



**PLANNING COMMISSION
STAFF REPORT
February 15, 2022**

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Reviewed by: Tom Last, Community Development Director

DATA SUMMARY

Application Number: 21PLN-43
Subject: Berriman Ranch Phase III Tentative Subdivision Map, Development Review and Planned Development for the division of a ± 75.3 -acre parcel into 60 duet style lots ranging in size from $\pm 4,000$ square feet (Lot 33) to $\pm 8,741$ square feet (Lot 57). The project also includes seven remainder parcels designated as Lots A – G.
Location/APN: East of Picadilly Lane/APNs: 022-140-053 & 057
Applicant: Martin Wood, SCO Planning & Engineering
Zoning/General Plan: Two-Family (R-2) Zone/Urban Medium Density
Entitlements: Tentative Subdivision Map, Development Review and Planned Development Permits
Environmental: Statutory Exemption

RECOMMENDATION:

Staff recommends the Planning Commission approve the Berriman Ranch Phase III Duet Project Tentative Subdivision Map, Development Review and Planned Development, as presented, or as modified by the Planning Commission, which includes the following actions:

1. Determine the project Statutorily Exempt as the appropriate level of environmental review in accordance with the California Environmental Quality Act (CEQA) and Guidelines;
2. Adoption of Southern Sphere of Influence and Annexation Project Mitigation Monitoring & Reporting Plan (MMRP), implementing and monitoring all Mitigation Measures, in accordance with the California Environmental Quality Act (CEQA) and Guidelines;
3. Adoption of Findings of Fact for approval of the Tentative Subdivision Map, Development Review and Planned Development as presented in the Staff Report; and,
4. Approval of the Tentative Subdivision Map, Development Review and Planned Development in accordance with the Conditions of Approval as presented in the Staff Report.

BACKGROUND:

The initial Berriman Ranch residential project of 30 single-family residential homes was approved in 2010 and is nearing completion.

The Berriman Ranch Phase II Project of 12 duet units was approved on April 20, 2021, with construction pending.

An updated Southern Sphere of Influence and Annexation Project, including certification of a Subsequent Environmental Impact Report (SCH#2013052057) was approved by the City Council on December 14, 2021. Within the Plan, the City identified ± 10 acres to be developed with 60 duet lots (**Attachment 4 – Figure 2.7 – Southern Sphere of Influence and Annexation Project**). The Project was funded by Senate Bill 2 grant funds, which are aimed to help cities and counties prepare, adopt, and implement plans and process improvements that streamline housing approvals and accelerate housing production.

PROJECT DESCRIPTION:

The Berriman Ranch Phase III Duet Project consists of entitlements including a Tentative Subdivision Map, Development Review and Planned Development as outlined:

Tentative Subdivision Map – The Tentative Subdivision Map divides the ± 75.3 -acre parcel into 60 duet style lots ranging in size from $\pm 4,000$ square feet (Lot 33) to $\pm 8,741$ square feet (Lot 57) in the Two-Family (R-2) Residential Zone (**Attachment 5 – Berriman Ranch Tentative Subdivision Map**).

The project also includes seven remainder parcels designed as Lots A – G. Lot A is ± 7.57 -acre parcel designated for Open Space and Recreational purposes. Lot B is a ± 2.8 -acre parcel that will be offered for dedication to the City of Grass Valley for roadway, drainage, and public utility purposes. Lots C – F are HOA parcels of ± 0.22 , ± 0.76 , ± 0.13 , and ± 1.18 -acres respectively to facilitate landscaping, HOA uses, and drainage retention/treatment facilities. Lot G of ± 49.3 -acres is designated as a remainder parcel for future development and contains easements necessary to facilitate the construction of a regional sewer lift/pump station to be dedicated to the City of Grass Valley.

Access, Parking & Circulation – Access is provided via an extension of Picadilly Lane, a two-lane residential street with monolithic curb, gutter with sidewalk on both sides of the street. The roadway includes a 42-foot right-of-way and ± 32 -foot road section consisting of ± 10 -foot travel lanes with 9-foot parking on one side of the road. Picadilly Lane connects with Orchard Lane and Roads B, C & D (yet to be named) providing two connections to Taylorville Road to the east.

Open Space/Trails – Lot G of ± 49.3 acres includes ± 35 acres designated as Open Space. The developer proposes to construct trails concurrently with residential development and will grant the trails to the Bear Yuba Land Trust who will be responsible for trail maintenance. The ultimate alignment will be determined prior to construction in coordination with the Bear Yuba Land Trust and City. The remainder of the Open Space area will be maintained by a Homeowners Association or other similar private entity (**Attachment 6 – Berriman Ranch Project Phasing and Preliminary Trail Alignment**).

Fencing, Landscaping & Lighting – Fencing will be installed around the perimeter of the properties. Rear and side yard fencing adjoining open space areas consists of a six-foot black metal fence with wood fencing elsewhere. Fencing will be constructed concurrently

with home construction. Individual lot owners would be responsible for maintenance of the fence.

Typical lot landscaping will be submitted with building permits for front yard landscaping. The front yard landscaping will be installed by the developer prior to issuance of a Certificate of Occupancy for each of the homes. The rear yard landscaping will be the responsibility of the respective homeowner.

Street lighting will be installed in accordance with City standards along Picadilly Lane, Orchard Lane and Roads, B, C and D.

Grading/Retaining Walls – The site slopes from north to south with elevations of $\pm 2,370$ at the north end of the site and $\pm 2,330$ at the south end. The developed area slopes are an approximate 10% to 15% slope throughout. The remainder of the property contains areas of ± 20 to ± 30 percent slopes from north to south, with the steeper slopes immediately south of the proposed detention basin and to the east.

The applicant is proposing to grade all the residential lots for slab on grade foundations. Pad elevations range from $\pm 2,336$ feet at Picadilly Lane to $\pm 2,366$ feet at the east end of the development. To accommodate the pad grading, 2:1 slopes are necessary to shore up the pads for each of the residences. Accordingly, the rear yard useable spaces are limited. However, installing retaining walls throughout is cost prohibitive. Ultimately, the improvement of the backyards will be the responsibility of the respective homeowner should they decide to further landscape their backyard.

Tree Removal – According to the Tree Removal Map with the original project, a total of ± 443 trees are located within the development area. Of the ± 443 trees, the Berriman Ranch Projects are anticipated to remove ± 210 trees from the site or (47%) of the trees. For Phase III, six trees are to be removed (See Tree Removal Inset, page 3 of 3).

Drainage – The proposed project includes a detention basin ± 1.18 acres in size on Lot F. The detention basin is to be graded to capture storm drainage, but will be designed to be as shallow as possible. Drainage systems have been designed to convey 24-hour storm events and mitigate any potential runoff increases as outlined in the City of Grass Valley standards. The detention basin will contain landscaping and will be maintained by a private Homeowner's Association or similar private entity.

Development Review Permit – The project is located R-2 Zone District. The R-2 Zone permits single-family, duet, triplexes and fourplexes on 5,000 square foot lots contingent upon Development Review Permit (i.e., Design Review) approval for architectural building design in accordance with the City's Design Guidelines and Development Code Standards.

Residential Floor Plan and Elevations – The floor plans are those used for Berriman Ranch Phase II, which includes three floor plans with six elevations: Plan 1, Plan 2, and combination Plan 1 & 2 (**Attachment 7** – Floor Plans and *Architectural Elevations*).

Plan 1 – ±1,660 square feet for each unit with ±400 square foot garages. Plan 1 includes elevation options A & B. Elevation A includes 4/12 gable roofs with faux out-lookers. The siding material is a combination stucco and lap siding.

Elevation B includes 6/12 gable roofs with dormers. Materials include a combination stucco and board and batt siding.

Plan 2 – ±2,045 square feet for each unit with ±400 square foot garages. Plan 2 includes elevation options A & B. Elevation A includes 6/12 gable roofs with faux out-lookers and roof dormers. The siding material is a combination stucco and lap siding.

Elevation B includes 6/12 gable roofs with 4/12 porch roofs. Materials include a combination stucco and board and batt siding.

Plan 3 – ±1,660 & ±2,045 square feet units with ±400 square foot garages. Plan 3 includes elevation options A & B. Elevation A includes 4/12 gable roofs with faux out-lookers and roof dormer atop the larger unit. The siding material is a combination stucco and horizontal lap siding.

Elevation B includes 6/12 gable roofs with 4/12 porch roof and roof dormers. Materials include a combination stucco and board and batt siding.

Small front porches are provided for each of the elevations. Garage door elevations extend beyond the porch elevation ±3-5 feet.

Planned Development Permit – A Planned Development is requested to allow for a reduction in minimum ±5,000 square foot parcel size; building setbacks from 15 feet to 10 feet in the front yards; rear yard setback at 10 feet; and side yard setbacks of 5 feet reduced to 0 feet on one side to accommodate the duet style units.

A Planned Development (PD) permit process is intended to provide for flexibility in the application of Development Code standards under limited and unique circumstances. The purpose is to allow consideration of innovation in site planning and other aspects of project design, and more effective design responses to site features, uses on adjoining properties, and environmental impacts than the Development Code standards would produce without adjustment.

The Planned Development request is twofold: First, the attached housing product provides a greater diversity of housing in the area and less expensive price point than a detached single family unit product. Secondly, the PD request permits clustering of the units thereby requiring less grading and infrastructure to accommodate the necessary

building pads while increasing the amount of permanent open space and greater setbacks to natural features on-site.

SITE DESCRIPTION AND ENVIRONMENTAL SETTING:

The site is located west of Taylorville Road and east of the Gazebos and Carriage House residential projects. The project site consists of rolling to steep terrain, generally sloping towards the southeast. The area is a Ponderosa pine woodland and forest area dominated by ponderosa pines, incense cedars, and black oaks. The property also contains annual grasslands, with several wetland and riparian habitats. Highway 49 is located just east of the project site. Urban residential development is located to the northwest, and rural residential uses are located to the south. A commercial shopping center and industrial uses exist to the north and east (**Attachment 3 – Site Photographs**).

GENERAL PLAN AND ZONING:

General Plan: The ±10 acres of UMD requires between 4.01 and 8.0 residential units per acre. UMD is intended to accommodate single family detached and attached homes, single family patio homes, duplexes, and town houses. Both single family and multi-family housing types are facilitated by the UMD designation.

The Berriman Ranch Phase III Duet Project at ±10 acres and 60 residential units is at a density of 6 units per gross acre.

Multiple 2020 General Plan policies, goals, and objectives support both in-fill development and preservation of existing neighborhoods including, but not limited to:

- 3-LUO – Reduction in the amount of land necessary to accommodate future growth.
- 3-CG – Provide for the safe and efficient movement of people and goods in a manner that respects existing neighborhoods and the natural environment.
- 3-COSP – Encourage clustering, density averaging, and other techniques in large-scale new developments, as a means of preserving open space and natural systems.
- 4-LUG – Protect and enhance the character of established single-family neighborhoods.
- 5-LUG – Provide for a broad range of housing opportunities, including opportunities for low, moderate and middle income households.
- 8-CDP – Provide opportunities for attached housing units in single-family residential areas, subject to appropriate development standards and design criteria.
- 8-LUO – Provision of a full range of housing opportunities and types.
- 10-LUO – Preservation of existing neighborhoods.
- 11-LUP – Where feasible, treat newly developing areas as Planned Developments.
- 12-LUO – Designation of residential building sites sufficient in number and variety to meet projected demand.
- 12-CDP – Provide a mixture of residential unit designs in all major new residential developments.

- 12-LUP – Permit increases in residential density (clustering) on portions of development areas while maintaining high design standards.
- 13-LUO – Provision of sufficient affordable housing units for those working in Grass Valley.
- 23-LUP – Encourage mixed developments incorporating a variety of densities on infill sites and in areas proposed for annexation.
- 24-LUP – On large parcels, encourage clustering of residential units on the most developable portions of the site in order to reduce infrastructure and other housing-related construction costs.
- 28-LUP – Promote the construction of affordable housing utilizing the techniques and approaches described in this General Plan.

2019-2027 Housing Element – The 2019-2027 Housing Element was adopted by the City Council in August and Certified by the State Department of Housing and Community Development shortly thereafter.

The project is anticipated to provide 60 dwelling units for moderate income housing (80% to 120% of County Median Income). The moderate-income category represents 125 units of the City's 743 units to accommodate its regional share (16.8%) during the 2019-2027 Planning period (2019-2027 Housing Element Table II-32).

Zoning: The project is in the R-2 Zone district. The R-2 Zone is applied to areas of the City that are appropriate for a mixture of both single and two-family dwellings. The R-2 Zone is consistent with and implements the Urban Low Density and Urban Medium Density designations of the City's 2020 General Plan.

ENVIRONMENTAL DETERMINATION:

A Subsequent Environmental Impact Report (SEIR) was certified by the City Council on December 14, 2021, for the Southern Sphere of Influence Planning and Annexation Project. The EIR was a program EIR that evaluated the 60-unit duet project. Where an EIR has been prepared for a residential project, the project is Statutorily Exempt from further environmental review in accordance with CEQA Section 21083.3.

According to the EIR, Air Quality, Biological Resources, Greenhouse Gases, Cultural and Paleontological Resources, Hazards and Hazardous Materials, Hydrology and Water Quality, Noise, Transportation and Circulation, were identified as having potentially significant impacts requiring mitigation measures. Other resource categories were determined to be less than significant or have no impact based upon site and project specific impacts.

In accordance with CEQA Section 15097 of the CEQA Guidelines, the SEIR includes a Mitigation Monitoring and Reporting Plan (MMRP). The MMRP identifies the mitigation measures that reduce potential project impacts to a less than significant level. Applicable Mitigation Measures of the SEIR will be applied to the project in accordance with the adopted Mitigation Monitoring and Reporting Program (**Attachment 8 – Sphere of Influence and Annexation Project Mitigation Monitoring and Reporting Plan**).

ANALYSIS:

The Planning Commission reviewed this project previously as a component of the Southern Sphere of Influence Planning and Annexation Project. Presently, the project entitlements before the Planning Commission include a Tentative Subdivision Map, Development Review and Planned Development. The Map divides the subject ±75.3-acre property. Development Review is required for the design of the attached single-family homes. A Planned Development is proposed to deviate from the City's minimum parcel size and setbacks in the R-2 Zone.

Findings required for approval of the Berriman Ranch Phase III Duet Project include: 1) CEQA compliance relating to environmental impacts stemming from and specific to the project; 2) General Plan Consistency; 3) Zoning Consistency; 4) Subdivision Map Act; 5) Design Guidelines Consistency; and, 6) Planned Development addressing design modifications due to site constraints including Findings for same.

Findings in the affirmative to the above six criteria are necessary for approval of the Berriman Ranch Phase III Duet Project. Conversely, the Planning Commission is required to find, based upon substantial evidence in the record, that the project does not meet the six criteria to deny the entitlements. The Berriman Ranch Phase III Project complies with the above Findings as conditioned.

Tentative Subdivision Map – The TSM and Planned Development provide deviation in the minimum lot sizes of 5,000 square feet for ±26 of the lots; reduction of rear yard setbacks for ±13 of the lots; and reduction of lot width for ±32 of the lots. Deviation allows a more compact development thus reducing infrastructure costs and amount of site grading overall. Such deviations are consistent with the City's General Plan Policies relating to clustering, diversity of housing product and quality design.

Access and Improvements – To provide connectivity of the sidewalks throughout the development, Condition of Approval A – 9 requires the pedestrian pathways and the connection of sidewalks to be decorative paving to delineate pedestrian ways. Decorative paving will be installed along Picadilly Lane and Orchard Lane in a minimum of three locations.

Open Space/Trails – The property immediately south of the proposed Berriman Ranch Phase III consists of a ±49.3-acre parcel of which ±35 acres is reserved in Open Space. The Open Space parcel will be left in its natural state except for the pedestrian trails. Condition of approval G – 1 requires the developer to construct the plans prior to acceptance of the public improvements in consultation with the Bear Yuba Land Trust and City.

The remainder of the Open Space area will be maintained by a Homeowners Association, a similar private entity, or Bear Yuba Land Trust provided an endowment is maintained.

Drainage & Open Space Parcels – In accordance with Condition of Approval A – 8, Parcels C, D, E, F, and the noise berms shall be designed with the following elements:

- a. Natural vegetation, landscaping and trees shall be installed;
- b. The connection to Lot F shall include trees and bushes on both sides adjoining Lots 16 and 17; and,
- c. All common lots shall be maintained by a Homeowners Association or other private entity.

Residential Designs – Overall, staff is supportive of the mix of residential designs proposed. The designs include a mix of floor plans and elevations, natural materials with variation, and, variety of roof pitches and roof types. However, staff recommends the following architectural modifications consistent with the Phase II conditions:

- a. An additional floor plan and elevation shall be submitted consistent with the square footages and elevations presented.
- b. The porch should be extended/enlarged so that it is useable (i.e., 6 feet by 8 feet) with wall line extending beyond the garage a minimum of five feet.
- c. Natural materials such as horizontal lap siding and board and batt siding should be the predominate material on the front elevations. An additional material such as veneer is also recommended. The front elevation materials should wrap around the side elevation to the fence line.
- d. Garages shall be setback from the living area a minimum of 5 feet and shall be setback from the front property line a minimum of 20 feet.

Planning Commission Conditions of Approval – At the public hearing for Berriman Ranch Phase II Project, the Planning Commission imposed three additional Conditions of Approval. Condition of Approval relating to sidewalk on both sides of the street along Picadilly Lane. The Berriman Ranch Phase III project plans reflect this prior condition of approval. Condition of Approval D – 8 requires, except for personal use vehicles, all commercial heavy construction vehicular traffic to gain access to the site from Taylorville Road. This is an ongoing Condition of Approval. Condition of Approval E – 6 requires coordination with the Yuba Land Trust or other entity that will assume responsibility of trail maintenance. Coordination will occur prior to acceptance of the trail by Yuba Land Trust or other private entity.

ATTACHMENTS:

- Attachment 1** – Vicinity Map
- Attachment 2** – Aerial Photograph
- Attachment 3** – Site Photographs
- Attachment 4** – Figure 2.7 Southern Sphere Residential Development Area Conceptual Site Plan
- Attachment 5** – Tentative Subdivision Map
- Attachment 6** – Berriman Ranch Project Phasing and Preliminary Trail Alignment
- Attachment 7** – Floor Plans and Architectural Elevations
- Attachment 8** – Mitigation Monitoring and Reporting Program
- Attachment 9** – Project Findings & Conditions of Approval