
675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532



For Meeting of: January 25, 2022

Consent Item; Public Hearing Item

To: Planning Commission

From: Kevin Caldwell, Community Development Director

Through: Kyle Knopp, City Manager

Date: January 18, 2022

Subject: Roscoe Subdivision; 98 Painter Street
File No. 052-162-016; Case No. PMS 21-02

Recommendation:

That the Planning Commission:

1. Receive staff's report regarding the proposed subdivision;
2. Open the public hearing, receive public input and deliberate;
3. Close the public hearing;
4. Find that the proposed subdivision: (1) is consistent with the Rio Dell General Plan; (2) complies with the requirements and standards of the City's zoning regulations; (3) complies with the requirements and standards of the City's subdivision regulations; (4) is physically suitable for the type of development; and (5) is Categorically Exempt pursuant to Section 15315 of the CEQA Guidelines, Title 14, Chapter 3 of the California Code of Regulations.
5. Adopt Resolution No. PC 164-2022 approving the proposed subdivision.

Summary

The applicant has made application for a subdivision of a 2.59-acre parcel into four parcels of: Parcel 1 - 6918 sq. ft.; Parcel 2 - 7,606 sq. ft.; Parcel 3 - 16, 667 sq. ft.; and Parcel 4 - 91,789 sq. ft. The property is currently developed with three single family residences. The eastern residence will be relocated to Parcel 2. Parcel 4 is vacant with no development proposed at this time. The parcels are provided with community water and sewer. A copy of the Tentative Map is included as Attachment 1.

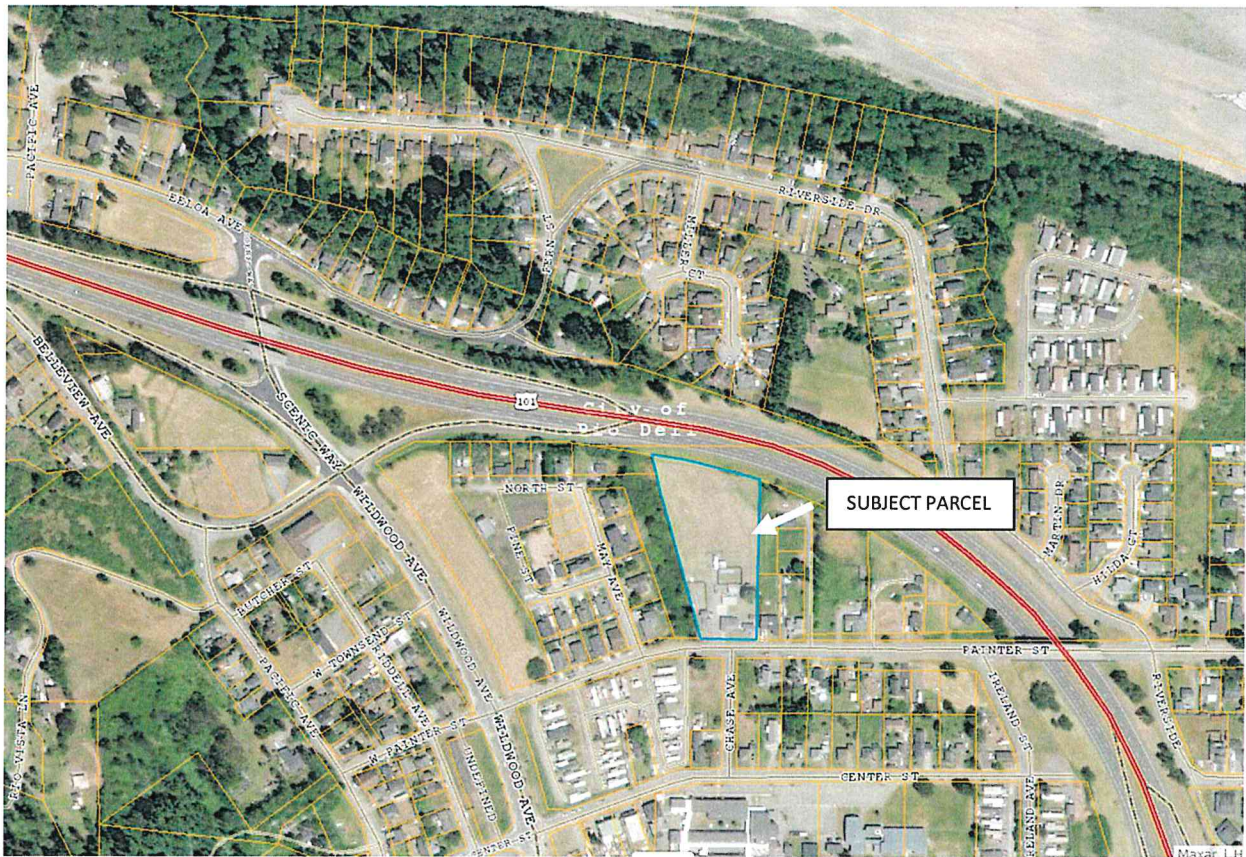


Figure 1

The applicant has submitted evidence in support of making the required findings. Therefore, staff recommends that the Planning Commission approve the project as conditioned.

Based on a site inspection, the nature of the proposed project, comments from referral agencies, staff believes the project will not result in a significant impact on the environment.

Required Findings

Pursuant to Section 66474 of the Subdivision Map Act and Title 16 of the Rio Dell Municipal Code (RDMC) in order approve this project the Planning Commission must determine that the

applicant has submitted evidence in support of making all of the following required findings:

1. That the proposed subdivision together with the provisions for its design and improvements is consistent with the City's General Plan; and
2. That the proposed subdivision complies with the requirements and standards of the City's zoning regulations; and
3. That the proposed subdivision complies with the requirements and standards of the City's subdivision regulations; and
4. That the proposed subdivision is physically suitable for the type of development; and
5. The proposed subdivision is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

Staff Analysis

1. General Plan Consistency:

There are a number of General Plan goals and policies related to the proposed subdivision. The following information identifies the evidence which supports the finding that the proposed subdivision is in conformance with all applicable policies of the General Plan.

Land Use: The General Plan designation for the project site is Urban Residential (UR). The purpose of the UR zone is to provide neighborhood residential areas with varying densities for single-family dwellings. The Urban Residential designation requires a 6,000 square foot minimum parcel size and a density range of 7 to 10 units per acre.

Finding: The proposed parcels meet the minimum parcel size and density requirements of the Urban Residential designation.

Natural Resources: Both the Land Use Element and the Open Space and Conservation Element contain a number of natural resource goals and policies that must be considered when evaluating project proposals. There is a *seasonal* drainage channel approximately forty (40) feet west of the western property line. See Figure 2.

The Land Use Element of the General Plan contains a broad goal regarding the City's natural environment. Goal 2.1-3 calls for the City to "*Preserve drainage channels, habitat and open space.*" The Conservation Element also contains a number of goals and policies calling for the protection of the City's natural resources.

Goal LU 2.1-5: "*Regulate clearing and development of steep slopes, river, stream and drainage channels.*"



Figure 2

Goal CO 5.2-1: Provide open space for the preservation of natural resources for the preservation of plant and animal life, such as habitat for fish and wildlife and areas required for ecological and other scientific study (for example: rivers, streams, bays and estuaries, coastal beaches, lakeshores, riverbanks, and watersheds)

Policy CO 5.2-1: Riparian areas within the City shall be protected when adjacent development projects are proposed.

In order to achieve consistency with the Natural Resources Goals and Policies, the City established Environmentally Sensitive Habitat Area (ESHA) regulations, Section 17.30.130 of the Rio Dell Municipal Code (RDMC). The purpose of these regulations is to ensure that environmentally sensitive habitat areas are protected for both the wildlife inhabiting them as well as the enjoyment of present and future residents of the City.

The ESHA regulations require minimum setbacks from environmentally sensitive areas, including streams and riparian corridors. The minimum setback for seasonal or intermittent streams is 25 feet from the hinge-point of the riparian corridor on each side of intermittent streams.

The hinge-point of the riparian corridor is approximately five (5) to ten (10) feet west of the existing western property line. Proposed Parcel 1 is developed with a single-family residence and garage. The applicant is proposing to relocate the existing 575+/- square foot residence located on the eastern side of the parcel to Parcel 2. The proposed location is approximately forty (40) feet from the hinge-point of the riparian corridor. The proposed location meets the required 25-foot setback.

Future development of Parcel 4 will be subject to the City's General Plan policies and the Environmentally Sensitive Habitat Area (ESHA) regulations, Section 17.30.130 of the Rio Dell Municipal Code (RDMC). In addition to the seasonal creek on the west side of the Parcel, there is an existing seasonal drainage ditch located in the northeast corner of the parcel. Staff does not consider this an environmentally sensitive area; however, staff is recommending that a fifteen-foot (15') drainage easement be established by the Parcel Map. **The project has been conditioned accordingly. Please refer to Exhibit A.**

Finding: The proposed subdivision complies with the City's Natural Resource General Plan policies and the Environmentally Sensitive Habitat Area (ESHA) regulations.

Goal Natural Environment G2.1-9: "Minimize loss of life and property from natural and man-made hazards."

The parcel is not located within the 100-year flood zone according to FEMA's Flood Insurance Rate Map (FIRM) of the area nor is it located within the mapped Dam Failure Inundation Area.

A Soils Engineering Geologic Report was prepared by Lindberg Geologic Consulting (LGC) for the site. The Report does include the following recommendations:

- Within the building footprints, and from the area five feet beyond building perimeters, strip the uppermost 18-inches of turf, sod, vegetation, and topsoil. Similarly strip areas to be paved, and areas to be cut and filled. *This recommendation will apply to the relocation of the eastern residence to Parcel 1.*
- Embed foundations a minimum of 6 inches into stiff silt with fine sand occurring at approximately 18-inches feet below the ground surface.
- To reduce the possibility of moisture migration through a slab-on-grade, a minimum six-mil plastic membrane (vapor retarder) should be placed on 6 inches of prepared Class 1, Type A gravel or Class-2 aggregate base subgrade. Joints between the sheets and utility

pipings openings should be lapped and taped.

- Maintain a five percent gradient away from foundation for landscaped (unpaved) areas within 15-feet of the buildings.
- Maintain a two percent gradient away from foundations for all hardscaped (paved) areas within 15-feet of the buildings.
- All roof storm drainage should be contained and controlled with gutters and downspouts.
- Connect downspouts securely to tight-lines, conveying runoff to the curb.
- Runoff from hardscaped areas and impermeable surfaces (driveways, sidewalks, parking areas), should likewise, to the extents feasible, be discharged to appropriate outlet points.

The project has been conditioned to incorporate the Soils Report recommendations. Please refer to Exhibit A.

LU Policy Soils & Geologic Resources P2.1.1-4: “Require geo-technical reports to ensure that slope and stability measures are incorporated into project design.”

Please refer to the above discussion.

LU Policy Water Resources P2.1.2-3: “Incorporate on-site drainage facilities such as retention and infiltration systems to reduce run-off and maximize infiltration.”

In addition, Section 16.25.020(3) of the of the City Subdivision Regulations requires that stormwater runoff from the subdivision be collected and conveyed to an approved storm drainage system.

Parcels 1, 2 and 3 are or will be developed. Parcel 4 is undeveloped. The only increase in stormwater runoff will be from the required curbs, gutter and sidewalks along the frontage of the parcels. The increase is considered insignificant. Future development of Parcel 4 will require incorporation of retention/detention facilities.

LU Policy Public Services P2.2.3-2: “Cooperate with the Rio Dell Fire Protection District to ensure that emergency services are adequate.”

The project was referred to the Rio Dell Fire Protection District for comments and recommendations. The District has requested that the project be conditioned to require that the existing overhead utilities (power, phone and cable) be placed underground. The District

has indicated that overhead utilities create a hazard when responding to a structure fire. In addition, LU Public Services Policy P2.2.3-4 requires underground utilities for new development. Although the houses are existing, subdivisions are considered development. Furthermore Section 16.25.020(6) of the City Subdivision Regulations requires all utilities, including gas electric and cable within the subdivision to be placed underground. However, Section 6.25.020(6)(b) contains the following exception:

(b) Lot Splits. For subdivisions of four or less parcels (lot splits), undergrounding requirements may be waived or modified by a majority of the Planning Commission upon recommendation by the City Planner and City Engineer upon finding:

(i) The subdivision is within an area where existing utilities have not been undergrounded.

(ii) Overhead utilities will have no significant visual impact.

If the undergrounding requirement is waived as allowed by subsections (6)(b)(i) and (ii) of this section, the in-lieu fee as established by the City Engineer shall be paid and deposited in a special undergrounding account to be used and approved by the City Council for future undergrounding of utilities throughout the City.

(c) For subdivisions of four or less parcels (lot splits), the undergrounding in-lieu fee may be waived or modified by a majority of the City Council upon recommendation by the City Planner, City Engineer, and a majority of the Planning Commission upon finding:

(i) The subdivision is within an area where existing utilities have not been undergrounded;

(ii) Overhead utilities will have no significant visual impact;

(iii) Circumstances exist that would make the application of the in-lieu fee requirement appear impractical or unjust, economically or otherwise, to the subdivider. [Ord. 176 § 1, 1983; Ord. 165 § 1, 1982; Ord. 60 § 1.802, 1968.]

The District is also recommending an emergency hammerhead turnaround at the end of the driveway, access road serving parcels 1, 2 and 3. **The project has been conditioned accordingly. Please refer to Exhibit A.**

LU Policy Public Services P2.2.3-4: “Encourage new development to contribute its fair share of infrastructure improvements to serve the proposed development.”

Section 16.25.020(2) of the of the City Subdivision Regulations requires that frontage improvements, including street structural sections, curbs, gutters, sidewalk approaches and

transitions be completed as conditions of approval. In addition, Section 17.30.310 et. seq. of the Zoning Regulations requires the construction of curb, gutter, sidewalks and street improvements as conditions of approval of an entitlement permit. This is also consistent with a number of Goals and Policies of the Circulations Element, including Policies 3-1 and 3-2, requiring pedestrian and bicycle improvements. Furthermore, these regulations and policies are consistent with AB 1328, Complete the Streets legislation and the United States Department of Transportation Policy Statement on bicycle and pedestrian improvements.

The project has been conditioned to require the construction of curb, gutter, sidewalks and street improvements along the Painter Street frontage. Please refer to Exhibit A.

LU Policy Public Services P2.2.3-4: Require underground utilities for new development.

As discussed above, the project has been conditioned to require power, phone and cable to be placed underground to the proposed parcels 1, 2 and 3 and stubbed into the Parcel 4. **Please refer to Exhibit A.**

GP Policy Conservation and Open Space P5.4-4; *“Identify and preserve remaining prehistoric camps, villages, and use sites. Identify areas that may be used by the local natives for resource procurement or religious purposes.”*

AB 52, which went into effect after July 1, 2015, established a consultation process with all California Native American Tribes on the Native American Heritage Commission (NAHC) list, which includes both federally recognized groups and non-federally recognized groups. AB 52 also established a new class of resources, tribal cultural resources. Tribal cultural resources must be considered when determining project impacts and possible mitigation. Tribal notice and consultation must occur. A Tribal Cultural Resource is a site feature, place, cultural landscape, sacred place or object, which is of cultural value to a Tribe and is either listed on or eligible for the CRHR or a local register. A lead agency may, at its discretion, decide to treat a resource as a Tribal Cultural Resource.

Native American consultation requirements of SB 18 (Chapter 905, Statutes of 2004) applies to all general or specific plan processes proposed on or after March 1, 2005.

The project was referred to the local native American tribes, including the Bear River and Wiyot's. The Bear River tribe did indicate that there is "... a moderate likelihood of cultural resource discovery." As such they recommended that a cultural monitor observe all ground disturbing activities. **The project has been conditioned accordingly. Please see Exhibit A.**

There are no goals or policies which would preclude the proposed use in the Rural designation. Therefore, the proposed use as conditioned is consistent with the General Plan.

Based on comments from referral agencies, information submitted by the applicant and the recommended conditions of approval, the evidence supports the finding that the proposed subdivision is in conformance with all applicable policies of the General Plan.

2. Zoning Consistency:

Land Use, Section 17.20.030 Rio Dell Municipal Code: The property is zoned Urban Residential (UR). The purpose of the UR zone is to provide neighborhood residential areas with varying densities for single-family dwellings. The Urban Residential designation requires a 6,000 square foot minimum parcel size. The proposed parcels meet the required minimum parcel size of 6,000 square feet.

Development Standards: Table 17.20.030 of the Rio Dell Municipal Code (RDMC) identifies the development standards for the Urban Residential (UR) zone.

Table 17.20.030
Development Standards for the Urban Residential or UR Zone

Site Development Standard	Zone Requirement
Minimum Lot Area:	6,000 square feet
Maximum Ground Coverage:	50%
Minimum Lot Width:	60 feet
Minimum Yards	
Front:	20 feet
Rear:	10 feet
Side:	5 feet
Maximum Building Height:	35 feet

As indicated above, the minimum lot width required in the UR zone is 60 feet. The definition of "Lot Width" found in the RDMC is:

"Lot width" means the horizontal distance between the side lot lines measured at right angles to the depth of the lot at the front yard setback line.

The lot width at the front yard setback for Parcel 1 is proposed to be 50 feet. However, pursuant to Section 17.30.160, Lot Size Modifications, the exceptions to lot sizes lot, widths and lot depth requirements may be allowed due to topography and other natural or man-made features. Below is a copy of Section 17.30.160.

17.30.160 Lot Size Modifications

Exceptions to Lot Size, Lot Width and Lot Depth Standards. In order to better design and cope with difficulties due to topography and other natural or man-made features, minimum lot size, minimum lot width and maximum lot depth in all zones may be modified as specified in the following table, subject to securing a Use Permit:

EXCEPTIONS TABLE		
DEVELOPMENT STANDARD	PERMITTED MODIFICATIONS	LIMITATIONS
Minimum Lot Size	Minimum Lot Size may be modified down to a maximum of fifty (50) percent, or 5,000 square feet, whichever is greater.	Such modification must be approved in conjunction with a subdivision or lot line adjustment. The total number of lots created by the subdivision shall not be more than that allowed by the applicable General Plan and zone designations.
Minimum Lot Width	Minimum Lot Width may be modified to a maximum of fifty (50) percent.	Minimum Lot Width shall not be modified below fifty (50) feet.
Maximum Lot Depth	Maximum Lot Depth may be modified up to a maximum of twice that permitted.	Maximum Lot Depth shall not be modified to exceed eight (8) times the lot width.

Based on the locations of the existing residences, staff supports the lot size modification to reduce the lot width for Parcel 1 to 50 feet at the front yard setback.

The existing residences, including the 575+/- square foot residence to be relocated to Parcel 2 will comply with the UR setbacks, lot coverage and building height requirements.

Environmentally Sensitive Habitat Area (ESHA) Regulations, Section 17.30.130 Rio Dell

Municipal Code: As previously discussed there is a *seasonal* drainage channel approximately forty (40) feet west of the western property line. See Figure 2.

Again, the ESHA regulations require minimum setbacks from environmentally sensitive areas, including streams and riparian corridors. The minimum setback for seasonal or intermittent streams is 25 feet from the hinge-point of the riparian corridor on each side of intermittent streams. The hinge-point of the riparian corridor is approximately five (5) to ten (10) feet west of the existing western property line. Proposed Parcel 1 is developed with a single-family residence and garage. Again, the applicant is proposing to relocate the existing 575+/- square

foot residence located on the eastern side of the parcel to Parcel 2 ADU. The proposed location is approximately forty (40) feet from the hinge-point of the riparian corridor. The proposed location meets the required 25-foot setback.

As previously discussed, future development of Parcel 4 will be subject to the City's General Plan policies and the Environmentally Sensitive Habitat Area (ESHA) regulations, Section 17.30.130 of the Rio Dell Municipal Code (RDMC). In addition to the seasonal creek on the west side of the Parcel, there is an existing seasonal drainage ditch located in the northeast corner of the parcel. Staff does not consider this an environmentally sensitive area; however, staff is recommending that a fifteen-foot (15') drainage easement be established by the Parcel Map. **The project has been conditioned accordingly. Please refer to Exhibit A.**

Based on the proposed subdivision, the proposed project complies with the requirements of the City's Zoning Regulations.

3. Subdivision Regulations Consistency:

The City's Subdivision Regulations, Title 16 of the Rio Dell Municipal Code (RDMC) and the City's Standard Improvement Specifications identifies the requirements for subdivisions.

Section 16.05.030 of the RDMC requires General Plan and Zoning compliance. As previously discussed the project as conditioned is consistent the General Plan polices and the City's zoning regulations.

Section 16.05.040 identifies the Tentative Map requirements identify the required information on the map. The submitted Tentative Map for the proposed subdivision complies with the requirements of Section 16.10.040 of the RDMC.

Section 16.10.050 identifies the required application submittal requirements, which includes the Tentative Map, Soils Report, Drainage Report when necessary and Title Reports.

Again, a Soils Engineering Geologic Report was prepared by Lindberg Geologic Consulting (LGC) for the site. The Report does include the following recommendations:

- Within the building footprints, and from the area five feet beyond building perimeters, strip the uppermost 18-inches of turf, sod, vegetation, and topsoil. Similarly strip areas to be paved, and areas to be cut and filled. *This recommendation will apply to the relocation of the eastern residence to Parcel 1.*
- Embed foundations a minimum of 6 inches into stiff silt with fine sand occurring at approximately 18-inches feet below the ground surface.
- To reduce the possibility of moisture migration through a slab-on-grade, a minimum six-mil plastic membrane (vapor retarder) should be placed on 6 inches of prepared Class 1,

Type A gravel or Class-2 aggregate base subgrade. Joints between the sheets and utility piping openings should be lapped and taped.

- Maintain a five percent gradient away from foundation for landscaped (unpaved) areas within 15-feet of the buildings.
- Maintain a two percent gradient away from foundations for all hardscaped (paved) areas within 15-feet of the buildings.
- All roof storm drainage should be contained and controlled with gutters and downspouts.
- Connect downspouts securely to tight-lines, conveying runoff to the curb.
- Runoff from hardscaped areas and impermeable surfaces (driveways, sidewalks, parking areas), should likewise, to the extents feasible, be discharged to appropriate outlet points.

The project has been conditioned to incorporate the Soils Report recommendations. Please refer to Exhibit A.

Again, Section 16.25.020(2) of the of the City Subdivision Regulations requires that frontage improvements, including street structural sections, curbs, gutters, sidewalk and driveway approaches and transitions be completed as conditions of approval. In addition, Section 16.25.020(3) requires that stormwater runoff be collected and conveyed by an improved storm drain system.

As such, staff is recommending the frontage of the parcel(s) be improved with curbs, gutters and sidewalks, a 16' ADA compliant driveway approaches for the two parcels. The Parcel 4 access road shall have two 12'travel lanes, curb, gutter, sidewalk on the west side, curb, gutter and 6' landscaping strip on the east side, with ADA curb-drops at the intersection of Painter Street. The first 10' behind the sidewalk be improved into the panhandle of Parcel 4 and utilities, including power, phone, cable, gas stubbed in. In addition, staff is recommending that the area between the new sidewalk and the edge of the existing pavement along Painter street be paved. **The project has been conditioned accordingly. Please refer to Exhibit A.**

As previously discussed, Section 16.25.020(6) of the City Subdivision Regulations requires all utilities, including gas electric and cable within the subdivision to be placed underground. Again, the Fire District is also recommending that the existing overhead utilities be placed underground as a condition of approval. However, Section 6.25.020(6)(b) contains the following exception:

(b) Lot Splits. For subdivisions of four or less parcels (lot splits), undergrounding requirements may be waived or modified by a majority of the Planning Commission upon recommendation by the City Planner and City Engineer upon finding:

(i) The subdivision is within an area where existing utilities have not been undergrounded.

(ii) Overhead utilities will have no significant visual impact.

If the undergrounding requirement is waived as allowed by subsections (6)(b)(i) and (ii) of this section, the in-lieu fee as established by the City Engineer shall be paid and deposited in a special undergrounding account to be used and approved by the City Council for future undergrounding of utilities throughout the City.

(c) For subdivisions of four or less parcels (lot splits), the undergrounding in-lieu fee may be waived or modified by a majority of the City Council upon recommendation by the City Planner, City Engineer, and a majority of the Planning Commission upon finding:

(i) The subdivision is within an area where existing utilities have not been undergrounded;

(ii) Overhead utilities will have no significant visual impact;

(iii) Circumstances exist that would make the application of the in-lieu fee requirement appear impractical or unjust, economically or otherwise, to the subdivider. [Ord. 176 § 1, 1983; Ord. 165 § 1, 1982; Ord. 60 § 1.802, 1968.]

Based on the proposed improvements and recommended conditions of approval, staff believes the proposed subdivision is consistent with the City Subdivision Ordinance and the City's Standard Improvement Specifications.

4. That the proposed subdivision is physically suitable for the type of development:

Based on the proposed parcel sizes and existing development, staff believes the proposed parcels are physically suitable for residential development.

5. The proposed subdivision is not likely to cause substantial environmental damage or substantially and avoidably impact fish or wildlife or their habitat.

The project was referred to the California Department of Fish and Wildlife (CDFW). CDFW did identify the seasonal drainage ditch and the possible need to protect it. Staff does not believe this seasonal drainage ditch to be environmentally sensitive, however, staff is recommending that a fifteen-foot drainage easement be established to protect the drainage ditch.

Based on the proposed project, staff has determined that the project is Categorical Exempt pursuant to Section 15315 of the CEQA Guidelines, Title 14, Chapter 3 of the California Code of Regulations. Pursuant to Section 15315 of the CEQA Guidelines this exemption applies to 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.

Attachments:

Attachment 1: Tentative Map

Attachment 2: Conditions of Approval

Attachment 3: Resolution No. PC 164-2022

Roscoe Subdivision; 98 Painter Street
File No. 052-162-016; Case No. PMS 21-02
Conditions of Approval

Approval of the subdivision is conditioned upon the following terms and requirements which must be fulfilled before the Parcel Map may be recorded.

- 1. Map Expiration:** The approval of the Tentative Map shall expire 24 months after all appeal periods have lapsed.

- 2. Taxes:** All taxes to which the property is subject shall be paid in full if payable, or secured if not yet payable to the satisfaction of the County's Tax Collector's Office, and all special assessments on the property must be paid or reapportioned to the satisfaction of the affected assessment district. Please contact the Tax Collector's Office approximately three to four weeks prior to filing the Final Map to satisfy this condition.

- 4. Map Type:** The applicant must cause to be filed a Parcel Map in accordance with the Final Map requirements of Section 16.10.120 et. seq. of the Rio Dell Municipal Code (RDMC). The approved lot line adjustment shall be reflected on the Final Map. A subdivision map checking deposit of \$500.00 shall be paid at the time the subdivision map is submitted for checking. County Recorder fees shall be paid prior to submittal of the map to the County recorder for filing.

- 5. Improvement Plans:** Pursuant to Section 16.25.060 of the Rio Dell Municipal Code (RDMC) the applicant shall submit improvement/construction plans for the **required curbs, gutter and sidewalk, underground utilities, access road/driveway serving Parcel 1, 2 and 3 and the access road serving Parcel 4.** Improvement plans must be prepared by a Civil Engineer registered by the State of California. Improvement plans shall be on 24" x 36" sheets, unless otherwise approved by the City Engineer.

The Improvement Plans shall be reviewed, signed as approved by the City Engineer (GHD). A plan checking deposit of \$500.00 shall be paid at the time the Improvement Plans are submitted for checking. The City Engineer shall review and approve the Improvement Plans prior to any construction activity.

6. Required Improvements:

Curbs, Gutters and Sidewalks: Curbs, gutters and a five (5) foot sidewalk shall be provided along Painter Street. A PCC Caltrans Type A2-6 curb shall be provided. The applicant shall pave any area between the new gutter and the existing asphalt.

When widening hot mix (asphalt roads) the widened road shall be paved with hot mix. A sawcut is required to ensure a uniform joint between the existing and new pavement. The

location of the sawcut shall be approved by the City Engineer and the Department of Public Works. The structural section of all new asphalt shall include a minimum of 0.3 foot of Caltrans Type A hot mix (asphalt) over 0.67 foot of Caltrans Class 2 aggregate base. If required by the City Engineer, the structural section of all new roads shall be determined by Caltrans R-Value method using a Traffic Index (T.I.) approved by the City Engineer. Based on soil conditions, the City Engineer may also require a geotextile fabric to be placed on top of the sub grade.

Common Driveway for Parcels 1, 2 and 3: The proposed common access road/driveway for Parcels 1, 2 and 3 shall be a minimum width of 16 feet. The access road/driveway shall include a “hammerhead” turn-around at the end of the driveway/access road serving Parcel 1, 2 and 3.

The first 20 feet behind the sidewalk shall be paved. The remainder of the access road/driveway shall be improved with an all-weather surface as approved by the City Engineer.

The structural section of all new asphalt shall include a minimum of 0.3 foot of Caltrans Type A hot mix (asphalt) over 0.67 foot of Caltrans Class 2 aggregate base. If required by the City Engineer, the structural section of all new roads shall be determined by Caltrans R-Value method using a Traffic Index (T.I.) approved by the City Engineer. Based on soil conditions, the City Engineer may also require a geotextile fabric to be placed on top of the sub grade. The common access road/driveway/sidewalk approach shall be designed and constructed to meet current ADA requirements.

Parcel 4 Access: The access road for Parcel 4 shall have two 12’ travelways, curb, gutter, sidewalk on the west side, curb, gutter and 6’ landscaping strip on the east side, with ADA curb-drops at the intersection of Painter Street. The first 10’ behind the sidewalk shall be improved into the panhandle of the Parcel and utilities, including power, phone, cable, gas stubbed in. In addition, staff is recommending that the area between the new sidewalk and the edge of the existing pavement along Painter street be paved.

Blow-Off-Valve: Relocate the existing blow-off-valve located in the proposed access to Parcel 4 to be within the proposed 10’ PUE.

Lot 1 Sidewalk: Extend the existing sidewalk from the house on Lot 1 to the new sidewalk to be constructed along Painter Street.

Curb Ramps: The curb ramp on the western side of the new access road to Parcel 4 shall be a bidirectional curb ramp to allow pedestrian access across the access road and across Painter Street. The curb and gutter on the eastern side of the new access road to Parcel 4 shall be graded like a curb ramp to allow for a new sidewalk curb ramp to be installed in this location at a future date.

8. Unknown Improvements: Other on-site and/or off-site improvements may be required which cannot be determined from the Tentative Map at this time. These improvements, if any, will be determined after a complete review of the required Improvement Plans.

9. Easements: All easements, including Drainage easements that encumber or are appurtenant to the subdivision shall be shown graphically on the Parcel Map. Those easements that do not have a metes and bounds description shall be noted on the Parcel Map and shown as to their approximate location, including the recommended fifteen- foot (15') Drainage Easement on the northeast corner of Parcel 4.

10. Utilities: All future utilities, including water, power, phone, cable tv, etc. shall be placed underground to the residences.

11. Rio Dell Fire Protection District: The applicant shall provide written verification from the Rio Dell Fire Protection District that their concerns have been satisfied, including the emergency “hammerhead” turnaround at the end of the driveway/access road serving Parcel 1, 2 and 3 and they have no objection to the recordation of the Parcel Map.

12. The applicant shall retain a cultural monitor approved by the Bear River tribe to observe all ground disturbing activities. Written verification from the Bear River tribe indication that they have approved the cultural monitor is required prior to any ground disturbing activities.

13. Tree removal, if necessary occur outside of nesting season (generally March 15 – August 15) to avoid impacts to native resident and migratory birds. If that’s not feasible, a qualified biologist shall survey for active bird nests no more than seven days prior to tree felling. If an active nest is found, the permittee should consult with CDFW regarding appropriate site-specific avoidance measures and buffer distances. If there is a lapse in project-related activities of seven days or more, the biologist should re-survey the area before work resumes.

***Added as a Condition of Approval for the Subdivision Extension at the meeting of
March 12,2024***

RESOLUTION NO. PC 175-2024



**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RIO DELL
APPROVING A ONE (1) YEAR EXTENSION OF THE ROSCOE SUBDIVISION:**

WHEREAS the Planning Commission originally approved The Planning Commission originally approved the Roscoe minor subdivision of a 2.59-acre parcel into four parcels: Parcel 1 - 6918 sq. ft.; Parcel 2 - 7,606 sq. ft.; Parcel 3 - 16, 667 sq. ft.; and Parcel 4 - 91,789 sq. ft on January 18, 2022; and

WHEREAS the approval became effective on February 8, 2022 and was set to expire on February 9, 2020; and

WHEREAS the applicant submitted a request for a one year extension on January 16, 2024; and

WHEREAS if approved the subdivision approval will expire on August 9, 2016; and

WHEREAS the proposed parcels are developed with single family homes and residential accessory structures; and

WHEREAS Section 16.15.130(2) of the Rio Dell Municipal Code identifies the process for approving extensions, including application submittal, the required Planning Commission action, time limits of extensions, conditions of approval, potential appeals and cost recovery; and

WHEREAS Section 66452.6 of the Map Act and Section 16.15.130(2)(c) of the RDMC limits subdivision extensions to twelve (12) months; and

WHEREAS both local regulations and the Subdivision Map Act allow a total of a three (3) year extension to the original two (2) year approval. The total life of a tentatively approved map is limited to five (5) years; and

WHEREAS in reviewing requests for subdivision extensions, staff considers any changes in the original required findings. The original required findings are identified below:

1. That the subdivision together with the provisions for its design and improvements is consistent with the City's General Plan; and
2. That the subdivision complies with the requirements and standards of the City's zoning regulations; and
3. That the subdivision complies with the requirements and standards of the City's subdivision regulations; and
4. That the subdivision is physically suitable for the type of development; and
5. The subdivision is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat; and

WHEREAS there have been no changes to the original required findings. The subdivision is still consistent with the General Plan, Zoning and Subdivision regulations. In addition, the parcels are suitable for their intended use and there is no evidence to suggest that granting the extension will cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat; and

WHEREAS staff did refer the project to a number of agencies for comments and recommendations; and

WHEREAS the California Department of Fish and Wildlife (CDFW) requested an additional condition regarding the possibility of a tree being removed on the east side of the property; and

WHEREAS CDFW recommended that the tree removal, if necessary, occur outside of nesting season (generally March 15 – August 15) to avoid impacts to native resident and migratory birds. If that's not feasible, a qualified biologist shall survey for active bird nests no more than seven days prior to tree felling; and

WHEREAS if an active nest is found, the permittee should consult with CDFW regarding appropriate site-specific avoidance measures and buffer distances. If there is a lapse in project-related activities of seven days or more, the biologist should re-survey the area before work resumes. The project has been conditioned accordingly.

WHEREAS staff has determined that the extension is Statutorily Exempt pursuant to Section 15315 of the CEQA Guidelines, Title 14, Chapter 3 of the California Code of Regulations; and

NOW, THEREFORE, BE IT RESOLVED the Planning Commission finds that based on evidence on file and presented in the staff report that the proposed subdivision extension complies with all of the following original required findings:

1. That the subdivision together with the provisions for its design and improvements is consistent with the City's General Plan; and
2. That the subdivision complies with the requirements and standards of the City's zoning regulations; and
3. That the subdivision complies with the requirements and standards of the City's subdivision regulations; and
4. That the subdivision is physically suitable for the type of development; and
5. The subdivision is not likely to cause substantial environmental damage or substantially and avoidably fish or wildlife or their habitat; and

BE IT FURTHER RESOLVED that the Planning Commission of the City of Rio Dell approves the subdivision extension subject to the original conditions of approval and the condition recommended by CDFW.

APPROVED AND ADOPTED by the Planning Commission of the City of Rio Dell at their meeting of March 12, 2024 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Nick Angeloff, Chair

ATTEST:

I, Karen Dunham, City Clerk for the City of Rio Dell, State of California, hereby certify the above and foregoing to be a full, true and correct copy of Resolution No. PC 175-2024 adopted by the Planning Commission of the City of Rio Dell on March 12, 2024.

Karen Dunham, City Clerk, City of Rio Dell