



DATE: February 5, 2016

TO: PLANNING COMMISSION

FROM: Mike Sawley, Associate Planner (879-6812, mike.sawley@chicoca.gov)

RE: Parcel Map 16-01 (Austin-Farson)  
20, 30, 80, and 90 Jillian Lane; AP Nos. 007-570-035 and 007-570-036

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## SUMMARY

The applicant proposes to subdivide two developed parcels into four parcels on an existing private street (Jillian Lane), located off Burnap Avenue between East Lassen Avenue and Cohasset Road. No construction is proposed and no major issues have been identified.

### Recommendation:

Planning staff recommends adoption of Resolution No. 16-01 (**Attachment A**), approving the parcel map, subject to the attached conditions.

### Proposed Motion:

I move that the Planning Commission adopt Resolution No. 16-01, approving the parcel map, subject to the attached conditions.

## BACKGROUND

The applicant proposes to subdivide a 0.68-acre site into four parcels, located on Jillian Lane in north Chico (see Location/Notification Map, **Attachment B**). The site is zoned R2-AOB2 (Medium Density Residential within Airport Overflight Zone B2) and designated Medium Density Residential by the General Plan.

Each of the two existing parcels are developed with two duplex structures with an intervening private street easement (Jillian Lane). The proposal would divide each of the parcels down the center of the private street such that each lot contains one duplex. No construction or tree removal is proposed. Existing/proposed residential density is 11.7 units per acre.

Due to the configuration of the existing development, modifications of Title 18R *Subdivision Design Criteria and Improvement Standards* are requested as part of the approval, including:

- 1) Allowing a 24-foot accessway to serve more than three parcels, and
- 2) Omitting gutters and sidewalks along the accessway.

### Neighborhood Meeting

On February 4, 2016, a neighborhood meeting was held at the project site. The project engineer and City staff were present, however, no tenants or owners from the area attended the meeting. A couple passersby stopped for a brief explanation, but showed little interest in the project.

## **GENERAL PLAN**

The project is consistent with the General Plan in that the existing density and development comply with the Medium Density Residential Land Use Designation, which is characterized largely by duplexes and allows densities ranging from 7.1 to 14 units per acre. Those aspects of the site would not change as a result of the proposed land division. Although no General Plan policies apply directly to this type of proposal, dividing the site as proposed would slightly increase potential ownership opportunities to a wider range of the public, consistent with Housing Element Goal H.6.

## **DISCUSSION**

The proposed lots would meet all applicable size and dimension requirements. All necessary easements exist for ingress/egress and utilities. Requested modifications to design criteria are necessary due to the built environment and are not a matter of concern since no further development of the site is proposed.

## **FINDINGS**

### Environmental Findings

This project is categorically exempt from environmental review pursuant to Section 15301 of the California Environmental Quality Act Guidelines (Existing Facilities).

### Modification to Subdivision Design Criteria Finding

As established in CMC 18.44, a modification to the city's subdivision design criteria or improvement standards may only be approved if the Commission makes one of the following findings:

- A. *That the modification of design criteria and improvement standards is necessary for the subdivision and its design and improvements to be found consistent with the General Plan;*
- B. *That the subdivision is subject to a specific plan which requires or authorizes the construction and installation of streets, sanitary sewers, storm drain management systems and/or other improvements in accordance with alternative design criteria and improvement standards specifically set forth therein, and that modification of the design criteria and improvement standards, as set forth in Title 18R of this code, is necessary or appropriate in order that improvements to be constructed and installed incident to or as a condition of approval of such subdivision will conform to the alternative design criteria and improvement standards as set forth in such specific plan;*
- C. *That the subdivision will result in one or more significant environmental effects identified in an initial study or an environmental impact report prepared in the manner provided for by the California Environmental Quality Act, as set forth in Division 13 of the Public Resources Code (commencing with Section 21000) and the city's Environmental Review Guidelines, as set forth in Chapter 1.40 of this code, and that modification of the design criteria and improvement standards, as set forth in Title 18R of this code, is necessary to mitigate such significant environmental effect or effects;*
- D. *That the subdivision or any part thereof is located in an area which contains existing streets, sanitary sewers, stormwater management systems or other improvements which do not conform to the design criteria and improvement standards, as set forth in*

*Title 18R of this code, and that modification of such design criteria and improvement standards in the case of the proposed subdivision is necessary in order to make the streets, sanitary sewers, storm water management systems and other improvements to be constructed and installed incident to or as a condition of approval of such subdivision compatible with such existing and nonconforming improvements;*

- E. That the subdivision is of such a size or shape, and/or is affected by such topographic or soil conditions that render it impossible, impractical or undesirable, in the particular case, to conform to the design criteria and improvement standards, as set forth in Title 18R of this code, and that modification of such design criteria and improvement standards is necessary by reason of such subdivision characteristics or conditions;*
- F. The subdivision will include low income housing, lower income housing or senior citizen housing meeting the requirements of Chapter 4.3, Division 1, Title 7 of the California Government Code (commencing with Section 65915) and that modification of the design criteria and improvement standards in the case of proposed subdivision is demonstrably necessary in order to make such housing economically feasible.*

In this case, the proposed map is located in an area which contains an existing private street (Jillian Lane), that does not conform to the normal street standards in that it is only 24-foot wide and was not constructed with gutters or sidewalks.

Continuing to allow the existing 24-foot wide accessway to serve the site and omitting gutters and sidewalks on the accessway are supported design modifications because they reflect the construction of the existing private street and it is not feasible to construct these features in a manner that would be compatible with adjacent improvements along Jillian Lane.

#### Subdivision Findings (CMC Section 18.18.070.B)

Pursuant to Chico Municipal Code Section 18.18.070.B, the Planning Commission shall consider the evidence presented in the application materials, staff report, and public hearing, and shall base its action on the conformity of the subdivision map with the subdivision regulations and on the design of the proposed subdivision. In order to approve a subdivision map, the Planning Commission must find that the subdivision map and its design conform with all applicable requirements of Title 18 and Title 19 of the Chico Municipal Code, and that the subdivision map and its design are consistent with the Chico General Plan.

As supported by the Conditions of Approval and the Subdivision Report (Exhibits I and II to **Attachment A**), and this staff report, the proposed subdivision map and its design conform with the requirements of Title 18 and Title 19 of the Chico Municipal Code, and would be consistent with the Chico General Plan.

#### **PUBLIC CONTACT**

A 10-day public hearing notice was mailed to all landowners and residents within 500 feet of the site, and a legal notice was published in the *Chico Enterprise Record*. As of the date of this report no correspondence has been received in response to the public notice.

#### **DISTRIBUTION:**

PC Distribution  
AP Sawley  
Files: PM 16-01

External

Wesley E. Gilbert/W. Gilbert Engineering, 140 Yellowstone Dr. Ste 110, Chico, CA 95973  
Kevin R. Austin, 1170 Brockman Ln., Sonoma, CA 95476  
Sherry L. Farson, 25790 Tierra Grande Drive, Carmel, CA 93923

**ATTACHMENTS:**

- A. Planning Commission Resolution No. 16-01
  - Exhibit I Conditions of Approval for PM 16-01
  - Exhibit II Subdivision Report
- B. Location/Notification Map
- C. Parcel Map 16-01

X:\Current Planning\Parcel Map\2016\01 Austin-Farson on Jillian Ln (72197)\PC 02-18-16\PC report 02-18-16 meeting.docx



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the conditions set forth in Exhibit I, and the provisions of the Subdivision Report set forth in Exhibit II, attached hereto.

3. The Planning Commission hereby specifies that the materials and documents which constitute the record of proceedings upon which its decision is based are located at and under the custody of the City of Chico Community Development Department.

THE FOREGOING RESOLUTION WAS ADOPTED at a meeting of the Planning Commission of the City of Chico held on February 18, 2016, by the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:
- DISQUALIFIED:
- ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
MARK WOLFE  
Planning Commission Secretary

\_\_\_\_\_  
  
ANDREW L. JARED  
Assistant City Attorney

**EXHIBIT "I"**  
**CONDITIONS OF APPROVAL**  
**Parcel Map 16-01 (Austin-Farson)**

1. The creation of four lots is authorized, as depicted on the "Vesting Tentative Parcel Map PM 16-01" date stamped Feb 5, 2016, except as revised by any other condition of approval.
2. All development shall comply with all other State and local Code provisions, as well as any applicable requirements of the Fire Department, the Public Works Department, Butte County Environmental Health, and the Community Development Department. The developer is responsible for contacting these offices to verify the need for permits.
3. In the event that all fees have not been paid prior to recordation of the final map, the following notation shall be included on the final map:

"In accordance with the provisions of the Chico Municipal Code, a transportation facility fee, park facility fee, and building and equipment fee may be assessed and levied upon the owner of any lot or parcel within this subdivision at the time a new building or structure is constructed on such lot or parcel, at the time an alteration or addition is made to an existing building or structure constructed on such lot or parcel which results in the expansion of building or structure, or at the time of a change in use of an existing building or structure constructed on the lot or parcel. In addition, a storm drainage facility fee may be assessed and levied upon the owner of any lot or parcel within this subdivision at the time such lot or parcel is first used for any residential or nonresidential purpose, at the time the area of the lot or parcel devoted to such residential or nonresidential use is expanded, or at the time of a change in the use of the lot or parcel. Such transportation facility fee, park facility fee, building and equipment fee and storm drainage facility fee will be calculated from the schedule of such fees adopted by resolution of the City Council and in effect on the date of approval of such final map or parcel map, together with any adjustments to such schedules of fees made in accordance with the provisions of the Chico Municipal Code subsequent to the date of approval of the final map or parcel map to account for any changes in the type or extent of transportation facilities, park facilities, buildings and equipment and/or storm drainage facilities which will be required as a result of the development and/or use of real property during the period upon which such fees are based, any change in the estimated cost of the transportation facilities, park facilities, buildings and equipment and/or storm drainage facilities upon which such fees are based, or any change in that portion of the estimated cost of such transportation facilities, park facilities, buildings and equipment and/or storm drainage facilities which cannot be funded from revenue sources available to the City other than such fees."

4. Prior to recording the final map, any taxes and/or assessments against the property shall be paid.
5. No grading, construction, tree removal, or other disturbances to the site are included in this approval.

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## Subdivision Report

Meeting Date 2/18/16

DATE: 2/8/16

File: PM16-01

TO: PLANNING COMMISSION

FROM: Matt Johnson, Senior Development Engineer, 879-6910  
Public Works Department

RE: **Vesting Tentative Parcel Map PM 16-01 Austin-Farson**

### Exhibit "II"

This office has reviewed the vesting Tentative Parcel Map 16-01 Austin-Farson and herewith submits the following findings and recommendations for same.

#### A. MODIFICATIONS TO TITLE 18R - DESIGN CRITERIA AND IMPROVEMENT STANDARDS OF THE CHICO MUNICIPAL CODE

The Subdivider has requested certain modifications to Titles 18R of the Chico Municipal Code (CMC). These requests have been listed on the Tentative Map application, described by the Subdivider and/or their engineer, or appear on the Tentative Map. The requests and staff recommendations are as follows:

1. **Request:** Allow 24-foot accessway to serve more than 3 parcels.

**Recommendation:** Acceptable.

2. **Request:** Delete requirement for curb, gutter, and sidewalk along the 24-foot accessway.

**Recommendation:** Acceptable.

**THE CONDITIONS CONTAINED IN THE REMAINDER OF THIS REPORT REFLECT, WHERE APPLICABLE, THE RECOMMENDATIONS ABOVE.**

#### B. PUBLIC FACILITY CONSTRUCTION

##### 1. Sanitary Sewer

- a) Sanitary Sewer Fees

The Subdivider shall complete an Application for Sewer Connection.

The Subdivider shall pay a sanitary sewer main fee to the City of Chico prior to recording the Final Map, plus applicable trunk line and water pollution control plant capacity fees in conjunction with building permits. All of the aforementioned fees will be subject to the terms and conditions of the Application for Sewer Connection.

**C. PRIVATE FACILITIES MAINTENANCE**

The following notation shall be included on the Final Map:

“The Subdivider shall prepare and record the necessary documents to address the maintenance of common joint-use facilities serving Parcels A, B, C, and D.”

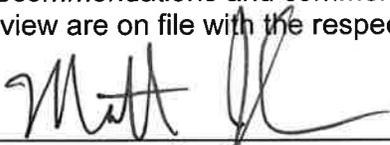
**D. ADMINISTRATIVE REQUIREMENTS**

**1. Subdivision Fees**

a) Final Map Checking Fee

The Subdivider shall pay to the City of Chico a subdivision plan checking fee upon filing the Final Map. The final fee will be equal to actual City costs.

Recommendations and comments of all parties to whom the Tentative Map was circulated for review are on file with the respective parties and in Community Development Department.



\_\_\_\_\_  
Matt Johnson, Senior Development Engineer

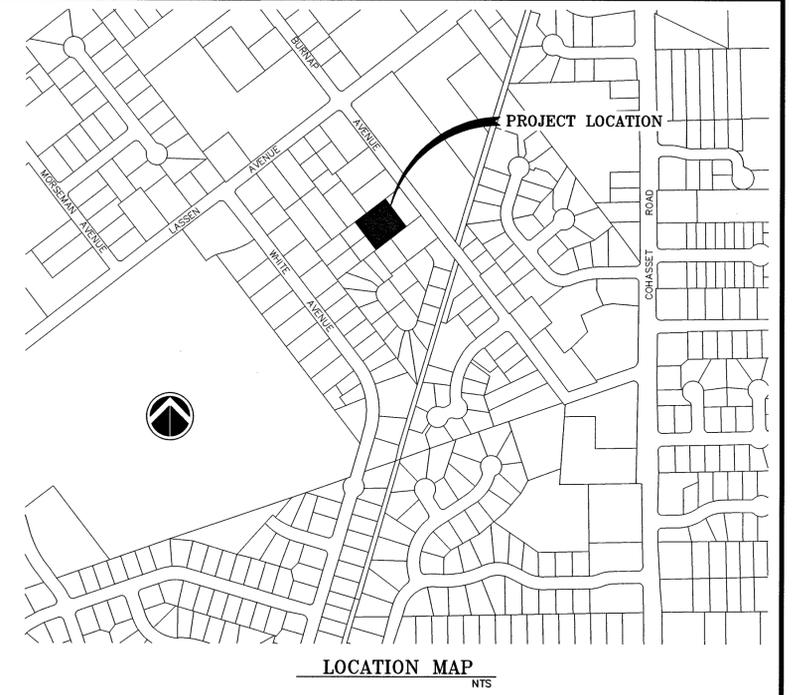
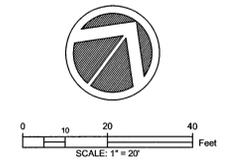
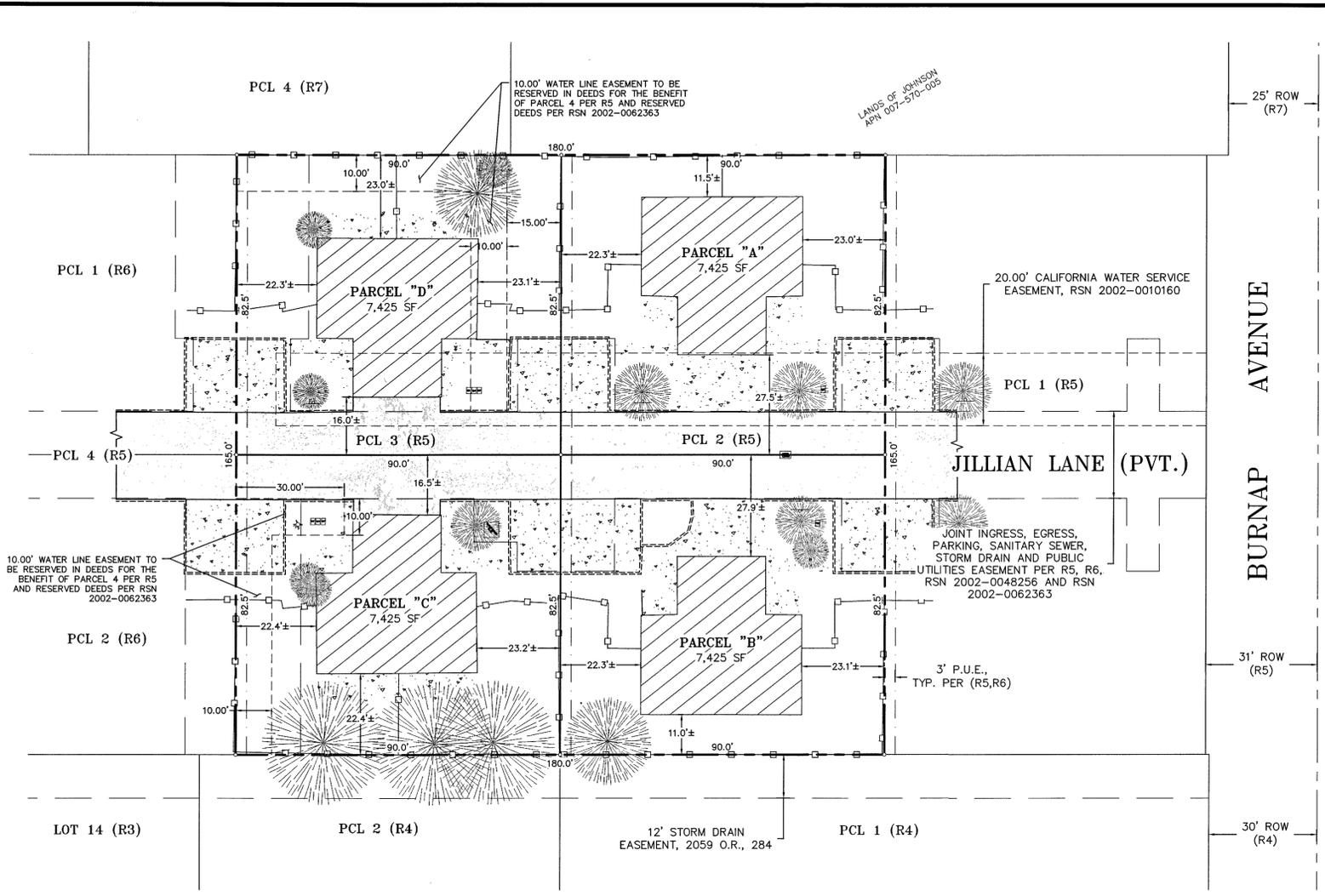
**Distribution:**

Original - Planning PM 16-01 File  
Public Works - Parcel Map File



- Mailing List Properties
- Mailing List Addresses

Neighborhood Notification  
 Jillian Lane Parcel Map  
 APNs 007-570-035-000, 007-570-036-000



- LEGEND:**
- PARCEL MAP BOUNDARY
  - PROPOSED PARCEL LINE
  - EXISTING PAVEMENT
  - EXISTING VERTICAL CURB
  - EXISTING ACCESS EASEMENT
  - EXISTING WATER LINE EASEMENT
  - EXISTING P.U.E.
  - EXISTING WOOD FENCE
  - P.U.E. PUBLIC UTILITY EASEMENT
  - P.S.E. PUBLIC SERVICE EASEMENT
  - ROW RIGHT OF WAY
  - EXISTING BUILDING TO BE REMAIN
  - EXISTING TREE TO REMAIN
  - EXISTING SITE CONCRETE

**NOTE REGARDING PARCELS "C" AND "D":**  
 THE REQUIREMENT FOR A 20' FRONT YARD SETBACK PER GENERAL NOTE 3 SHOWN ON SHEET 3 OF 3 OF PARCEL MAP NO. 01-04 IS TO BE EXTINGUISHED BY THE RECORDING OF THIS FINAL PARCEL MAP.

**OWNERS AND SUBDIVIDERS:**

KEVIN R. AND KAY M. AUSTIN,  
 TRUSTEES OF THE KEVIN AND KAY FAMILY TR.  
 1170 BROCKMAN LANE  
 SONOMA, CA 95476  
 (707) 321-1126

SHERRY L. FARSON  
 25790 TIERRA GRANDE DRIVE  
 CARMEL, CA 93923

**ENGINEER:**

W. GILBERT ENGINEERING  
 WESLEY E. GILBERT, R.C.E. 31689  
 140 YELLOWSTONE DRIVE, SUITE 110  
 CHICO, CALIFORNIA 95973  
 (530) 809-1315

**ASSESSOR'S PARCEL NUMBERS:**

007-570-035 AND 036

**LAND USE:**

PRESENT: DUPLEX RESIDENTIAL  
 FUTURE: DUPLEX RESIDENTIAL

**ZONING:**

PRESENT: R2-A0B2  
 FUTURE: R2-A0B2

**UTILITIES:**

SANITARY SEWER: CITY OF CHICO  
 WATER: CALIFORNIA WATER SERVICE COMPANY  
 POWER: PACIFIC GAS & ELECTRIC  
 COMMUNICATIONS: AT&T  
 CABLE TV: COMCAST  
 STORM DRAIN: CITY OF CHICO

**SUBDIVISION NOTES:**

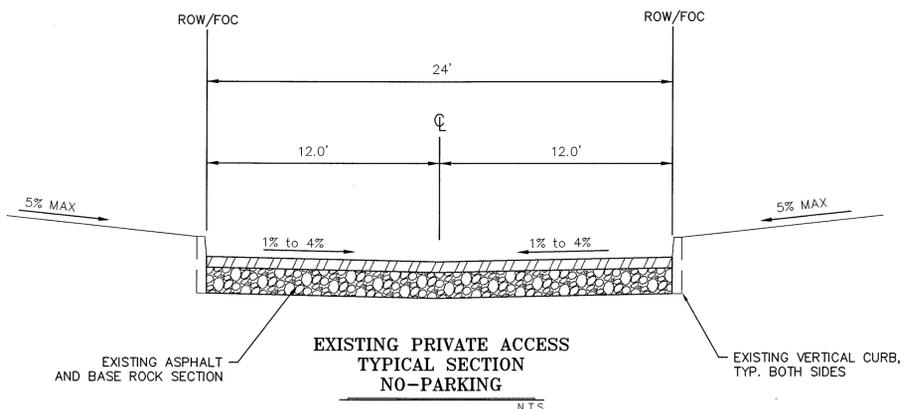
- 1) PARCEL MAP INFORMATION:  
 TOTAL ACREAGE: 0.682  
 TOTAL NUMBER OF PARCELS: 4  
 NUMBER OF UNITS: 8  
 UNITS PER ACRE: 11.73  
 AVERAGE PARCEL SIZE: 7,427 SF
- 2) NO NEW CONSTRUCTION IS BEING PROPOSED.
- 3) THE EXISTING TREES WILL BE RETAINED.
- 4) THE PARCEL MAP LIES IN SHADED FLOOD ZONE "X" AS SHOWN ON FIRM MAP NUMBER 06007C0340E DATED JANUARY 6, 2011.
- 5) NO WELLS, SEPTIC TANKS OR LEACH LINES EXIST ON THE PROJECT SITE.
- 6) STORM DRAINAGE IS PROVIDED BY AN EXISTING STORM DRAIN SYSTEM IN JILLIAN LANE.

**DESIGN MODIFICATIONS:**

- 1) ALLOW 24-FOOT ACCESSWAY TO SERVE MORE THAN 3 PARCELS PER CMC 18R.08.010.D.b.(1).
- 2) DELETE THE REQUIREMENT FOR GUTTER AND SIDEWALK ALONG THE 24-FOOT ACCESSWAY THAT MAY BE REQUIRED BY CMC 18R.08.010.D.b.(2)

**RECORD REFERENCES:**

- (R1) LASSENWOOD SUBDIVISION, BOOK 58 OF MAPS, PAGES 54 AND 55
- (R2) OAKWOOD SUBDIVISION, BOOK 91 OF MAPS, PAGES 74 AND 74
- (R3) GREENWOOD SUBDIVISION, BOOK 108 OF MAPS, PAGES 7 THRU 8
- (R4) PARCEL MAP NO. 91, BOOK 115 OF MAPS, PAGES 30 AND 31
- (R5) PARCEL MAP NO. 01-04, BOOK 155 OF MAPS, PAGES 16 THRU 18
- (R6) PARCEL MAP NO. 03-09, BOOK 158 OF MAPS, PAGES 72 AND 73
- (R7) PARCEL MAP NO. 04-12, BOOK 178 OF MAPS, PAGES 11 THRU 13



**RECEIVED**  
**FEB 06, 2016**  
 CITY OF CHICO  
 PLANNING SERVICES

THIS TENTATIVE PARCEL MAP WAS PREPARED BY ME OR UNDER MY DIRECTION.  
 BY: *Wesley E. Gilbert* DATE: 1/15/16  
 WESLEY E. GILBERT  
 R.C.E./31689  
 EXPIRES: 12/31/16



**VESTING TENTATIVE PARCEL MAP PM 16-01 (A PRIVATE STREET SUBDIVISION)**

BEING A DIVISION OF PARCELS 2 AND 3 AS SHOWN ON PARCEL MAP 01-04 RECORDED IN BOOK 155 OF MAPS, PAGES 16 THRU 18 CITY OF CHICO, COUNTY OF BUTTE STATE OF CALIFORNIA  
 for  
 KEVIN AND KAY AUSTIN AND SHERRY FARSON

W. GILBERT ENGINEERING  
 140 YELLOWSTONE DRIVE, SUITE 110  
 CHICO, CALIFORNIA 95973  
 (530) 809-1315