



Legislation Text

File #: 15-213, **Version:** 1

Approve Parcel Map for Minor Division #1-10; Thomas D. Pryor & Patricia Pryor (Owner/Applicants); Amy Wynn (Agent); 1411 E. Oak Street; APN 020-490 & 39; Minor Subdivision of 80,227 Square Feet (sf) into Four Parcels of 12,000 sf, 6,000 sf, 6,000 sf, and 56,227 sf

On April 13, 2011, the Fort Bragg Planning Commission conditionally approved Minor Division #1-10. The required Special Conditions were:

1. The parcel map shall be reviewed and accepted by the City Engineer and the Community Development Department prior to its recordation by the County Recorder.
2. All frontage and utility improvements as described in report (ADA compliant driveway aprons, corner ramps, sidewalk, curb, gutter, conform paving, etc.) shall be implemented as follows:

Parcel 1:

- Frontage to be improved at time of development of parcel.
- Driveway shall be constructed at least 100 feet north of the northern edge of Oak Street's northernmost travel lane.

Parcel 2:

- ADA compliant corner ramp with cross drain to be constructed at time of development of parcel.
- Frontage on both Dana and Oak Streets to be improved at time of development of parcel.
- Driveway access shall only be from Dana Street.
- Driveway shall be constructed as far north as possible.
- Developer shall cooperate with PG&E and Public Works Department to move power pole to standardized location within the public right of way at time of development of parcel. The pole shall be moved to a location 18" from the face of the curb with a minimum of 36" of clearance behind it.

Parcel 3:

- Frontage to be improved at time of development.

Parcel 4:

- Frontage to be improved prior to recordation of map.
- Prior to recordation of the map, developer shall have 1st 20 feet of Parcel 4/existing residence driveway. This paving shall be per requirements for use of Low Impact Development techniques.
- Prior to occupancy of the last primary dwelling unit constructed in this subdivision, the improvements of Parcel 4's frontage on Dana Street shall be completed.

3. Prior to recordation of the parcel map for the project, the developer shall submit to the City Engineer for

review and approval improvement drawings for the frontages of Dana Street and Oak Street. The plans shall be drawn by, and bear the seal of, a licensed Civil Engineer. The plans should be adjustable to ensure that improvements comply with current City standards, as the standards are modified from time to time.

4. A new waste water line connecting the subdivision to the sewer main in Cedar Street shall be constructed by the developer prior to the issuance of the first building permit for construction on Parcels 1, 2 or 3:

- a) The developer shall construct, to City standards, a new waste water line connecting Parcels 1, 2 or 3 of the subdivision to sewer main on Cedar Street.
- b) Such waste water line shall be constructed under the authority of an encroachment permit in the City right of way on Dana Street and the bike and pedestrian path that runs between the end of Dana Street and Cedar Street.
- c) The exact location of the waste water line in this City right of way will be determined by the City Engineer at the time of review of the encroachment permit application.
- d) The waste water line shall be dedicated to the City.
- e) Utility hookups to Parcel 3 will be worked out with the Public Works Director.

5. Power and telecommunications utility lines shall run underground from existing power poles to each parcel. If a main line extension is necessary, then such extension shall be constructed underground.

6. The site work plan and wetland management and mitigation plan shall comply with DFG and NCRWQCB comments that state:

- a) Low Impact Development (LID) post-construction storm water treatment techniques shall be required on any impervious areas that area added as a result of this subdivision.
- b) LID features, including permeable driveways/walkways, vegetated swales and/or rain gardens shall be required for new construction on developed parcels.
- c) Storm water runoff from the subdivision area, that is not infiltrated on-site shall be directed to the wetland, as opposed to the roadway gutters.

7. Storm drainage fees pursuant to Fort Bragg Municipal Code (FBMC) Section 12.14.030 shall be due as follows:

- a) Parcels 1 through 3: these parcels' drainage fees shall be paid prior to the issuance of each parcels' respective building permit for dwelling units.
- b) Parcel 4: this drainage fee shall be paid prior to the issuance of the grading permit for implementation of the wetland plan and general subdivision site preparation grading.

8. A final utility, grading and storm drainage plan, which reflects all proposed easements and site improvements, drawn by and bearing the seal of a licensed Civil Engineer, shall be submitted to the City Engineer for review and approval prior to recordation of the parcel map so that the engineer and City Engineer can cooperate to ensure that all necessary items are show on such map. The Community Development Department shall review the utility plan, and ensure that all necessary agency permits are obtained and that

the plan does not conflict with the Wetland Monitoring Plan prior to issuance of a grading permit.

9. Prior to recordation of the parcel map, the developer shall provide for Community Development Department review; 1) a revised deed restriction with a letter from NCRWQCB indicating their satisfaction with the document. 2) The deed restriction shall be recorded against Parcel 4 at the time of the recordation of the parcel map; 3) a more robust mitigation monitoring plan per DFG request to accompany the Wetland Management and Mitigation Plan with a letter from DFG indicating their satisfaction with the document; and, 4) shall implement the Wetland Management and Mitigation Plan prior to recordation of the parcel map. The applicant shall also obtain a letter from the Department of Fish and Game concurring that the wetland mitigation project has succeeded and is performing as designed and permitted and shall provide this letter to the Community Development Department prior to recordation of the parcel map.

10. The parcel map shall indicate the conservation area subject to deed restriction and the no-excavation area within the Parcel 4 building envelope.

11. Prior to recordation of the parcel map, the developer shall provide restrictive covenant language prohibiting hobby and commercial uses on Parcels 1, 2, 3 and 4 that could adversely impact water quality in the adjacent conserved wetland area to the Community Development Director for review and approval.

12. All mitigation measures as outlined in the project Final Mitigated Negative Declaration and as detailed in the project's Wetland Management and Mitigation Plan, Geotechnical Study, Archaeological Study and final archaeologist's letter shall be implemented at the specified points in time as the project is developed.

13. All necessary permits shall be obtained prior to commencement of any work that would be done on reliance of such permits.

The Public Works Director/City Engineer has determined that all conditions of approval required prior to recordation of this Parcel Map have been met. The Map is signed and is ready for recordation at the Mendocino County Recorder's Office.

Recommendation: Approve Parcel Map for Minor Division #1-10; Thomas D. Pryor & Patricia Pryor (owner/applicants); Amy Wynn (agent); 1411 E. Oak Street; APN 020-490 & 39; Minor Subdivision of 80,227 square feet (sf) into four parcels of 12,000 sf, 6,000 sf, 6,000 sf, and 56,227 sf