

CITY OF CALISTOGA

STAFF REPORT

TO: CHAIRMAN MANFREDI AND MEMBERS OF THE
PLANNING COMMISSION

FROM: KEN MACNAB, SENIOR PLANNER

MEETING DATE: APRIL 9, 2008

SUBJECT: REQUEST FOR EXTENSION OF TIME FOR A
PREVIOUSLY APPROVED TENTATIVE PARCEL MAP
(PM 2006-01 MACPHAIL/TULLOCH) – 1716 FOOTHILL
BOULEVARD. APN #011-192-016

1 **REQUEST:**

2

3 **PM 2006-01(E):** Consideration of an extension of time for a previously approved
4 tentative parcel map (PM 2006-01 – MacPhail/Tulloch) to divide a 31,200 square
5 foot lot in the R-1, Single-Family Residential zoning district into three lots. The
6 property is located at 1716 Foothill Boulevard (APN 011-192-016). This
7 proposed action is exempt from the California Environmental Quality Act (CEQA)
8 under Section 15315 of the CEQA Guidelines.

9

10 **BACKGROUND:**

11

12 The MacPhail/Tulloch Tentative Parcel Map (PM 2006-01) was approved by the
13 Planning Commission on April 26, 2006, allowing the division of a 31,200 square
14 foot lot located at 1716 Foothill Boulevard into three parcels of 18,148 square feet,
15 6,525 square feet and 6,527 square feet. In the years following the approval, the
16 owner has completed all required site improvements excepting the extension of
17 Pacific Gas & Electric (PG & E) utility lines across Myrtle Street. Permits for
18 extension and connection to the existing PG & E utility lines have been applied for
19 by the owners but the time anticipated to gain approval from PG & E and complete
20 the required improvements has taken longer than expected. The property owners
21 are now anticipating that approval from PG & E may not occur until after expiration
22 of the approved tentative parcel map (April 26, 2008). Given this, the owners are
23 requesting an extension of time so that the required utility improvements can be
24 completed to fulfill the conditions of tentative map approval.

25
26

27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70

DISCUSSION:

Subdivision Ordinance

Section 16.10.050(D) of the Calistoga Municipal Code (Extensions of Time Limits) allows for the Planning Commission to approve time extensions for periods of up to 36 months. To approve the requested time extension, the Planning Commission must make the following findings:

- 1. The subdivision is in conformance with the ‘then existing’ General Plan; and**

FINDING:

At the time of tentative parcel map approval the subject parcel was designated Medium Density Residential by the General Plan, which allows 4 to 10 dwelling units per acre. The proposed subdivision would result in a density of approximately 4.17 dwelling units per acre, which is consistent with the “then-existing” (and current) General Plan land use designation.

- 2. The subdivision is consistent with the zoning of the property; and**

FINDING:

The subdivision will create parcels that: (1) meet the minimum lot size established by the R-1 zoning district (6,000 square feet); (2) are appropriately sized to accommodate the range of land uses permitted in the R-1 zoning district; and (3) have dimensions and orientation that will accommodate development in conformance with the standards of the R-1 zoning district and maintain established development patterns in the neighborhood.

- 3. The subdivision conforms with improvement standards that are being imposed on upon similar new subdivisions.**

FINDING:

The subdivision is subject to and must comply with conditions of approval that include improvements that are similar to those being imposed upon similar new subdivisions in the area (see Attachment 2).

Growth Management

A Residential Growth Management System Allocation for the new parcels was approved by the City Council on November 15, 2005 (Resolution No. 2005-100). A one-year extension was granted on August 24, 2006, but the applicant needed additional time for completion of parcel improvements prior to recordation of a Final Map. This allocation expired on November 15, 2007.

71 A new Residential Growth Management System Allocation for the parcels was
72 approved by the City Council on November 6, 2007 (Resolution 2007-113) and is
73 valid through November 6, 2008. A one-year extension of this allocation may be
74 granted if needed/requested.

75

76 Reimbursement for Previous Improvements

77 During development of the Kathleen Cooper subdivision on Myrtle and Gold
78 Streets, frontage improvements were extended beyond the immediate need for
79 that particular subdivision. In addition water, sewer, and stormwater utility
80 improvements were oversized beyond the need for that subdivision. A
81 reimbursement agreement has been in the process of establishment and
82 approval. Due to the effort of documenting reimbursable costs and finalizing an
83 apportionment method, the reimbursement agreement has taken longer than
84 anticipated to be finalized and gain Council approval. However, the
85 reimbursement apportionment method and costs are now finalized, and the
86 reimbursement agreement is being drafted for Council approval. City staff would
87 see an acceptable and more timely resolution if the MacPhail-Tulloch subdivision
88 would reach a "buyout" agreement and be formally exempted from the
89 pending reimbursement agreement. A condition of approval (Condition No. 4)
90 has been proposed requiring acceptable reimbursement to Ms. Cooper for a
91 share of these improvement costs.

92

93 **ENVIRONMENTAL REVIEW**

94

95 Under the provisions of Section 15315, Minor Land Divisions, of the State
96 Guidelines for Implementation of the California Environmental Quality Act
97 (CEQA) as stated below, this project is found to be exempt from the
98 environmental review requirements of Chapter 19.10 of the Calistoga Municipal
99 Code, implementing the California Environmental Quality Act of 1970, as
100 amended in that; 1) the project involves the division of property in an urbanized
101 area zoned for residential development into four or fewer parcels; 2) the
102 proposed division is in conformance with the City's General Plan and Zoning
103 Ordinance and requires no variances or exceptions; 3) all services and access to
104 the proposed parcels is available and can be provided in accordance with City
105 standards; 4) the subject parcel was not involved in the division of a larger parcel
106 within the previous two years; and 5) the subject parcel does not have an
107 average slope greater than 20 percent.

108

109 **RECOMMENDATIONS**

110

111 1. Based on the above findings, staff recommends the filing of a Notice of
112 Exemption for the Project pursuant to Section 15315 of the CEQA
113 Guidelines.

114

- 115 2. Based on the above findings, staff recommends adoption of a Resolution
116 approving a one-year time extension for the MacPhail/Tulloch Tentative
117 Parcel Map (PM 2006-01), subject to conditions of approval.
118

119 **SUGGESTED MOTIONS**

120 Categorical Exemption

121
122 I move that the Planning Commission direct Staff to file a Notice of Exemption for
123 the Project pursuant to Section 15315 of the CEQA.
124

125 Extension of Time for Tentative Parcel Map

126
127 I move that the Planning Commission adopt Resolution PC 2008-14 approving a
128 one-year time extension for the MacPhail/Tulloch Tentative Parcel Map (PM
129 2006-01) located at 1716 Foothill Boulevard (APN 011-192-016) within the “R-1”,
130 Single Family Residential zoning district, based upon the Findings presented in
131 the staff report and subject to conditions of approval.
132

133 NOTE: The applicant or any interested person is reminded that the Calistoga
134 Municipal Code provides for a ten (10) calendar day appeal period. If there is a
135 disagreement with the Planning Commission, an appeal to the City Council may be
136 filed. The appropriate forms and applicable fee must be submitted prior to 5:00
137 p.m. on or before the tenth calendar day following the Commission's final
138 determination.
139

140 **ATTACHMENTS**

- 141
142 1. Vicinity Map
143 2. PC Resolution No. 2008-14
144 3. Conditions of Approval for Tentative Parcel Map PM 2006-01
145 4. Correspondence from Douglas J. Sterk dated March 10, 2008.
146 5. Tentative Parcel Map PM 2006-01