



City of Placerville
Public Works / Engineering
MEMORANDUM

DATE: December 2, 2009

TO: City Council

FROM: Randy Pesses, Director of Public Works

SUBJECT: **REQUEST FOR A CONDITIONAL CERTIFICATE OF COMPLIANCE FOR 3590 PAY DIRT DRIVE, APN: 051-520-19-100**

RECOMMENDATION:

That the City Council adopt a Resolution:

1. Authorizing the execution of a Conditional Certificate of Compliance for 3590 Pay Dirt Drive, Assessor's Parcel Number 051-520-19-100.

BACKGROUND:

A request has been made by the applicant to the Public Works Department, to issue a Certificate of Compliance on the subject parcel in accordance with the Subdivision Map Act (Act). The parcel was not created in conformance with the Act; and, under these conditions, the Act gives the City the authority to grant a Conditional Certificate of Compliance that imposes those improvement requirements that are necessary to make it a legal parcel. On March 25, 2008 Council approved a similar request for 1564 Country Club Drive, the other half of the original 2.0 acre parent parcel which was split by gift deed in 1984 into two 1.0 acre parcels.

DISCUSSION:

The property owner has requested the City to determine whether the subject real property complies with the provisions of the Subdivision Map Act and with local ordinances enacted pursuant thereto? After receiving the request Engineering Staff reviewed the history of this parcel. The parcel is a portion of Parcel D of Parcel Map 18-22, which was filed with the County in 1977. Parcel D was broken into three pieces by "Deed of Gift" while in the County in 1978, and was then annexed into the City in 1981 as part of a larger annexation. In 1984 a portion of Parcel D, then shown in Assessors Parcel Books as APN 051-052-13 (2.0 Acres), was further divided by "Deed of Gift" into two 1.0 acre parcels shown by the Assessor as parcels 18 and 19. Parcel 18 now is a legal parcel as a result of the Conditional Certificate of Compliance approved by Council as described above. Since being created by gift deed, parcel 19 has changed ownership several times and recently has been for sale. The potential buyer has paid the City fee for processing this Conditional Certificate of Compliance, which is a requirement of the title company before they will issue title insurance on the parcel.

The Subdivision Map Act allows the City to impose any conditions that would have been applicable to the division of the property at the time the applicant took possession of the

property. The current owners inherited the property in April 2008, and the property has been owned by members of their family since 1994.

The parcel meets current City planning and zoning standards per the City Planner. EID water and dry overhead utilities exist along its approximate 290-foot frontage on Pay Dirt Drive. The street frontage is unimproved along the existing 18 foot wide pavement area, which is within a 60 foot private easement. The parent parcel was adjacent to a street with public sewer when it came into the current family's ownership in 1994, and a condition of approval for splitting the parent parcel on Country Club Drive would have been to connect both parcels to the public sewer in Country Club Drive. A condition of the Certificate of Compliance for parcel 18, APN 051-052-18 (1564 Country Club Drive) was to provide a Public Utilities Easement along its boundary so that this parcel below could have access to the sewer in Country Club Drive, and that easement has been recorded.

Staff has reviewed the requirements placed on nearby developed parcels along Pay Dirt Drive and found the neighboring parcels were required to provide the following; Irrevocable Offers of Dedication to the City for street right of way, and Deferred Frontage Improvement Agreements. None of the developed parcels within the City limits on Pay Dirt Drive have existing frontage improvements. The Irrevocable Offers of Street Dedication provided to the City on these developed parcels vary from 25 feet to 30 feet in width across their frontages.

Staff recommends that Council authorize the filing of a Conditional Certificate of Compliance for this parcel requiring that the following conditions be fulfilled and implemented prior to subsequent issuance of a permit or other grant of approval for development of the property:

- 1) Dedicate a 15-foot wide Public Utilities Easement along the west side of the property (134 feet long) to allow for public utility services to be installed in the future.
- 2) Provide an Irrevocable Offer of Dedication to the City of 25 feet of right of way along the property frontage.
- 3) Enter into the City's standard Street Frontage Improvement Agreement, allowing frontage improvements on Pay Dirt Drive to be deferred until such time as the City calls in the Agreement.
- 4) Any residential building plans proposed on the parcel shall include connection to the City sewer system on Country Club Drive.

The Conditional Certificate of Compliance will provide for the same level of improvements as would be required of any other Parcel Map in the City at the time the current owner took possession of the property.

FISCAL IMPACT:

There are no direct financial impacts to the City as a result of this action. It reduces City liability for future frontage curb, gutter, sidewalk, and roadway improvements in this area, and will require that this parcel pay City sewer fees when it develops.

Prepared by:

Approved by:

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