080-034-000 (0.37 acres in size)
- Parcel 044-080-023-000 (0.22 acres in size)
- Parcel 044-072-017-000 (0.11 acre in size)
- Parcel 044-072-048-000 (0.30 acre in size)
- Parcel 044-072-049-000 (0.44 acre in size)
- Parcel 044-072-047-000 (0.55 acre in size)

b. Granting the variance is necessary for the preservation and enjoyment of substantial property rights enjoyed by other property owners in the same vicinity and zoning district and denied to the property owner for which the variance is sought; Granting the variance gives the property owner the same standards that neighbors developed their residential units/parcels to.

c. The variance is consistent with the general plan and any applicable specific plan. Yes. The site is fully landscaped; each parcel has access ways to their respective public roadway frontage on Katie Lane and McAllen Street so no construction is proposed or required for this land division. As a result of each parcel having full services and complete/existing onsite improvements, this request consists of a land subdivision without any other activities that would be inconsistent with the Town of Loomis General Plan.

Based on analysis provided above for the request of the Variance staff has determined the Project is consistent with the findings to issue a Variance. Staff therefore recommends that the requested Variance for a parcel less than 1.0-acre in size being permitted in the RR Zone be approved.

CONDITIONS OF APPROVAL
#21-11 – Cagle Minor Land Division/Variance

This Minor Land Division and Variance is approved for the division of a 1.96-acre parcel, APN 044-072-083, 6005 Katie Lane, per the following conditions. The approval expires on September 28, 2023, unless extended by the Planning Commission.

GENERAL CONDITIONS

1. _____ Owner shall comply with all applicable provisions of the Town of Loomis Municipal Code.
2. _____ The Project shall proceed only in accordance with approved plans on file in the Planning Department, the conditions contained herein and the Town of Loomis Municipal Code. Approval of this Project, subject to said plans, conditions and Code(s), shall not be interpreted as the Town having waived compliance with any sections of the Town of Loomis Municipal Code (Zoning, Building Codes, etc.), Loomis General Plan, or applicable Plans.
3. _____ The Project shall be implemented substantially in accordance with the plan entitled “6005 Katie Lane, Town of Loomis, CA” as prepared by Au Clair Consulting, consisting of one sheet, dated and received “June 9, 2021”, except as may be modified by the conditions stated herein.
4. _____ When submitting for Plan Check, the owner must provide to the Planning Department a copy of the final conditions of approval with a cover letter specifying how and where the revised plans address each of the conditions. Plan Check by the Planning Department and the Town Engineer will not be initiated without compliance with this condition. All plans shall be consistent with that approved by the Planning Department. The owner shall be responsible for correcting any inconsistency which may occur through error or omission during plan preparation or future construction (if applicable).
5. _____ If the applicant chooses to develop new structures on the parcels, prior to the issuance of any Building Permits on either the existing or the new parcel, the owner shall ensure that all existing and future structures, inclusive of the existing sheds onsite, shall comply with the Town’s setback regulations.
6. _____ The owner (sub-divider) shall defend, indemnify, and hold harmless the Town of Loomis and its agents, officers and employees from any claim, action or proceeding against the Town, or its agents, officers and employees, set aside, void, or annul, an approval of the Planning Commission, or Town Council concerning the subdivision that is the subject of this application and which is brought within the time period specified in Section 66499.37 of the Subdivision Map Act.

7. _____ The conditions of approval of the application shall prevail over all omissions, conflicting notations, specifications, dimensions, typical sections, and the like, which may or may not be shown on the map or improvement plans.

GENERAL PLANNING

8. _____ The property owner shall be responsible to ensure all conditions to this permit are binding on all successors-in-interest (e.g., by incorporating into the standard provisions of any sale, lease, and/or rental agreements, etc.).
9. _____ The owner will be responsible for taking reasonable actions to abate nuisances caused by this project in the project area which are under the owner's control.
10. _____ No request for a Parcel Map, pursuant to this map, shall be approved until all conditions are completed and accepted by the Town, acceptable to the Town Attorney, for those conditions not completed, as has been submitted.

AGENCIES

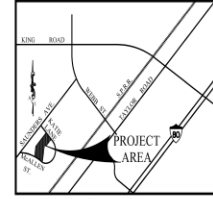
11. _____ The property owner shall coordinate with PG&E on any future development plans which occur within PG&E easements.
12. _____ When PG&E's Service Facilities are located on private property and that property is subsequently subdivided into separate premises with ownership divested to other than the applicant or customer, the sub divider shall provide PG&E with adequate right-of-way, satisfactory to PG&E for its existing service facilities.
13. _____ PG&E owns and operates overhead electric distribution facilities along the southern portion of the site being subdivided. Clearance requirements between utility facilities and surrounding objects or construction activities shall be maintained in accordance with California Public Utility Commission standards. To ensure compliance with these standards, project proponents shall coordinate with PG&E early in the development of their project and any future proposed development plans shall provide for unrestricted utility access.
14. _____ If future development occurs on the Project site the applicant shall be responsible for the costs associated with the relocation of existing PG&E facilities to accommodate their future proposed development.
15. _____ South Placer Municipal Utility District (District) requires the applicant to provide the location of the private sewer service lateral from 6005 Katie Lane through field verification and shown on the site plan map to verify that the 10-foot sewer easement is properly located and follows the centerline of the service lateral.
16. _____ The District requires that Parcel 1 be served by its own private sewer service lateral located in an easement unencumbered by other structures. Should the realignment of the private sewer service lateral to Parcel 1 be required, the owner and/or

owner's representative will need to schedule a meeting with District staff in order to discuss the project and to determine specific requirements.

17. _____ The District noted that other neighboring parcels have private sewer service laterals that likely traverse Parcel 1 and/or Parcel 2. The District recommends, in the best interest of all property owners (present and future), that all private sewer service laterals be field located and easements be granted at the time of this parcel split.
18. _____ Placer County Water Agency (PCWA). Owner/applicant shall meet all requirements of PCWA. PCWA is currently serving treated water to this parcel by two existing ¾-inch meters connected to PCWA's 6-inch treated water main located in Katie Lane. PCWA's Rules and Regulations states that when a parcel presently served is divided, the existing meter shall be considered as belonging to the parcel of land which it directly enters, and the new parcels shall require the installation of a new service. The existing meters reside on the proposed Parcel 2 of the tentative map. Provisions must be provided to allow Parcel 1's private waterline on Parcel 2 and to access the existing water meter supplying Parcel 1 located on Parcel 2. Additional water or upsizing the meter for residential fire sprinkler can be made available upon receiving a completed meter application detailing the proposed usage, and payment of all fees and additional Water Connection Charges that may apply. Contact (530) 823-4886.
19. _____ United Auburn Indian Community (UAIC). Owner/applicant shall meet all Requirements of UAIC. Pursuant to UAIC, this project/parcel is within a culturally sensitive area of tribal oral history. Owner/applicant shall provide results of any cultural studies and photographs conducted in this area. In addition, owner/applicant shall contact UAIC to schedule a Tribal Consultation under the requirements of AB52 and submit written findings prior to submittal of a Final Map. Contact Anna Starkey, 916-251-1565 or astarkey@auburnrancheria.com.
20. _____ Animal Keeping. Owner/applicant shall meet and maintain all requirements of Municipal Code Section 13.42.060 – "Animal Keeping" and Section 13.42.260(D) – "Residential uses – Residential accessory uses and structures".

Site Plan

TENTATIVE MAP FOR:
6005 KATIE LANE
TOWN OF LOOMIS, CA.



VICINITY MAP
NOT TO SCALE

UTILITY PROVIDERS:

- WATER SERVICE**
PC&A
144 FERLSON ROAD
AUBURN, CA
530-83-4850
- SANITATION SEWER**
SP&D
5807 SPRINGVIEW DRIVE
ROCKLIN, CA 95677
916-786-8555
- DRAINAGE**
PLAC COUNTY FLOOD CONTROL DISTRICT
3091 COUNTY CENTER DRIVE SUITE 220
AUBURN, CA 95603
- FIRE PROTECTION**
LOOMIS FIRE PROTECTION DISTRICT
3840 HORSING BAR ROAD
LOOMIS, CA 95650
916-652-6868
- TELEPHONE**
AT & T
CABLE
- COMCAST**
800-268-2278
- GAS & ELECTRICITY**
PG & E
800-743-0000
- PARKS**
PLACED COUNTY
175 FULMILLER AVENUE
AUBURN, CA 95603
530-888-4030
- SCHOOL DISTRICT**
LOOMIS UNION SCHOOL DISTRICT
2200 HAWKEYE ROAD
LOOMIS, CA 95650
916-652-1800

SUMMARY TABLE:

- APPLICANT**
AU CLAIR CONSULTING
301 NATHAN STREET #103
FOLSOM, CA 95630
(916) 353-0500
- OWNERS / SUBDIVIDERS**
SAM BOWEN TRUST
ELISE GALE REVOCABLE TRUST
5833 MALLEN STREET
LOOMIS, CA 95650
- ENGINEER & PLANNER**
AU CLAIR CONSULTING
301 NATHAN STREET, STE. 103
FOLSOM, CA 95630
CONTACT: STEPHEN AU CLAIR
PHONE: (916) 353-0500
- ASSESSOR'S PARCEL NUMBER**
044-072-063
- AREA**
1.86 - ACRES
- EXISTING USE / ZONING**
SINGLE FAMILY/RESIDENTIAL, RURAL RESIDENTIAL (RR)
- PROPOSED USE / ZONE**
SINGLE FAMILY RESIDENTIAL, RURAL RESIDENTIAL (RR)
- MINIMUM LOT SIZE = 37,590
MINIMUM LOT SIZE = 48,100
- ABBREVIATIONS:**
W.S. = WATER SERVICE
E.S.M.T. = EASEMENT

I HEREBY STATE THAT ALL EASEMENTS AS INDICATED N. D.S. REPUBLIC NATIONAL TITLE INSURANCE COMPANY PRELIMINARY TITLE REPORT NO. 270-0620789 DATED AS OF JUNE 22, 2021 HAVE BEEN SHOWN HEREIN AND/OR HAVE BEEN ACCOUNTED FOR IN NOTES PLACED HEREIN. ALL EASEMENTS PROPOSED TO BE ABANDONED OR OUTCALLEM AND/OR ALL EASEMENTS THAT CANNOT BE LOCATED ARE NOTED HEREIN.

STEPHEN AU CLAIR
E.L.S. OR ENGINEER LICENSED TO PRACTICE LAND SURVEY IN THE STATE OF CALIFORNIA
SEPTEMBER 22, 2021
DATE
LICENSED REGISTRATION EXPIRES MARCH 31, 2022

PARCEL NO.	GROSS AREA	NET AREA
1	48,103	43,281
2	37,590	31,789

TENTATIVE MAP FOR:
6005 KATIE LANE
TOWN OF LOOMIS, CA.

SEPTEMBER 22, 2021

DATE

PARCEL NO.	GROSS AREA	NET AREA
1	48,103	43,281
2	37,590	31,789

SEPTEMBER 22, 2021

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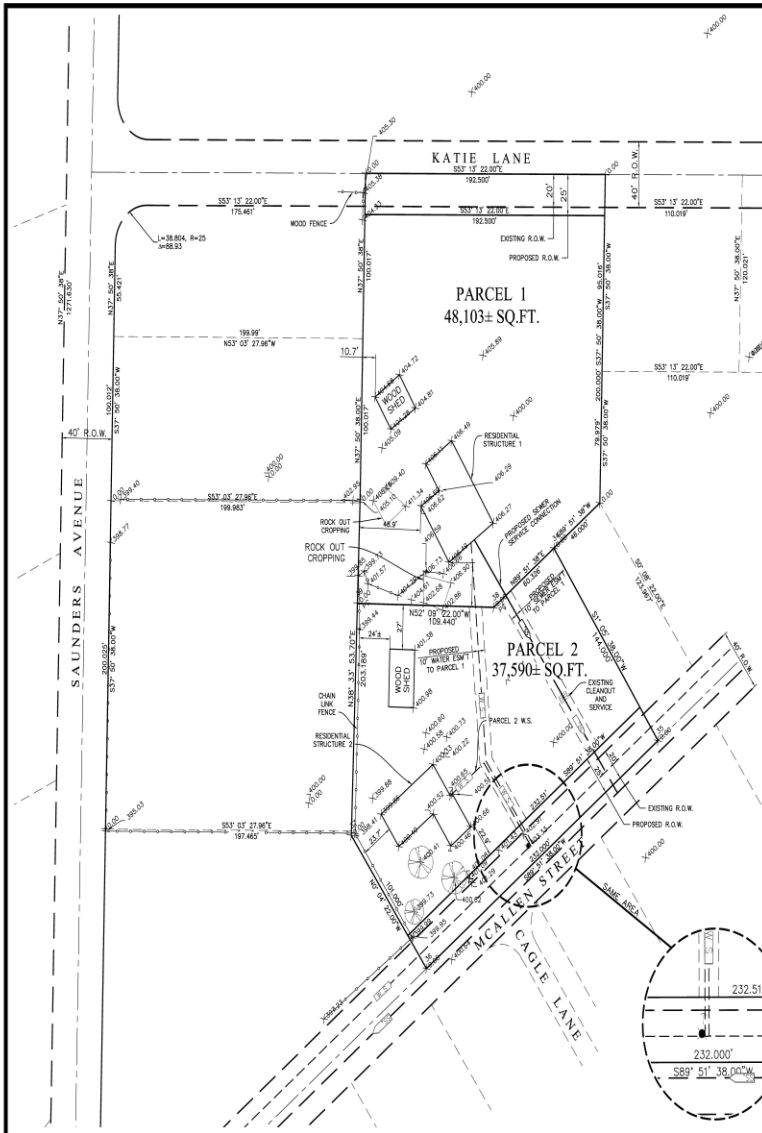
DATE

SEPTEMBER 22, 2021

DATE

SEPTEMBER 22, 2021

DATE



- TREES TO BE PRESERVED
- TREES TO BE REMOVED
- NO STRUCTURES EXIST ON SITE
- EDGE OF PAVEMENT
- 18" PUE PROPOSED ADJACENT TO ALL ROADS
- EXISTING PARCEL LINE
- PROPOSED PARCEL LINE
- EXISTING GROUND ELEVATION
- EXISTING SANITARY SEWER
- EXISTING WATER MAIN
- EXISTING STREET LIGHT
- EXISTING WATER SERVICE



Au Clair Consulting
ENGINEERS AND SURVEYORS
301 NATHAN ST #103 FOLSOM, CA 95630
916.353.0500

Comments Received

Mary Beth Van Voorhis

From: Anna Starkey <astarkey@auburnrancheria.com>
Sent: Friday, September 3, 2021 3:31 PM
To: Mary Beth Van Voorhis
Cc: Anna Cheng
Subject: #21-11 Cagle - Variance / Minor Land Division

Follow Up Flag: Follow up
Flag Status: Flagged

Good afternoon,

On behalf of the United Auburn Indian Community, Tribal Historic Preservation Department, thank you for the notification and opportunity to consult under AB52 for the above referenced project. We have reviewed the project area in our THRS database and show the project in a culturally sensitive area of tribal oral history.

Will a cultural study be conducted? Can you please provide the results and photographs of the area? I need more information before I am able to provide our recommendations. Therefore, please consider UAIC as consulting on this project.

Thank you.
 Kind regards,
 Anna Starkey

The United Auburn Indian Community is now accepting electronic consultation request, project notifications, and requests for information! Please fill out and submit through our website. Do not mail hard copy letters or documents. <https://auburnrancheria.com/programs-services/tribal-preservation> Bookmark this link!



Anna M. Starkey, M.A., RPA
 Cultural Regulatory Specialist
 Tribal Historic Preservation Department | UAIC
 10720 Indian Hill Road
 Auburn, CA 95603
 Direct line: (916) 251-1565 | Cell: (530) 863-6503
astarkey@auburnrancheria.com | www.auburnrancheria.com

Nothing in this e-mail is intended to constitute an electronic signature for purposes of the Electronic Signatures in Global and National Commerce Act (E-Sign Act), 15, U.S.C. §§ 7001 to 7006 or the Uniform Electronic Transactions Act of any state or the federal government unless a specific statement to the contrary is included in this e-mail.



PLACER COUNTY WATER AGENCY
SINCE 1957
BUSINESS CENTER PHONE
144 Ferguson Road 530.823.4850
MAIL 600.464.0930
P.O. Box 6570 WWW.PCWA.NET
Auburn, CA 95604

August 24, 2021
File No.: PD/Loomis
Map No.: 25-B-12

Mary Van Voorhis
Planning Assistant
Town of Loomis
3665 Taylor Road, Loomis CA 95650

SUBJECT: Cagle Minor Land Division #21-11, 6005 Katie Lane, Loomis

Dear Ms. Van Voorhis:

Thank you for the opportunity to review and comment on the Cagle Minor Land Division, 6005 Katie Lane. This letter is written in response to your Request for Comment dated August 19, 2021 and is intended to provide a preliminary design review of the plans and documents provided with the request from the Town regarding the proposed parcel split located at APN 044-072-083 in Loomis, California. The Agency does not reserve water for prospective customers and this letter in no way confers any right or entitlement to receive water service in the future. The Agency makes commitments for service only upon execution of a facilities agreement and the payment of all fees and charges required by the Agency. All water availability is subject to the limitations described below and the prior use by existing customers.

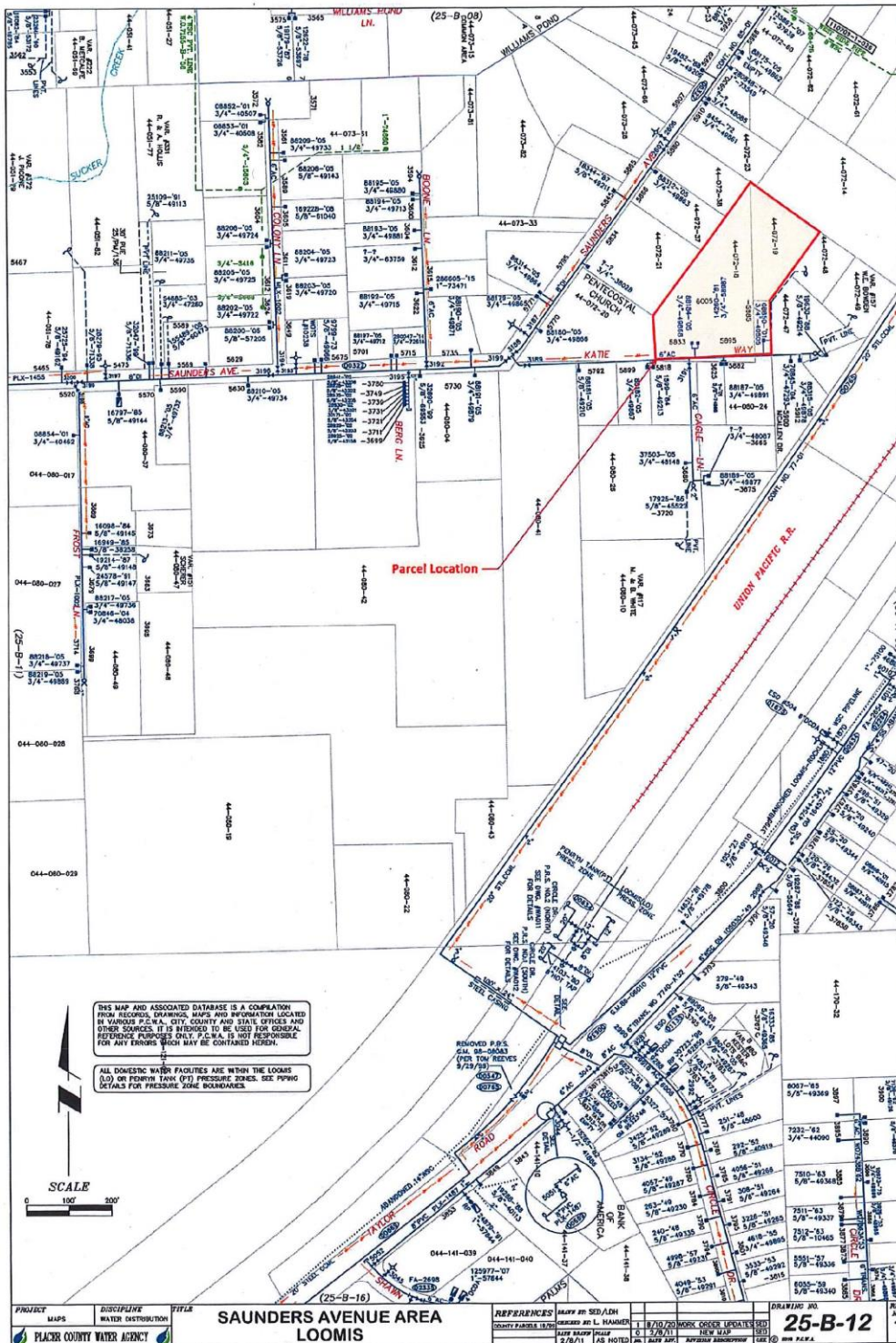
The Agency is currently serving treated water to the above-mentioned parcel by two existing 3/4-inch meters connected to the Agency's 6-inch treated water main located in Katie Way. The Agency's Rules and Regulations states that when a parcel presently served is divided, the existing meter shall be considered as belonging to the lot or parcel of land which it directly enters and the new parcels shall require the installation of a new service. The existing meters reside on the proposed Parcel 2 of the tentative map. Provisions must be provided to allow Parcel 1's private waterline on Parcel 2 and to access the existing water meter supplying Parcel 1 located on Parcel 2. Additional water or upsizing the meter for residential fire sprinklers can be made available upon receiving a completed meter application detailing the proposed usage, and payment of all fees and additional Water Connection Charges that may apply.

If you have any questions, please call me at the Engineering Department at (530) 823-4886.
Sincerely,

Richard Wirth
Assistant Engineer

1

Z:\Engineering Files\Pre-Dev.(WA) Letters\044-072-083 Parcel Split.docx



Mary Beth Van Voorhis

From: Carol Parker
Sent: Tuesday, September 21, 2021 12:23 PM
To: Mary Beth Van Voorhis
Subject: Cagle lane split

Hello,
Neighbor called about the MLD/variance. Asked that we address the chicken coup that is right next to her fence, asking if we can request that it be moved to the proper setbacks? And also ask if there are any rules about cars being parked in the backyard (I told I did not think so), because they have a Ford Explorer that has been in the back for years.
Thank you!

Carol Parker

Planning Assistant
Town of Loomis
3665 Taylor Road, Loomis CA 95650
cparker@loomis.ca.gov
(916)824-1507

Municipal Code Sections 13.42.060 & 13.42.260 Animal Keeping and Setbacks

9/23/21, 9:44 AM

13.42.060 - Animal keeping.

Loomis Municipal Code

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13.42.060 - Animal keeping.

The provisions of this section are intended to assist in maintaining the town's agricultural character while ensuring that the raising and maintenance of animals does not create adverse impacts on adjacent properties by reason of dust, noise, visual blight, odor, bright lights, or insect infestations.

- A. **Pre-Existing Uses.** Any legally established animal keeping use that became nonconforming upon adoption of this section shall be permitted to continue subject to Chapter 13.72.
- B. **Allowable Animal Keeping Activities and Permit Requirements.**

1. **Activities and Permit Requirements.** Animal keeping, including related animal husbandry activities (breeding, judging, etc.) is allowed only in compliance with the limitations on use and permit requirements in Table 4-1, and as provided by subsection E.

TABLE 4-1 - ALLOWABLE ANIMAL KEEPING AND PERMIT REQUIREMENTS

Type of Animal	Permit Requirement by Zoning District				
	RA	RE	RR	RS	RM/RH
Aviary, fewer than 20 birds confined	P	P	P	P	—
Aviary, 20 or more birds confined	P	P	P	—	—
Beekeeping	P	P	P	—	—
Dog boarding kennels	UP	UP	—	—	—
Dog or cat breeding kennels	P	P	P	—	—
Fish farming	P	P	P	—	—
Fowl and poultry	P	P	P	p ⁽²⁾	—
Hogs and swine	P	P	—	—	—
Horses and cows	P	P	MUP	—	—
Household pets	P	P	P	P	P
Large animals ⁽¹⁾	P	P	P	MUP	—
Rabbit breeding	P	P	P	P	—
Small animals ⁽¹⁾	P	P	P	P	P
Worm farming	P	P	P	P	—

Key to permit requirements:

P	Permitted animal keeping, no town approval required for the specified animal keeping activity, provided that it complies with the standards in subsections C through F.
MUP	Minor use permit approval required in compliance with Section 13.62.050.
—	Type of animal or activity not allowed.

Notes:

- (1) See Table 4-2 for definitions of small and large animals.
- (2) Maximum of four hens allowed if property is under one-half acre in size.

2. **Minor Use Permit Requirement.** Where Table 4-1 allows a specified animal keeping use subject to minor use permit approval, the purpose of the discretionary review shall include the evaluation of how the proposed animals will be housed and/or confined, and whether the location, size, and design of the area on the site for animal keeping will be adequate to allow compliance with the other standards of this section without unreasonable effort on the part of the animal manager. In approving a minor use permit in compliance with this section, the review authority may limit the maximum number of animals allowed on the site as appropriate to the characteristics of the site, the surrounding land uses, and the species of animals proposed.

- C. **Animal Keeping Standards.** All animal keeping shall comply with the standards in Table 4-2.

TABLE 4-2 - ANIMAL KEEPING STANDARDS

Type of Animal or Facility ⁽⁶⁾
Aviary for 20 or more birds other than fowl and poultry
Dogs and cats
Fowl and poultry ^{(4) (5)}
Hogs and swine
Horses and cows
Other household pets and small animals - Including pygmy goats (and other similar, small breeds), birds, chinchillas, guinea pigs, hamsters, pot belly
Large animals - Emus, goats, llamas, miniature horses and donkeys, ostriches, sheep, and similar-sized animals.

Notes:

- (1) Offspring allowed in addition to maximum number until weaned.
- (2) Minimum lot area required for the keeping of animals.
- (3) Minimum setbacks from all property lines for barns, shelters, pens, coops, cages, and other areas and structures where animals are kept in concentrated confinement; but not including areas continuously maintained as pasture. Animals shall not be kept in any required front yard setback except in pasture areas.
- (4) Guinea hens, peacocks, roosters, swans and geese are prohibited in the RS zoning district.
- (5) Maximum of four hens allowed if property is under one-half acre in size.
- (6) Animal slaughtering shall be prohibited in the RS zone.
- (7) The zoning administrator may reduce required side and rear yard setbacks to as little as zero for large lots after taking into account the lot size, structure size, and use of the proposed animal structure and determining that: (a) the structure will not interfere with emergency vehicle access; (b) the structure will comply with any required setback from dwellings; and (c) the proposed use of the structure will not create a nuisance. A proposed use will be considered to create a nuisance if the use is likely to cause discomfort or annoyance to any reasonable person of normal sensitivity residing in the area.

D. Maintenance and Operational Standards. All animal keeping shall comply with all of the following maintenance and operational standards.

- 1. **Odor and Vector Control.** All animal enclosures, including, but not limited to, pens, coops, cages and feed areas shall be maintained free from litter, garbage and the accumulation of manure, so as to discourage the proliferation of flies, other disease vectors and offensive odors. Each site shall be maintained in a neat and sanitary manner, and in compliance with Placer County environmental health department and animal control standards.
- 2. **Containment.** All animals shall be effectively contained on the site, and shall not be allowed to run free on any parcel in a separate ownership or in a public right-of-way.
- 3. **Waterway Protection.** The keeping of horses or cattle within fifty feet of any waterway shall first require director approval of a good housekeeping plan to protect the waterway from the polluting effects of runoff from the animal keeping area.
- 4. **Erosion and Sedimentation Control.** In no case shall an animal keeping operation be managed or maintained so as to produce sedimentation on any public road, adjoining property, or in any drainage channel. In the event sedimentation occurs, the keeping of animals outdoors on the site shall be deemed a nuisance and may be subject to abatement.
- 5. **Noise Control.** Animal keeping shall comply with the noise standards established by Section 13.30.070.
- 6. Animals must be kept according to local and state animal control welfare laws.

E. Animal Husbandry Project Exception. The keeping or raising of a calf, horse, goat, sheep, hog, chickens, rabbits, birds or other animals as a 4-H or Future Farmers of America (FFA) project is not subject to the requirements of this section, provided that:

- 1. A minimum of one-half acre of site area shall be required for each large animal, hog or swine;
- 2. The project animals shall be confined in a pen or fenced area that is located not closer than twenty-five feet to any dwelling other than on the project site; except that a hog or swine shall not be located closer than one hundred feet from any dwelling other than on the project site;
- 3. The number of animals complies with the limitations in subsection C; and
- 4. The animal keeping complies with the maintenance and operational standards in subsection D.

F. Kennels and Animal Boarding. Each kennel and other small animal boarding facility shall comply with the following standards:

- 1. **Minimum Site Area.** An animal boarding facility may be approved only on a parcel of 2.3 acres or larger.
- 2. **Enclosure Within Building.** All animal boarding establishments shall have space available for each animal within an entirely enclosed building. Animals shall be kept in an enclosed building from seven p.m. to seven a.m. (nine a.m. on weekends).
- 3. **Noise Control.** The building used for animal boarding shall be insulated, or otherwise constructed and maintained so that no noise from animals within the building is audible at the property line of the site. When the animals are outside of the building, barking or

similar noise from the animals shall not occur longer than five minutes over a period of one hour. If the barking or similar noise occurs, as determined by the director from evidence submitted, the administrative citation process may be initiated.

4. **Management.** A manager of the facility shall be present on the site at all times. (Ord. 250 § 2, 2012; Ord. 249 §§ 2—4, 2012; Ord. 218 §§ 1, 2, 2005; Ord. 205 § 1 (Exh. A), 2003)

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Loomis Municipal Code

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This section provides standards for specific residential accessory uses and structures, where allowed by Chapter 13.24. The provisions of this section do not apply to residential second units and carriage houses, which are instead regulated by Section 13.42.270. See also Section 13.42.040.

- A. **Relationship to Primary Use.** An accessory use and/or structure shall be incidental to the primary residential use of the site, and shall not alter the character of the primary use.
- B. **Timing of Installation.** A residential accessory structure shall only be constructed concurrent with or after the construction of the primary structure on the same site, unless:
1. The site is within the RA, RE, or RR zoning districts, is one acre or larger, and the proposed structure is a garage; or
 2. Construction in advance of a primary structure is authorized through minor use permit approval.
- C. **Attached Structures.** An accessory structure attached to the main structure shall comply with all zoning district requirements applicable to the main structure, including height limits, site coverage, and setbacks; and shall also comply with any applicable requirements of subsection E.
- D. **Detached Structures.** An accessory structure that is detached from the main structure shall comply with the following standards, except where subsection E establishes a different requirement for a specific type of accessory structure.
1. **Setbacks.**
 - a. **Front Setback.** An accessory structure shall not be located within a required front yard setback.
 - b. **Side and Rear.** An accessory structure not exceeding ten feet in height shall maintain side and rear yard setbacks of at least five feet. An accessory structure with a height greater than ten feet shall comply with the setback requirements of the applicable zoning district.
 - c. **Separation Between Structures.** An accessory structure shall maintain a six-foot separation from other accessory structures and the primary dwelling unit.
 2. **Height Limitations.** The height of an accessory structure shall not exceed fifteen feet, except on lots having a lot area of twenty thousand square feet or larger where a greater height is authorized through minor use permit approval. Residential accessory structures shall not be constructed with corrugated fiberglass material, unpainted metal or reflective materials (exclusive of the nonreflective glass).
 3. **Coverage and Size Limitations.** The aggregate coverage of accessory structures in required side and rear yard setbacks shall not exceed five hundred square feet, or ten percent of the combined area of the required side and rear yard setbacks for the primary dwelling, whichever is greater. The maximum site coverage for all structures on a parcel shall comply with the requirements of the applicable zoning district.
- E. **Standards for Specific Accessory Uses and Structures.** The following requirements apply to the specific types of accessory structures listed, in addition to the requirements of subsections A through C, as applicable.
1. **Antennas.** Antennas shall comply with the requirements of Chapter 13.44.
 2. **Garages.** A garage for a single- or multifamily dwelling in the RS-5, RS-7, RM, and RH zoning districts shall comply with the following requirements:
 - a. **Front Setback.** Garages shall comply with the following setback requirements, to reduce visual impact from the street:

Notice of Exemption

Print Form

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044
County Clerk
County of: Placer
2954 Richardson Drive
Auburn, CA 95603

From: (Public Agency): Town of Loomis
3665 Taylor Road, PO Box 1330
Loomis, CA 95650
(Address)

Project Title: Variance/Minor Land Division - Application #21-11 - Cagle
6005 Katie Lane, Loomis, CA 95650
(APN 044-072-083)

Project Applicant: AuClair Consulting Inc., 301 Natoma Street, #103, Folsom, CA 95630
Project Location - Specific: 6005 Katie Lane/ 5883 McAllen Drive, Loomis, CA 95650 (APN 044-072-083)

Project Location - City: Loomis, CA Project Location - County: Placer, CA

Description of Nature, Purpose and Beneficiaries of Project:

Variance/Minor Land Division - APN 044-072-083.

Owner: Cagle Revocable Trust of July 1997 - 6005 Katie Lane, Loomis, CA 95650

Name of Public Agency Approving Project: Town of Loomis, CA

Name of Person or Agency Carrying Out Project: Planning Department

Exempt Status: (check one):

- Ministerial (Sec. 21080(b)(1); 15268);
Declared Emergency (Sec. 21080(b)(3); 15269(a));
Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
[X] Categorical Exemption. State type and section number: #15061(b)(3) - Exemption.
Statutory Exemptions. State code number:

Reasons why project is exempt:

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 questions may have a significant effect on the environment, the activity is not subject to CEQA.

Lead Agency

Contact Person: Mary Beth Van Voorhis Area Code/Telephone/Extension: 916-652-1840 x21

If filed by applicant:

- 1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: Date: Title: Planning Director

Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code. Date Received for filing at OPR:
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Revised 2011