

**PLANNING COMMISSION
STAFF REPORT
SEPTEMBER 19, 2025**

Prepared by: Amy Wolfson, City Planner

DATA SUMMARY:

Application Number: 25PLN-26
Subject: Tentative Parcel Map for the division of a ±0.31-acre parcel developed with two residences
Location/APN: 614 & 618 Walsh Street/008-333-006
Owner: LL Cool Homes, LLC
Applicant: Ken & Roaslind Burgan
Zoning/General Plan: Neighborhood General (NG-2) / Urban Low Density
Entitlements: Tentative Parcel Map
Environmental Status: Categorical Exemption

RECOMMENDATION:

1. That the Planning Commission approve the Tentative Parcel Map application for the two-parcel lot split as presented, or as may be modified at the public hearing, which includes the following actions:
 - a. Find the Tentative Parcel Map project is Categorically Exempt pursuant to Section 15315, Class 15, of the California Environmental Quality Act (CEQA) and Guidelines, as detailed in the staff report; and
 - b. Adopt Findings of Fact for approval of the Tentative Map Application as presented in the Staff Report; and
 - c. Approve the Tentative Map for the subdivision of ±0.31 parcel into two parcels of 7,841 and 5,617 square feet as presented in accordance with the Conditions of Approval, attached to the Staff Report.

BACKGROUND:

The City processed this same tentative map in 2009 under file number 09PLN-03. However, the map expired and was never recorded. Each of the resulting lots will contain a residence that was constructed around 1910 according to Nevada County Assessor records. Building permits were not required until around 1962 so both residences are considered to be legally established.

PROJECT DESCRIPTION:

The proposed tentative map involves the subdivision of the ±0.31-acre parcel into two parcels of 7,841 and 5,617 square feet. There is no minimum lot size standard associated with the NG-2 zoning designation, so the proposed lot sizes are considered to be consistent with the municipal code in terms of lot size. The Housing Element of the General Plan does apply a density limitation to the NG-2 designation at 4 dwelling units per acre. However, because the

residences were legally constructed prior to the establishment of the City's zoning regulations that govern density, the parcel split does not violate the City's density limitation because the density of the lot will remain at 2 residences per 0.31 acres as it has since 1910.

GENERAL PLAN AND ZONING:

General Plan: The Urban Low Density (ULD) General Plan designation includes a density range of 1 to 4 dwelling units per acre. ULD is intended primarily for single family detached houses, although higher density single family patio homes or Town houses could be accommodated, if offset with sufficient open space to maintain the gross density within the indicated range. ULD is most compatible with the following Zoning districts: Single Family Residential (R-1) and Two-Family Residence (R-2) districts.

Zoning: The primary intent of the Neighborhood General (NG-2) zone is to strengthen the character of existing historic neighborhoods within Grass Valley. It seeks to enhance the unique character of existing neighborhoods, particularly in locations where this character may be most susceptible to change.

ENVIRONMENTAL DETERMINATION:

Pursuant to CEQA an Initial Study is required to be prepared in the absence of an applicable exemption pursuant to CEQA Guidelines. In this case, The Tentative Map is consistent with Categorical Exemption Class 15, which consists of the division of property in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous 2 years, and the parcel does not have an average slope greater than 20 percent.

FINDINGS:

1. That the proposed subdivision, together with the provisions for its design and improvement, is consistent with the general plan, and any applicable specific plan, and that none of the findings for denial in Subsection C of Section 17.81.060 GVMC can be made. The findings shall apply to each proposed parcel as well as the entire subdivision, including any parcel identified as a designated remainder in compliance with Map Act Section 66424.6
2. There is no minimum lot size standard associated with the NG-2 zoning designation so the proposed lot sizes are considered to be consistent with the municipal code in terms of lot size.
3. While the Housing Element of the General Plan does apply a density limitation to the NG-2 designation at 4 dwelling units per acre, the existing residences were legally constructed prior to the establishment of the City's zoning regulations that govern density.

4. The density of the lot will remain at 2 residences per 0.31 acres as it has since the time the residences were initially established in 1910.
5. The Planning Commission reviewed the project in compliance with the California Environmental Quality Act and recommends that the Planning Commission find the project qualifies for a Class 15, Categorical Exemption (Minor Land Divisions) in accordance with the California Environmental Quality Act and CEQA Guidelines.

RECOMMENDED CONDITIONS:

Planning Department:

1. The approval date for this tentative map is September 16, 2025 pursuant to Section 17.81.080 GVMC. This project is approved for a period of three (3) years and shall expire on September 16, 2028, unless the Tentative Parcel Map has been filed with the County Recorder's Office or the applicant requests a time extension that is approved by the Grass Valley Planning Commission pursuant to the Development Code or unless otherwise provided for by the Subdivision Map Act.
2. The project shall be constructed in accordance with the plans approved by the Planning Commission for Tentative Parcel Map 25PLN-26 unless changes are approved by the Planning Commission prior to commencing such changes, minor design changes may be approved by the Community Development Department as determined appropriate by the Community Development Director.
3. The applicant may file a Notice of Exemption, including payment of associated recording fees, within (5) days after the approval date of the project. If filed, the applicant shall provide a copy of the notice to the City.
4. The applicant agrees to defend, indemnify, and hold harmless the City in any action or proceeding brought against the City to void or annul this discretionary land use approval.

Engineering Department:

5. Prior to map recordation, the location of both water services and both sewer laterals must be shown on the map and two separate sewer services shall be established as shared utilities are not allowed for separate parcels. The parcel map must include a statement on the parcel map or on a separate instrument identifying the requirement for water service and sewer service.
6. All existing sewer laterals to the City sewer main shall include or be modified to include a cleanout, sewer backwater valve, and a pressure relief device.
7. Prior to map recordation, The applicant shall submit to the City Engineer for review and approval a Final/Parcel Map prepared by a Licensed Surveyor, or Registered Civil Engineer licensed to survey in the State of California, in accordance with the City's

Subdivision Ordinance and the California Subdivision Map Act; and shall pay all appropriate fees for map check and recording.

ATTACHMENTS:

1. Aerial and Vicinity Maps
2. Tentative Map Application
3. Applicant Project Description
4. Tentative Map Exhibit