



# 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,  
CITY OF IONE TO HAMBAUGH LAND TRUST

## PROJECT OVERVIEW:

Project File Number: **08-005**  
Entitlements Requested: Boundary Line Adjustment  
Project Location: The property is located at 1202 Fairway Drive  
APN(s): 005-393-010, 005-320-042, & 005-320-025  
Existing General Plan Land Use: SP Existing Zoning: PD  
Applicant: Charles & Carol Hambaugh  
Property Owners: Hambaugh Land Trust & City of Ione  
Agent: n/a

## STAFF RECOMMENDED ACTION:

Staff recommends that the Planning Commission:

1. Approve the Boundary Line Adjustment between the City of Ione and Hambaugh Land Trust, based upon the findings and Resolution contained in the staff report (Attachment 1); and
2. Recommend to the City Council approve the transfer of land to Hambaugh Land Trust under the Boundary Line Adjustment entitlement.

## PROJECT DESCRIPTION:

The applicant requests a Boundary Line Adjustment between two properties; the City of Ione and Hambaugh Land Trust. The adjustment involves increasing the subject property (Lot 196 in Castle Oaks Subdivision) by approximately 2,683.4 square feet. The increase will make the newly created property approximately 11,831 square feet. The proposed adjustment resolves an issue regarding how the landscape improvements were made to the property related to how the property was represented upon initial sale compare to the recorded property boundaries.

**Figure 1: Aerial Map**



**BACKGROUND:**

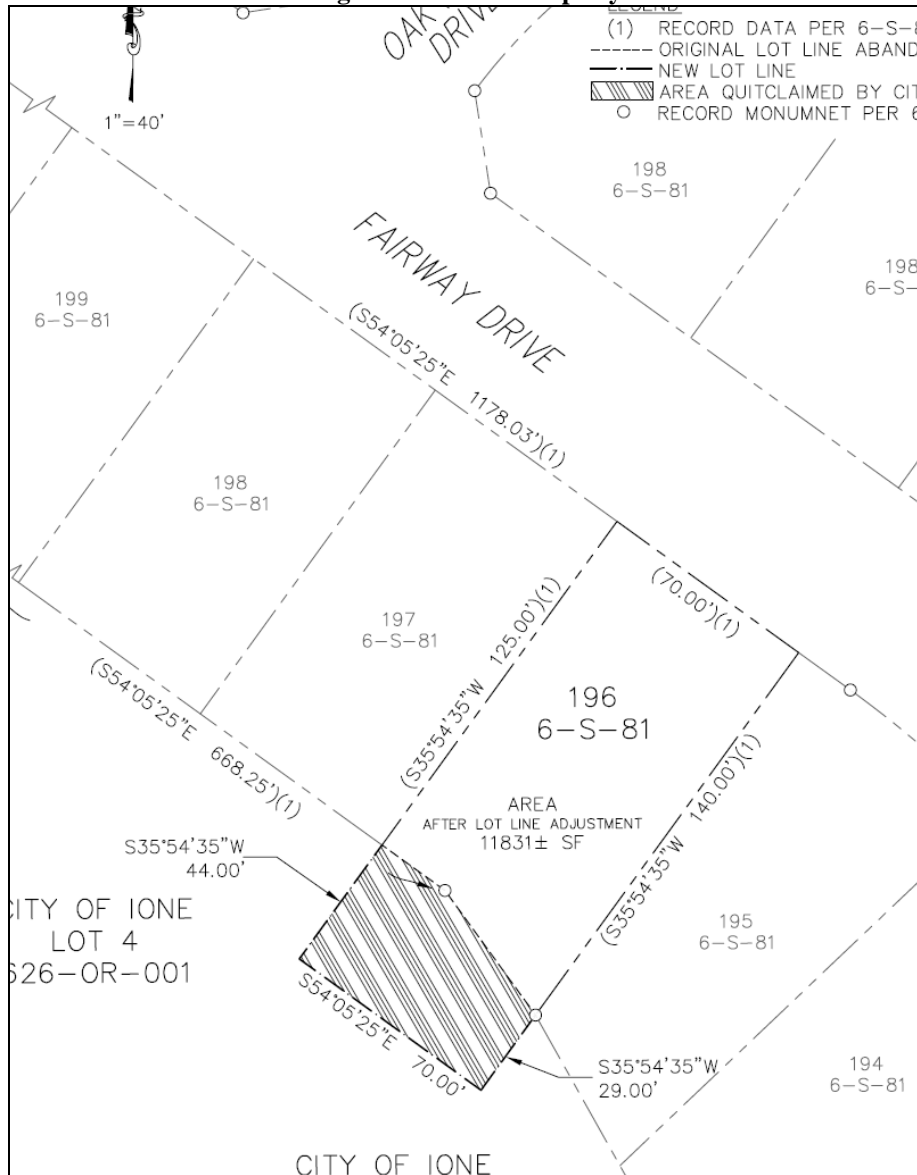
The project site is located off of Fairway Drive on the northwest side of the City, adjacent to Highway 104 in the Castle Oaks Subdivision. The site is in close proximity to the Mule Creek State Prison. The site is zoned PD, Planned Development and has a General Plan designation of SP, Special Planning. The abutting properties are within the Planned Development within the Castle Oak Subdivision. This location has been part of multiple approvals for the Castle Oaks Subdivision in 1989 (Phase 1) and 2006 (Phase 2).

**ANALYSIS:**

The proposed Boundary Line Adjustment would increase the property size of the lot owned by Hambaugh by 2,683.4 square feet. The property adjustment is located on the south side of the Hambaugh property near the tee box for the 18<sup>th</sup> hole of Castle Oaks Golf Course. Figure 2 and 3 illustrates the proposed adjustment between the two owners. The proposed adjustment resolves an issue regarding how the landscape improvements were made to the property related to how the property was represented upon sale compare to the recorded property boundaries. Since the sale of the property to Hambaugh in 1999, Mr. Hambaugh has been maintaining this property and making improvements in good faith.



**Figure 3: Revised Property**



**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 Boundary Line Adjustment would increase the property size of the lot owned by Hambaugh by 2,683.4 square feet. 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 boundary line adjustment would not increase the density or intensity for the newly created parcel. 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 a 10-village low density residential subdivision. The proposed project will increase lot 196 in Phase 1 of the Castle Oaks subdivision from 9,147.60 to 11,831 square feet. This increase will resolved an issue regarding the landscape improvements and maintenance for

this site between the existing three owners, City of Ione, JTS Communities, and Hambaugh Land Trust.

**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 proposed project is a boundary line adjustment to increase the property of lot 196 by 2,683.4 square feet. 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.

**Hambaugh Property Maintenance and Improvements**

Since the property owner bought the property (lot 196) in 1999, they have maintained the landscape improvements for their property as well for the addition of 2,683.4 square feet. After a pending Boundary Line Adjustment, the subject adjustment area is owned by the City of Ione as part of the Castle Oaks Golf Course.

According to the property owner, he spends about \$100 a month on landscaping services for the entire property. Including the addition, the property is approximately 11,831 square feet in size. Assuming 1/3 of the site is landscaped, which is about 3,904 square feet, the cost per square foot of maintenance would then be calculated at \$0.0256 square feet (total cost/ landscaped square footage). With this equation, the addition costs \$68.73 a month on maintain. Over ten years (1999-2009) the total landscape maintenance costs are calculated at \$8,247.60. In addition, the property owner estimates that he has spent \$2,500 on one-time landscaping and \$3,500 on one-time hardscape within the adjustment area. Additional yearly landscaping (perennial flowers, etc.) is estimated at approximately \$100 per year. The total improvement and maintenance costs spent by Mr. Hambaugh to date are approximately \$14,000 in the last ten years.

As currently assessed by the County Assessor, the proposed project involves three property owners, JTS Communities, Inc., City of Ione, and Hambaugh Land Trust. Table 1 identifies the current land value and square footage for the three property owners.

**Table 1: Current Land Value and Square Footage**

<b>APN</b>	<b>Property Owners</b>	<b>Current Land Value</b>	<b>Square Footage</b>
005-320-042	JTS Communities, Inc.	\$8,385,252	1,979,366.40 (45.44 acres)
005-320-025	City of Ione	Government Property is not accessed.	2,738,181.60 (62.86 acres)
005-393-010	Hambaugh Land Trust	\$55,692	9,147.60 (0.21 acre)

The total square footage between JTS Communities and Hambaugh is approximately 1,988,514. Therefore, the current land value for the two properties equals about

\$8,440,944. The calculated value per square footage is approximately \$4.2449; this estimation is calculated from the current land value and current square footage between JTS and Hambaugh property. The addition to the Hambaugh property is approximately 2,683.4 square feet. The number for the addition multiplied by the value per square foot equals the total of the land value for the new Hambaugh property, which is approximately \$11,390. This would be the new value under the Boundary Line Adjustment entitlement.

Therefore, the value of improvement and maintenance expenses in the project area by the applicant (\$14,000) is more than the assessed value of the addition (\$11,390). Because the applicants expenses to date are more than the cost of the land, the transfer of the land from the City to the applicant does not represent a gift of public funds.

**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 boundary line adjustment to increase the property of lot 196 by 2,683.4 square feet. 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, 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 approves the Boundary Line Adjustment between the City of Ione and Hambaugh Land Trust, based upon the findings and Resolution contained in the staff report."*
  
2. *"I move that the Planning Commission recommends to the City Council approval of the transfer of land to Hambaugh Land Trust under the Boundary Line Adjustment entitlement."*

## **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 boundary line adjustment to increase the property of lot 196 by 2,683.4 square feet. 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, Castle Oaks Master Plan, and Subdivision Ordinance of the City. The proposed project is a boundary line adjustment to increase the property of lot 196 by 2,683.4 square feet. The 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 increase of the property will not conflict with existing easements or any other public improvements.

## **ATTACHMENTS:**

1. Planning Commission Resolution 09-3

## RESOLUTION NO 09-3

### A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF IONE APPROVING A BOUNDARY LINE ADJUSTMENT FOR HAMBAUGH LAND TRUST

**WHEREAS**, the City of Ione received a request for a Boundary Line Adjustment the property at 1202 Fairway Drive, APN: 005-393-010, requesting to increase the size of the lot by 2,683.4 square feet; 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 boundary line adjustment to increase the property of lot 196 by 2,683.4 square feet. 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 boundary line adjustment to increase the property of lot 196 by 2,683.4 square feet. The 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 increase of the property 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**

<b><u>Conditions of Approval / Mitigation Measures</u></b>	<b><u>Timing/ Implementation</u></b>	<b><u>Enforcement/ Monitoring</u></b>	<b><u>Verification (date and Signature)</u></b>	
<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 County of Amador Recorder until the City Council has approved the transfer of land to Hambaugh Land Trust.	Record of Survey Recordation	City Engineer City Planner City Clerk	

	<b><u>Conditions of Approval / Mitigation Measures</u></b>	<b><u>Timing/ Implementation</u></b>	<b><u>Enforcement/ Monitoring</u></b>	<b><u>Verification (date and Signature)</u></b>
5.	The Record of Survey for this Boundary Line Adjustment shall not be filed with the County of Amador Recorder until the Boundary Line Adjustment described under Planning Commission Resolution 09-3 has been filed.	Record of Survey Recordation	City Engineer City Clerk	

**Attachment B**  
**Boundary Line Adjustment (From the City of Ione to Hambaugh Land Trust)**

