



Files: S 19-06

DATE: November 21, 2019

TO: PLANNING COMMISSION

FROM: Dexter O'Connell, Associate Planner. 879-6810, dexter.oconnell@chicoca.gov

RE: Covenant Court Vesting Tentative Subdivision Map (S 19-06)  
1329 and 1349 W. Lindo Ave., APN 043-630-003 and 043-630-011

---

## SUMMARY

The applicant proposes to subdivide two parcels with a total area of 1.1 acres into five lots with an average size of 7,575 square feet for single-family residential development. The project site is located on the south side of West Lindo Avenue and includes the proposed new private street Covenant Court, which is a hammerhead-shaped turnaround, and several subdivision design modifications that are requested with this application. The details and modifications are outlined below. No major issues have been identified with this project.

### Recommendation:

Planning staff recommends that the Planning Commission adopt Resolution 19-20 (**Attachment A**) finding that the project is categorically exempt from further environmental review and approving the Covenant Court Vesting Tentative Subdivision Map (S 19-06) based on the required findings and subject to the conditions indicated therein.

### Proposed Motion:

I move that the Planning Commission adopt Resolution 19-20 finding that the project is categorically exempt from further environmental review and approving the Covenant Court Vesting Tentative Subdivision Map (S 19-06) based on the required findings and subject to the conditions indicated therein.

## BACKGROUND

The applicant proposes to divide two adjacent parcels of approximately 1.1 acres in total area into five lots for single-family residential development. Located on the south side of West Lindo Avenue about 200 feet from both Fern Avenue and Moyer Way, the proposed subdivision includes the proposed new private street Covenant Court (see Location/Notification Map, **Attachment B**). The site is designated Low Density Residential on the General Plan Land Use Diagram and zoned R1 (Low Density Residential). Surrounding land uses include mostly single-family residential uses on the south, west, and east sides. The watercourse of Lindo Channel is to the north of the proposed subdivision.

The project site consists of two residential parcels that front West Lindo Avenue. Several manufactured and site-built residential structures and a smattering of accessory buildings exist on the property. The land is clearly used for residential purposes. The developable area of the site is relatively flat, and a variety of older trees, most of which are Black Walnut, are present on the site. The developer proposes to remove all of the trees, although Condition #7

identifies specific tree protection and preservation measures for one of the trees proposed for removal, Tree #6. That tree is a fine specimen of well-trimmed Black Walnut, and it is not within the proposed footprint of any of the homes or the private street. Instead of removal, it is recommended for retention with arborist's treatment. Mitigation by planting of 35 trees is required pursuant to Chico Municipal Code (CMC) Section 16.66.

Average lot size for the project would be 7,575 square feet, and the non-easement area of the lots would be between 85 and 135 feet deep and between 58 and 87 feet wide. Gross density for the project would be 4.5 units per acre (u/ac), within the allowable range of 2.1 to 7 u/ac. All utilities are available nearby to serve the project and the new homes would be connected to Cal Water and City sewer.

#### Subdivision Design

The proposed lot configuration appears to be a suitable way to subdivide the property (see **Attachment C**, Covenant Court Vesting Tentative Subdivision Map). The site is accessed principally from West Lindo Avenue, though the interior lots (lots 2, 3, and 4) would take primary access from a new private right-of-way easement over lots 1 and 5 to be called Covenant Court. Lots 1 and 5 would take primary vehicle access from new curb cuts on West Lindo Avenue and would not have vehicular access from Covenant Court. As a result of the subdivision, curbs and sidewalk improvements would be installed along the West Lindo Avenue frontage.

While the applicant proposes clear-cutting the site, Condition #7 requires that tree #6 on Lot 1 be maintained in place. All other trees removed must be mitigated as noted in Condition #8.

#### Requested Subdivision Design Modifications

The Applicant has requested 3 modifications of Subdivision Design Criteria.

1. CMC Section 18R.08.020.F.1 to allow non-standard public street sections.
2. CMC Section 18R.08.010.D.b.1 to allow an accessway to serve three lots.
3. CMC Section 8R.08.035.E.2 to allow an accessway to be constructed without curb, gutter, or valley gutter.

Pursuant to CMC Sec. 18.44.020, at the time of approving the tentative map, tentative parcel map, or a minor land division, the advisory agency may authorize modifications to the subdivision design criteria and improvement standards, as adopted in Title 18R of this code, upon finding "*[t]hat 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*"

#### Findings related to requested Modifications:

1. Modification of CMC Section 18R.08.020.F.1 to allow non-standard public street sections. Requiring a standard public street section within the subdivision would render at least one of the lots smaller than the required minimum lot area of the R1 zoning district, and thus incompatible with the General Plan.

2. Modification of CMC Section 18R.08.010.D.b.1 to allow an accessway to serve three lots, instead of only two as is required.

Were the accessway restricted to only two lots as is normally required, one lot would be left without access to a public right-of-way, which is incompatible with the General Plan's Circulation Element.

3. Modification of CMC Section 8R.08.035.E.2 to allow an accessway to be constructed without curb, gutter, or valley gutter.

Requiring full implementation of these improvements would render at least one of the lots smaller than the required minimum lot area of the R1 zoning district, and thus incompatible with the General Plan.

### Neighborhood Meeting

As required by the Chico Municipal Code, a pre-application neighborhood meeting was conducted at the project site on November 13<sup>th</sup>, 2019. The meeting was attended by eight neighbors, the applicant, and Associate Planner Dexter O'Connell. The sign-in sheet and meeting summary is provided as **Attachment D**. Discussion at the meeting centered on house heights, traffic calming measures on West Lindo Avenue, questions about the location of the sidewalk and where the existing electric pole will be relocated, and questions about fencing and types of houses.

## **DISCUSSION**

The project site is an infill opportunity to create a small number of reasonably-sized additional parcels in an area of the city that can absorb some additional development density. Designed with a residential density of 4.5 units per acre, the proposed development project is within the allowable range for the proposed land use designation and zoning. With appropriate tree-related mitigation, the proposed subdivision design is a suitable way to subdivide this property.

## **GENERAL PLAN**

The General Plan's Low Density Residential designation represents "the traditional single-family neighborhood with a majority of single-family detached homes and some duplexes." With a residential density of 4.5 units per acre the project is within the allowable range of 2.01 to 7 units per acre.

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.*

*H-1: Increase equal housing opportunities for all persons and households in Chico.*

*H-3: Promote the construction of a range of high-quality housing choices that serve all households, ranging from the workforce to seniors.*

*LU-4: Promote compatible infill development.*

*LU-4.2: Support infill development, redevelopment, and rehabilitation projects that are compatible with surrounding properties and neighborhoods.*

*LU-4.2.3: For projects proposed on or adjacent to residentially zoned property, which require a discretionary approval by the Planning Commission or City Council, require applicants to have a pre-application neighborhood meeting with interested parties in the respective neighborhood to hear issues and consider input.*

The proposal is consistent with General Plan policies that encourage compatible infill development (CD-5, LU-4 and LU-4.2), holding a pre-application neighborhood meeting (LU-4.2.3), and providing a variety of property sizes while maintaining neighborhood character (H-1, H-3, and LU-4.3). The proposal is consistent with the General Plan.

## **REQUIRED FINDINGS FOR APPROVAL**

### Environmental Review

This project is categorically exempt from environmental review pursuant to Section 15332 of the California Environmental Quality Act Guidelines (Infill Development Projects). This exemption applies to infill projects which are consistent with the General Plan and zoning designation; are on sites less than five acres in size within the City limits; substantially surrounded by urban uses; have no value as habitat for endangered, rare, or threatened species; would not result in any significant effects relating to traffic, noise, air quality, or water quality; and can be adequately served by all required utilities and public services. The project meets all these criteria.

### 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 comments have been received in response to the public notice.

## **DISTRIBUTION:**

PC Distribution  
AP O'Connell  
Files: S 19-06

External  
LDI Land and Home, Inc. PO Box 617 Chico, CA 95927  
Wesley E. Gilbert/W. Gilbert Engineering, 140 Yellowstone Dr. Ste 110, Chico, CA 95973  
(email: wes@gilbertengineering.com)

**ATTACHMENTS:**

- A. Planning Commission Resolution No. 19-20
  - Exhibit I Conditions of Approval for S 19-06
  - Exhibit II Subdivision Report - Engineering
- B. Location/Notification Map
- C. Covenant Court Vesting Tentative Subdivision Map (2 sheets)
- D. Neighborhood Meeting Information
- E. Notice of Neighborhood Meeting

1 **RESOLUTION NO. 19-20**

2 **RESOLUTION OF THE CITY OF CHICO PLANNING COMMISSION**  
3 **APPROVING VESTING TENTATIVE SUBDIVISION MAP S 19-06**  
4 **(Covenant Court)**

5 WHEREAS, an application has been submitted to subdivide a 1.1-acre site into five  
6 residential lots on the south side of West Lindo Avenue, identified as Accessor’s Parcel Nos. 043-  
7 630-003 and 043-630-011 (the “Project”); and

8 WHEREAS, the Planning Commission considered the Project, staff report, and comments  
9 submitted at a noticed public hearing held on December 19, 2019; and

10 WHEREAS, the Project has been determined to be categorically exempt pursuant to the  
11 Guidelines for the California Environmental Quality Act, 14 CCR Section 15332 (Infill  
12 Development Projects).

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

- 15 1. With regard to the vesting tentative subdivision map the Planning Commission finds that:
- 16 A. The overall density of the Project is 4.5 dwelling units per gross acre, which is consistent  
17 with the Chico General Plan Diagram designation of Low Density Residential and the  
18 provisions in Title 19 of the Chico Municipal Code;
- 19 B. No substantial evidence has been presented that would require disapproval of the Project  
20 pursuant to Government Code Section 66474;
- 21 C. Requested modification of design criteria and improvement standards is necessary for the  
22 subdivision and its design and improvements to be found consistent with the General Plan;
- 23 D. As supported by the subdivision report prepared for the Project, and the agenda report,  
24 the Project and its design conform with both the requirements of Title 18 and 19 of the  
25 Chico Municipal Code and the Chico General Plan.
- 26 2. Based on all of the above, the Planning Commission hereby approves the Project, subject to  
27 the conditions set forth in Exhibit I, and the provisions of the Subdivision Report set forth  
28 in Exhibit II, attached hereto.

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

4 THE FOREGOING RESOLUTION WAS ADOPTED at a meeting of the Planning  
5 Commission of the City of Chico held on December 19, 2019, by the following vote:

6 AYES:

7 NOES:

8 ABSENT:

9 ABSTAIN:

10 DISQUALIFIED:

11 ATTEST:

APPROVED AS TO FORM:

12

13

14

15

16

17

18

19

20

21

22

23

24

\_\_\_\_\_  
BRUCE AMBO  
Planning Commission Secretary

\_\_\_\_\_  
Andrew Jared, City Attorney\*

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

**EXHIBIT "I"**  
**CONDITIONS OF APPROVAL**

**Covenant Court Vesting Tentative Subdivision Map S 19-06**  
**(LDI Land and Home, Inc)**

1. The creation and improvement of 5 lots is authorized, as depicted on the "Covenant Court Vesting Tentative Subdivision Map (S 19-06)" and accompanying project materials date stamped November 15, 2019 except as revised by any other condition of approval. The expiration date of this Vesting Tentative Subdivision Map shall be 36 months from the approval date of Resolution No. 19-20. A final map shall be recorded prior to the expiration of the Vesting Tentative Subdivision Map.
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.

**Tentative Map Conditions:**

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.
6. Prior to recordation of the final map, record as a separate instrument an Avigation Easement granting the right of continued use of the airspace above the proposed parcel(s) by the Chico Municipal Airport and acknowledging any and all existing or potential airport operational impacts.
7. Tree #6 shall be retained. A 4-foot-tall barrier fence with top rail shall be erected at the drip line of Tree #6, and no construction activity shall take place within the fence except under the supervision of City Staff or a Certified Arborist. Any below-ground activity within the barrier fence shall be undertaken by hand.



8. Tree removal shall be subject to the in-lieu fee payment requirements set forth by Chico Municipal Code (CMC) 16.66 and fee schedule adopted by the City Council.

9. All trees not approved for removal shall be preserved on and adjacent to the project site. A tree preservation plan, including fencing around drip lines and methods for excavation within the drip lines of protected trees to be preserved shall be prepared by the project developer pursuant to CMC 16.66.110 and 19.68.060 for review and approval by planning staff prior to any ground-disturbing activities.

10. If during ground disturbing activities, any bones, pottery fragments or other potential cultural resources are encountered, the applicant or their supervising contractor shall cease all work within the area of the find and notify the Community Development Department. A professional archaeologist who meets the Secretary of the Interior's Professional Qualification Standards for prehistoric and historic archaeology and who is familiar with the archaeological record of Butte County, shall be retained by the applicant to evaluate the significance of the find. Community Development Department staff shall notify all local tribes on the consultation list maintained by the State of California Native American Heritage Commission, to provide local tribes the opportunity to monitor evaluation of the site. Site work shall not resume until the archaeologist conducts sufficient research, testing and analysis of the archaeological evidence to make a determination that the resource is either not cultural in origin or not potentially significant. If a potentially significant resource is encountered, the archaeologist shall prepare a mitigation plan for review and approval by the Community Development Department, including recommendations for total data recovery, Tribal monitoring, disposition protocol, or avoidance, if applicable. All measures determined by the Community Development Director to be appropriate shall be implemented pursuant to the terms of the archaeologist's report. The preceding requirement shall be incorporated into construction contracts and documents to ensure contractor knowledge and responsibility for the proper implementation.

13. An access easement through Lots 1 and 5 as shown on Vesting Tentative Subdivision Map 19-06 (Covenant Court) dated November 15, 2019 shall be provided in favor of Lots 2, 3, and 4 jointly as flag lots. This shall constitute a private street, on which the City of Chico shall have no responsibility for maintenance or other activities.

14. The applicant shall defend, indemnify, and hold harmless the City of Chico, its boards and commissions, officers and employees against and from any and all liabilities, demands, claims, actions or proceedings and costs and expenses incidental thereto (including costs of defense, settlement and reasonable attorney's fees), which any or all of them may suffer, incur, be responsible for or pay out as a result of or in connection with any challenge to or claim regarding the legality, validity, processing or adequacy associated with: (i) this requested entitlement; (ii) the proceedings undertaken in connection with the adoption or approval of this entitlement; (iii) any subsequent approvals or permits relating to this entitlement; (iv) the processing of occupancy permits and (v) any amendments to the approvals for this entitlement. The City of Chico shall promptly notify the applicant of any claim, action or proceeding which may be filed and shall cooperate fully in the defense, as provided for in Government code section 66474.9.

15. Pursuant to the Chico Municipal Code, Lots 2, 3, and 4 must all provide four total parking spaces on the property.

16. A stop sign shall be installed on the private street at the point it intersects with the public right-of-way.



## Subdivision Report

Meeting Date 12/19/19

DATE: December 2, 2019

File: S 19-06

TO: PLANNING COMMISSION

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

RE: **Vesting Tentative Subdivision Map S 19-06 Covenant Court**

### Exhibit "II"

This office has reviewed the vesting Tentative Subdivision Map S 19-06 Covenant Court 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 non-standard street sections.

**Recommendation:** Acceptable.

2. **Request:** Allow accessway to serve three (3) lots.

**Recommendation:** Acceptable.

3. **Request:** Allow accessway to be constructed without curb, gutter, or valley gutter.

**Recommendation:** Acceptable.

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

#### B. PUBLIC FACILITY CONSTRUCTION

##### 1. West Lindo Avenue

- a) The Subdivider shall construct City standard half street urban improvements and appurtenant facilities in conformance with the typical section as depicted on the Tentative Map or as modified by the Public Works Director. Street structural section to be determined based upon findings from the Soils Report.

- b) All corner lots shall be subject to intersection sight distance criteria as established by the Public Works Director. Appropriate easements shall be dedicated as needed on the Final Map.

## 2. Storm Drainage

### a) Facility Construction

The Subdivider shall design and install the following City standard storm drain facilities:

- 1) Adjacent to Subdivision - Curb, gutter, and an underground storm drain system with all appurtenances.
- 2) Exterior to Subdivision - Connect to existing City infrastructure as required by the City of Chico.

### b) Post Construction Standard Plans

Implement City Post Construction Standard Plans to evapo-transpire, infiltrate, harvest and reuse, or bio treat storm water runoff.

### c) NPDES Requirements

Storm drain drop inlets shall be marked with Illustrative Storm Markers to achieve City of Chico NPDES Requirements.

### d) Statement of Effective Storm Water Disposal

The storm drainage system for this project shall meet the following standards:

- No net increase in peak flow in into existing City infrastructure.
- Intercept and treat the first flush runoff (defined as the first 1/2-inch of runoff).

These standards are to be met through the preparation and implementation of a site-specific Storm Water Pollution Prevention Plan (SWPPP) which shall incorporate CASQA BMPs. A review of this project, including the project location, has been made. Based on this review, it has been concluded that the use of one or more such BMPs will provide an adequate mechanism to meet the standards set forth herein and, therefore, provide the required mitigation of storm drainage effects resulting from the project.

- e) The subdivider shall pay a storm drain fee calculated in accordance with the current fee schedule under the requirements of the Chico Municipal Code, prior to recordation of the Final Map.

**3. Sanitary Sewer**

a) Facility Construction

The Subdivider shall design and install the following City standard sanitary sewer facilities:

- 1) Adjacent to Subdivision - An underground sanitary sewer system, with all appurtenances, serving all lots.

b) 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.

**4. Street Signs and Striping**

The Subdivider shall install City standard street signs, regulatory signs (High Intensity Prismatic, no less than Grade V), pavement centerline striping and pavement markings that they are required herein to construct.

**5. Street Lights**

The Subdivider shall install City standard street lights on steel poles with concrete bases on all streets that they are required herein to construct.

**6. Street Trees**

Street trees shall be planted in accordance with City standards and/or as instructed by the Parks Division.

**C. PRIVATE FACILITY CONSTRUCTION**

**1. Accessway**

- a) The Subdivider shall construct an accessway over portions of Lots 1 and 5 for the benefit of Lots 2, 3, and 4 in a manner acceptable to the Public Works Director. Structural section to be determined based upon findings from the Soils Report.
- b) Street name shall be approved concurrent with the improvement plans and prior to recordation of the Final Map.

**2. Storm Drainage**

The Subdivider shall design and install an underground storm drain system with all appurtenances over portions of Lots 1 and 5 for the benefit of Lots 2, 3, and 4 as depicted on the Tentative Map.

**3. Sanitary Sewer**

The Subdivider shall design and install an underground sanitary sewer system with all appurtenances over portions of Lots 1 and 5 for the benefit of Lots 2, 3, and 4 as depicted on the Tentative Map. Each lot shall have its own, separate sewer service lateral.

**4. Well and Septic Abandonment**

The Subdivider shall obtain all necessary permits from Butte County Environmental Health Department and abandon all wells and septic systems in accordance with their requirements.

**5. Street Signs and Striping**

The Subdivider shall install City standard street signs, regulatory signs (High Intensity Prismatic, no less than Grade V), pavement striping and "No Parking - Fire Lane" signage.

**D. PUBLIC FACILITIES MAINTENANCE**

Prior to recordation the Final Map, the Subdivider shall be required to make provisions to fund the maintenance of certain public improvements. The improvements to be covered shall be:

1. Storm water quality and quantity mitigation.

The Subdivider shall prepare the necessary documents and provide the required supporting documents. Formation of a maintenance district requires action by the City Council. The district shall be complete and formed prior to recordation of the Final Map.

**E. 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 joint-use private improvements."

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

## **F. SUBDIVISION GRADING**

### **1. Soils Report**

The Subdivider shall submit a Geological and/or Soils Report, prepared by a registered engineer, that includes, but is not limited to, the following:

- a) An investigation of the nature, distribution and strength of existing soils.
- b) A description of site geology.
- c) Conclusions and recommendations covering the adequacy of the site for the proposed development, storm drainage disposal, grading procedures and corrective measures.
- d) Verification that the site is suited to proposed BMPs.

### **2. Grading Standards**

All subdivision grading shall be in conformance with Chapter 16R.22, Grading Standards, of the Chico Municipal Code.

### **3. Grading Plan**

The Subdivider's engineer shall submit a subdivision grading plan that includes, but is not limited to, the following:

- a) The subdivision limits, contours and details of existing terrain and drainage.
- b) Existing structures or other topographic features that are to remain undisturbed.
- c) The proposed subdivision lots and streets, together with a schematic layout of the proposed storm drain system.
- d) Existing ground elevations at all corners of proposed lots.
- e) Proposed finished lot corner grades and finished pad grades.
- f) Proposed lot grades indicating lot drainage.
- g) Pertinent recommendations from the above required Geological and/or Soils Report.
- h) Pertinent construction details to assure compliance with City of Chico Grading Standards.

### **4. Final Grading Report**

Upon completion of the subdivision grading and prior to final inspection by the City, the Subdivider's engineer shall submit a Final Grading Report that certifies the following:

- a) That final grading complies with the approved grading plan or any approved revisions.
- b) That the subdivision grading complies with the recommendations included in the Geological and/or Soils Report. Any changes made during grading that affected these recommendations shall be assessed.
- c) That the subdivision soils are adequately compacted for their intended use, in conformance with City of Chico Grading Standards. The results of all field density tests and all other substantiating data shall be included in the Final Grading Report.

The subdivision grading plan shall be submitted to the Public Works Director for review and approval prior to the start of any work and shall be considered as part of the construction plans.

## **G. PUBLIC PROPERTY CONVEYANCES**

### **1. Dedications**

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

- a) Dedicate additional right-of-way along West Lindo Avenue as depicted on the Tentative Map or as required by the Public Works Director.
- b) Dedicate a 10-foot-wide public service easement adjacent to public rights-of-way.

## **H. PRIVATE PROPERTY CONVEYANCES**

In conjunction with recordation of the Final Map for this subdivision, the Subdivider shall create a non-exclusive easement for ingress, egress, sanitary sewer, storm drain, and public utilities over portions of Lots 1 and 5 for the benefit of Lots 2, 3, and 4, as depicted on the Tentative Map.

## **I. OTHER PUBLIC SERVICES**

### **1. Public Utilities**

#### a) Underground Requirements

The Subdivider shall install the following utilities underground:

- 1) All new utilities within the 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, in its letter dated 11/25/19, has made certain comments relative to this subdivision. These comments shall be incorporated into the Final Map and/or improvement plans for this subdivision.
- 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 the recommendations of the Fire Department, City of Chico.

**3. United States Postal Service**

The Subdivider shall install concrete pads for NDCBU delivery to the lots of this subdivision. The pads shall be depicted on the subdivision improvement plans and are subject to approval by both the local office of the United States Postal Service and the Community Development Department.

**J. CITY TREE REQUIREMENTS**

The Subdivider shall submit a completed "Application Requesting Permission to Plant, Remove, Alter, or Disturb Public Trees" from to the Public Works Department. The Subdivider shall comply with any and all recommendations/requirements prior to commencing any construction activities on the site.

**K. 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.

**L. DESIGN CRITERIA AND IMPROVEMENT STANDARDS**

All public and joint-use private improvements shall be designed in accordance with Chapter 18R.08, Design Criteria, of the Chico Municipal Code, except as modified by the conditions of approval for this subdivision.

The Subdivider shall submit improvement plans, profiles, typical sections, details and specifications to the Public Works Department for review and approval prior to the start of any construction of public and joint-use private improvements.

All public and joint-use private improvements shall be constructed in conformance with Chapter 18R.12, Improvement Standards, of the Chico Municipal Code and in conformance with the details shown on the approved improvement plans.

**M. ADMINISTRATIVE REQUIREMENTS**

**1. Subdivision Improvement Agreement**

If the public and joint-use private improvements required herein are not satisfactorily completed prior to recordation of the Final Map, the Subdivider shall enter into a subdivision improvement agreement in conformance with Chapter 18.36, Subdivision Improvement Requirements, of the Chico Municipal Code.

## **2. 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 1½% of the estimated cost of all public and/or joint use private 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 and/or joint use private improvements exclusive of private utility facilities. A final fee equal to actual City costs.

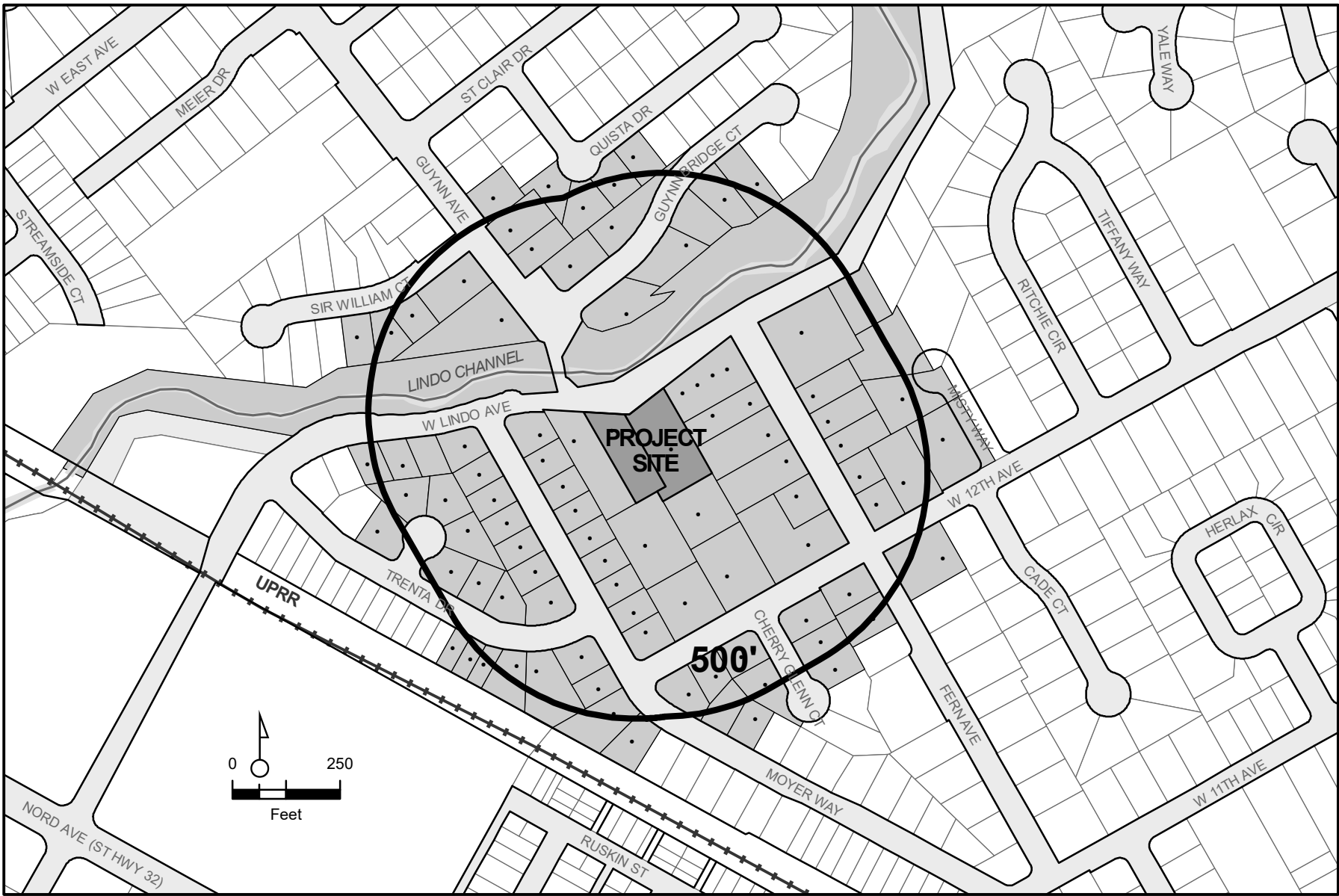
Recommendations and comments of all parties to whom the Tentative Map was circulated for review are on file with the respective parties and in Planning Services Department.

---

Matt Johnson, Senior Development Engineer

#### Distribution:

Original - Planning Services Department S 19-06 File  
Development Engineering Subdivision File

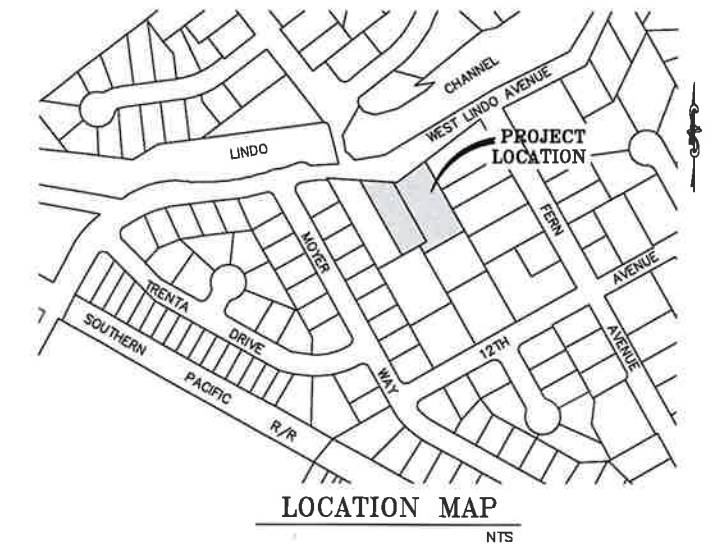


S 19-06 (Covenant Court)  
 1329 and 1349 W Lindo Avenue  
 APNs 043-630-003-000 and 043-630-011-000

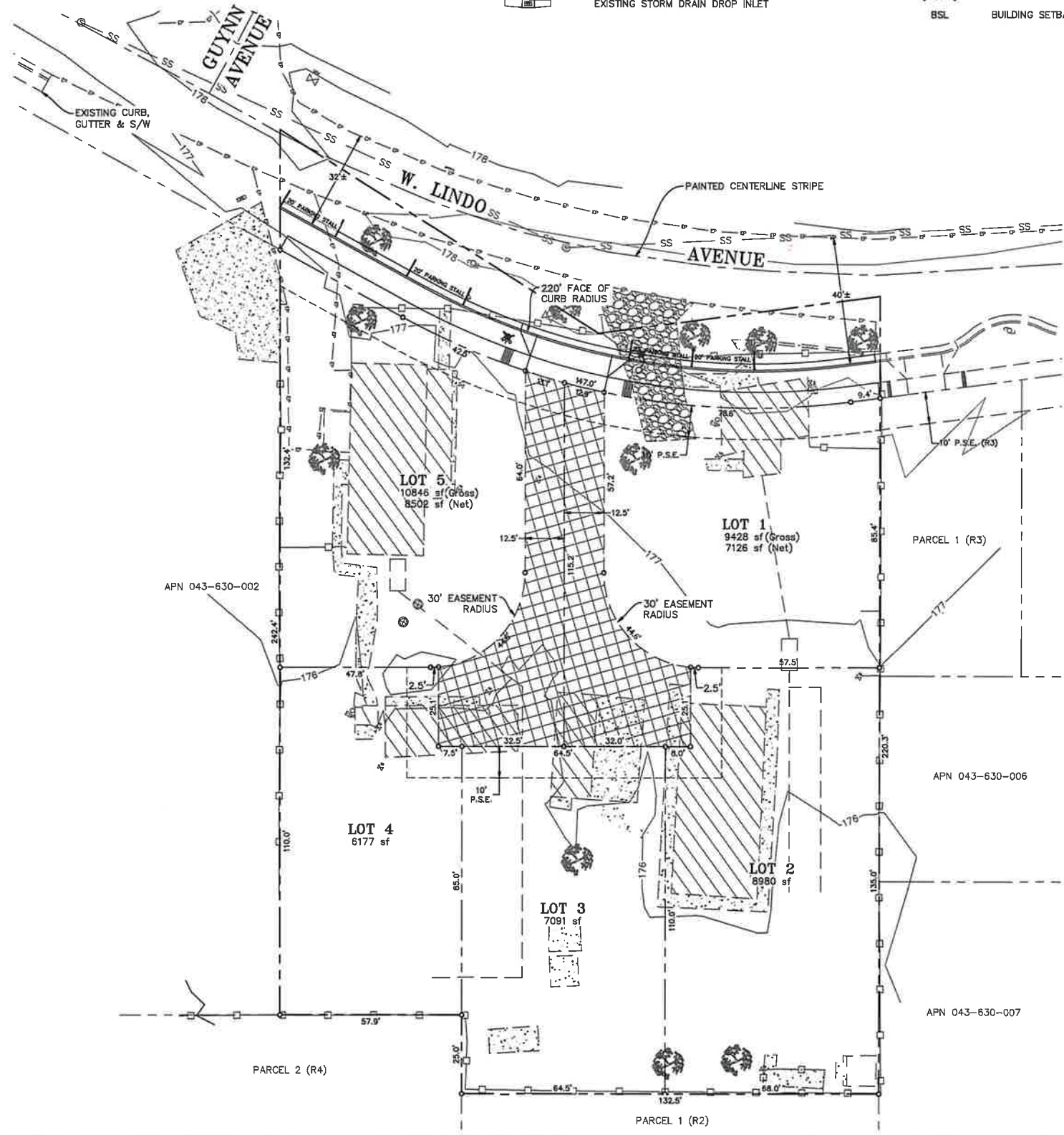
- Notified Addresses
- Notified Parcels



	EXISTING GROUND CONTOUR (CITY OF CHICO DATUM)	EG	EXISTING GROUND ELEVATION		EXISTING FENCE
	SUBDIVISION BOUNDARY	FG	FINISH GRADE ELEVATION		EXISTING FIRE HYDRANT
	PROPOSED LOT LINE	PUE	PUBLIC UTILITY EASEMENT		PROPOSED FIRE HYDRANT
	CENTER LINE	PSE	PUBLIC SERVICE EASEMENT		EXISTING WATER VALVE
	EASEMENT	ROW	RIGHT OF WAY		EXISTING HOSE BIB
	EXISTING CURB, GUTTER AND SIDEWALK	BOC	BACK OF CURB		EXISTING GRAVEL DRIVEWAY
	EXISTING SANITARY SEWER MAN HOLE AND SEWER LINE	BOW	BACK OF WALK		PROPOSED STREET LIGHT
	PROPOSED CURB AND GUTTER		EXISTING TREE		EXISTING BUILDING TO BE REMOVED
	PROPOSED CONCRETE AREA		EXISTING TREE TO BE REMOVED		NON-EXCLUSIVE EASEMENT FOR INGRESS, EGRESS, SEWER, STORM DRAIN AND PUBLIC UTILITY PURPOSES
	EXISTING AND FINISH GRADE	BSL	BUILDING SETBACK LINE		
	EXISTING STORM DRAIN DROP INLET				



**RECEIVED**  
**NOV 15 2019**  
CITY OF CHICO  
PLANNING SERVICES



**OWNER/SUBDIVIDER:**  
LDI LAND AND HOME INC.  
P.O. BOX 617  
CHICO, CA 95927  
(530) 588-5510

**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 NUMBER:**  
043-630-003 AND 011

**LAND USE:**  
PRESENT: SINGLE FAMILY RESIDENTIAL  
FUTURE: SINGLE FAMILY RESIDENTIAL

**ZONING:**  
PRESENT: R1  
FUTURE: R1

**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 (TO CL): 1.106  
NET ACREAGE: 0.976  
TOTAL NUMBER OF LOTS: 5  
UNITS PER GROSS ACRE: 4.5  
AVERAGE NET LOT SIZE: 7,575 SF
  - 2) GRADING WILL CONSIST OF THE CONSTRUCTION OF ROADWAYS AND BUILDINGS PADS. PRELIMINARY FINISH GRADES AND TYPICAL SECTIONS ARE SHOWN ON SHEET 2.
  - 3) THE FINAL SUBDIVISION MAP WILL INCLUDE A 10' WIDE P.S.E. ALONG ALL LOT FRONTAGES AS SHOWN HEREON.
  - 4) SANITARY SEWER SERVICE FOR THE PARCEL MAP WILL COMPLY WITH THE APPLICATION FOR SEWER CONNECTION #
  - 5) THE PARCEL MAP LIES IN FLOOD ZONE "X" AS SHOWN ON FIRM MAP NUMBERS 06007C0485E AND 06007C0505E DATED JANUARY 6, 2011.
  - 6) STORM WATER QUANTITY AND QUALITY WILL BE PROVIDED BY A STORM WATER INTERCEPTOR, OVERSIZED STORM DRAIN PIPES AND STORM WATER LEACH TRENCHES CONNECTED TO THE EXISTING 72" STORM DRAIN PIPE IN MOYER WAY THAT OUTFALLS INTO LINDO CHANNEL.
  - 7) EXISTING WELLS AND SEPTIC SYSTEMS TO BE ABANDONED IN ACCORDANCE WITH B.C.E.H.D. PERMIT REQUIREMENTS.
  - 8) LOTS 1 AND 5 WILL TAKE PRIMARY VEHICLE ACCESS FROM W. LINDO AVENUE. LOTS 2, 3 AND 4 WILL TAKE PRIMARY VEHICLE ACCESS FROM W. LINDO AVENUE VIA THE PROPOSED PRIVATE STREET ACROSS LOTS 1 AND 5.
  - 9) A NON-EXCLUSIVE EASEMENT FOR INGRESS, EGRESS AND PUBLIC UTILITIES WILL BE CREATED OVER LOTS 1 AND 5 ON THE FINAL MAP THAT WILL INCLUDE THE HAMMERHEAD AREA. A SEPARATE LOT IS NOT BEING CREATED FOR THE PRIVATE STREET AND HAMMERHEAD.

- DESIGN MODIFICATIONS:**
- 1) NON-STANDARD PUBLIC STREET SECTIONS. (18R.08.020.F.1)
  - 2) ALLOW ACCESSWAY TO SERVE THREE (3) LOTS (18R.08.010.D.b.1)
  - 3) ALLOW ACCESSWAY TO BE CONSTRUCTED WITHOUT CURB, GUTTER OR VALLEY GUTTER (18R.08.035.E.2)

- RECORD REFERENCES:**
- (R1) - FOURTH SUBDIVISION OF THE JOHN BIDWELL RANCHO, BOOK 5 OF MAPS, PAGE 26
  - (R2) - PARCEL MAP, BOOK 105 OF MAPS, PAGE 40
  - (R3) - PARCEL MAP (18-04), BOOK 192 OF MAPS, PAGES 48 THRU 51
  - (R4) - PARCEL MAP, BOOK 144 OF MAPS, PAGES 19 THRU 21

THIS TENTATIVE SUBDIVISION MAP WAS PREPARED BY ME OR UNDER MY DIRECTION  
 BY: *Wesley E. Gilbert* DATE: 11/12/19  
 WESLEY E. GILBERT  
 R.C.E. 31689  
 EXPIRES: 12/31/20

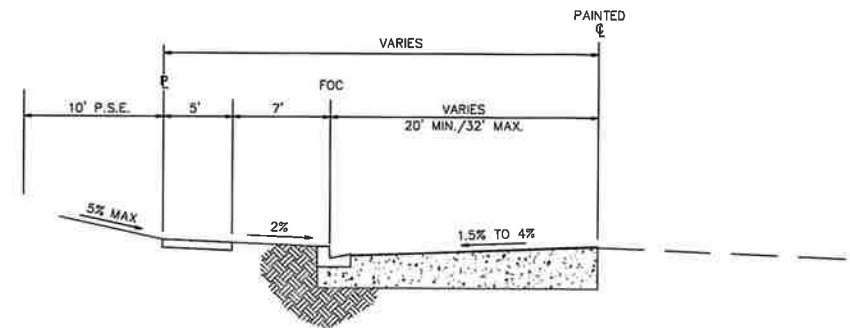
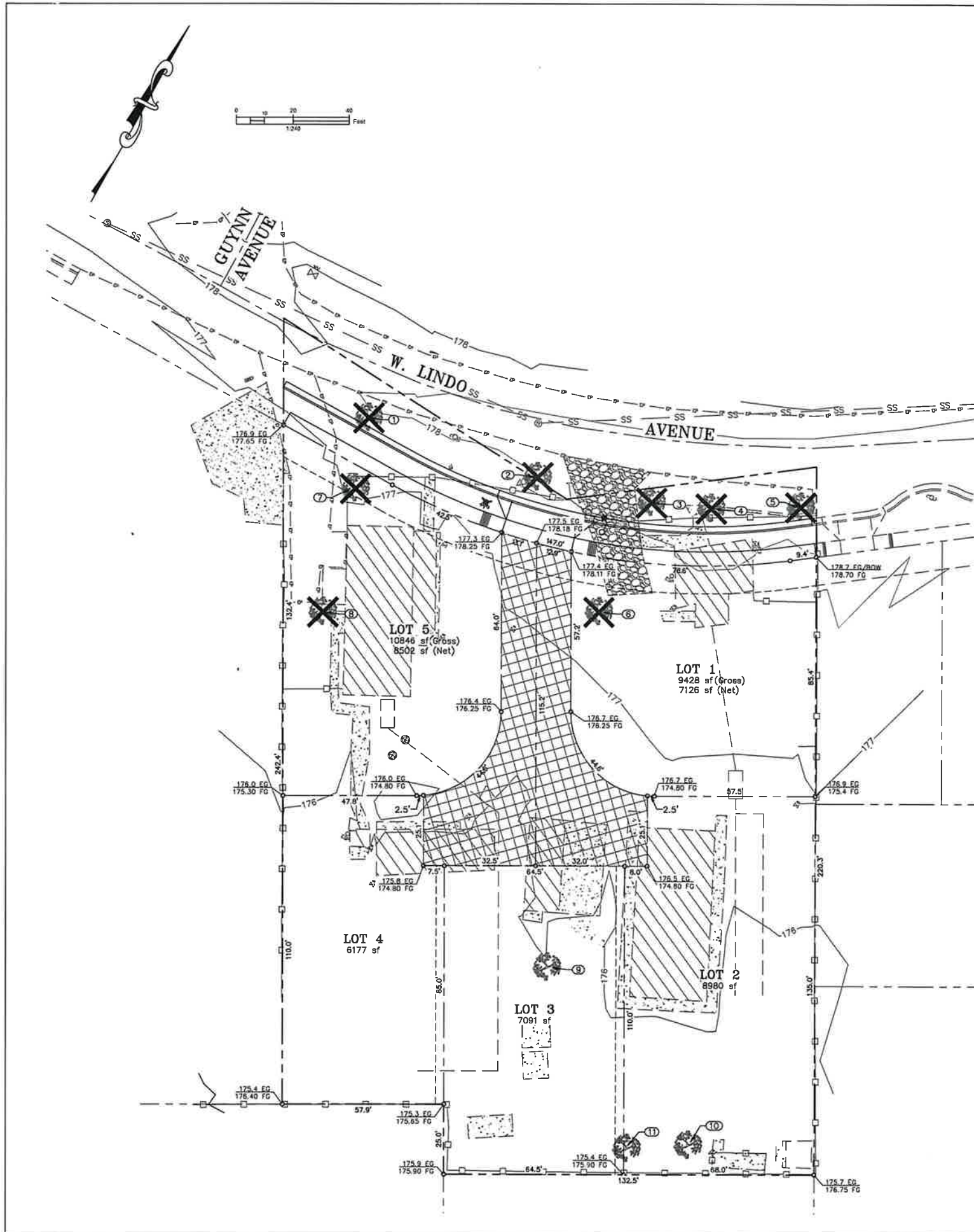


**COVENANT COURT VESTING TENTATIVE  
SUBDIVISION MAP  
S 19-06  
(PRIVATE STREET SUBDIVISION)**

FOR  
LDI LAND & HOME, INC.

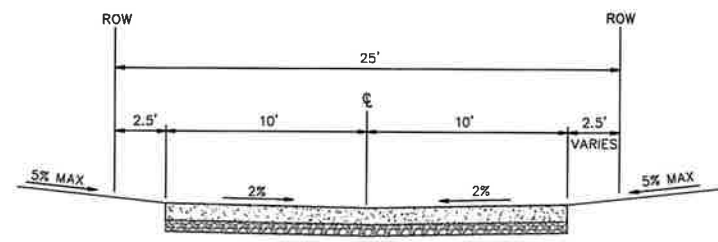
BEING A PORTION OF LOT 38 OF THE FOURTH SUBDIVISION OF THE JOHN BIDWELL RANCHO AS SHOWN ON THAT CERTAIN MAP RECORDED IN BOOK 5 OF MAPS, AT PAGE 26  
CITY OF CHICO, COUNTY OF BUTTE  
STATE OF CALIFORNIA

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



WEST LINDO AVENUE  
WITH ON-STREET PARKING  
TYPICAL SECTION

N.T.S.



STREET "A"  
PRIVATE STREET  
WITH NO ON-STREET PARKING  
TYPICAL SECTION

N.T.S.

RECEIVED

NOV 15 2019

CITY OF CHICO  
PLANNING SERVICES

TREE TABLE\*

TREE NO.	TREE SPECIES	TREE DIAMETER	DRIPLINE RADIUS	PROTECT/REMOVE	DIAMETER SUBJECT TO REPLACEMENT/IN-LIEU FEES
1	VALLEY OAK(QUERCUS LOBATA)	29"	43.5'	REMOVE	29"
2	BLACK WALNUT(JUGLANS NIGRA)	25"	37.5'	REMOVE	25"
3	BLACK WALNUT(JUGLANS NIGRA)	31"	46.5'	REMOVE	31"
4	BLACK WALNUT(JUGLANS NIGRA)	24"	37'	REMOVE	24"
5	BLACK WALNUT(JUGLANS NIGRA)	25"	37'	REMOVE	25"
6	BLACK WALNUT(JUGLANS NIGRA)	43"	64.5'	REMOVE	43"
7	INCENSE CEDAR(CALOCEDRUS DECURRENS)	26"	39'	REMOVE	26"
8	ASH(FRANISNUS SP.)	35"	36'	REMOVE	35"
9	APPLE(MALUS SP.)	12.5"	18.5'	REMOVE	-
10	APPLE(MALUS SP.)	20"	20'	REMOVE	-
11	APPLE(MALUS SP.)	20"	20'	REMOVE	-

TOTAL INCHES REQUIRING MITIGATION = 235" DIVIDED BY 6 = 40 REPLACEMENT TREES REQUIRED.

COVENANT COURT VESTING TENTATIVE  
SUBDIVISION MAP  
S 19-06  
(PRIVATE STREET SUBDIVISION)

FOR  
LDI LAND & HOME, INC.

BEING A PORTION OF LOT 38 OF THE FOURTH SUBDIVISION OF THE JOHN BIDWELL RANCHO AS SHOWN ON THAT CERTAIN MAP RECORDED IN BOOK 5 OF MAPS, AT PAGE 26 CITY OF CHICO, COUNTY OF BUTTE STATE OF CALIFORNIA

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

## Dexter O'Connell

---

**From:** Dexter O'Connell  
**Sent:** Thursday, November 14, 2019 4:45 PM  
**To:** Stefanie Marshall  
**Cc:** Wesley Gilbert; Tony Symmes  
**Subject:** RE: Neighborhood Meeting-11/13/19

Awesome, thank you so much. Overall I agree with this analysis, the only thing I'd add is that the height of the houses was discussed.

Dexter

Dexter N. O'Connell  
Associate Planner  
(530) 879-6810



---

**From:** Stefanie Marshall <smarshall02@gmail.com>  
**Sent:** Thursday, November 14, 2019 4:38 PM  
**To:** Dexter O'Connell <dexter.o'connell@Chicoca.gov>  
**Cc:** Wesley Gilbert <wes@wgilbertengineering.com>; Tony Symmes <Symmesrt@aol.com>  
**Subject:** Neighborhood Meeting-11/13/19

.  
ATTENTION: This message originated from outside City of Chico. Please exercise judgment before opening attachments, clicking on links, or replying.  
.

Hi Dexter

Attached is the sign in sheet for the neighborhood meeting.

These were the items discussed:

1. Possibility if a speed bump or slowing traffic measures in W.Lindo (stop sign)
2. Questions about the location of the sidewalk and where the PG&E pole will be relocated
3. Questions about fencing and types of houses

Overall it went very well and the neighborhood was in favor.

Thank you very much!

Blessings!

NEIGHBORHOOD MEETING SIGN-IN SHEET

November 13, 2109

\*\*\*\*\*

NAME: ADDRESS: PHONE NUMBER:

Joni + Patti family 1261 W. Lindo Ave 530

Peggy + Dave Mahler 1386 W. 12th Ave CHIC 342-1406

Sharon DeMeeyer 1395 W. Lindo Ave 570-3070

Doug Terry 1349 W. Lindo 343-2335

DAN GREGORY 30 Gyms Bldg ct 530-321-7891

KAN KARASINSKI 1899 W. LINDO 530-518-0668

## NOTICE FOR NEIGHBORHOOD MEETING

October 30, 2019

A neighborhood meeting will be held on Wednesday, November 13, 2019 at 5:30 p.m. at the project site located at 1329 and 1349 W. Lindo Avenue, regarding the following project:

**Covenant Court Vesting Tentative Subdivision Map (LDI Land & Home, Inc.) – APNs 043-630-003 and 011** – A request to subdivide a 1.06-acre site into 5 lots, ranging in size from 6,177 square feet to 9,428 square feet (7,575 square feet average lot size), each suitable for single-family residential development. The site is zoned R1 Low Density Residential and is designated Low Density Residential on the General Plan Diagram.

A pre-application neighborhood meeting is required for all discretionary land use entitlements that will need City of Chico Planning Commission or City Council approval. No decisions will be made at this meeting. The meeting is intended to provide an opportunity for neighbors to meet with the project proponents to review and comment on the proposal in advance of a formal application. A City staff member will be present to answer questions about the development process.

For further information regarding this project, please contact the applicant's representative:

W. Gilbert Engineering  
Wesley Gilbert  
140 Yellowstone Drive, Suite 110  
Chico, CA 95973  
(530) 809-1315  
[wes@wgilbertengineering.com](mailto:wes@wgilbertengineering.com)

RECEIVED

NOV 04 2019

CITY OF CHICO  
PLANNING SERVICES

For further information regarding Chico's development process and regulations, please contact:

City of Chico Planning Services Department  
411 Main Street  
P.O. Box 3420  
Chico, CA 95927  
(530) 879-6800  
[zoning@chicoca.gov](mailto:zoning@chicoca.gov)

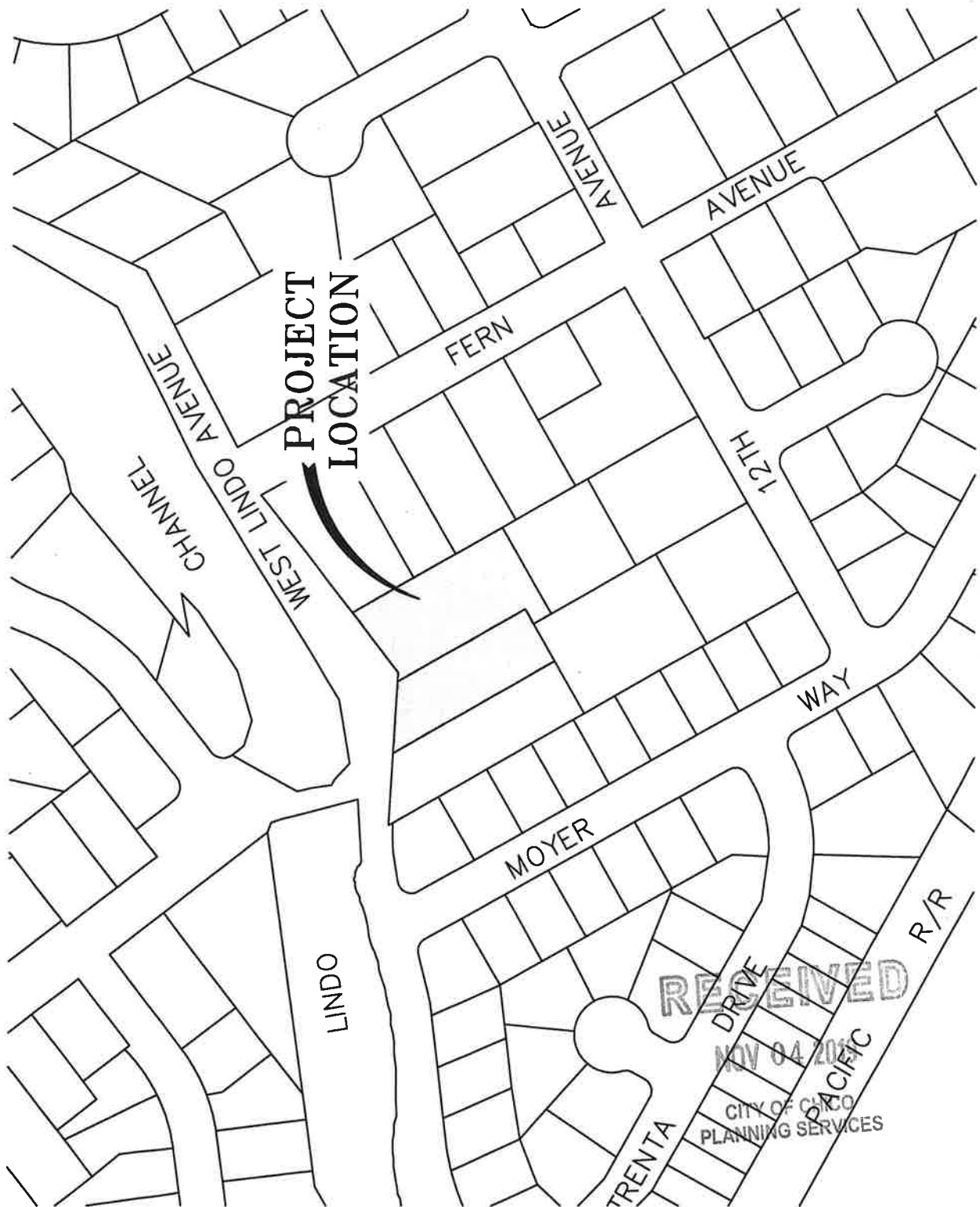
---

### Distribution:

Property owners/residents within 500 feet of the project site, mailed 10 days before the meeting  
Neighborhood Group(s)  
City of Chico Planning Services Department  
City of Chico Building and Development Services Department

ATTACHMENT E

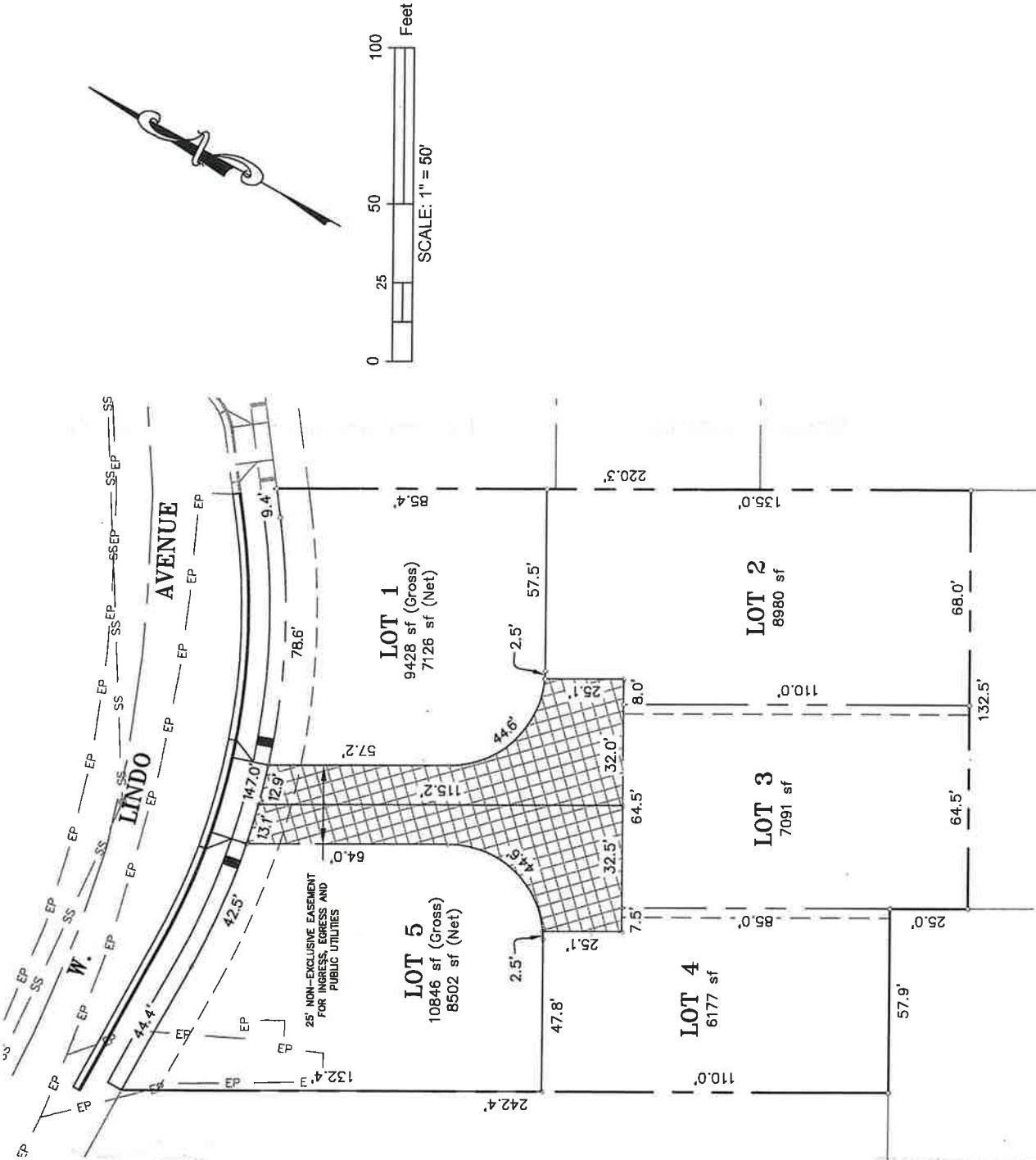




**LOCATION MAP**

NTS

# COVENANT COURT VESTING TENTATIVE SUBDIVISION MAP



**RECEIVED**

**NOV 04 2019**

**CITY OF CHICO  
PLANNING SERVICES**