



## MEMORANDUM

**TO:** PLANNING COMMISSION

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

**BY:** MATTHEW DOWNING, <sup>MD</sup> ASSISTANT PLANNER

**SUBJECT:** CONSIDERATION OF TENTATIVE PARCEL MAP CASE NO. 14-003;  
SUBDIVISION OF ONE (1) 0.52 ACRE PARCEL INTO TWO (2)  
PARCELS OF 0.26 ACRES EACH; LOCATION – 1079 FARROLL  
AVENUE; APPLICANT – LINDA AND TERENCE FIBICH

**DATE:** FEBRUARY 3, 2015

### RECOMMENDATION:

It is recommended that the Planning Commission adopt a Resolution approving Tentative Parcel Map Case No. 14-003.

### IMPACT ON FINANCIAL AND PERSONNEL RESOURCES:

None.

### BACKGROUND:

#### Location



#### Project Description

The proposed project will subdivide a 0.52 acre parcel located in the Single Family (SF) zoning district into two (2) lots of 0.26 acres each. There is an existing single-family home, which will remain on the Parcel 1. Access to Parcel 2 will be provided

**PLANNING COMMISSION  
 CONSIDERATION OF TENTATIVE PARCEL MAP CASE NO. 14-003  
 FEBRUARY 3, 2015  
 PAGE 2**

via the existing private driveway to Farroll Avenue, although it is not currently proposed for construction.

**ANALYSIS OF ISSUES:**

General Plan

The General Plan Land Use Element designates the property as Medium-High Density Residential (MHD). The MHD land use designation allows a density of nine (9) units per acre, subject to the SF zoning district standards, which allow a density of 4.5 units per acre. The subject property is located toward the southern end of the City in an area of higher density single-family residential use and would be an appropriate area for the subdivision proposed.

Development Standards

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

**SF 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 SF</b>	7,200	100'	70'	20'	5' one side, 10' other	10'
<b>Parcel 1</b>	11,275	112'	99'	20'	10'/22'	23'
<b>Parcel 2</b>	11,192	112'	99'	20'	5'/10' minimum	10' minimum

Improvements

Prior to the recordation of the Final Map, the undeveloped Parcel must provide an appropriately sized sewer lateral and water service. In lieu of installing these facilities, the applicant has the option to bond for the improvements. These would then be required upon application of a building permit for the undeveloped Parcel.

**ALTERNATIVES:**

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

- Adopt the attached Resolution approving Tentative Parcel Map No. 14-003;
- Modify and adopt the attached Resolution approving Tentative Parcel Map No. 14-003;
- 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. 14-003; or
- Provide direction to staff.

**PLANNING COMMISSION  
CONSIDERATION OF TENTATIVE PARCEL MAP CASE NO. 14-003  
FEBRUARY 3, 2015  
PAGE 3**

**ADVANTAGES:**

The proposed project will allow infill development of an additional single-family lot in an area of higher density single-family residential use.

**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 January 30, 2015. The agenda and staff report were posted at City Hall and on the City's website on January 29, 2015. No comments have been received.

**Attachments:**

1. Tentative Parcel Map AG 14-0098

## RESOLUTION NO.

### A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ARROYO GRANDE APPROVING TENTATIVE PARCEL MAP NO. 14-003; LOCATED AT 1079 FARROLL AVENUE; APPLIED FOR BY LINDA AND TERENCE FIBICH

**WHEREAS**, the applicant has filed Tentative Parcel Map No. 11-003 to subdivide a 0.52-acre parcel in the Single Family (SF) 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 February 3, 2015; 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 Medium-High Density ( MHD) land use category.*

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

*At 0.52 acres in size and located with adequate access 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 3.85 dwelling units per acre, which is less than the maximum allowed density of 4.5 dwelling units per acre in the Single-Family (SF) zoning district, 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.

**RESOLUTION NO.**

**PAGE 2**

*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 Single-Family (SF) zoning district and conditions of approval developed for the project are intended to protect existing resources on the site.*

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 for the Single Family (SF) zoning district, 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 emergency access easements being recorded to enhance safety.*

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 14-003, as presented to the Planning Commission on February 3, 2015 and shown in Exhibit "B", attached hereto and

**RESOLUTION NO.**

**PAGE 3**

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.

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 3<sup>rd</sup> day of February, 2015.

**ATTEST:**

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

\_\_\_\_\_  
**PRESIDING OFFICER**

**AS TO CONTENT:**

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

EXHIBIT "A"  
CONDITIONS OF APPROVAL  
TENTATIVE PARCEL MAP 14-003  
1079 FARROLL AVENUE

This approval authorizes the subdivision of one (1) 0.52 acre parcel into two (2) parcels of 0.26 acres each.

**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 14-003.
3. Development shall occur in substantial conformance with the plans presented to the Planning Commission at their meeting of February 3, 2015 and marked Exhibit "B".
4. This approval shall automatically expire on February 3, 2017 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 Single Family (SF) zoning requirements except as otherwise approved.
6. The applicant shall, as a condition of approval of this tentative parcel 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.

**RESOLUTION NO.**

**PAGE 5**

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 prohibited prior to 9 AM on Saturday and 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. **Prior to issuance of a building permit**, the applicant shall provide a tree protection plan for construction activities on Parcel 1 and Parcel 2.
13. All proposed tree removals require a tree removal permit prior to trees being removed. Mitigation planting will be required per a tree removal mitigation plan.

**BUILDING AND LIFE SAFETY DIVISION AND FIVE CITIES FIRE AUTHORITY**

**GENERAL CONDITIONS:**

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

**FIRE LANES**

15. **Prior to issuance of a certificate of occupancy**, the applicant shall post designated fire lanes, per Section 22500.1 of the California Vehicle Code.
16. All fire lanes must be posted and enforced, per Police Department and Fire Department guidelines.
17. Provide a fire apparatus access and turn around as required by the 2013 California Fire Code or provide a secondary means of apparatus access in lieu of a turn around. The size of the turn around and access shall be of sufficient size to fit the largest fire truck of the Five Cities Fire Authority.
18. The applicant shall record an emergency access easement for the fire apparatus access and turn around, to the satisfaction of the City Attorney.



**RESOLUTION NO.**

**PAGE 6**

FIRE FLOW/FIRE HYDRANTS

19. Project shall have a fire flow and duration per California Fire Code.
20. Fire hydrants shall be installed, per Fire Department and Public Works Department Standards and per the California Fire Code.

FIRE SPRINKLER

21. All buildings must be fully sprinklered per Building and Life Safety Division and Fire Department guidelines and per the California Fire Code.

ABANDONMENT / NON-CONFORMING

22. **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.

ENGINEERING DIVISION CONDITIONS

**GENERAL CONDITIONS**

23. 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.
24. Perform construction activities in accordance with Chapter 9.16 of the Municipal Code. The developer or contractor shall refrain from performing any work other than site maintenance 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

25. **At the time of building permit issuance**, the applicant shall install a new ADA compliant driveway apron at Farroll Avenue.
26. **Prior to recordation of the Final Map**, the applicant shall install a new one inch (1") water service for Parcel 2 from Farroll Avenue. In lieu of installation of water service, the applicant may bond for the improvement in accordance with the Arroyo

**RESOLUTION NO.**

**PAGE 7**

Grande Municipal Code and Subdivision Map Act.

27. **Prior to recordation of the Final Map**, the applicant shall extend the existing sewer lateral to serve Parcel 2. In lieu of sewer lateral extension, the applicant may bond for the improvement in accordance with the Arroyo Grande Municipal Code and Subdivision Map Act.
28. **At the time of building permit issuance**, the applicant shall extend the existing driveway to new Parcel 2.
29. **Prior to recordation of the Final Map**, the applicant shall provide a driveway maintenance agreement for all properties served by the common driveway, including Parcel 2.
30. The applicant shall consult the Fire Department to determine if a new fire hydrant is required at Farroll Avenue. The applicant shall install all new fire hydrants at Fire Department direction.
31. All stormwater shall be held on-site – stored or percolated into existing soils with appropriate low impact development best management practices, or provide alternate drainage system and analysis at time of application for building permit.
32. **Prior to recordation of the Final Map**, the applicant shall maintain surface drainage needs within the common PUE or provide any necessary drainage easements.
33. **Prior to issuance of a building permit**, the applicant shall remove existing portions of fence adjacent to Parcel 1 located in the common PUE.
34. The applicant shall label Walnut Street on the Page 1 Vicinity Map.

IMPROVEMENT PLANS

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

STREET IMPROVEMENTS

36. **At the time of building permit issuance**, 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.
37. All street repairs shall be constructed to City standards.

GRADING AND DRAINAGE

38. All drainage facilities shall be designed to accommodate a 100-year storm flow.
39. **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.

FEES AND BONDS FOR ALL CITY DEPARTMENTS

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

40. 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)

41. 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.
- 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.
42. **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

43. 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