

# Planning Commission Agenda Report

# Meeting Date 04/7/2022

Files: S 21-01

DATE: March 18, 2022

TO: PLANNING COMMISSION

FROM: Madison Driscoll, Assistant Planner (879-6810, madison.driscoll@chicoca.gov)

RE: Reed Vesting Tentative Subdivision Map (S 21-01)

3051 & 3055 Burnap Avenue, APNs 007-150-030 and 007-150-032

#### **SUMMARY**

The applicant proposes to subdivide two parcels totaling in 1.24 acres into five lots for single family residential development. The project is located on the west side of Burnap Avenue, south of Eaton Road and north of East Lassen Avenue. The project would create a private street westward off Burnap Avenue. No major issues have been identified.

#### Recommendation:

Planning staff recommends that the Planning Commission adopt Resolution 22-01 (**Attachment A**) approving the Reed Vesting Tentative Subdivision Map (S 21-01).

#### Proposed Motion:

I move that the Planning Commission adopt Resolution 22-01 approving the Reed Vesting Tentative Subdivision Map (S 21-01), based on the required findings and subject to the conditions contained therein.

#### **BACKGROUND**

The applicant proposes to subdivide the two parcels, 0.9 and 0.34-acres respectively, into five lots for single family residential development. The site is located on the west side of Burnap Avenue, south of Eaton Road, and north of East Lassen Avenue (see **Attachment B**, Location Map and **Attachment C** Reed Vesting Tentative Subdivision Map (S 21-01)). The site is designated Low Density Residential on the General Plan Land Use Diagram and is zoned R1-AOB2 (Low Density Residential with Aircraft Overflight Zone B overlay). Surrounding land uses include mostly single-family residential uses to the north, south, east, and west.

Currently there are two single-family homes on each existing parcel. The existing homes would remain and a few accessory structures such as a shed would be demolished. Lots would range in size from 6,273 square feet to 15,682 square feet resulting in an average lot size of 9,995 square feet. Gross density for the project would be 4.03 units per acre (u/ac) which is within the allowable density range of 2.1 to 7 u/ac. All utilities are available nearby to serve the project and new homes would be connected to Cal Water and City sewer.

#### Subdivision Design

The proposed project calls for a private accessway westward off Burnap Avenue. The accessway would be terminated in a hammerhead configuration allowing access to "Lot 3", "Lot 4", and "Lot 5". Street improvements would be installed along the Burnap Avenue frontage including curb, gutter, and sidewalk. The private accessway would not have sidewalk. **Condition #14** has been added to provide for a 5-foot building setback adjoining the private accessway.

#### Tree Preservation and Removals

The project site has a variety of tree species, including deciduous, redwoods, and fruit trees. No trees that are protected CMC 16.66 are proposed for removal. The proposed project would result in the removal of four fruit trees on site for future building of a single-family residence. All trees identified for removal would be subject to the City's Trees Preservation Regulations, (Chapter 16.66), which require payment of in-lieu fees. Trees identified for retention will require protection during construction, including preparation of a tree protection plan prior to ground disturbance. **Conditions #10** and **#11** provide for the payment of tree removal in-lieu fees and protection during construction.

#### Vehicle Parking

It is recommended that parking will be prohibited along the private accessway and the hammerhead turnaround to allow for fire access. The accessway would need to be posted with "No Parking – Fire Lane" on both sides of the accessway. To accommodate adequate visitor parking **Condition #13** is recommended so that each parcel will provide two off-street parking spaces in addition to the two spaces required for each dwelling unit.

#### Requested Subdivision Design Modification

Modifications of Title 18R Subdivision Design Criteria and Improvement Standards include:

1) An accessway serving more than three lots

CMC 18.44.010 (Modification Authority) provides that the advisory agency may approve modifications to the requirements or standards imposed in Title 18R (Design Criteria and Improvement Standards) when certain findings can be made. The proposed lot configuration appears to be a suitable way to subdivide the property considering the number of driveways on Burnap Avenue. Providing access to "Lot 1" and "Lot 2" via the private accessway will reduce the number of driveways and allow for safer traffic inflow and outflow of the proposed subdivision, thus reducing the number of potential points of conflict on Burnap Avenue from three to one.

#### Neighborhood Meeting

As required by the Chico Municipal Code, a pre-application neighborhood meeting was conducted at the project site on July 28, 2021. The meeting was attended by approximately 12 neighbors, the project applicant, the project engineer, and City staff. Questions and concerns were raised at the meeting, particularly about the increase in traffic on both Burnap and East Avenue. Additionally, there was concern about possible streetlights and the amount of light output. The project applicant was available to answer questions and address concerns.

#### DISCUSSION

The project site represents an infill development opportunity in an existing residential area that is compatible with other subdivisions surrounding the project. With residential density of 4.03 units per acre, the project is within the allowable range for proposed land use designation and density.

#### Airport Overflight Zone B2 Density Analysis

As a result of the site's location within the Airport Overflight Zone B2 (-AOB2) for the Chico Municipal Airport, there is a lower density requirement. Traditionally, the density for sites within the -AOB2 zone is 0.2 du/acre to 4.0 du/acre. The site has been identified to allow for an increase in density based upon the surrounding developed density as an "infill" parcel by the Butte County Airport Land Use Compatibility Plan (BCALUCP). Pursuant to Sec. 3.7.(c)(1) of the BCALUCP the project density shall be determined by the median density of all existing residentially developed lots that lie fully or partially within a 300-foot radius of the boundary of the site. The proposed density of 4.03 dwelling units per acre does not exceed the allowable density which has been calculated to be 4.16 dwelling units per acre. Therefore, the project is compatible with the BCALUCP.

The site's location within the -AOB2 results in standard conditions of approval (see **Attachment A, Exhibit I, Conditions of Approval #7- #9**) requiring certain airspace easements and notifications to be recorded on the project parcels.

#### **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 4.03 units per acre the project is within the allowable range of 2.1 to 7 units per acre.

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

CD-5:	Support	infill	and	redevelopment	compatible	with	the	surrounding
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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 further 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.

#### Modification to Subdivision Design Criteria Findings

As established in 18.44, a modification to the city's subdivision design criteria or improvement standards may only be approved if one of the six findings in that chapter can be made. The applicant has requested the modification of an accessway serving more than three lots. For this project, the finding under CMC 18.44.020 E can be made:

E. That the subdivision is of such a size or shape, and/or is affected by such a 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 the Title 18R of this code, and that modification of such design criteria and improvement standards is necessary by reason of such subdivision characteristic or conditions.

Allowing the requested modification is accepting in this case due to the site's unique deep lot shape. Having a deeper lot, the private accessway allows access to more parcels. With the accessway, "Lot 1" and "Lot 2" will now be able to take access from the private accessway instead of Burnap Avenue. Therefore, reducing the number of driveways onto Burnap Avenue from three to one. The proposed subdivision with the identified modification and subject to the conditions of approval is supported by staff.

#### 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
Assistant Planner Madison Driscoll
Principle Planner Bruce Ambo
Files: S 21-01

#### External

Reed Johnson, 3051 Burnap Avenue, Chico, CA 95973 (reedjohnson00@gmail.com) Herb Votaw, 115 Yellowstone Drive, Chico 95973 (hv@racivil.com)

#### **ATTACHMENTS:**

- A. Planning Commission Resolution No. 22-01 Exhibit I Conditions of Approval for S 21-01 Exhibit II Subdivision Report
- B. Location Map
- C. Reed Vesting Tentative Subdivision Map (S 21-01) (2 sheets)

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#### **RESOLUTION NO. 22-01**

# RESOLUTION OF THE CITY OF CHICO PLANNING COMMISSION APPROVING THE REED VESTING TENTATIVE SUBDIVISION MAP S 21-01 (REED SUBDIVISION)

WHEREAS, an application has been submitted to subdivide a 1.24 acre site into 5 lots on the west side of Burnap Avenue, south of Eaton Road and north of East Lassen Avenue, identified as Accessor's Parcel No. 007-150-030 and 007-150-032 ("Project"); and

WHEREAS, the site is zoned R1-AOB2 (Low Density Residential with Aircraft Overflight Zone B2 overlay) and is designated Low Density Residential on the General Plan Land Use Diagram; and

WHEREAS, the Planning Commission has found the project in compliance with the Infill Development Density Standards set forth in Section 3.7.3(c)(1) of the Butte County Airport Land Use Compatibility Plan; and

WHEREAS, the Planning Commission considered the Project, staff report, and comments submitted at a noticed public hearing held on April 7, 2022; and

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

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

- 1. With regard to the vesting tentative parcel map the Planning Commission finds that:
  - A. The overall density of the Project is 4.03 dwelling units per gross acre, which is consistent with the Chico General Plan Diagram designation of Low Density Residential and the provisions in Title 19 of the Chico Municipal Code; and
  - B. No substantial evidence has been presented that would require disapproval of the Project pursuant to Government Code Section 66474; and
  - C. The requested modifications to the City's subdivision design criteria and improvement standards are acceptable, as the size and shape of the subdivision render it undesirable to

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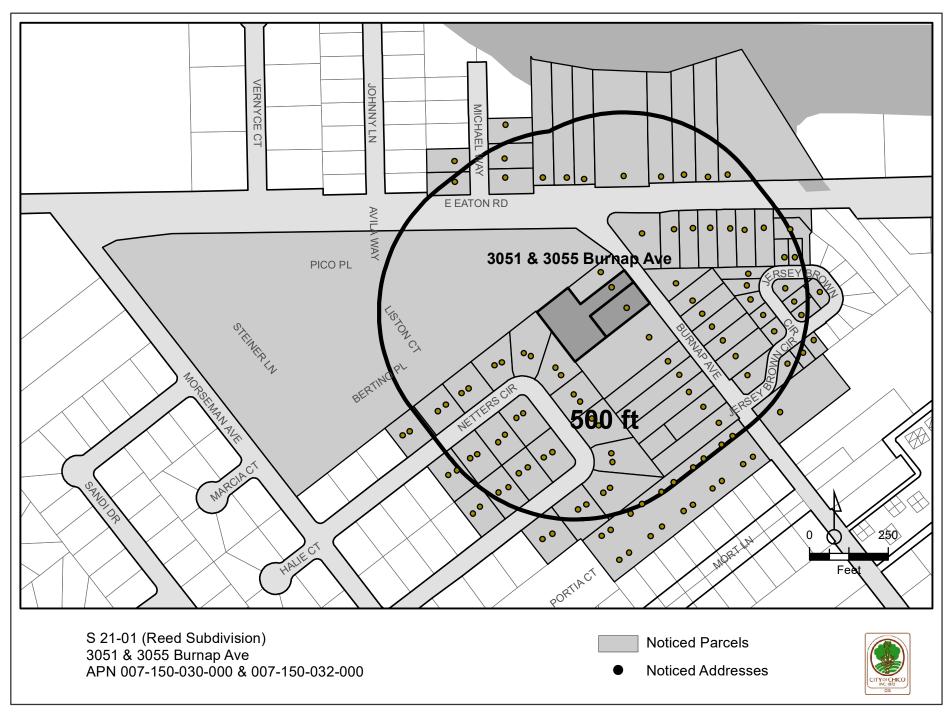
strictly conform to the design criteria and improvement standards set forth in Title 18R; D. As a result of the site's location within Airport Overflight Zone B2 (-AOB2) for the Chico Municipal Airport, standard conditions are included in the conditions of approval

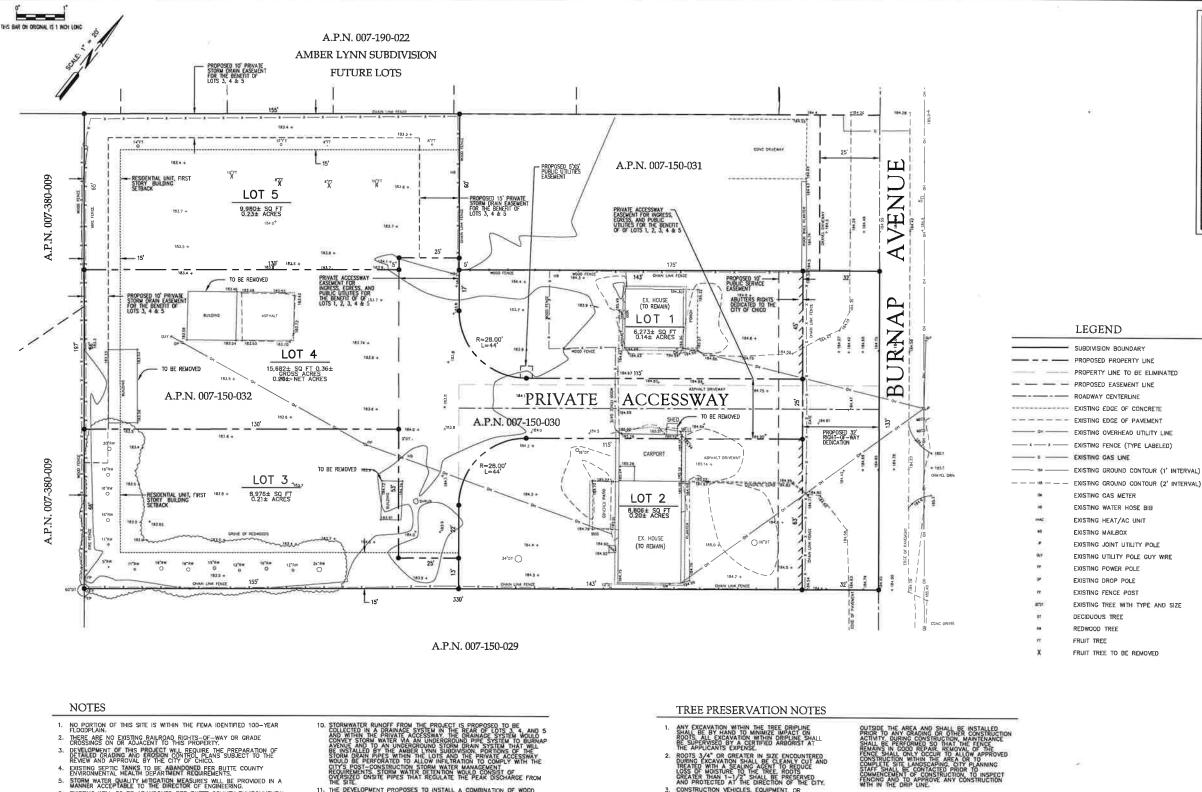
E. The Planning Commission finds the project in compliance with the Infill Development Density Standards set forth in Section 3.7.3(c)(1) of the Butte County Airport Land Use

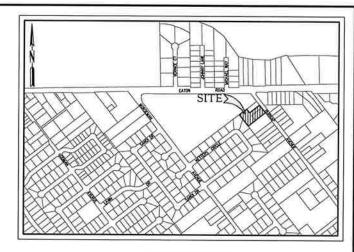
- F. As supported by the subdivision report prepared for the Project, and the agenda report, the Project and its design conform with both the requirements of Title 18 and 19 of the Chico Municipal Code and the Chico General Plan.
- 2. Based on all of the above, the Planning Commission hereby approves the Project, subject to the conditions set forth in Exhibit I, and the provisions of the Subdivision Report set forth in
- 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.

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1	THE FOREGOING RESOLUTION WAS ADOPTED at a meeting of the Planning					
2	Commission of the City of Chico held on April 7, 2022, by the following vote:					
3	AYES:					
4	NOES:					
5	ABSENT:					
6	ABSTAINED:					
7	DISQUALIFIED:					
8	ATTEST:	APPROVED AS TO FORM:				
9						
10						
11	BRUCE AMBO	Vincent C. Ewing, City Attorney*				
12	Planning Commission Secretary					
13						
14		*Pursuant to The Charter of				
15		the City of Chico, Section 906(E)				
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#### LOCATION MAP

NO SCALE

OWNER: REED JOHNSON 954 TOWNSHIP ROAD GRIDLEY, CA 95948 (530) 870-2040

SUBDIVIDER: REED JOHNSON 954 TOWNSHIP ROAD CRIDLEY, CA 95948 (530) 870-2040

ENGINEER: ROLLS, ANDERSON & ROLLS ATTN: HERBERT VOTAW P.L.S. 8043 115 YELLOWSTONE DRIVE CHICO, CA 95973

A.P. NO.: 007-150-032 & 007-150-030

TOTAL SUBDIVISION AREA: 1.24 AC

AVERAGE LOT SIZE: 9,995 S.F.

LAND USE: EXISTING-RESIDENTIAL PROPOSED-SINGLE FAMILY RESIDENTIAL

ZONING: R1-A0B2

GENERAL PLAN: LOR (CITY OF CHICO)

PROPOSED GROSS DENSITY: 4.03 UNITS/GROSS ACRE

SEWER: CITY OF CHICO STORM DRAIN: CITY OF CHICO

WATER: CALIFORNIA WATER SERVICE CO.

GAS & ELECTRICITY: PG&E TELEPHONE: AT&T CABLE TV: COMCAST

DATE OF TOPOGRAPHIC SURVEY: 10-20-20

# REED SUBDIVISION

VESTING TENTATIVE MAP

5 21-01

## REED JOHNSON

A PORTION OF LOT 33 AS SHOWN ON THAT CERTAIN SUBDIVISION MAP ENTITLED "HOBART SUBDIVISION" FILED IN BOOK 4 OF MAPS, AT PAGE 24, CITY OF CHICO, COUNTY OF BUTTE, STATE OF CALIFORNIA

ROLLS ANDERSON & ROLLS CIVIL ENGINEERS
115 YELLOWSTONE ORDO: - CHICO, CALFORNA 95973-5811 TELEPHONE 530-895-1422

JANUARY, 2022

19218

SHEET 1 OF 2

- EXISTING WELL TO BE ABANDONED PER BUTTE COUNTY ENVIRONMENTAL HEALTH DEPARTMENT REQUIREMENTS.
- 7. FIRE DEPARTMENT ACCESS LANCS LESS THAN 28-FEET IN WIDTH SHALL BE POSTED "NO PARKING FIRE LANE" ON BOTH SIDES OF THE STREET.
- NEW RESIDENTIAL UNITS AND ACCESSORY STRUCTURES SHALL BE LIMITED TO A SINGLE STORY, NO MORE THAN 25 FEET IN HEIGHT.

  PROPOSED SUBDIVISION MODIFICATION "AN ACCESSWAY SERVING MORE THAN THREE LOTS."



LEGEND

PROPOSED PROPERTY LINE PROPOSED EASEMENT LINE

ROADWAY CENTERLINE

EXISTING GAS LINE

EXISTING GAS METER

EXISTING WATER HOSE BIB

EXISTING UTILITY POLE GUY WIRE EXISTING POWER POLE

EXISTING HEAT/AC UNIT

EXISTING MAILBOX EXISTING JOINT UTILITY POLE

EXISTING DROP POLE EXISTING FENCE POST

DECIDUOUS TREE

REDWOOD TREE

FRUIT TREE TO BE REMOVED

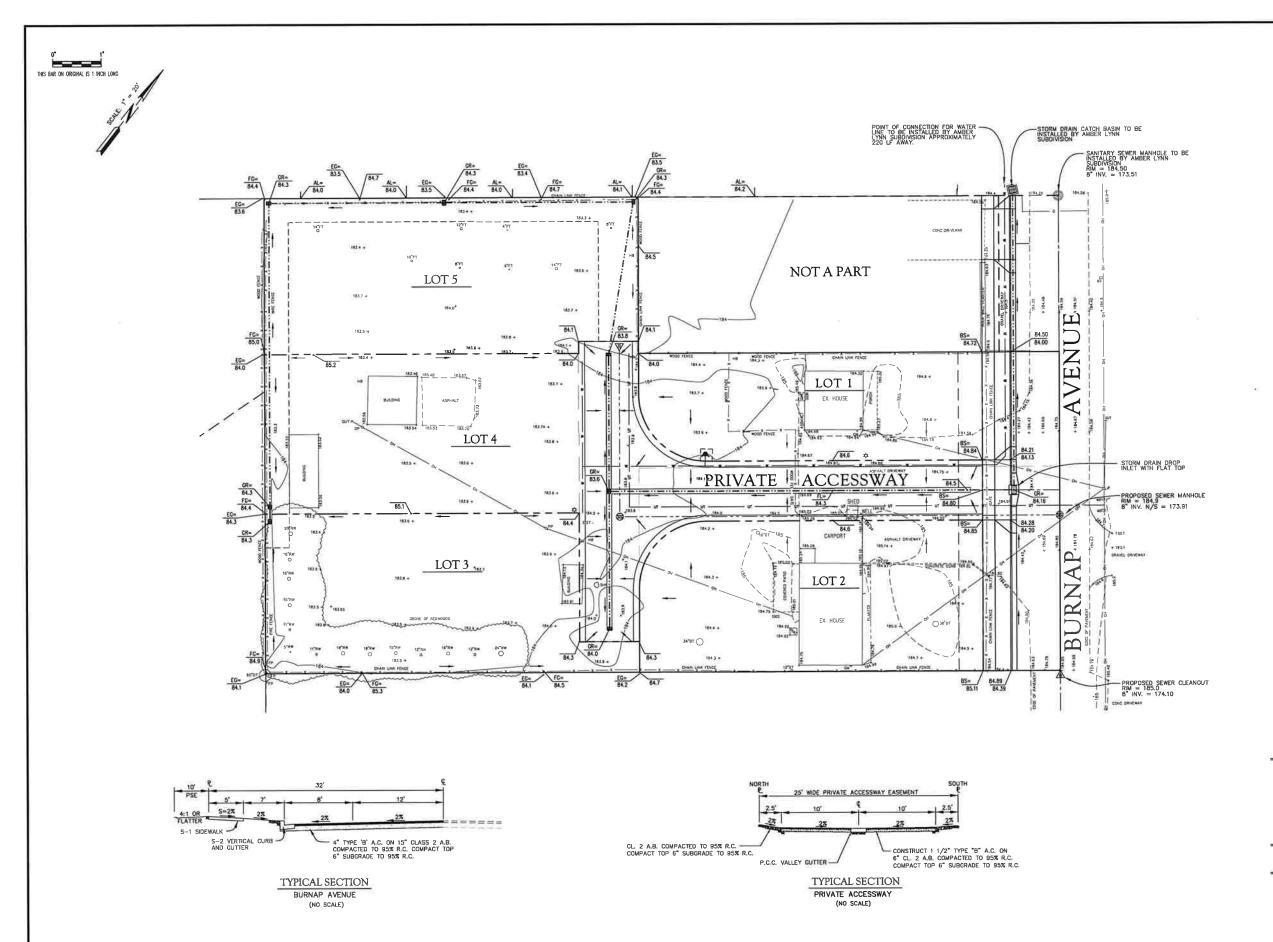
FRUIT TREE

EXISTING EDGE OF CONCRETE

EXISTING EDGE OF PAVEMENT

EXISTING GROUND CONTOUR (1' INTERVAL)

#### Attachment C



#### LEGEND

SUBDIVISION BOUNDARY PROPOSED PROPERTY LINE PROPERTY LINE TO BE ELIMINATED - PROPOSED EASEMENT LINE EXISTING EDGE OF CONCRETE EXISTING EDGE OF PAVEMENT EXISTING OVERHEAD UTILITY LINE - EXISTING FENCE (TYPE LABELED) - EXISTING GAS LINE - - EXISTING GROUND CONTOUR (2' INTERVAL) EXISTING GAS MAIN EXISTING WATER HOSE BIB EXISTING MAILBOX EXISTING JOINT UTILITY POLE EXISTING UTILITY POLE GUY WIRE EXISTING POWER POLE EXISTING DROP POLE EXISTING TREE WITH TYPE AND SIZE REDWOOD TREE PROPOSED DIRECTION OF SURFACE FLOW EXISTING GROUND ELEVATION LOT 1 REED SUBDIVISION LOT NUMBER EXISTING WATER VALVE EXISTING STREET LIGHT BOX EXISTING TELEPHONE PEDESTAL EXISTING SANITARY SEWER MANHOLE PROPOSED STORM DRAIN LEACH TRENCH PROPOSED SANITARY SEWER PROPOSED SANITARY SEWER CLEANOUT PROPOSED UNDERGROUND UTILITIES PROPOSED WATER LINE PROPOSED EASEMENT PROPOSED STORM DRAIN DROP INLET PROPOSED SANITARY SEWER MANHOLE PROPOSED CATCH BASIN AOS= BACK OF SIDEWALK GR= EXISTING GROUND FL= FLOW LINE AL= AMBER LYNN SUBDIVISION (PROPOSED FINISH GRADE) /X.XX PROPOSED FINISH GRADE (ADD 100.00) PROPOSED TOP OF CURB GRADE (ADD 100,00) X.XX PROPOSED STREET LIGHT

## CONCEPTUAL GRADING # UTILITY PLAN

# REED SUBDIVISION

VESTING TENTATIVE MAP

5 21-01

REED JOHNSON

A PORTION OF LOT 33 AS SHOWN ON THAT CERTAIN SUBDIVISION MAP ENTITLED "HOBART SUBDIVISION" FILED IN BOOK 4 OF MAPS, AT PAGE 24, CITY OF CHICO, COUNTY OF BUTTE, STATE OF CALIFORNIA

ROLLS ANDERSON & ROLLS

LIVIL ENGINEERS

16 YELLOWSTONE BRIVE - CHILD, CALFORNA 95873-5811

TELEPHONE 586-895-1422

AUGUST, 2021

19218

SHEET 2 OF 2