Meeting Date 09/07/2017

Files: PM 15-03

DATE: August 28, 2017

TO: PLANNING COMMISSION

FROM: Shannon Costa, Assistant Planner (879-6807, shannon.costa@chicoca.gov)

RE: Parcel Map 15-03 (Hegan Lane Partnership)

2812 Hegan Lane; AP No. 039-060-141

SUMMARY

The applicant proposes to subdivide one partially-developed parcel into three parcels, located on the north side of Hegan Lane, south of Aztec Drive. No construction is proposed and no major issues have been identified.

Recommendation:

Planning staff recommends adoption of Resolution No. 17-08 (**Attachment A**), approving the parcel map, subject to the attached conditions.

Proposed Motion:

I move that the Planning Commission adopt Resolution No. 17-08, approving the parcel map, subject to the attached conditions.

BACKGROUND

The applicant proposes to subdivide an approximately 23-acre site into three parcels, located on Hegan Lane in south Chico (see Location/Notification Map, **Attachment B**). The site is zoned ML (Light Manufacturing) and designated Manufacturing and Warehousing by the General Plan.

The existing parcel is developed with a commercial building and associated parking located on the southwest corner of the site. The proposed map would divide the site into three parcels. Parcel 1 would be 7.24 acres in size and would have primary access from Aztec Dive. Parcel 2 would be 10.14 acres and would contain the existing commercial building. Parcel 3 would be 5.71-acres, also undeveloped, and would include frontage on Hegan Lane (see Tentative Parcel Map, **Attachment C**). Parcel 1 would be served by Aztec Drive, which was extended in 2015 and no further improvements are necessary. Surrounding land uses include various commercial and light industrial uses to the north and east, single family homes to the south, and agricultural land to the west. No development or tree removal is proposed.

The site boarders unincorporated Butte County territory on its westerly and southerly boundaries and Hegan Lane will remain under County jurisdiction. Full frontage improvements along Hegan Lane (curb, gutter, sidewalk, etc.) that meet County of Butte standards are proposed.

GENERAL PLAN

The General Plan's Manufacturing and Warehousing designation provides for a "full range of manufacturing, agricultural and industrial processing, general service, and distribution uses." The proposed parcels are of sufficient size to accommodate future development consistent with this designation.

In addition, the following General Plan principles and policies are applicable to the project:

- CD-5: Support infill and redevelopment compatible with the surrounding neighborhood.
- LU-4: Promote compatible infill development.
- LU-4.2: Support infill development, redevelopment, and rehabilitation projects that are compatible with surrounding properties and neighborhoods.

The proposed land division would provide two parcels for future development from an existing underdeveloped site, consistent with policies that encourage infill and intensification within the City (LU-1, LU-4 and CD-5).

DISCUSSION

The proposed lots would meet all applicable size and dimensional requirements. All necessary easements exist for ingress/egress. No modifications to the City's Design Criteria and Improvement Standards contained in CMC Title 18R have been requested.

FINDINGS

Environmental Findings

This project is categorically exempt from environmental review pursuant to Section 15315 of the California Environmental Quality Act Guidelines (Minor Land Divisions). The project consists of the division of land in an urbanized area zoned for industrial use into four or fewer parcels. The division is in conformance with the General Plan and zoning, no variances or exceptions are required. All services and access to the proposed parcels to local standards are available, the parcel was not part of a division of a larger parcel within the previous two years and the parcel does not have an average slope of greater than 20 percent.

Subdivision Mandatory Findings for Denial

Pursuant to the State Subdivision Map Act, a subdivision must be denied if any of the following findings are made:

- 1. That the proposed map is not consistent with applicable general and specific plans;
- 2. That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans;
- 3. That the site is not physically suitable for the type of development;
- 4. That the site is not physically suitable for the proposed density of development;
- 5. That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat:
- 6. That the design of the subdivision or type of improvements is likely to cause
- 7. serious public health problems;

8. That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

Staff has not identified any information during review of the project to support the above findings.

Subdivision Findings for Approval (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 Assistant Planner Costa

Files: PM 15-03

External

NorthStar Engineering, attn.: Nicole Ledford 111 Mission Ranch Blvd., suite 100, Chico, CA

Hegan Lane Partnership, 4801 Feather River Blvd., suite 3, Oroville, CA 95965

ATTACHMENTS:

- A. Planning Commission Resolution No. 17-08 Exhibit I Conditions of Approval for PM 15-03 Exhibit II Subdivision Report
- B. Location/Notification Map
- C. Tentative Parcel Map 15-03

RESOLUTION NO. 17-08

RESOLUTION OF THE CITY OF CHICO PLANNING COMMISSION APPROVING PARCEL MAP 15-03

(Hegan Lane Partnership)

WHEREAS, an application has been submitted to subdivide a 23.47-acre site located at 2812 Hegan Lane, identified as Assessor's Parcel No. 039-060-114, into three parcels (the "Project"); and

WHEREAS, the Planning Commission considered the Project, staff report, and comments submitted at a noticed public hearing held on September 7, 2017; and

WHEREAS, the Project has been determined to be categorically exempt pursuant to the Guidelines for the California Environmental Quality Act, 14 CCR Section 15315 (Minor Land Divisions).

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF CHICO AS FOLLOWS:

- 1. The Planning Commission finds that:
 - A. The Project is consistent with the Chico General Plan Diagram designation of Manufacturing and Warehousing and the provisions in Title 19 of the Chico Municipal Code:
 - B. No substantial evidence has been presented that would require disapproval of the Project pursuant to Government Code Section 66474;
 - C. As supported by the subdivision report prepared for the Project, and the agenda report, the Project and its design conform with both the requirements of Title 18 and 19 of the Chico Municipal Code and the Chico General Plan.
- 2. Based on all of the above, the Planning Commission hereby approves the Project, subject to 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 FOREGOING RE | ESOLUTION | WAS | ADOPTED | at a | meeting | of | the | Planning |
|---|-----------------|--------|-----------------------|-------|-----------|-------|-----|----------|
| Commission of the City of Ch | nico held on Se | eptemb | er 17, 2017, t | y the | following | g vot | te: | |
| AYES: | | | | | | | | |
| NOES: | | | | | | | | |
| ABSENT: | | | | | | | | |
| ABSTAINED: | | | | | | | | |
| DISQUALIFIED: | | | | | | | | |
| ATTEST: | | | APPROVE | D AS | TO FOR | M: | | |
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| LEONARDO DEPAOLA Planning Commission Secreta | ı r v | | ANDREW Assistant C | | | | | |
| Training Commission Secreta | и у | | Assistant C | ny A | ttorney. | | | |

*Pursuant to The Charter of the City of Chico, Section 906(E)

the City of Chico Community Development Department.

EXHIBIT "I" CONDITIONS OF APPROVAL Parcel Map 15-03 (Hegan Lane Partnership)

- 1. The creation and improvement of three lots is authorized, as depicted on the "Vesting Tentative Parcel Map PM 15-03" date stamped August 14, 2017, 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. Impacts to school facilities within the Chico Unified School District shall be fully mitigated by payment of school impact fees to the extent permitted by State Law.



Subdivision Report

Meeting Date 9/7/17

DATE:

August 23, 2017

File: PM 15-03

TO:

PLANNING COMMISSION

FROM:

Matt Johnson, Senior Development Engineer, 879-6910

Public Works Department

RE:

Tentative Parcel Map Pm 15-03 Hegan Lane Partnership

Exhibit "II"

This office has reviewed the Tentative Parcel Map PM 15-03 Hegan Lane Partnership 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 no modifications to Titles 18R of the Chico Municipal Code (CMC).

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

B. PUBLIC FACILITY CONSTRUCTION

1. Hegan Lane

Hegan Lane is under the jurisdiction of Butte County. Butte County Department of Public Works, in its letter dated 5/25/17, has made certain comments relative to this parcel map, which is attached hereto as Exhibit A. These comments shall be incorporated into the Final Map and/or improvement plans for this subdivision.

2. Storm Drainage

Hegan Lane is under the jurisdiction of Butte County. Butte County Department of Public Works, in its letter dated 5/25/17, has made certain comments relative to this parcel map, which is attached hereto as Exhibit A. These comments shall be incorporated into the Final Map and/or improvement plans for this subdivision.

3. Sanitary Sewer

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.

4. Street Signs and Striping

Hegan Lane is under the jurisdiction of Butte County. Butte County Department of Public Works, in its letter dated 5/25/17, has made certain comments relative to this parcel map, which is attached hereto as Exhibit A. These comments shall be incorporated into the Final Map and/or improvement plans for this subdivision.

5. Street Lights

Hegan Lane is under the jurisdiction of Butte County. Butte County Department of Public Works, in its letter dated 5/25/17, has made certain comments relative to this parcel map, which is attached hereto as Exhibit A. These comments shall be incorporated into the Final Map and/or improvement plans for this subdivision.

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 1, 2, and 3."

Prior to recordation, the documents shall be made available for City review. However, the City will not approve the documents as to form and/or content.

D. PROPERTY CONVEYANCES

1. <u>Dedications</u>

In conjunction with recordation of the Final Map for this subdivision, the Subdivider shall:

- a) Dedicate public right-of-way along Hegan Lane to Butte County in compliance with its letter dated 5/25/17 (Exhibit A).
- b) Dedicate storm drain easements as depicted on the Tentative Map.
- c) Dedicate sanitary sewer easements as depicted on the Tentative Map.
- d) Dedicate combined storm drain and sanitary sewer easements as depicted on the Tentative Map.

E. OTHER PUBLIC SERVICES

1. Public Utilities

a) Underground Requirements

The Subdivider shall install the following utilities underground:

1) All new utilities serving this subdivision.

b) Easement Obstructions

All public utility and/or public service easements shall be kept free and clear of any and all obstructions, including but not limited to, structures, longitudinal fencing and/or soundwalls, which may impede the construction, operation and maintenance of public utility facilities within such easements.

c) Utility Company Comments

- 1) AT&T, as of the date of this report, did not respond to a request for comments.
- 2) Pacific Gas and Electric Company, as of the date of this report, did not respond to a request for comments.
- 3) California Water Service Company, as of the date of this report, did not respond to a request for comments.

2. Fire Protection

The Subdivider shall comply with all recommendations of the Fire Department, City of Chico.

3. California Water Boards

The California Water Boards, Central Valley Regional Water Quality Control Board, in its letter dated 5/24/17, has made certain comments relative to this subdivision. Said letter is attached hereto as Exhibit B, for information only and with no recommendation for inclusion as a condition of approval of this subdivision.

F. PERMITS FROM OUTSIDE AGENCIES

The Subdivider shall obtain all required permits from outside agencies having pertinent jurisdiction prior to recordation of the Final Map for this subdivision.

G. ADMINISTRATIVE REQUIREMENTS

1. Subdivision Fees

a) Plan Checking Fee

The Subdivider shall pay to the City of Chico a subdivision plan checking fee upon filing the Final Map and/or improvement plans and specifications for checking in the following amount:

An initial deposit of $1\frac{1}{2}$ % of the estimated cost of all public improvements exclusive of private utility facilities (\$750 minimum). A final fee equal to actual City costs.

b) Inspection Fee

The Subdivider shall pay to the City of Chico an inspection fee prior to commencing construction in the following amount:

An initial deposit of 2% of estimated cost of all public improvements exclusive of private utility facilities. A final fee 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 - Community Development Department Development Engineering Parcel Map File

Attachments:

Exhibit A - Butte County Department of Public Works 5/25/17 Letter Exhibit B - California Water Board 5/24/17 Letter



Department of Public Works

Dennis Schmidt, Director Shawn H. O'Brien, Assistant Director

7 County Center Drive Oroville, California 95965

T: 530.538.7681 F: 530.538.7171

buttecounty.net/publicworks

May 25, 2017

RECEIVED

MAY 26 2017

CITY OF CHICO PLANNING SERVICES

City of Chico Community Development Dept. Attn: Mike Sawley, Senior Planner P.O. Box 3420 Chico, CA 95927-3420

RE: Tentative Parcel Map -- SPM 15-03, APN 039-060-141

Dear Mr. Sawley:

Reference is made to your request for comments dated May 17, 2017 on the above noted development.

- 1. Provide a permanent solution for drainage designed to not allow peak flows from the site to exceed current undeveloped levels.
- 2. Prior to recordation of the parcel map, construct or provide a performance, labor and material bond for construction of street frontage improvements on Hegan Lane from the end of the existing curb, gutter and sidewalk to the westerly property boundary. Install curb, gutter and sidewalk from the westerly end of the existing curb, gutter and sidewalk to the westerly driveway of parcel 2. Sidewalk is not required west of said parcel 2 driveway. Widen street section in conformance with county improvement standard RS-2A and approved plan E-2673 on file with the County of Butte. Submit design and engineers estimate to the Land Development Division for review and approval prior recordation of the parcel map. "R" value determination and other data may be required to support the section design. Install the required improvements under a county encroachment permit.
- Prior to recordation of the parcel map, deed to Butte County in fee simple 33 feet of right-of-way from the physical centerline of Hegan Lane along the entire property frontage.
- 4. Prior to final improvement inspection by the Department of Public Works, all new drain inlets shall be labeled with the county approved drain marker per county standard S-40. Improvement plans shall show and/or note the requirements for labeling inlets pursuant to county standard S-40.
- Prior to plan approval, a construction storm water permit is required by the State Water Resources Control Board for ground disturbance, including clearing, excavation, filling, and grading. The permit must be obtained from the State Water Resources Control Board. Engineering plans shall show the Waste Discharge Identification (WDID) number





Department of Public Works

Dennis Schmidt, Director Shawn H. O'Brien, Assistant

7 County Center Drive Oroville, California 95965

T: 530.538.7681 F: 530.538.7171

buttecounty.net/publicworks

on title sheet of the plans and a copy of the erosion and sediment control plan shall be provided to the Land Development Division of the Public Works Department.

If you have any questions concerning this matter, please contact this office at (530) 538-7266, Monday through Friday, 8:00 a.m. to 4:00 p.m.

1. From

Sincerely,

Thomas A. Fossum, P.E.

Deputy Director

Butte County Public Works

EXHIBIT A

Attachment A Exhibit II



RECEIVED

MAY 26 2017



CITY OF CHICO PLANNING SERVICES

Central Valley Regional Water Quality Control Board

24 May 2017

Mr. Mike Sawley, Senior Planner City of Chico Community Development Department P.O. Box 3420 Chico, CA 95927-3420

COMMENTS ON THE TENTATIVE PARCEL MAP PM 15-03 (HEGAN LANE PARTNERSHIP), 2812 HEGAN LANE, ASSESSORS PARCEL NUMBER 039-060-141, CHICO, BUTTE COUNTY

The Central Valley Regional Water Quality Control Board (Central Valley Water Board) is a responsible agency for this project, as defined by the California Environmental Quality Act (CEQA). On 22 May 2017, we received your request for comments on the proposed tentative parcel map PM 15-03 Hegan Lane Partnership Project. The subject request would subdivide approximately 23.5 acres into 3 industrial lots ranging in size from 5.71 acres to 10.14 acres.

Based on our review of the information submitted for the proposed project, we have the following comments:

Isolated wetlands and other waters not covered by the Federal Clean Water Act Some wetlands and other waters are considered "geographically isolated" from navigable waters and are not within the jurisdiction of the Clean Water Act. (e.g., isolated wetlands, vernal pools, or stream banks above the ordinary high water mark). Discharge of dredged or fill material to these waters may require either individual or general waste discharge requirements from the Central Valley Water Board. If the U.S. Army Corps of Engineers determine that isolated wetlands or other waters exist at the project site, and the project impacts or has potential to impact these non-jurisdictional waters, a Report of Waste Discharge and filing fee must be submitted to the Central Valley Water Board. The Central Valley Water Board will consider the information provided and either issue or waive Waste Discharge Requirements. Failure to obtain waste discharge requirements or a waiver may result in enforcement action.

Any person discharging dredge or fill materials to waters of the State must file a report of waste discharge pursuant to Sections 13376 and 13260 of the CWC. Both the requirements to submit a report of waste discharge and apply for a Water Quality Certification may be met using the same application form, found at:

http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo20 04-0004.pdf

General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (CGP)

Construction activity, including demolition, resulting in a land disturbance of one acre or more must obtain coverage under the CGP. The Hegan Lane Partnership Project must be conditioned

KARL E. LONGLEY ScD, P.E., CHAIR | PAMELA C. CREEDON P.E., BCEE, EXECUTIVE OFFICER

to implement storm water pollution controls during construction and post-construction as required by the CGP. To apply for coverage under the CGP the property owner must submit Permit Registration Documents electronically prior to construction. Detailed information on the CGP can be found on the State Water Board website:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/gen_const.shtml

Post-Construction Storm Water Requirements

Studies have found the amount of impervious surface in a community is strongly correlated with the impacts on community's water quality. New development and redevelopment result in increased impervious surfaces in a community. Post-construction programs and design standards are most efficient when they involve (i) low impact design; (ii) source controls; and (iii) treatment controls. To comply with Phase II Municipal Storm Water Permit requirements the City of Chico must ensure that new developments comply with specific design strategies and standards to provide source and treatment controls to minimize the short and long-term impacts on receiving water quality. The design standards include minimum sizing criteria for treatment controls and established maintenance requirements. The proposed project must be conditioned to comply with post-construction standards adopted by the City of Chico in compliance with their Phase II Municipal Storm Water Permit.

If you have any questions or comments regarding this matter please contact me at (530) 224-4784 or by email at Scott.Zaitz@waterboards.ca.gov.

Scott A. Zaitz, R.E.H.S.

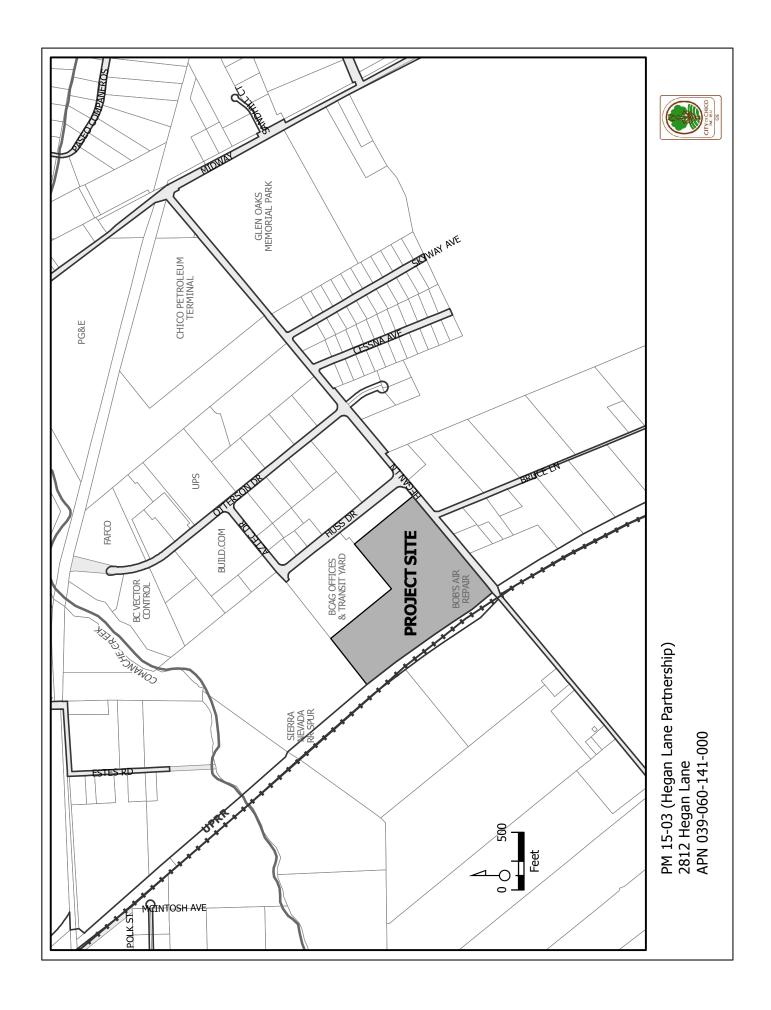
Environmental Scientist

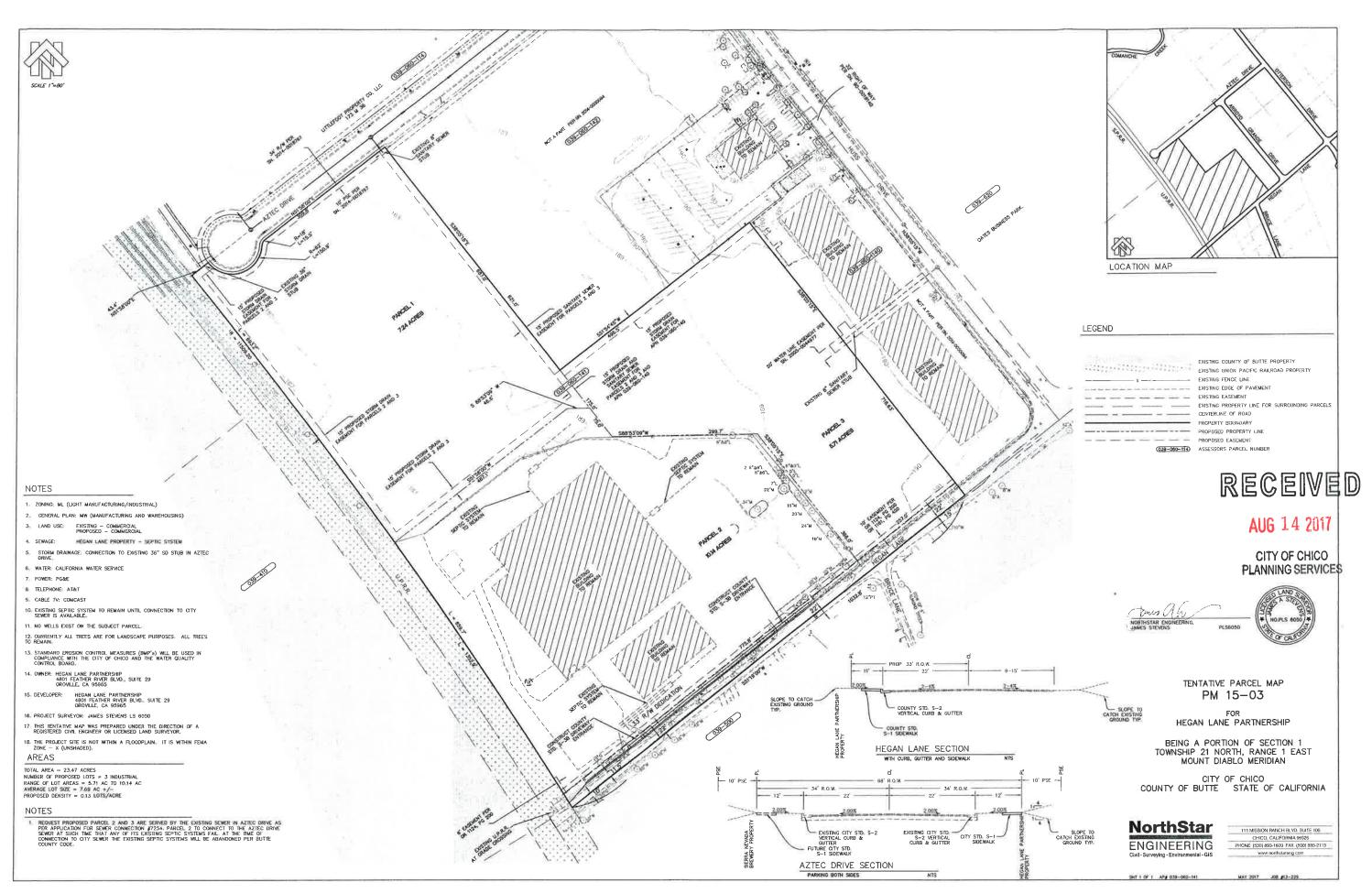
Storm Water & Water Quality Certification Unit

SAZ: ab

cc w/o

enclosures: Hegan Lane Partnership.





Attachment C