



**PLANNING COMMISSION
STAFF REPORT
January 18, 2022**

Prepared by: Lance E. Lowe, AICP, Principal Planner
Reviewed by: Tom Last, Community Development Director

DATA SUMMARY

Application Number: 21PLN-44
Subject: Tentative Subdivision Map for the division of a ± 2.59 -acre parcel into 10 single family lots ranging in size from $\pm 6,581$ square feet (Lot 9) to $\pm 20,397$ square feet (Lot 6).
Location/APN: 190 Upper Slate Creek Road/008-090-026
Applicant: Rob Wood, Millennium Planning & Engineering
Zoning/General Plan: Single Residential (R-1) Zone/Urban Low Density Residential (ULDR)
Entitlement: Tentative Subdivision Map
Environmental: Categorical Exemption

RECOMMENDATION:

Staff recommends the Planning Commission approve the Rustic Woods Tentative Subdivision Map, as presented, or as modified by the Planning Commission, which includes the following actions:

1. Determine the project Categorically Exempt as the appropriate level of environmental review in accordance with the California Environmental Quality Act (CEQA) and Guidelines;
2. Adoption of Findings of Fact for approval of the Tentative Subdivision Map as presented in the Staff Report; and,
3. Approval of the Tentative Subdivision Map in accordance with the Conditions of Approval as presented in the Staff Report.

PROJECT DESCRIPTION:

A Tentative Subdivision Map for the division of a ± 2.59 -acre parcel into 10-single family lots in the Single Residential (R-1) Zone. Parcel 1 of $\pm 9,873$ square feet contains an existing $\pm 1,100$ square foot single-family dwelling on septic. The remainder of the property is vacant. The parcels range in size from $\pm 6,581$ square feet (Lot 9) to $\pm 20,397$ square feet (Lot 6). The applicant is requesting a two-phased Final Map as follows:

Phase I – The Phase I Final Map would create Lot 1 including the existing ±1,100 square foot single-family dwelling with septic system. Creation of the lot encompassing the existing home allows individual sale, lease, financing, and improvement of the property. An employee of Millennium Planning and Engineering has committed to purchasing the home as their primary residence. Except for the creation of Lot 1, no other improvements will occur with the Phase I Final Map.

Phase II – The Phase II Final Map consists of the Lots 2 – 10 with associated infrastructure including Upper Slate Creek Road and Sparks Way improvements together with extension of utilities. The shared fourteen-foot emergency access connecting to Ridge Road and drainage improvements will also be constructed. Abandonment of the septic system on Lot 1 will occur upon connection to City sewer for Lots 1 – 10.

Access, Parking & Circulation – Access is provided via Upper Slate Creek Road, which is a private unimproved roadway serving four existing homes as well as providing a secondary means of access to the Ridge Meadows development via Morey Lane. An access and utility easement has been obtained for use of Upper Slate Creek Road. Although private, Upper Slate Creek Road is proposed to be improved as a modified City Street including two 11-foot travel lanes with curb, gutter, and sidewalk on the west side of the street. No parking is proposed on Upper Slate Creek Road.

Within the development, Sparks Way is proposed as a modified City Standard cul-de-sac with curb, gutter, and sidewalk on the north side of the street. Parking is proposed on Sparks Way (*See Sheet C.3.0 Cross Sections C-B and C-C – Residential Street*).

A fourteen-foot secondary emergency access from the end of Sparks Way connecting with Ridge Road is proposed to meet fire department requirements.

Within each lot, driveways will be a minimum of 20-foot in depth to accommodate additional off-street parking

Residential Building Design – The applicant intends on selling finished lots to a residential builder who may construct individual lots or the entirety of the project. Accordingly, no residential floor plans or elevations have been submitted. In lieu of architectural plans, the applicant has submitted residential building design criteria. The building design criteria will be incorporated into the Conditions, Covenants and Restrictions (CC&Rs) for the project. The building design criteria will assure that the home designs comply with the minimum design standards of the City's Development Code Section 17.44.210 (**Attachment 4– Rustic Woods Residential Design Guidelines**).

Landscaping – Landscaping will be provided in the front yards of each of the lots. The landscaping will consist of groundcover, shrubs, and trees. Front yard landscaping shall be installed prior to the issuance of a Certificate of Occupancy for each of the residences. The rear yards shall be the responsibility of the individual homeowners.

Lighting – Lighting will consist of street lighting, to be installed along Upper Slate Creek Road and Sparks Way, as well as individual lighting for each of the respective homes. The lighting will contain shields to direct lighting downward in accordance with City of Grass Valley Development Code standards.

Fencing – Residential wood fencing will be constructed between the individual homes along the side and rear property lines by each respective builder. Fencing shall be completed prior to the issuance of a Certificate of Occupancy for each of the residences.

Tree Removal – As the photographs illustrate, the project area does not contain any heritage trees that are subject to City of Grass Valley policies. With development of the property, a minimum of 20 trees will be planted on the ten lots.

Grading/Retaining Walls – The project would require cut of $\pm 1,240$ cubic yards and fill of $\pm 1,130$ cubic yards resulting in an export of ± 110 cubic yards. Excess soil is to be used on-site for landscaping. Considering the topography, no retaining walls are anticipated for the project.

Drainage – A preliminary drainage study has been prepared by *Millennium Planning & Engineering* dated August 2021. The project has been designed to comply with City of Grass Valley Design Standards for regulated projects (all projects that create and/or replace 5,000 square feet or more of impervious surface). Storm drainage will be collected and routed through gutters in the street or v-ditch in the back of Lots 6 – 10 and will direct runoff into a new infiltration treatment area located along the emergency access road (See **Attachment 6 – Rustic Woods Tentative Subdivision Map and Project Plans**).

SITE DESCRIPTION AND ENVIRONMENTAL SETTING:

The subject ± 2.59 -acre property is relatively flat with less than 5 percent gradient. The property is surrounded by low density residential uses to the north, east and west. NID's Alta Hill Reservoir is located to the south. An existing $\pm 1,100$ square foot single-family residence is located at the southeast corner of the lot accessed via Upper Slate Creek Road. The residence is served by PG&E, NID water and a private septic system. City sewer will be available with the extension of the sewer main from Upper Slate Creek, at which time the septic system will be abandoned (**Attachment 3 – Site Photographs**).

GENERAL PLAN AND ZONING:

General Plan: The project area has a land use designation of Urban Low Density Residential, according to the *City of Grass Valley 2020 General Plan*. The Urban Low-Density Residential classification requires between 1.01 and 4.0 residential units per gross acre. ULD is intended primarily for single family detached houses.

The Rustic Woods TSM at ± 2.59 acres and 10 residential units is at a density of 3.86 units per acre. Accessory Dwelling Units (ADU's) are also permitted on each of the respective lots, but do not count toward the density.

The project site is an in-fill residential development with residential lot sizes and density consistent with the neighborhood. Multiple 2020 General Plan policies, goals, and

objectives support both in-fill development and preservation of existing neighborhoods including, but not limited to:

- 2-LUG – Promote infill as an alternative to peripheral expansion where feasible.
- 3-LUO – Reduction in the amount of land necessary to accommodate future growth.
- 4-LUO – Reduction in the environmental impacts associated with peripheral growth.
- 4-LUG – Protect and enhance the character of established single-family neighborhoods.
- 10-LUO – Preservation of existing neighborhoods.
- 3-CG – Provide for the safe and efficient movement of people and goods in a manner that respects existing neighborhoods and the natural environment.

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

The project is anticipated to provide 10 dwelling units for above-moderate income housing (120% of County Median Income). The above-moderate income category represents the greatest need for Grass Valley's total share of regional units (349 units, 47%) during the 2019-2027 Planning period (2019-2027 Housing Element Table II-32).

Accessory Dwelling Units (ADUs) are also permitted on each of the respective lots, which constitute non-deed restricted affordable housing units.

Zoning: The property is within the Single Residential (R-1) Zone district. The R-1 Zone is applied to areas of the City that are appropriate for neighborhoods of single dwellings on standard urban lots, surrounding the more densely developed City core. The R-1 Zone is consistent with and implements the Urban Low Density (ULD) designation of the General Plan.

ENVIRONMENTAL DETERMINATION:

The project qualifies for a Class 32 Categorical Exemption. A Class 32 Categorical Exemption consists of projects characterized as in-fill development meeting the conditions described: a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations; b) The proposed development occurs within city limits on a project site of not more than five acres substantially surrounded by urban uses; c) The project site has no value as habitat for endangered, rare or threatened species; d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; e) The site can be adequately served by all required utilities and public services.

The City's General Plan Land Use Designation is Urban Low Density Residential, which allows up to four dwelling units per acre. The project is consistent with the minimum parcel size in the R – 1 Zone with infrastructure improvements consistent with the City's standards as conditioned. The project site is surrounded by residential uses on three

sides and is therefore considered in-fill development. The property is a fallow agricultural land, which has been disturbed thereby reducing the likelihood of having any habitat value. Standard Conditions of Approval have been imposed on the project for Air Quality and Cultural Resources.

ANALYSIS:

The sole entitlement before the Planning Commission is the discretionary review of a Tentative Subdivision Map in accordance with the Subdivision Map Act and local ordinance enacted thereto. Accordingly, four criteria are required for approval of the Rustic Woods Tentative Subdivision Map: 1) CEQA compliance relating to environmental impacts stemming from and specific to the project; 2) General Plan Consistency 3) Zoning Consistency; and 4) Subdivision Map Act and local ordinance addressing design and improvement including Findings for same.

Findings in the affirmative to the above four criteria are necessary for approval of the Rustic Woods Tentative Subdivision Map. Conversely, the Planning Commission is required to find, based upon substantial evidence in the record, that the Rustic Woods project does not meet the four criteria to deny the Tentative Subdivision Map. As substantiated herewith, the Rustic Woods TSM complies with the above Findings.

Tentative Subdivision Map – The Tentative Subdivision Map creates lots consistent with the minimum dimensions and 6,000 square foot lot size in the R – 1 Zone.

Upper Slate Creek Road Improvements – Access is provided via Upper Slate Creek Road, which is a private unimproved roadway. An access and utility easement has been obtained from the Upper Slate Creek property owner for use by the Rustic Wood Residential Subdivision solely. Upper Slate Creek Road is proposed to be improved as a modified City Standard Detail ST-14, which includes 11-foot travel lanes, curb, gutter, and a sidewalk on the west side of the street only.

Public Works Conditions of Approval E – 2b requires the road section to be in accordance with City Standard Detail ST – 14, ST – 15 or ST – 16. Modified versions of the City Standard are not permitted. The roadways will be constructed to City Standards and constructed prior to the Filing of the Final Map creating the lots and issuance of building permits for the respective homes.

Prior to filing of the Final Map, Condition of Approval No. A – 10 requires approval of a Road and Drainage Improvement Agreement for maintenance of Sparks Way, Upper Slate Creek Road, emergency access and drainage improvements within the development.

Connection to Morey Lane – As the photograph illustrates, Ridge Village's Morey Lane is a public street with barricades barring the connection of Morey Lane to Upper Slate Creek Road. As noted, Upper Slate Creek Road is a private road and according to the applicant, the road owner is reluctant to allow access from Morey Lane. As such, removal of the barricades onto Upper Slate Creek Road will not occur with this project.

Emergency Access – Secondary emergency access is provided at the end of Sparks Way connecting with Ridge Road over a fourteen-foot by forty-foot strip of property connecting with Ridge Road to the west. Neighborhood mailboxes are in the strip of property connecting with Ridge Road and will have to be relocated to the satisfaction of the US Postal Service and City Engineer per Condition of Approval A – 5.

Sidewalks – Except for a small segment of sidewalk fronting the existing home, the proposed sidewalk improvements provide an internal connection from Morey Lane serving the Ridge Meadows development to Ridge Road. Condition of approval No. B – 1 requires the improvement plans be modified to include curb, gutter, and sidewalk along proposed Lot 1 and along 120 Morey Lane thereby providing a sidewalk connection with Ridge Road.

Northeast Property Adjoining Upper Slate Creek Road – The subject property contains a 10-foot-wide strip on the northeast side of Upper Slate Creek Road fronting the existing two homes. The applicant has indicated that he plans on dedicating the property to the property owners as part of the Rustic Woods Final Map.

Condition of Approval No. A – 9 requires the applicant to consult with the adjoining property owners for the ±10 wide property at the northeast side of Upper Slate Creek Road. The property fronting the existing homes should be dedicated to the respective property owners concurrently with the Final Map. The property shall be shown on the Final Map to the satisfaction of the Community Development Department.

Drainage Improvements – Storm drainage will be collected and routed through gutters in the street or v-ditch to be constructed in the back of the Lots 6 –10. The drainage will direct runoff into a new infiltration treatment area located along the emergency access road on Lot 6. As proposed, the improvements will be the responsibility of the owner of Lot 6. However, the drainage improvements should be the responsibility of an independent entity such as a Homeowners Association or other similar entity. Condition of Approval A – 8 requires the common facilities to be designated as common facilities.

Phased Final Maps – Pursuant to Section 66456.1 of the Subdivision Map Act, multiple final maps relating to an approved or conditionally approved tentative map may be filed prior to the expiration of the tentative map if: a) the subdivider, at the time the tentative map is filed, informs the agency of the subdivider's intention to file multiple final maps on such tentative map, or b) after filing of the tentative map, the local agency and the subdivider concur in the filing of multiple final maps.

ATTACHMENTS:

Attachment 1 – Vicinity Map

Attachment 2 – Aerial Photograph

Attachment 3 – Site Photographs

Attachment 4 – Rustic Woods Residential Design Guidelines

Attachment 5 – Findings and Project Conditions of Approval

Attachment 6 – Rustic Woods Tentative Subdivision Map and Project Plans