

CITY OF CHICO MEMORANDUM

TO:	Map Advisory Committee (Mtg. 02/10/2022)	DATE	: January 24, 2022
FROM:	Kelly Murphy, Planner (879-6535)	FILE:	EXT 21-06 for S/PDP 05-02
SUBJECT:	Twin Creeks Vesting Tentative Subdivision M Extension of Time Request; APN: 018-500-10	•	Planned Development Permit

REQUEST

The applicant submitted a timely request on 11/16/2021 for an extension of time in which to file final maps for the Twin Creeks Vesting Tentative Subdivision Map and Planned Development Permit (S/PDP 05-02). The site is designated Low Density Residential and Primary Open Space on the City of Chico General Plan Land Use Diagram, and zoned RS2-PD-FD (Suburban Residential with Planned Development and Foothill Development overlays).

BACKGROUND/ANALYSIS

The subject site is identified as Parcel 8 of Canyon Oaks Subdivision, located south of the eastern terminus of Shadow Tree Lane (see Location Map, **Attachment A**). Final action approving the project was taken by the City Council on 01/16/07 (see Resolution, **Attachment B**), resulting in an initial expiration date of 01/16/10.

Four successive State legislative actions extended the life of the tentative map through 2017:

- 1. 12 months (Government Code Section (GCS) 66452.21)
- 2. 24 months (GCS 66452.22)
- 3. 24 months (GCS 66452.23)
- 4. 24 months (GCS 66452.24)

At its meeting on 03/24/16, the Map Advisory Committee approved a request for a four-year extension of time pursuant to SMA 66452.6(e), yielding a new expiration date of 01/16/21. However, pursuant to California Assembly Bill 1561, the expiration date for maps that were set to expire prior to December 31, 2021 shall be extended by eighteen (18) months.

The MAC may extend the time for expiration of tentative maps for a period or periods not to exceed a total of seventy-two months (six years). The applicant has utilized four of the six years available. Staff supports a two-year extension, consistent with SMA 66452.6(e).

RECOMMENDATION

Staff recommends that the Committee (1) determine that the project was previously analyzed in a mitigated negative declaration which was adopted by the City Council and that no further environmental review is required pursuant to Section 15162 of the CEQA Guidelines; and (2) approve a two-year extension of time for the Twin Creeks Vesting Tentative Subdivision Map and Planned Development Permit (S/PDP 05-02), resulting in a new expiration date of 01/16/2023, subject to the following condition:

1. All conditions of approval shall apply as set forth in Planning Commission Resolution No. 08-07, adopted on January 16, 2007.

ATTACHMENTS

- A. Location Map
- B. Planning Commission Resolution No. 08-07

DISTRIBUTION

cc: NorthStar, Attn: Nicole Ledford, 111 Mission Ranch Blvd., Suite 110, Chico, CA 95926, Email: <u>nledford@northstareng.com</u>

	1	RESOLUTION NO. <u>08-</u> 07
	2	RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHICO CONDITIONALLY APPROVING
	3	TWIN CREEKS VESTING TENTATIVE SUBDIVISION MAP AND PLANNED DEVELOPMENT PERMIT S/PDP 05-02 (RILEY)
	4	
	5	WHEREAS, Kevin Riley and Riley Ventures, LLC (the "Applicant") have submitted a vesting
	6	tentative subdivision map and planned development permit (PDP) application for a vacant 68.06 acre
	7	parcel located south of the eastern terminus of Shadow Tree Lane, identified as Assessor's Parcel No.
	8	018-500-107, which would subdivide the 68.06 acre parcel into 14 parcels consisting of 12 single-family
	9	residential lots, a 1.35 acre parcel for a private street, and a 3.78 acre parcel for public utility easement
	10	and open space. Approximately 38 acres would be preserved as permanent open space. The project
	11	creates a net density of 0.40 units per acre ("the Project"); and
	12	WHEREAS, the PDP includes approval of height restrictions for new homes, and approval of
	13	conceptual building elevations for new homes; and
	14	WHEREAS, the Planning Commission considered the vesting tentative subdivision map and
	15	final development plan for the planned development permit, staff report, initial study, and comments
	16	submitted at a noticed public hearing held on August 17, 2006 and approved the Project after adopting
	17	a mitigated negative declaration and mitigation monitoring program; and
	18	WHEREAS, the Applicant filed a timely appeal of the Planning Commission's incorporation of
	19	three conditions of approval of the Project that would restrict the roof height and location of new homes;
	20	and
	21	WHEREAS, following a public hearing on December 19, 2006, the City Council reviewed and
PLD J	22	considered the Project.
COP ACM	23	NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF
A (16)	24	CHICO AS FOLLOWS:
AGENDA ¹ /16/07 COUNC D ISD CM ACM C 1 ISD CLK PLF M FIN.D COP	25	A. The Council hereby denies the appeal and approves the Project subject to all of the same
FO CSD HR/RM	26	conditions set forth in Planning Commission Resolution No. 06-35 approving the Project, except
DATE ADD. IN GSD ENG	27	that Condition No. 11, as set forth in Planning Commission Resolution No. 06-35 is modified
	28	to eliminate any reference to Lot 12 and to read as set forth in condition 11 set forth in Exhibit

 Π to this resolution.

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B. With regard to the mitigated negative declaration:

 The City Council, in exercising its independent judgment as the lead agency and after considering the proposed mitigated negative declaration, all proposed conditions of approval (including mitigation measures), all comments made in connection therewith, and the recommendations of the Planning Director thereon, finds, on the basis of the whole record before it, that:

- a. The mitigated negative declaration has been prepared in conformance with the provisions of the California Environmental Quality Act and the Chico Municipal Code, Chapter 1.40, "Environmental Review Guidelines;" and
- b. The mitigation measures set forth in Exhibit "I" hereto are in fact a part of the
 Project, are appropriate, and will substantially reduce or avoid the described
 environmental impacts to a less than significant level; and
 - c. There is no substantial evidence of a fair argument that the Project may have a significant effect on the environment.
- 16
 2. The City Council hereby adopts the mitigated negative declaration and the mitigation
 17 monitoring program prepared for the Project and attached hereto as Exhibit "I."

18 C. With regard to the subdivision map, the City Council finds that:

The net Project density (excluding areas of permanent open space) of 0.40 dwelling units
 per net acre is consistent with the Chico General Plan Diagram designation of Very Low
 Density Residential and Resource Management Area and the RS-2 Suburban Residential 2 acre minimum parcel size zoning district standards.

- 23
 2. At a net density of 0.40 dwelling units per acre, the Project and its design and
 improvements are consistent with the density requirements of the Chico General Plan
 designation of Very Low Density Residential and Resource Management Area.
- 3. No substantial evidence has been presented that would require disapproval of the Project
 pursuant to Government Code Section 66474.

28 4. As supported by the subdivision report prepared for the Project, and the staff report dated

July 28, 2006, 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.

D. With regard to the planned development permit:

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1. The Project is allowed within the subject zoning district and generally complies with all of the applicable provisions of these Regulations with modifications as specifically approved, and applicable project design guidelines in that the project is allowed in the RS2 Suburban Residential, 2-acre minimum lot size zoning district. Through the planned development permit process, the applicant's requested design modifications allows the creation of single-family lots that are less than the 2-acre minimum lot size and establishes architectural concepts for the project's new homes. The site is also located within the RM Resource Management overlay zoning district, consistent with its classification by the General Plan as a Resource Management Area (RMA). Through the planned development permit process, the proposal avoids development that would result in adverse or unmitigated environmental impacts, consistent with the purpose of the RM overlay zoning district.

16 2. The proposed development would be harmonious and compatible with existing and 17 future developments within the zoning district and general area, as well as with the land 18 uses presently on the subject property in that the project is consistent with existing 19 development in the Canyon Oaks Subdivision which is generally developed at very low 20 residential densities and adjacent to land designated for preservation of environmental 21 resources. The project is designed to preserve sensitive environmental resources and 22 characteristics of the site's foothill setting.

233.The proposed net density of 0.40 dwelling units per acre is consistent with the site's24General Plan designation of Very Low Density Residential which allows a density range25of 0.2 to 2.0 units per acre. The project site is designated by the General Plan as a26Resource Management Area (RMA) containing sensitive environmental habitat types27including blue oak woodland and blue oak savanna. In accordance with the requirements28of developing within an RMA, the project design locates road and lot development in

areas that avoid sensitive environmental resources (including populations of Butte County Checkerbloom, blue oak trees, and archaeological sites) while still meeting the density requirements of the General Plan. The project is consistent with numerous General Plan policies pertaining to the preservation of natural features and the open space character of the site.

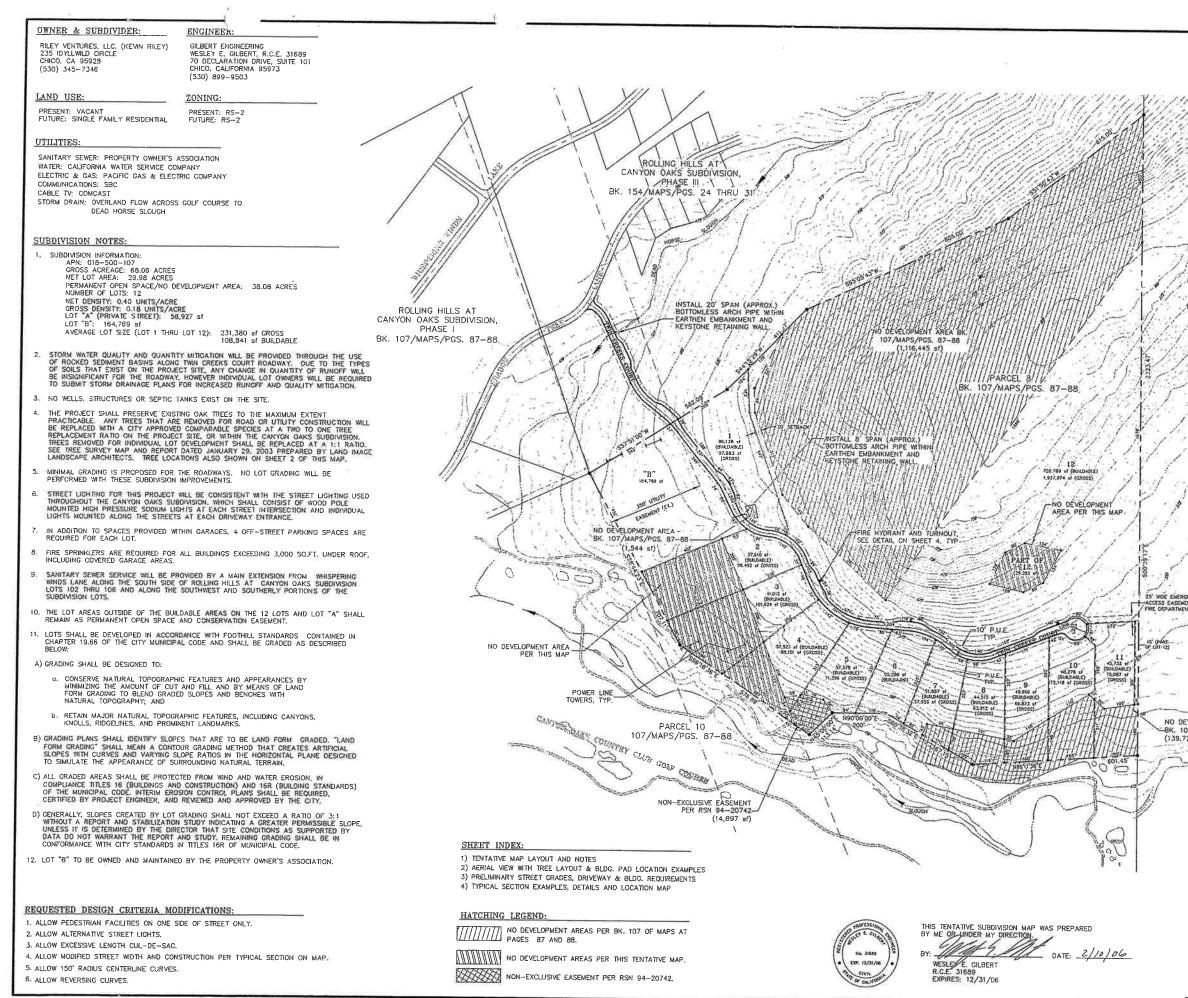
4. The site is physically suitable for the type and density and/or intensity of use being proposed in that the project site is constrained with sensitive environmental resources including topographic, geologic, and biologic resources, and large areas designated for permanent open space by the Canyon Oaks Subdivision Map (1986). Since the project is designed to both integrate and protect these resources, the project is physically suitable for the site.

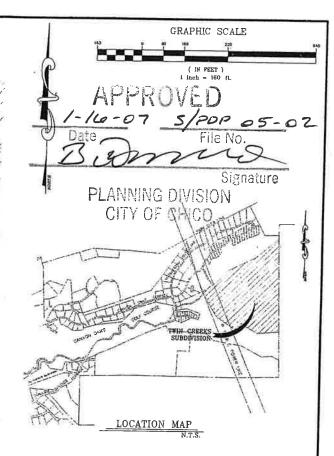
5. There are adequate provisions for public and emergency vehicle access, sanitation, water, and public utilities and services to ensure that the proposed development would not be detrimental to public health and safety in that the City's sanitary sewer system has adequate capacity to serve the project; domestic water will be provided by California Water Service Company; electric and natural gas service will be provided Pacific, Gas, and Electric Company (PG&E); storm water facilities will be constructed in accordance with adopted City standards and the City's Best Management Practices; adequate access will be provided to accommodate emergency vehicles including emergency pull-outs with fire hydrants located approximately every 250 feet along the north side of the project cul-de-sac road. A 25-foot wide emergency access easement is proposed to extend from the east end of the cul-de-sac to natural open space adjacent to the east of the site to allow emergency access for vehicles and equipment that may be necessary to combat wildland fires.

6. The design, location, size and operating characteristics of the proposed development would not be detrimental to the public interest, health, safety, convenience, or welfare of the City in that the proposed density is consistent with the site's Very Low Density Residential General Plan designation. As allowed through the planned development

1	process, the design integrates and preserves sensitive environmental resources consistent
2	with the site's designation as a Resource Management Area. The project will comply
3	with all City zoning and building standards. Therefore, the project will not result in
4	detrimental impacts to the public or the welfare of the City.
5	7. The City Council finds that the following modifications to the Design Criteria and
6	Improvement Standards of Title 18R of the Chico Municipal Code are necessary in order
7	for the proposed subdivision to conform to the existing modified improvements of the
8	Canyon Oaks Subdivision and because geologic conditions, topographic slopes of the
9	site, and preservation of the foothill character of the site are project characteristics that
10	would be compromised with the implementation of City standard street improvements.
11	The modifications are:
12	• Allow pedestrian facilities on only one side of the street.
13	• Allow alternate street lights.
14	• Allow excessive cul-de-sac length.
15	• Allow a modified street width and construction per typical section on the
16	tentative map.
17	Allow reversing road curves.
18	E. Based on all of the above, the City Council hereby denies the appeal and upholds the approval
19	of the Project by the Planning Commission, as set forth and conditioned in Exhibits "II" and
20	"Ⅲ,"hereto.
21	F. The City Council hereby specifies that the materials and documents which constitute the record
22	of proceedings upon which its decision is based are located at and under the custody
23	of the City of Chico Planning Division.
24	THE FOREGOING RESOLUTION WAS ADOPTED at a meeting of the City Council of the
25	City of Chico held on the 16th day of January 2007, by the following vote:
26	///
27	///
28	///
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Flynn, Nickell, Schwab, Holcombe AYES: NOES: Bertagna, Gruendl, Wahl ABSENT: None ABSTAIN: None DISQUALIFIED: None ATTEST: APPROVED AS TO FORM: Ulu DEBORAH R. PRESSON City Clerk LORI J BARKER Assistant City Attorney S:\Bob\MY.DOC\SUB\2005\02 Twin Creeks\Appeal\CC Final adoption\CCresolution.wpd





LINE	LINE TA	BEARING
L207	245.92	N39'00'39"W
202	81.39'	124'44'19"W
203	97.57	N22'05'21"W
204	148,99	N85'45'10"W
205	36,63	N52'25'13"W
206	320.18	559'02'54"W
207	14.92	N03'22'31"W

	CUR	VE TABL	E:
URVE	LENGTH	RADIUS	DELTA
C201	25.26'	250.00'	5'47'24"
C202	37.36'	150.00'	14'16'20"
C203	163.45'	150.00'	62"26"00"
C204	153.91'	150.00'	58'47'25"
C205	277.78	250.00*	63'39'48"
C206	145.44	250.00'	33'19'57"
C207	153.24'	150.CO'	56"31'53"

NO DEVELOPMENT AREA =BK. 107/MAPS/PGS. 87-88 (139,727 st)

TWIN CREEKS SUBDIVISION VESTING TENTATIVE SUBDIVISION MAP (S/PDP 05-02)

A PRIVATE STREET SUBDIVISION for

RILEY VENTURES LLC A SUBDIVISION OF PARCEL 8 AS SHOWN ON PARCEL MAP NO. 76 RECORDED IN BOOK 107 OF MAPS, AT PAGES 87 THRU 88, BUTTE COUNTY OFFICIAL RECORDS CITY OF CHICO, COUNTY OF BUTTE STATE OF CALIFORNIA

GILBERT ENGINFERING

70 DECLARATION DRIVE, SUITE 101 CHICO, CAUFORNIA 95973

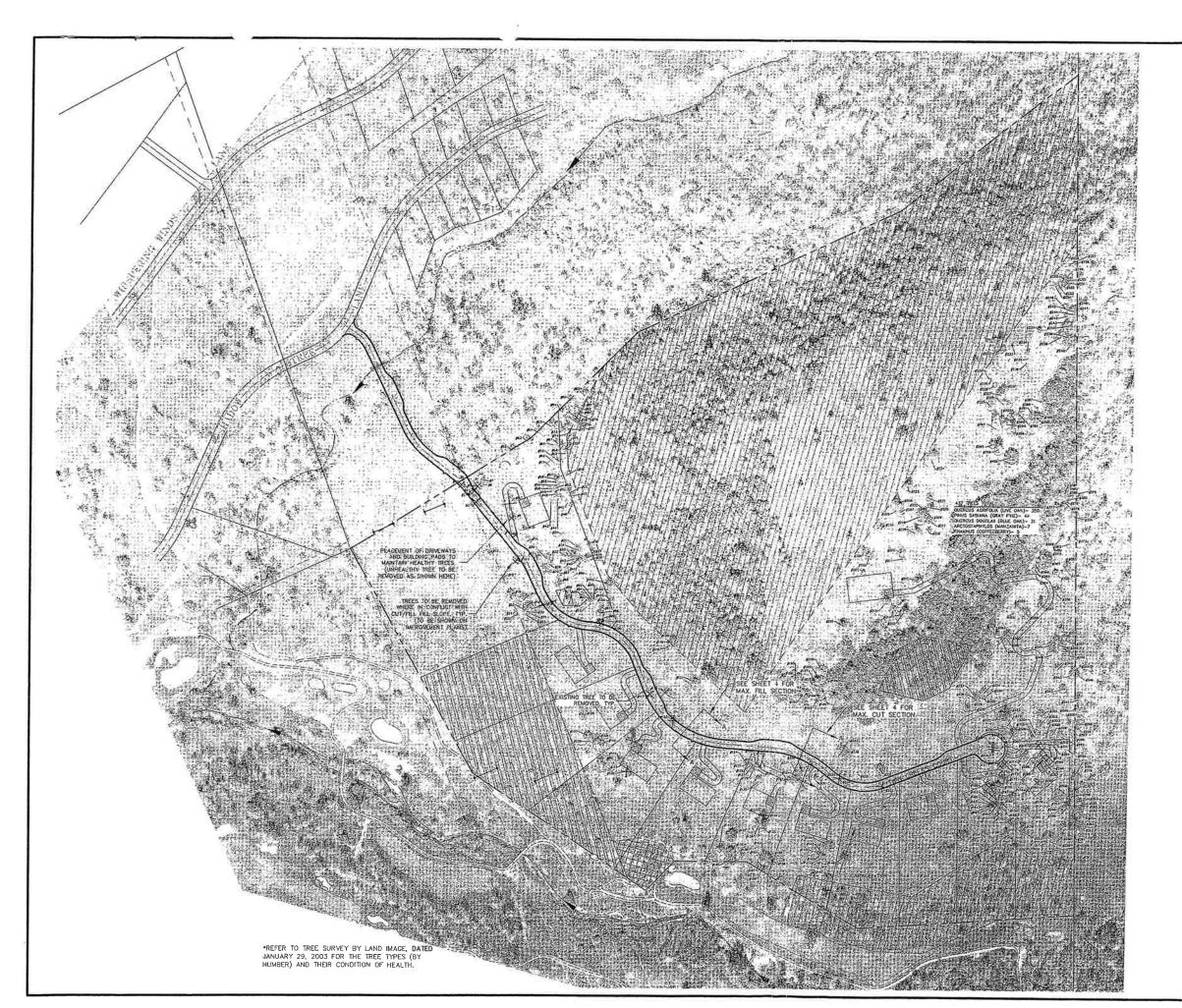
ATTACHMENT

FEBRUARY 10, 2005

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HEET

B



FEBRUARY 10, 2006

GLBERT ENGINEERING 70 DECLARATION DRIVE, SUITE 101 CHICO, CALFORNIA 95973 (S30) 899–9503 ATTACHMENT B

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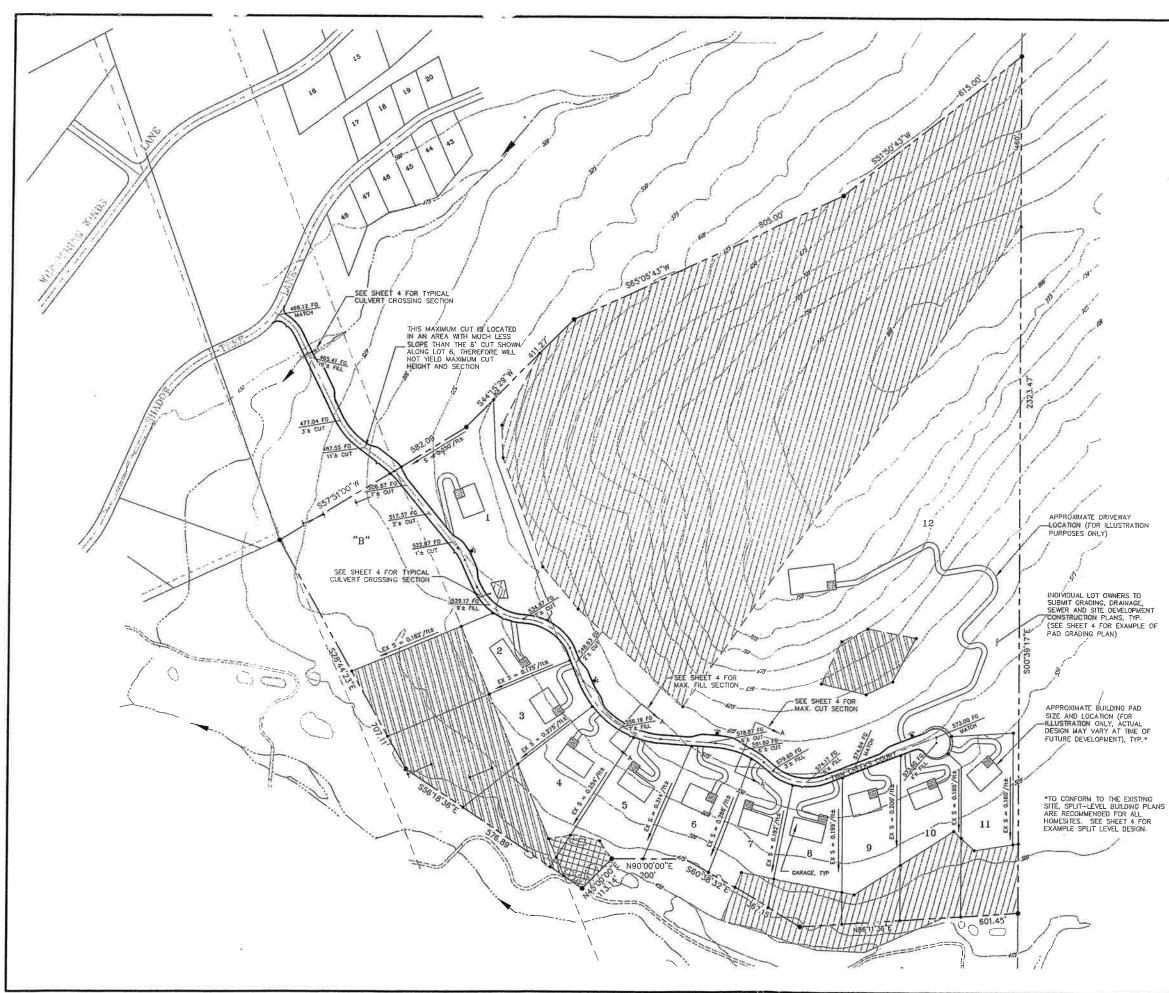
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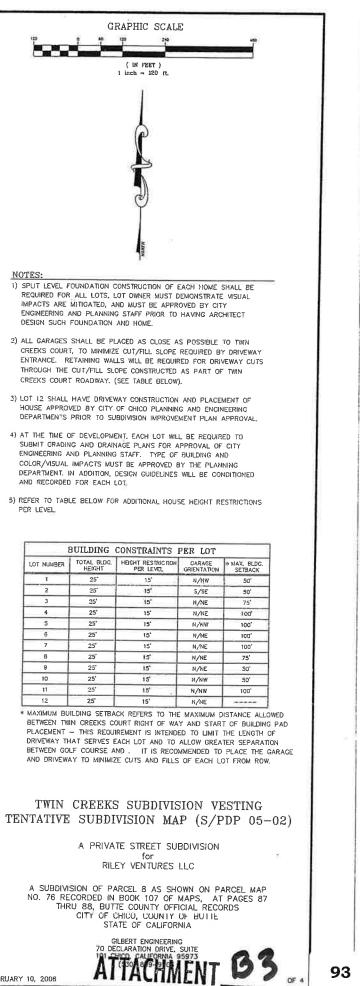
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GRAPHIC SCALE

(IN FEET) I juch = 120 ft.





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OF 4

