



## MEMORANDUM

**TO:** PLANNING COMMISSION

**FROM:** TERESA McCLISH, COMMUNITY DEVELOPMENT DIRECTOR

**BY:** MATTHEW DOWNING, ASSISTANT PLANNER

**SUBJECT:** CONSIDERATION OF TENTATIVE PARCEL MAP CASE NO. 14-002; SUBDIVISION OF ONE (1) 2.68 ACRE PARCEL INTO TWO (2) PARCELS OF 1.65 ACRES AND 1.03 ACRES; LOCATION – 101 RIDGEVIEW WAY; APPLICANT – PAULA REITSMA; REPRESENTATIVE – MIKE STANTON, MBS LAND SURVEYS

**DATE:** SEPTEMBER 2, 2014

### RECOMMENDATION:

It is recommended that the Planning Commission adopt a Resolution approving Tentative Parcel Map Case No. 14-002.

### IMPACT ON FINANCIAL AND PERSONNEL RESOURCES:

None.

### BACKGROUND:

#### Location



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Project Description

The proposed project will subdivide a 2.68 acre parcel located in the Rural Residential (RR) zoning district into two (2) lots of 1.65 (Parcel 1) acres and 1.03 acres (Parcel 2). There is an existing single-family home, which will remain on the Parcel 1. Access to Parcel 1 will be provided via the existing driveway to Ridgeview Way. Although it is not currently proposed for construction, it is anticipated that Parcel 2 will also take access from Ridgeview Way.

**ANALYSIS OF ISSUES:**

General Plan

The General Plan Land Use Element designates the property as Low Density Single-Family Residential (LD). The LD land use designation allows a density of one (1) unit per acre, subject to the RR zoning district standards, with the intent of providing large lot conventional subdivisions in appropriate areas. The subject property is located near the eastern City Limit and would be an appropriate area for the large lot subdivision proposed.

Development Standards

The subject property is located in the RR zoning district and therefore the subdivision must comply with development standards of the district. The project meets the development standards for the RR district as follows:

**RR Development Code Requirements**

	<b>Size (square- feet)</b>	<b>Lot Depth (feet)</b>	<b>Lot Width (feet)</b>	<b>Front yard setback</b>	<b>Side yard setback</b>	<b>Rear yard setback</b>
<b>Development Code Requirements for RR</b>	40,000	200'	120'	35'	10% of lot width	25'
<b>Parcel 1</b>	71,874	283.5'	238.1'	35'	23.81'	25'
<b>Parcel 2</b>	44,866	200'	235.2'	35'	23.52'	25'

Improvements

The existing residence is currently utilizing a septic system rather than being connected to City sewer. Prior to the recordation of the Final Map, both properties must provide appropriately sized sewer laterals and the existing septic system must be abandoned. In lieu of installing the sewer laterals, the applicant has the option to bond for the improvement. These would then be required upon application of a building permit for the respective Parcel.

Parcel 1 currently has water service that would cross over the property line of Parcel 2 at time of map recordation. Prior to the recordation of the Final Map, appropriate water service will be required for both Parcels, including the relocation of water lines for Parcel 1. Similarly to the sewer laterals, the applicant may bond for these

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improvements in lieu of installing the services. These improvements would be required at time of building permit application for the respective Parcel.

Curb, Gutter and Sidewalk

The property frontage currently contains an AC berm, with no sidewalk. Municipal Code Section 16.68.020 F.1. requires curb, gutter and sidewalk to be constructed in conjunction with public and private streets at the time of application for building permit. Therefore, when a building permit is applied for either Parcel, curb, gutter, and sidewalk will be required in conjunction with the building permit.

Equestrian Trail Easement

The subject property is located on Ridgeview Way, adjacent to the eastern City Limits. Policy C/OS3-1 of the General Plan Agriculture, Conservation and Open Space Element states:

*“C/OS3-1: In Residential Rural and Suburban County areas and developments in the unincorporated portions of the planning area, and in all urban land use developments adjoining possible trail alignments within the City, provide for equestrian, hiking and biking trails, particularly those providing access to schools, parks and community facility activity areas”.*

Consistent with other subdivisions adjacent to the subject property, condition of approval #15 of the attached Resolution requires the proposed project to dedicate a fourteen foot (14') wide equestrian trail easement adjacent to and exclusive of the existing right-of-way. This will require the ten foot (10') wide pedestrian easement to expand an additional four feet (4') and include use for an equestrian trail. The pedestrian portion of the easement would be required to remain to accommodate an appropriate ADA driveway extension when Parcel 2 is developed.

**ALTERNATIVES:**

The following alternatives are provided for the Planning Commission's consideration:

- Adopt the attached Resolution approving Tentative Parcel Map No. 14-002;
- Modify and adopt the attached Resolution approving Tentative Parcel Map No. 14-002;
- Do not adopt the attached Resolution and instead provide direction for staff to return with an appropriate resolution including findings for denial of Tentative Parcel Map No. 14-002; or
- Provide direction to staff.

**ADVANTAGES:**

The proposed project will allow infill development of an additional single-family lot and will result in construction of curb, gutter and sidewalk when the new Parcel is developed. Additional public improvements and fire access will result on Parcel 1.

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**DISADVANTAGES:**

None identified by staff.

**ENVIRONMENTAL REVIEW:**

Staff has reviewed the proposed project in accordance with the California Environmental Quality Act (CEQA) and determined that it is categorically exempt per Section 15315 of the Guidelines (Minor Land Divisions) of the CEQA Guidelines.

**PUBLIC NOTICE AND COMMENT:**

A Notice of Public Hearing was mailed to all property owners within 300' of the project site, published in the Tribune, and posted on the City's website on August 22, 2014. The agenda and staff report were posted at City Hall and on the City's website on August 29, 2014. No comments have been received.

Attachments:

1. Tentative Parcel Map AG 14-0029

## RESOLUTION NO.

### A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ARROYO GRANDE APPROVING TENTATIVE PARCEL MAP NO. 14-002; LOCATED AT 101 RIDGEVIEW WAY; APPLIED FOR BY PAULA REITSMA

**WHEREAS**, the applicant has filed Tentative Parcel Map No. 11-002 to subdivide a 2.68-acre parcel in the Rural Residential (RR) zoning district into two (2) parcels; and

**WHEREAS**, the Planning Commission of the City of Arroyo Grande has reviewed the project at a duly noticed public hearing on September 2, 2014; and

**WHEREAS**, the Planning Commission has reviewed the project in compliance with the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the Arroyo Grande Rules and Procedures for Implementation of CEQA and has determined that the project is exempt per Section 15315 of the CEQA Guidelines; and

**WHEREAS**, the Planning Commission finds, after due study, deliberation and public hearing, the following circumstances exist:

#### **Tentative Parcel Map Findings:**

1. The proposed Tentative Parcel Map is consistent with goals, objectives, policies, plans, programs, intent and requirements of the Arroyo Grande General Plan, as well as any applicable Specific Plan, and the requirements of this title.

*The proposed Tentative Parcel Map is consistent with the goals, objectives, policies, intent and requirements of the Arroyo Grande General Plan regarding the type of development that could result from the subdivision, specifically as they relate to the Low Density (LD) land use category.*

2. The site is physically suitable for the type of development proposed.

*At 2.68 acres in size and located adjacent to public streets and utilities, the site is physically suitable for the subdivision of one parcel into two (2) parcels.*

3. The site is physically suitable for the proposed density of development.

*At 0.75 dwelling units per acre, which is less than the maximum allowed density of one (1) dwelling unit per acre in the Low Density (LD) land use category, the site is physically suitable for the proposed density of development.*

4. The design of the Tentative Parcel Map or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

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*The design of the Tentative Parcel Map is not likely to cause substantial environmental damage or injure fish or wildlife or their habitat, as it will direct development away from any potentially significant environmental resources by conforming to all applicable site development standards of the Rural Residential (RR) zoning district.*

5. The design of the subdivision or type of improvements is not likely to cause serious public health problems.

*Due to the design of the Tentative Parcel Map conforming to all applicable site development standards, there is nothing in the design of the subdivision that is likely to cause serious public health problems.*

6. The design of the Tentative Parcel Map or the type of improvements will not conflict with easements acquired by the public at large for access through, or use of, property within the proposed Tentative Parcel Map or that alternate easements for access or for use will be provided, and that these alternative easements will be substantially equivalent to ones previously acquired by the public.

*The design of the Tentative Parcel Map will not conflict with public access easements and will result in appropriate pedestrian easements being recorded to enhance public circulation.*

7. The discharge of waste from the proposed subdivision into an existing community sewer system will not result in violation of existing requirements as prescribed by Division 7 (commencing with Section 13000) of the California Water Code.

*The City's sewer system has adequate capacity to accommodate the proposed subdivision..*

8. Adequate public services and facilities exist or will be provided as the result of the proposed Tentative Parcel Map to support project development.

*Adequate public services exist to serve the proposed Tentative Parcel Map as the subdivision of one (1) parcel into two (2) parcels will not exhaust public services.*

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission of the City of Arroyo Grande hereby approves Tentative Parcel Map 14-002, as presented to the Planning Commission on September 2, 2014 and shown in Exhibit "B", attached hereto and incorporated herein by this reference as though set forth in full, with the above findings and subject to the conditions as set forth in Exhibit "A", attached hereto and incorporated herein by this reference.

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On motion by Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, and by the following roll call vote, to wit:

**AYES:**

**NOES:**

**ABSENT:**

the foregoing Resolution was adopted this 2<sup>nd</sup> day of August, 2014..

**ATTEST:**

\_\_\_\_\_  
**DEBBIE WEICHINGER**  
**SECRETARY TO THE COMMISSION**

\_\_\_\_\_  
**LISA SPEROW**  
**VICE CHAIR**

**AS TO CONTENT:**

\_\_\_\_\_  
**TERESA MCCLISH**  
**COMMUNITY DEVELOPMENT DIRECTOR**

**EXHIBIT "A"  
CONDITIONS OF APPROVAL  
TENTATIVE PARCEL MAP 14-002  
101 RIDGEVIEW WAY**

This approval authorizes the subdivision of one (1) 2.68 acre parcel into two (2) parcels of 1.65 acres and 1.03 acres respectively.

**COMMUNITY DEVELOPMENT DEPARTMENT**

**GENERAL CONDITIONS:**

1. The applicant shall ascertain and comply with all Federal, State, County and City requirements as are applicable to this project.
2. The applicant shall comply with all conditions of approval for Tentative Parcel Map 14-002.
3. Development shall occur in substantial conformance with the plans presented to the Planning Commission at their meeting of September 2, 2014 and marked Exhibit "B".
4. This approval shall automatically expire on September 2, 2016 unless the final map is recorded or an extension is granted pursuant to Section 16.12.140 of the Development Code.
5. Development shall conform to the Residential Rural (RR) zoning requirements except as otherwise approved.
6. The applicant shall, as a condition of approval of this tentative or final map application, defend, indemnify and hold harmless the City of Arroyo Grande, its present or former agents, officers and employees from any claim, action, or proceeding against the City, its past or present agents, officers, or employees to attack, set aside, void, or annul City's approval of this subdivision, which action is brought within the time period provided for by law. This condition is subject to the provisions of Government Code Section 66474.9, which are incorporated by reference herein as though set forth in full.

**PLANNING DIVISION**

**GENERAL CONDITIONS:**

7. A copy of these conditions shall be incorporated into all construction documents.
8. At the time of application for construction permits, plans submitted shall show all development consistent with the approved site plan, floor plan, architectural elevations and landscape plan.



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9. Setbacks, lot coverage, and floor area ratios shall be as shown on the development plans including those specifically modified by these conditions.
10. Noise resulting from construction and operational activities shall conform to the standards set forth in Chapter 9.16 of the Municipal Code. Construction activities shall be restricted to the hours of **7 AM and 5 PM Monday through Friday, unless stricter time constraints are imposed**. No construction shall occur on Saturday or Sunday.
11. All conditions of this approval run with the land and shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Development Code Section 16.08.100.

### SPECIAL CONDITIONS

12. As an alternative to providing a fire department turn around or hammerhead on Parcel One, the applicant may explore the option of providing a connection to the driveway of property located on Canyon Way, to be separated by a Fire Department approved crash gate to prevent non-emergency travel.
13. A Minor Exception shall be processed at the time of driveway improvements for evaluation and approval of a driveway slope of 16%.
14. The existing driveway for Parcel 1 and future driveway for Parcel 2 shall be separated by a minimum of twenty feet (20'). The existing driveway may provide access to both parcels in conjunction with the recordation and maintenance of a reciprocal access agreement and joint maintenance agreement. This agreement shall be submitted for review and approval of the City Attorney. The joint maintenance agreement shall be recorded prior to or concurrently with the final map.
15. The proposed ten foot (10') pedestrian easement indicated on Parcel 2 shall be expanded to fourteen feet (14'), include language indicated the easement is for an equestrian trail and pedestrian conveyance, and shall not be fenced to prohibit these uses.

### BUILDING AND FIRE DEPARTMENT

#### GENERAL CONDITIONS:

16. The project shall comply with the most recent editions of the California Codes as adopted by the City of Arroyo Grande.

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### FIRE LANES

17. **Prior to issuance of a certificate of occupancy**, the applicant shall post designated fire lanes, per Section 22500.1 of the California Vehicle Code.
18. All fire lanes must be posted and enforced, per Police Department and Fire Department guidelines.

### FIRE FLOW/FIRE HYDRANTS

19. Project shall have a fire flow and duration per California Fire Code.

### ABANDONMENT / NON-CONFORMING

20. **Prior to issuance of a building permit**, the applicant shall show proof of properly abandoning all non-conforming items such as septic tanks, wells, underground piping and other undesirable conditions on the Parcel for which the building permit has been applied.

### SPECIAL CONDITIONS

21. Provide a complete fire department turn around or hammer head on Parcel One unless other means of Fire Department access are established pursuant to Condition of Approval #12.
22. Provide for adequate fire apparatus clearance of thirteen feet six inches (13' 6") under all trees and structures.
23. Show all drive aisle dimensions, indicate that driveways will support loads imposed by the fire apparatus (75,000 pounds), and that the drive aisle will be made of all weather surface materials.

### ENGINEERING DIVISION CONDITIONS

#### **GENERAL CONDITIONS**

24. The developer shall be responsible during construction for cleaning City streets, curbs, gutters and sidewalks of dirt tracked from the project site. The flushing of dirt or debris to storm drain or sanitary sewer facilities shall not be permitted. The cleaning shall be done after each day's work or as directed by the Director of Public Works, the Community Development Director or his/her representative.
25. Perform construction activities during normal business hours (Monday through Friday, 7 A.M. to 5 P.M.) for noise and inspection purposes. The developer or contractor shall refrain from performing any work other than site maintenance

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outside of these hours, unless an emergency arises or approved by the Community Development Director. The City may hold the developer or contractor responsible for any expenses incurred by the City due to work outside of these hours.

### SPECIAL CONDITIONS

26. The map shall include a note stating that onsite and offsite improvements, such as curb, gutter and sidewalk, will be required. Bonds will be required for improvements that will not be constructed prior to recordation of the map (sewer, water, undergrounding) and can be deferred until time of building permit.

### IMPROVEMENT PLANS

27. The applicant shall be responsible for obtaining an encroachment permit for all work within a public right-of-way.

### STREET IMPROVEMENTS

28. Obtain approval from the Public Works Director prior to excavating in any street recently over-laid or slurry sealed. The Director shall approve the method of repair of any such trenches, but shall not be limited to an overlay, slurry seal, or fog seal.
29. All street repairs shall be constructed to City standards.
30. Overlay, slurry seal, or fog seal any roads dedicated to the City prior to acceptance by the City may be required as directed by the Public Works Director.

### GRADING AND DRAINAGE

31. All drainage facilities shall be designed to accommodate a 100-year storm flow.
32. **Prior to issuance of a building permit**, submit a soils report for the project, prepared by a registered Civil Engineer, and supported by adequate test borings for the respective Parcel. All earthwork design and grading shall be performed in accordance with the approved soils report.
33. **Prior to recordation of the Final Map**, the applicant shall dedicate a pedestrian access easement(s) for the ADA sidewalk extension.

### WATER

34. **Prior to recordation of the Final Map**, the applicant shall install 1" water service to Parcel 1 and 2. In lieu of installation of water service, the applicant may bond for the improvement in accordance with the Arroyo Grande Municipal

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Code and Subdivision Map Act. Water and sewer services shall be constructed within 6 months of approval of the subdivision map.

35. The applicant shall relocate the water meter for Parcel 1 to the north side of the existing driveway. The existing water meter shall be located adjacent to the proposed water meter for Parcel 2.

## SEWER

36. All sewer laterals within the public right-of-way must have a minimum slope of two percent (2%).
37. **Prior to recordation of the Final Map**, each parcel shall be provided a separate sewer lateral. Laterals shall be sized for the appropriate use, minimum four inches (4"). In lieu of providing a sewer lateral for Parcel 2, the applicant may bond for the improvement in accordance with the Arroyo Grande Municipal Code and Subdivision Map Act. Sewer and water services shall be constructed within 6 months of approval of the subdivision map.

## **FEES AND BONDS FOR ALL CITY DEPARTMENTS**

The applicant shall pay all applicable City fees, including the following:

### 38. **FEES TO BE PAID PRIOR TO PLAN SUBMITTAL**

- a. \_\_\_ **Map check fee** for Tract Map.
- b. \_\_\_ **Map check fee** for Parcel Map.
- c. \_\_\_ **Plan check** for grading plans.  
(Based on an approved earthwork estimate)
- d. \_\_\_ **Plan check** for improvement plans.  
(Based on an approved construction cost estimate)
- e. \_\_\_ **Permit Fee** for grading plans.  
(Based on an approved earthwork estimate)
- f. \_\_\_ **Inspection Fee** of subdivision or public works construction plans.  
(Based on an approved construction cost estimate)
- g. \_\_\_ **Plan Review Fee**  
(Based on the current Building Division fee schedule)

### 39. **FEES TO BE PAID PRIOR TO ISSUANCE OF A BUILDING PERMIT**

- a. \_\_\_ **Water Neutralization fee**, to be based on codes and rates in effect at the time of building permit issuance, involving water connection or enlargement of an existing connection.
- b. \_\_\_ **Water Distribution fee**, to be based on codes and rates in effect at the time of building permit issuance, in accordance with Municipal Code Section 13.04.030.

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- c. \_\_\_ **Water Meter charge** to be based on codes and rates in effect at the time of building permit issuance, in accordance with Municipal Code 6-7.22.
  - d. \_\_\_ **Water Availability charge**, to be based on codes and rates in effect at the time of building permit issuance, in accordance with - (not correct).
  - e. \_\_\_ **Traffic Impact fee**, to be based on codes and rates in effect at the time of building permit issuance, in accordance with Ord. 461 C.S., Res. 3021.
  - f. \_\_\_ **Traffic Signalization fee**, to be based on codes and rates in effect at the time of building permit issuance, in accordance with Ord. 346 C.S., Res. 1955.
  - g. \_\_\_ **Sewer Connection fee**, to be based on codes and rates in effect at the time of building permit issuance, in accordance with Municipal Code Section 13.12.190.
  - h. \_\_\_ **South San Luis Obispo County Sanitation District Connection fee** in accordance with Municipal Code Section 13.12.180.
  - i. \_\_\_ **Drainage fee**, as required by the area drainage plan for the area being developed.
  - j. \_\_\_ **Park Development fee**, the developer shall pay the current parks development fee for each unit approved for construction (credit shall be provided for existing houses), to be based on codes and rates in effect at the time of building permit issuance in accordance with Ord. 313 C.S.
  - k. \_\_\_ **Construction Tax**, the applicant shall pay a construction tax pursuant to Section 3-3.501 of the Arroyo Grande Municipal Code.
  - l. \_\_\_ **Alarm Fee**, to be based on codes and rates in effect at the time of development in accordance with Ord. 435 C.S.
  - m. \_\_\_ **Strong Motion Instrumentation Program (SMIP) Fee**, to be based on codes and rates in effect at the time of development in accordance with State mandate.
  - n. \_\_\_ **Building Permit Fee**, to be based on codes and rates in effect at the time of development in accordance with Title 8 of the Municipal Code.
40. **Preliminary Title Report**, a current preliminary title report shall be submitted to the Director of Public Works prior to checking the map. A current subdivision guarantee shall be submitted to the Director of Public Works prior to recording the Map.

**BONDING SURETY**

41. The applicant shall provide bonds or other financial security for the following. All bonds or security shall be in a form acceptable to the City, and shall be provided prior to recording of the map, unless noted otherwise. The minimum term for Improvement securities shall be equal to the term of the subdivision agreement.

- a. **Faithful Performance**, 100% of the approved estimated cost of all subdivision improvements.
- b. **Labor and Materials**, 50% of the approved estimated cost of all subdivision improvements.
- c. **One Year Guarantee**, 10% of the approved estimated cost of all subdivision improvements. This bond is required prior to acceptance of the subdivision improvements.
- d. **Monumentation**, 100% of the estimated cost of setting survey monuments.
- e. **Tax Certificate**, In accordance with Section 9-15.130 of the Development Code, the applicant shall furnish a certificate from the tax collector's office indicating that there are no unpaid taxes or special assessments against the property



