



# CITY OF IONE PLANNING COMMISSION STAFF REPORT



FOR THE MEETING OF: APRIL 14, 2009

**DATE:** APRIL 7, 2009  
**TO:** HONORABLE PLANNING COMMISSION  
**FROM:** CHRISTOPHER JORDAN, AICP, CITY PLANNER  
**SUBJECT:** 08-005, HAMBAUGH BOUNDARY LINE ADJUSTMENT, JTS COMMUNITIES, INC TO CITY OF IONE

## PROJECT OVERVIEW:

Project File Number: **08-005**  
Entitlements Requested: Boundary Line Adjustment  
Project Location: The subject site is located between the homes along Fairway Drive and the tee-box for the 18th hole of Castle Oaks Golf Club.  
APN(s): 005-320-042 & 005-320-025  
Existing General Plan Land Use: SP Existing Zoning: PD  
Applicant: City Initiated  
Property Owners: JTS Communities, Inc, & City of Ione  
Agent: City Initiated

## STAFF RECOMMENDED ACTION:

Staff Recommends that the Planning Commission:

1. Approve the Boundary Line Adjustment between the City of Ione and JTS Communities, Inc., subject to the findings and Resolution contained in the staff report (Attachment 1); and
2. Recommend to the City Council acceptance of the offer of dedication for the subject property.

## PROJECT DESCRIPTION:

The boundary line adjustment involves transferring a piece of property located behind the tee-box for the 18th hole of Castle Oaks Golf Club from JTS to the City. This property, referred to as Lot A of future Village 6 (remainder parcel per record 6-S-81) in the Castle Oaks Master Plan. The request has been planned for dedication and transfer to the City since 1989 during Castle Oaks- Phase 1 and this action will complete the process.

**Figure 1: Aerial Map**



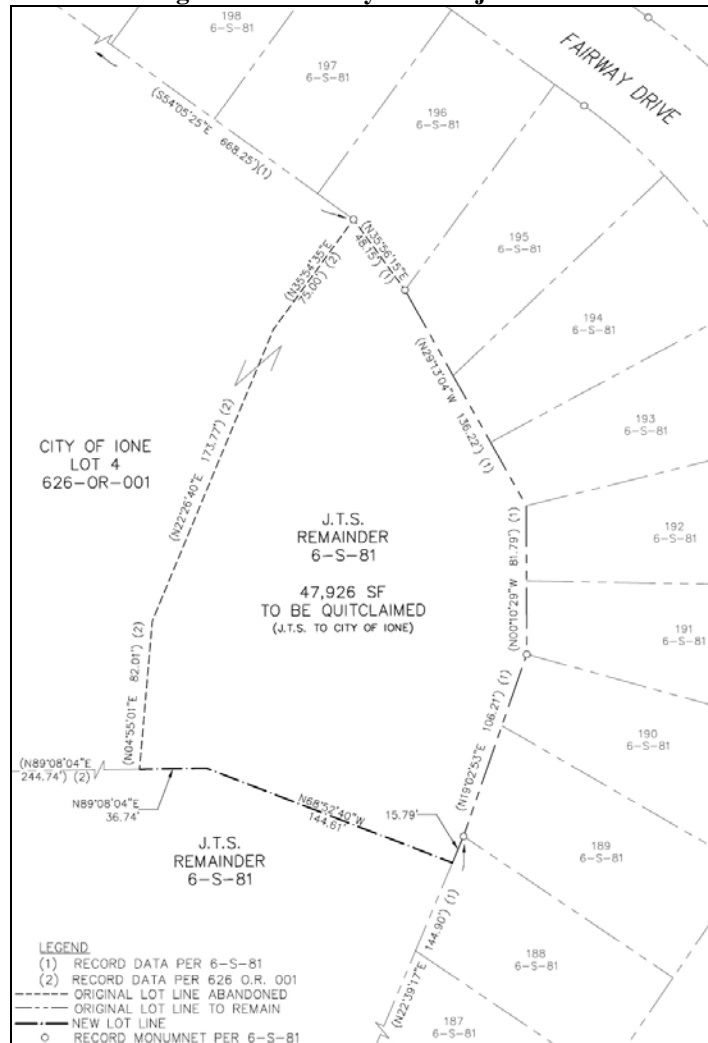
**BACKGROUND:**

The project site is located off of Fairway Drive on the northwest side of the City, adjacent to Highway 104 in the Castle Oaks Subdivision. The site is in close proximity to the Mule Creek State Prison. The site is zoned PD, Planned Development and has a General Plan designation of SP, Special Planning. The abutting properties are within the Planned Development within the Castle Oak Subdivision. Dedication of this property to the City was part of the approvals for the Castle Oaks project in 1989 (Phase 1) and 2004 (Phase 2).

**ANALYSIS:**

The proposed Boundary Line Adjustment involves a transfer and dedication of 1.1 acres (47,926 square feet) between JTS Communities, Inc and the City of Ione. The dedication is located on the north side of two properties owned by the City of Ione and JTS Communities, Inc near the 18<sup>th</sup> hole in the Castle Oaks Subdivision. Figure 2 illustrates the proposed adjustment between the two owners.

**Figure 2: Boundary Line Adjustment**



**General Plan**

The proposed project has been reviewed for consistency with all applicable General Plan goals and policies. The General Plan designation for this property is Special Planning (SP). The proposed project involves a dedication and transfer of approximately 1.1 acres of land from JTS Communities, Inc to the City of Ione within the Castle Oaks Subdivision. The General Plan requires a maximum density of six single family units per acre and a minimum parcel size of 6000 square feet. The proposed dedication and transfer would not increase the density or intensity for the two new created parcels. Therefore, the proposed project is consistent with the General Plan.

**Castle Oaks Master Plan**

Castle Oaks Master Plan was approved for multiple entitlements in 1989 (Phase 1) and 2006 (Phase 2). The master plan includes a golf course, commercial neighborhood center, and 10-village low density residential subdivision. The proposed Boundary Line Adjustment is just east of the golf course and is part of future Village 6 of the Castle Oaks subdivision. As part of the approvals to date, the subject property is to be dedicated to the City by JTS. This dedication is consistent with the Castle Oaks land use map within the

master plan. By completing the BLA entitlement, this would fulfill the requirements for the original approval of Castle Oaks Master Plan.

**Boundary Line Adjustment**

Per the Subdivision Ordinance (Municipal Code, Chapter 16.28), ‘no record of survey or parcel map shall be required for a boundary line adjustment, which does not create an additional, separate and distinct parcel of real property.’ The proposed project will not create a new parcel within the existing subdivision. The project involves a transfer and dedication from JTS Communities, Inc to the City of Ione. The proposed boundary line adjustment will not create or relocate existing utilities, right-of way, or public improvements. Therefore, the proposed project is consistent with the subdivision ordinance chapter for Boundary Line Adjustments.

**ENVIRONMENTAL REVIEW:**

Staff has reviewed the project to determine the required level of review under the California Environmental Quality Act (CEQA). The proposed project is exempt from CEQA under Section 15305 - Class 5, Minor Alterations in Land Use Limitations. The Class 5 exemption provides for minor alteration in land use limitations, which do not result in any changes in land use or density and include such specific projects as minor lot line adjustments. The proposed project is a transfer and dedication of 1.1 acres of land from JTS Communities, Inc to the City of Ione. The minor alternations will not result in any changes in land use or density. Therefore, this project qualifies for the Class 5 exemption and no further environmental review is necessary.

**CORRESPONDENCE:**

Staff routed this application to other departments and agencies on August 28, 2008. No significant comments or concerns have been identified by any departments or agencies.

**SUMMARY:**

Staff has reviewed the proposed Boundary Line Adjustment and has identified consistency with the City’s General Plan, Zoning Code, Castle Oaks Master Plan, Subdivision Ordinance, and other development standards. Therefore, staff recommends approval.

**RECOMMENDED MOTIONS:**

Should the Planning Commission agree with staff’s recommendation, the following motions are recommended:

1. *“I move that the Planning Commission approve the Boundary Line Adjustment between the City of Ione and JTS Communities, Inc., subject to the findings and Resolution contained in the April 14, 2009 staff report.”*
  
2. *“I move that the Planning Commission recommends to the City Council acceptance of the offer of dedication for the subject property.”*

## **FINDINGS:**

### **CEQA**

Finding: The project is categorically exempt from the California Environmental Quality Act (CEQA) review pursuant to CEQA Guidelines Sections 15305.

Evidence: The proposed project is exempt from CEQA under Section 15305 - Class 5: Minor Alterations in Land Use Limitations. The Class 5 exemption provides for minor alteration in land use limitations, which do not result in any changes in land use or density and include such specific projects as minor lot line adjustments. The proposed project is a transfer and dedication of 1.1 acres of land from JTS Communities, Inc to the City of Ione. The major alternations will not result in any changes in land use or density. Therefore, this project qualifies for the Class 5 exemption and no further environmental review is necessary.

### **Boundary Line Adjustment**

Finding: None of the requirements in Section 66474 of the California Subdivision Map Act which require the City to deny approval of a boundary line adjustment apply to the subject project, including:

- a) That the proposed map is not consistent with applicable general and specific plans as specified in Government Code Article 5 through Article 8.
- b) That the design or improvement of the proposed project is not consistent with applicable general and specific plans.
- c) That the site is not physically suitable for the type of development.
- d) That the site is not physically suitable for the proposed density of development.
- e) That the design of the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
- f) That the design of the subdivision or type of improvements is likely to cause serious public health problems.
- g) That the design or type of improvements will conflict with easements acquired by the public at large, for access through or use of, property within the proposed project/subdivision.

Evidence: The project is consistent with the General Plan, Zoning Ordinance, and Subdivision Ordinance of the City. The proposed project is a transfer and dedication of 1.1 acres of land from JTS Communities, Inc to the City of Ione. The major alternation is physically suitable for the type and density of development. As such, it is not likely to cause serious public health problems for the existing subdivision. The transfer and dedication will not conflict with existing easements or any other public improvements.

## **ATTACHMENTS:**

1. Planning Commission Resolution 09-2

## RESOLUTION NO 09-2

### A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IONE APPROVING A BOUNDARY LINE ADJUSTMENT BETWEEN JTS COMMUNITIES, INC. AND CITY OF IONE

**WHEREAS**, the City of Ione received a request for a Boundary Line Adjustment the property at APN: 005-320-042 and 005-320-025, requesting to transfer and dedicate 47,926 square feet of land from JTS Communities, Inc. to the City of Ione; and

**WHEREAS**, the Planning Commission held a duly noticed public hearing to accept public comments, and to review and consider the Boundary Line Adjustment request on April 14, 2009; and

**WHEREAS**, the Planning Commission has determined that the project is categorically exempt from the California Environmental Quality Act (CEQA) based upon the following finding:

Finding: The project is categorically exempt from the California Environmental Quality Act (CEQA) review pursuant to CEQA Guidelines Sections 15305.

Evidence: The proposed project is exempt from CEQA under Section 15305 - Class 5: Minor Alterations in Land Use Limitations. The Class 5 exemption provides for minor alteration in land use limitations, which do not result in any changes in land use or density and include such specific projects as minor lot line adjustments. The proposed project is a transfer and dedication of 1.1 acres of land from JTS Communities, Inc to the City of Ione. The major alternations will not result in any changes in land use or density. Therefore, this project qualifies for the Class 5 exemption and no further environmental review is necessary.

**WHEREAS**, the Planning Commission has determined that the project is consistent with the standards of Section 66474 of the State Subdivision Map Act and that none of the conditions requiring denial of the adjustment apply to this project based upon the following finding:

Finding: None of the requirements in Section 66474 of the California Subdivision Map Act which require the City to deny approval of a boundary line adjustment apply to the subject project, including:

- a) That the proposed map is not consistent with applicable general and specific plans as specified in Government Code Article 5 through Article 8.
- b) That the design or improvement of the proposed project is not consistent with applicable general and specific plans.
- c) That the site is not physically suitable for the type of development.
- d) That the site is not physically suitable for the proposed density of development.
- e) That the design of the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
- f) That the design of the subdivision or type of improvements is likely to cause serious public health problems.
- g) That the design or type of improvements will conflict with easements acquired by the public at large, for access through or use of, property within the proposed project/subdivision.

Evidence: The project is consistent with the General Plan, Zoning Ordinance, and Subdivision Ordinance of the City. The proposed project is a transfer and dedication of 1.1 acres of land from JTS Communities, Inc to the City of Ione. The major alternation is physically suitable

for the type and density of development. As such, it is not likely to cause serious public health problems for the existing subdivision. The transfer and dedication will not conflict with existing easements or any other public improvements.

**NOW THEREFORE BE IT RESOLVED**, the Planning Commission does hereby approve the requested Boundary Line Adjustment as conditioned in the attached Conditions of Approval (Attachment A) and illustrated in Attachment B.

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Mike McDermed, Chairman

ATTEST:

\_\_\_\_\_  
Janice Traverso, City Clerk

**Attachment A  
Conditions of Approval**

<u>Conditions of Approval / Mitigation Measures</u>	<u>Timing/ Implementation</u>	<u>Enforcement/ Monitoring</u>	<u>Verification (date and Signature)</u>	
<b>On-Going</b>				
1.	The project approved by this action is for a Boundary Line Adjustment as described in Attachment B.	On-Going	City Planning Department	
2.	The Applicant, and any future heirs, successors or assigns (hereinafter referred to as the 'Applicant') shall hold harmless the City, its Council Members, its Planning Commission, officers, agents, employees, and representatives from liability for any award, damages, costs and fees incurred by the City and/or awarded to any plaintiff in an action challenging the validity of this permit or any environmental or other documentation related to approval of this permit. Applicant further agrees to provide a defense for the City in any such action.	On-Going	City Planning Department	
3.	<p>The applicant shall provide a City Clerk's Certificate on the Record of Survey prior to recordation of the adjustment. The certificate shall read as follows:</p> <p>"I, Janice Traverso, hereby certify that the boundary line adjustment shown hereon has been approved by the Planning Commission of the City of Ione on _____, 2009 by Resolution No. _____.</p>	Record of Survey recordation	City Engineer City Clerk	
4.	The Record of Survey for this Boundary Line Adjustment shall not be filed with the County of Amador Recorder until the City Council has approved the Offer of Dedication.	Record of Survey recordation	City Engineer City Planner City Clerk	

**Attachment B**  
**Boundary Line Adjustment (From JTS Communities, Inc. to the City of Ione)**

