



## AGENDA

### REGULAR PLANNING COMMISSION MEETING COUNCIL CHAMBERS, 380 CIVIC DRIVE, GALT THURSDAY, MARCH 14, 2013, 6:30 P.M.

**NOTE:** Speaker Request Sheets are provided inside the Council Chambers. If you wish to address the Commission during the meeting, complete a Speaker Sheet and give to the Secretary of the Commission. A maximum of three (3) minutes is allowed for each speaker.

**NOTE:** If you need disability-related modifications or accommodation, including auxiliary aids or services, to participate in this meeting, please contact the Community Development Dept., 209-366-7230, 495 Industrial Drive, at least two days prior to the meeting.

#### **CALL MEETING TO ORDER**

**ROLL CALL:** COMMISSIONERS: Dees, Erickson, Morris, Sandhu, Rodriguez

**PUBLIC COMMENTS:** Under Government Code §54954.3 members of the audience may address the Commission on any item of interest to the public or on any agenda item before or during the Commission's consideration of the item.

#### **INFORMATION/CONSENT CALENDAR**

- (1)1. **SUBJECT:** Minutes of the February 21, 2013 meeting.  
**RECOMMENDATION:** That the Planning Commission approve the minutes of the Feb. 21, 2013 meeting.

#### **PUBLIC HEARING**

- (3) 1. **SUBJECT:** 1021 MEADOWVIEW DRIVE SETBACK VARIANCE TIME EXTENSION AND USE CLARIFICATION REQUEST

**RECOMMENDATION:** That the Planning Commission adopt Resolution 2013-\_\_(PC) approving a time extension and use clarification for an approved variance at 1021 Meadowview Drive.

- (11) 2. **SUBJECT:** THE MEADOWS SUBDIVISION REVISED ARCHITECTURAL PLAN (FLOOR PLANS AND ELEVATIONS)

**RECOMMENDATION:** That the Planning Commission adopt Resolution 2013-\_\_(PC) approving a new Architectural Plan (floor plans and exterior elevations ) for the Meadows Subdivision.

#### **DEPARTMENT REPORTS - None**

#### **ADJOURN**

**CATHY KULM, PLANNING COMMISSION SECRETARY:** Agenda Report. The agenda for this Galt Planning Commission Meeting was posted in the following listed sites before the close of business at 5:00 p.m. on the Monday preceding the meeting:

1. City Hall Lobby, 380 Civic Drive
2. U. S. Post Office, 600 N. Lincoln Way
3. Marian O. Lawrence Library, 1000 Caroline Avenue





## **MINUTES**

**Planning Commission Regular Meeting  
Council Chambers, 380 Civic Drive, Galt, California  
Thursday, February 21, 2013, 6:30 p.m.**

The meeting was called to order at 6:30 p.m. by Chairperson Dees. Commissioners present: Erickson, Dees, Rodriguez, Sandhu and Morris.

Staff members present: Community Development Director Kiriu, City Attorney Rudolph, City Engineer Forrest and PC Secretary Kulm.

**PUBLIC COMMENTS** – **None.**

### **INFORMATION/CONSENT CALENDAR**

1. **SUBJECT:** Minutes of the January 10, 2013 meeting.

**ACTION:** Rodriguez moved to approve the consent calendar with the correction made to the minutes as discussed; second by Erickson. Motion was unanimously carried by those Commissioners present. (Erickson, Dees, Morris, Rodriguez, and Sandhu.)

Chairperson Dees opened the public hearing.

### **PUBLIC HEARING**

1. **SUBJECT:** ANNUAL 2030 GALT GENERAL PLAN AND HOUSING ELEMENT PROGRESS REPORT FOR 2012

**RECOMMENDATION:** That the Planning Commission review the Annual 2030 Galt General Plan and Housing Element Progress Report for 2012 and make any recommendations regarding reasonable and practical means for implementing the general plan so that it will serve as an effective guide for orderly growth and development, preservation and conservation of open space land and natural resources, and the efficient expenditure of public funds related to the subjects in the General Plan.

The Planning Commission can recommend that City Council approve the report as presented or recommend any modifications to the report. Upon City Council acceptance of the report, it shall be submitted to the Governor's Office of Planning and Research and the Department of Housing and Community Development in accordance with Government Code §65400.

Kiriu explained the basic overview of the General Plan through a powerpoint presentation. Kiriu then went on to give the staff report regarding the Annual 2030 Galt General Plan and Housing Element Progress Report for 2012, noting that the report contained two minor errors which have been corrected. The errors are as follows:

1. Table 5 should read "Permitted Units Issued by Affordability as of 12/31/12" not "12/31/11".
2. Page 25 should read the "Live Oak Pump Station" not the "Liver Oak Pump Station".

There was minimal discussion.

Chairman Dees opened the public hearing.

Kelly Keagy, Galt citizen, asked when the workshop on the Housing Element would be held.

Chairman Dees closed the public hearing.

**ACTION:** Sandhu moved to approve the staff's recommendation with the noted changes; second by Morris. A roll call vote was taken by those commissioners present: Erickson – Yes; Sandhu – Yes; Dees – Yes; Rodriguez – Yes; Morris - Yes. **Motion was unanimously carried.**

**DEPARTMENT REPORTS** –

Meeting adjourned at 7:15 p.m.



## PLANNING COMMISSION AGENDA REPORT

Meeting Date: March 14, 2013

**Prepared by:** Chris Erias, Senior Planner  
**Reviewed by:** Sandra Kiriu, Community Development Director

**SUBJECT** 1021 Meadowview Drive setback variance time extension and use clarification request

### RECOMMENDATION

That the Planning Commission adopt Resolution 2013-\_\_(PC) approving a time extension and use clarification for an approved variance at 1021 Meadowview Drive.

**LOCATION** 1021 Meadowview Drive in Galt, California. The site is particularly identified as Assessor Parcel Number 148-0280-025.



**ZONING** R1-C, Single-Family Residential, Maximum-Density (6,500 s.f. minimum lot size)

**APPLICANT** Herb and Rebecca Hobbs  
218 Quail Hollow Drive  
Galt, CA 95632  
209-745-6145

### DISCUSSION

#### Background

On November 8, 2012, the Planning Commission approved a variance at 1021 Meadowview Drive modifying the required setbacks for an existing unpermitted accessory structure in the side yard from 5 feet to approximately 4.5 feet and in the rear yard from 10 feet to 4.5 feet. The request was first heard by the Planning Commission on July 12, 2012. The item was continued to October 11, 2012 in order to give the property owner time to see if he could work out a lot line adjustment (LLA) with the adjacent property. The LLA would have resolved the rear setback issue. The property owners were not able to reach an agreement on the LLA.

Consequently, the item was heard again by the Planning Commission on October 11, 2012. After public testimony, the Planning Commission provided guidance on the required findings and directed staff to come back to the next Planning Commission meeting with the findings to approve the request. The Commission further directed staff that the accessory structure would be for storage or permitted hobby use only. As a result, the Planning Commission conditionally approved the variance on November 8, 2012.

A condition of approval for the variance required that a building permit be obtained for the accessory structure within 90 days. The applicant has submitted a building permit application but has not been able to obtain it within the 90 day time period so is requesting a time extension. In addition, a condition required that all eaves and overhangs on the subject building must be modified to ensure a three (3) foot air space clearance between the building and property lines within 30 days. This 30 day time limit was not met. Moreover, a condition required that the accessory building not be used for any "residential purposes". The applicant is seeking to use the accessory structure as a game room. It is unclear to staff if the intent of the Planning Commission's condition was to prohibit the structure to be used as a second residential unit, or to prohibit any use of the structure other than residential accessory storage/workshop. Consequently, staff is seeking clarification of the condition and a decision on the proposed game room.

#### Variance for Setbacks

The property located at 1021 Meadowview Drive has an illegal structure located in the rear of the property and an illegal attached patio cover. The patio cover and structure were built without required building permits and do not conform to required setbacks.

The variance is for the illegal structure in the rear of the property. The date of its construction is not known. However, it existed as a storage shed prior to current ownership. At some point which is not clear, the shed was modified into a second residential unit. It contains a bathroom, kitchen, and heating and air conditioning system. The unit was occupied until the City received a complaint about the structure. Once the City became aware of the illegal structure or second unit, code enforcement action ensued. Since the building was constructed without a building permit, it was unknown if the structure is safe for human occupancy and meets all building code requirements. Consequently, the property owner was informed on or around April 30, 2012 that the tenant in the building had to vacate the structure.

Since the structure does not conform to current setbacks and was constructed without a permit, the property owner had the choice to either move the building so that it conformed to setbacks, remove the building entirely, or receive a variance for the setbacks. Since the applicant chose to keep the building, and obtained the variance, it requires a building permit. In addition, the structure has a canopy with a zero setback essentially connecting to the property line on the side (north) and rear (east). A 2 foot overhang is permissible as long as there is a minimum 3 foot airspace clearance. The canopy must be removed or modified to ensure a minimum 3 foot air space is maintained

between the structure and the property line.

The patio cover requires a 5' setback to the side (north) property line. The setback is measured from foundation, or post, to the property line. A 2 foot overhang is allowed as long as there is a 3 foot air space between structures. The structure has a zero setback and is directly on the property line. It is not a part of the variance request. If the structure is to remain, it must conform to the minimum setback and the property owner must obtain a building permit, and obtain new deadlines to obtain a building permit and comply with the 3' air clearance between structures as instructed in the conditions.

### Time Extension Request

As mentioned, the Planning Commission approved the request for a variance on November 8, 2012. There were conditions of approval for the variance. The conditions of approval put time limits on the applicant to obtain building permits. The applicant was given 90 days to obtain a building permit, 1 year to have the building permit finalized, and 30 days to remove all eaves and overhangs on the subject building to ensure a three (3) foot air space clearance between the building and property lines. The applicant agreed to all conditions.

The applicant submitted an application for a building permit for the illegal structure on November 14, 2012. The application was for a storage shed use. The application was inadequate and incomplete. The City's Building Inspector assisted in correcting it so that it could be submitted to the City's contract engineering firm, 4 Leaf, for plan check. 4 Leaf provided its review and issued correction comments on November 30, 2012. Even though the intended use was for a storage shed, the plans still showed the existing bathroom, heating and air conditioning unit and full electrical system. As such, it was required to be brought up to code for use for human occupancy.

The applicant resubmitted the building permit application on February 4, 2013. By this time, the applicant was in danger of exceeding the 90 day limit to obtain a building permit. The 90 day deadline to obtain the building permit was February 6, 2013. At this point, the applicant was instructed that Planning Commission approval will be needed to extend the 90 day time limit imposed by the Conditions of Approval since it was very unlikely for 4 Leaf to provide adequate review of the revised application in 2 days (contractual turnaround is 10 days). The 30 day deadline had also been exceeded for removal of the canopy.

### Residential Clarification Request

Because the applicant had so much invested into the structure, he did not want to abandon the bathroom, heating and air conditioning unit and electrical system so instead of using the structure as a storage shed it was resubmitted as a game room use. However, Condition Number 2 of the variance states "The accessory building shall not be used for any residential purposes". Staff is unclear what the Planning Commission intended with the original condition so is requesting clarification.

It appears that “residential purposes” was to prevent the accessory structure from being used as a second residential unit. Comments made by Planning Commissioners during the public hearings led staff to believe the concern centered on the structure being used as full time living quarters. In addition, the Commission, at the October 2012 meeting, directed staff that the accessory structure would be for storage or permitted hobby use only. The game room could be viewed as “hobby use”, but staff wanted to confirm with the Planning Commission before proceeding.

Consequently, staff is asking the Planning Commission to approve the use of the structure as a game room, or provide further clarification of the phrase “residential purposes”. The Conditions of Approval have been revised to allow a game room but prohibit regular occupancy as living quarters. If the Planning Commission disagrees the condition can be amended. Please see Condition Number 2 which is Exhibit B to the Resolution.

Agency Comments

Planning staff circulated the initial application with a project description and a plot plan to various departments and agencies for comment. The CSD Fire District preferred that a 3 foot minimum clearance be maintained between all structures and the property lines.

Appeal

An applicant, or any other person aggrieved by the decision, may appeal the Planning Commission’s decision, under Section 18.52.050.A.6 of the Galt Municipal Code within ten (10) days after the mailing of the notice of decision by filing a written notice of appeal with the city clerk.

Public Notice

The project was advertised for public hearing in the Galt Herald on February 27, 2013 and notice was mailed to all property owners within 500 feet of the property boundary.

**ATTACHMENTS**

Resolution 2013-\_\_(PC) approving a time extension and use clarification for an approved variance, at 1021 Meadowview Drive.

- Exhibit A:                    Site Plan
- Exhibit B:                    Conditions of Approval

Attachment 1: November 8, 2012 Planning Commission Staff Report

**RESOLUTION NO. 2013 (PC)****A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GALT,  
CALIFORNIA, MAKING FINDINGS FOR APPROVING A TIME EXTENSION AND  
USE CLARIFICATION FOR AN APPROVED VARIANCE AT 1021 MEADOWVIEW DRIVE  
FOR AN ACCESSORY STRUCTURE**

**WHEREAS**, on November 8, 2012 the Planning Commission approved a variance at 1021 Meadowview Drive modifying the required setbacks for an accessory structure in the side yard from five (5) feet to four and one-half (4.5) feet and in the rear yard from ten (10) feet to four and one-half (4.5) feet for an accessory building as shown on the site plan Exhibit A; and

**WHEREAS**, the variance for 1021 Meadowview Drive was subject to seven (7) Conditions of Approval; and

**WHEREAS**, the Conditions of Approval required, among other things, that a building permit be obtained within 90 days (by February 6, 2013), required that all the canopy on the subject building must be modified to ensure a three (3) foot air space clearance between the building and property lines within 30 days and denied use of the accessory structure for residential purposes; and

**WHEREAS**, the building permit application was not obtained by the 90 day deadline; and,

**WHEREAS**, the proposed use of the accessory structure changed during the building permit plan check process from a storage shed to a game room; and

**WHEREAS**, City staff was uncertain whether a game room was consistent with the condition prohibiting use for residential purposes; and

**WHEREAS**, a time extension and use verification was requested for the 1021 Meadowview Drive Variance; and

**WHEREAS**, the Planning Commission received and reviewed all evidence presented, both orally and in writing, for the variance time extension and use clarification request at a noticed public hearing on March 14, 2013.

**NOW, THEREFORE, BE IT RESOLVED**, that the Planning Commission of the City of Galt, California hereby modifies the original variance conditions of approval as set forth in Exhibit B and approves the variance time extension request and approves the use of the accessory structure as a game room at 1021 Meadowview Drive.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** that the variance at 1021 Meadowview Road is hereby approved subject to the revised Conditions of Approval set forth in Exhibit B.

The Planning Commission Secretary shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

**PASSED AND ADOPTED** by the Planning Commission of the City of Galt, California, this 14th day of March, 2013, upon motion by Planning Commissioner \_\_\_\_\_, seconded by Planning Commissioner \_\_\_\_\_ by the following vote, to wit:

- AYES:**
- NOES:**
- ABSTAIN:**
- ABSENT:**

\_\_\_\_\_  
Chair, City of Galt Planning Commission

ATTEST:

\_\_\_\_\_  
Planning Commission Secretary, City of Galt



**Exhibit B to Resolution 2013 \_\_ (PC)**

**CONDITIONS OF APPROVAL  
FOR A VARIANCE AT 1021 MEADOWVIEW DRIVE  
MODIFYING THE REQUIRED SETBACKS  
FOR A RESIDENTIAL ACCESSORY BUILDING  
IN THE SIDE YARD FROM 5 FEET TO APPROXIMATELY 4.5 FEET  
AND IN THE REAR YARD FROM 10 FEET TO 4.5 FEET.**

**CONDITIONS:**

1. The variance is for an accessory building located at 1021 Meadowview Drive modifying the required setbacks in the side yard from 5 feet to approximately 4.5 feet and in the rear yard from 10 feet to 4.5 feet substantially in conformance with Exhibit A to the Resolution of approval. No other use of the approved variance shall be permitted.
2. The accessory building shall not be rented, leased or used as a residential dwelling unit, meaning that it shall not be used on a regular or routine basis for living, sleeping, eating, cooking or bathing.
3. The accessory structure shall require a building permit and shall conform to all building code requirements. The property owner has 60 days from adoption of this Resolution to obtain all applicable permits for all unpermitted structures on the property and pay all necessary fees or to remove the unpermitted structures. The time limit can be extended with good cause by the Community Development Director. Any further extensions require Planning Commission approval at a noticed public hearing and subject to payment of the appeal fee, news paper notice costs, and 500' radius mailing costs.
4. The patio cover and canopies must be modified to ensure a three (3) foot air space clearance between the building and property lines.
5. The grant of this variance is contingent upon complying with Conditions 1, 2, 3, and 4 within 60 days. If not, the variance does not become effective and the unpermitted structures will be considered a public nuisance subject to abatement as set forth in Title 21 of the Galt Municipal Code.
6. Failure to complete all construction/demolition required under the building permit and obtain a final Permit for the accessory building by March 14, 2014 shall result in revocation proceedings in accordance with Section 18.84.050 of the Galt Municipal Code.
7. The City shall record a notice of this variance and the applicable conditions in accordance with Government Code section 27281.5, so that such conditions are enforceable against future owners. The current owner consents to recordation of such notice.



## PLANNING COMMISSION AGENDA REPORT

Meeting Date: November 8, 2012

**Prepared by:** Chris Erias, Senior Planner  
**Reviewed by:** Sandra Kiriu, Community Development Director

**SUBJECT** 1021 Meadowview Drive Setback Variance for side and rear yard setbacks.

### RECOMMENDATION

That the Planning Commission adopt Resolution 2012-\_\_(PC) approving a variance at 1021 Meadowview Drive modifying the required setbacks in the side yard from 5 feet to approximately 4.5 feet and in the rear yard from 10 feet to 4.5 feet.

**LOCATION** 1021 Meadowview Drive in Galt, California.  
The site is particularly identified as Assessor Parcel Number 148-0280-025.



**ZONING** R1C, Single-Family Residential, Maximum-Density (6,500 s.f. minimum lot size)

**OWNER** Herb Hobbs  
218 Quail Hollow Drive  
Galt, CA 95632  
209-745-6145

### BACKGROUND

The Planning Commission considered this variance request at its meeting on October 11, 2012 and directed staff to come back to the November Planning Commission meeting with written findings for approval of the variance based on the testimony presented. The Planning Commission also made it clear that residential use of the structure would likely not be allowed if the Planning Commission chooses to approve the variance. The accessory structure would be for storage or permitted hobby use only.

### DISCUSSION

The property located at 1021 Meadowview Drive has an illegal structure located in the rear of the property and an illegal attached patio cover. The patio cover and structure were built without required building permits and do not conform to required setbacks.

The variance request is for the illegal structure in the rear of the property. The date of its construction is not known. However, it existed as a storage shed prior to current ownership. At some point which is not clear,

the shed was modified into a second residential unit. It contains a bathroom, kitchen, and heating and air conditioning system. The unit was occupied until the City received a complaint about the structure. Once the City became aware of the illegal structure or second unit, code enforcement action ensued. Since the building was constructed without a building permit, it was unknown if the structure is safe for human occupancy. It was not known if it meets all building code requirements. Consequently, the property owner was informed on or around April 30, 2012 that the tenant in the building must vacate by May 15, 2012. Staff has been informed that the unit is now vacant.

Since the structure does not conform to current setbacks and was constructed without a permit, the property owner had the choice to either move the building so that it conformed to setbacks, remove the building entirely, or receive a variance for the setbacks. If the building is to remain, it will require a building permit. In addition, the structure has a covered walkway with a zero setback essentially connecting to the property line on the side (north) and rear (east). A 2 foot overhang is permissible as long as there is a minimum 3 foot airspace clearance. The applicant has chosen to seek a variance for the structure as a storage shed and not a second residential unit. If the variance is granted, the covered walkway or canopy must be removed or modified to ensure a 3 foot air space between the structure and the property line.

The patio cover requires a 5' setback to the side (north) property line. The setback is measured from foundation, or post, to the property line. A 2 foot overhang is allowed as long as there is a 3 foot air space between structures. The structure has a zero setback and is directly on the property line. It is not a part of the variance request. If the structure is to remain, it must conform to the minimum setback and the property owner must obtain a building permit.

**VARIANCE REQUEST**

The applicant has requested a variance, under Chapter 18.84 of the Galt Municipal Code, from Section 18.20.020 of the Galt Municipal Code Table 18.20-1 of the Galt Municipal Code which requires a minimum side yard setback of not less than five (5) feet and a rear yard setback of not less than ten (10) feet in the R1C Zone. The variance request is for the accessory building in the rear of the property. It has a 4.8' side yard setback and a 4.5' rear yard setback (see site plan Exhibit A). If the applicant receives a variance for the setbacks they must obtain a building permit and the covered walkway or canopy must be removed or modified to ensure a 3' air space between the structure and the property line.

**VARIANCE FINDINGS AND ANALYSIS**

In considering a variance, the Planning Commission may approve or conditionally approve the application request for a variance if it finds all of the following under Section 18.84.030 of the Galt Municipal Code:

**FINDING:** There are special circumstances applicable to the property, including size, shape, topography, location or surroundings, and because of such circumstances, the strict application of requirements of this title would deprive the property owner of privileges generally enjoyed by other property owners in the vicinity and under identical zoning classification.

**DISCUSSION:** The strict application of the setback requirements in the zoning code deprives the property owner of 1021 Meadowview Drive of privileges generally enjoyed by others in the vicinity under identical zoning classification. The accessory building was constructed prior to the current ownership. If the current owner is required to modify or demolish the structure it would impose a financial hardship upon said owner.

---

However, the owner is required to obtain a building permit and pay all fees. If no permit is obtained within one (1) year of this date abatement procedures would be immediately initiated to remove the building.

**FINDING:** The variance authorized does not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and in the same zoning district.

**DISCUSSION:** Allowing the requested variance for the setbacks at 1021 Meadowview Drive does not constitute a granting of special privileges to the property owner that are inconsistent with the limitations upon other properties in the vicinity and in the same zoning district. Many other properties have accessory storage structures with similar setbacks. Since residential use of the building is prohibited, the building is considered an accessory storage shed.

**FINDING:** The variance does not authorize a use that is not otherwise allowed in the zoning district.

**DISCUSSION:** This variance request will not authorize a use that is not otherwise allowed in the R1C zoning district. It is for setbacks and not for a type of use.

**FINDING:** The variance may not be granted if it will adversely affect the interests of the public or the interests of other residents and property owners within the vicinity of the premises in question. Residential use is specifically prohibited by this Planning Commission action. The building can only be used for storage or hobby purposes.

**DISCUSSION:** The modified setbacks do not encroach on any easements or on any other private property. The variance request will not adversely affect other residents and property owners near the property. Many nearby residents voiced support of the variance request and there are significant setbacks from existing structures in the area.

**FINDING:** A variance can be approved only if all the applicable legislative requirements of Government Code Section 65906 are met (variance findings).

**DISCUSSION:** All requirements of Government Code Section 65906 are met. As mentioned above, there are special circumstances applicable to the property and because of such circumstances, the strict application of requirements of this title would deprive the property owner of privileges generally enjoyed by other property owners in the vicinity and under identical zoning classification, and if the variance is authorized it will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and in the same zoning district.

#### **AGENCY COMMENTS**

Planning staff circulated a project description and a plot plan to various departments and agencies for comment. The CSD Fire District preferred that a 3 foot minimum clearance be maintained between all structures and the property lines.

#### **APPEAL**

An applicant, or any other person aggrieved by the decision, may appeal the Planning Commission's decision,

under Section 18.52.050.A.6 of the Galt Municipal Code within ten (10) days after the mailing of the notice of decision by filing a written notice of appeal with the city clerk.

**PUBLIC NOTICE**

The project was advertised for public hearing in the Galt Herald on June 27, 2012 and notice was mailed to all property owners within 500 feet of the property boundary.

**ATTACHMENTS**

Resolution 2012-\_\_\_\_(PC) approving a variance at 1021 Meadowview Drive modifying the required setbacks in the side yard from 5 feet to approximately 4.5 feet and in the rear yard from 10 feet to 4.5 feet.

- Exhibit A:                   Site Plan
- Exhibit B:                   Conditions of Approval



# PLANNING COMMISSION AGENDA REPORT

Meeting Date: March 14, 2013

**Prepared by:** Chris Erias, Senior Planner  
**Reviewed by:** Sandra Kiriu, Community Development Director

**SUBJECT** THE MEADOWS SUBDIVISION REVISED ARCHITECTURAL PLAN  
(FLOOR PLANS AND ELEVATIONS)

## RECOMMENDATION

That the Planning Commission Adopt Resolution 2013 - \_\_\_\_\_ (PC) approving a new Architectural Plan (floor plans and exterior elevations) for The Meadows Subdivision.

## LOCATION

The 36 unit subdivision is located on 10 ± acres adjacent to East Stockton Boulevard on the east side of Highway 99, approximately 250 feet north of Walnut Avenue in the northeast area of the City.

**OWNER/APPLICANT** Beck Homes  
3114 West Hammer Lane  
Stockton, CA 95209  
Mario Guerra  
209-957-0331

**EXISTING ZONING** R1C-ARC, Maximum-Density Single-Family Residential-Planned Development (minimum 6,500 square foot lots)

**EXISTING USE** Single family residential subdivision with nine units built and 27 lots remaining

**SURROUNDING LAND USE**  
North: Vacant land: Morali Estates Tentative Subdivision Map for single family homes zoned R1C ARC  
South: Single family homes zoned R1A ARC  
East: Grizzly Hollow Unit 1 residential subdivision zoned R1C  
West: East Stockton Boulevard and State Highway 99

## DISCUSSION

### Background

In 1999, the City established an Architectural Review (ARC) process to improve the aesthetic quality of new homes and encourage architectural diversity to avoid monotonous and repetitive subdivision design.

The ARC approval process basically requires that a developer meet Zoning Code requirements for

the minimum number of different floor plans and exterior elevations that must be included in the subdivision. They also have to present their proposed architectural theme or style for the development, general colors and materials, and their proposed layout of the different homes within the subdivision. The following Table summarizes the diversity requirement (Section 18.24.035 B of the Galt Municipal Code):

<b>Number of Lots</b>	<b>Min. # of Floor Plans</b>	<b>Min. # of Exterior Elevations</b>
Less than 40	Three (3)	Nine (9)
40-100	Four (4)	Twelve (12)
More than 100	Five (5)	Fifteen (15)

ARC approval used to be required as part of a rezone application and/or tentative subdivision map, but a more streamlined process was adopted in 2012 that allowed developers to defer submittal until final map. If changes are requested for an approved ARC, the Planning Commission is the decision making authority.

The Meadows ARC

The City approved the Meadows Tentative Subdivision Map in October 19, 2004 with specific floor plans and exterior elevations. The previously approved architectural package is summarized below (Attachment 1).

Previously approved floor plans

- 1860 Square Feet, Single Story, four Bedrooms, two Baths, three-Car Garage
- 2038 Square Feet, Single Story, four Bedrooms, two Baths, three-Car Garage
- 2177 Square Feet, Two Story, three Bedrooms, three Baths, three-Car Garage w/rear pass through
- 2450 Square Feet, Two Story, five Bedrooms, three Baths, two-Car Garage side entry

Beck Homes, the builder for the new property owner, is planning on replacing the existing plans shown above with four new floor plans. Two of the floor plans have four elevation variations and the other two have three elevation variations for a total of 14 different elevations. The 14 elevations proposed by Beck Homes far exceed the minimum requirements for the remaining 27 lots in the subdivision.

Proposed new floor plans for the Meadows

- Plan 1 2190 Square Feet, Single Story, four Bedrooms, two and half Baths, two-Car Garage, four elevation variations
- Plan 2 2520 Square Feet, Single Story, four Bedrooms, three Baths, three-Car Tandem Garage, three elevation variations
- Plan 3 2670 Square Feet, Two Story, four Bedrooms, three Baths, three-Car Tandem Garage, four elevation variations
- Plan 4 3148 Square Feet, Two Story, six Bedrooms, three and half Baths, three-Car Garage, three elevation variations

Roofing: The applicant has proposed to roof all homes with a flat concrete tile similar to the roofing on the existing homes.

Exterior Wall Treatments: The applicant is proposing stucco. Some elevation variations have a wood shutter option treatment for the windows. The existing homes are also made of stucco with decorative shutters. There are a variety of neutral paint schemes with numerous trim options for the homeowner to select which again is similar to the existing colors.

Architectural Diversity: In order to ensure a reasonable distribution of the various floor plans and elevations within the subdivision, a condition is recommended that the Meadows shall not place two identical elevations directly across from nor adjacent to one another. Further, staff is recommending that there may be no less than 10% (three homes) of any one floor plan nor more than 37% (10 homes) of any one floor plan. Any changes requested for the approved floor plans or elevations shall require approval by the Planning Commission at noticed public hearing.

Other subdivision conditions of approval will not change. They include, but are not limited to, the following:

Front yard landscaping shall be installed for each residential unit in accordance with Ordinance 95-02. A typical front yard landscape plan shall be submitted to the Planning Department prior to building permit issuance in the subdivision. See Galt Municipal Code §18.20.030 for requirements. Hackberry (*Celtis occidentalis*) Trees shall not be planted as street trees.

Developer should make every effort to locate air conditioning condensers in the side yards providing the air conditioning condensers do encroach on the required five foot setback with a six foot high solid fence separating the equipment from the adjacent property per Galt Municipal Code, 18.20.060 (E).

Garages shall be provided in accordance with Ordinance 95-01 and the Northeast Area Specific Plan requirements. Additionally, a minimum of fifty percent (50%) of all garage doors shall have window lights installed.

Lots 9-13, those abutting existing single story homes in the Grizzly Hollow Subdivision, shall be restricted to only single story floor plans.

The home builder agreed to design the layout of homes with the following amenities:

1. Provide a screened location for trash carts keeping them hidden from public view while making it easy for homeowners to bring the trash bins to the street.
2. Provide space in the side yard behind the front fence for potential RV and boat parking.

The City cannot unilaterally amend tentative subdivision map conditions, so each property owner will have to consent to the imposition of the proposed Resolution modifying their current conditions related to Architectural Review. Consequently, staff will prepare a letter to be signed by the applicant, before the public hearing, authorizing the revisions to the conditions of approval.

As mentioned above, the zoning ARC suffix stands for “Architecture Review.” This combining zone district requires that the developer obtain approval of floor plans and building elevations from the Planning Commission at a noticed public hearing. Since the subject site is R1C - ARC, the revised plans for the Meadows must be approved by the Planning Commission at a noticed public hearing.

**ENVIRONMENTAL STATUS**

The project is exempt from the California Environmental Quality Act (CEQA) under Section 15061(b)(3), General Rule Exemption, which states that CEQA is not required when there is no possibility that the action under consideration could have a significant effect on the environment. Revising the proposed architectural plans for The Meadows subdivision has been determined to have no potential to significantly adversely impact the physical environment. The design of the revised floor plans and elevations is similar to the approved plans and the same general construction materials and color scheme are proposed. No other changes are proposed to the previously approved rezoned or subdivision map. Consequently, there will be no significant impact on the environment.

**ATTACHMENTS**

Resolution 2013-\_\_\_\_\_ (PC), approving a new Architectural Plan (floor plans and exterior elevations) for the Meadows Subdivision.

Exhibit A: Proposed additional home options and exterior elevations.

Attachment 1: Existing Approved Architectural Plan

**RESOLUTION NO. 2013\_\_\_\_\_(PC)****RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF GALT, CALIFORNIA,  
APPROVING A NEW ARCHITECTURAL PLAN  
(FLOOR PLANS AND ELEVATIONS) FOR THE MEADOWS SUBDIVISION**

**WHEREAS**, the Galt City Council approved a rezone and architectural plan (floor plans and exterior elevations) on October 14, 2004 for The Meadows residential subdivision project; and

**WHEREAS**, the Galt Planning Commission conditionally approved a Tentative Subdivision Map on September 23, 2004 for The Meadows residential subdivision project; and

**WHEREAS**, the applicant, Beck Homes., requests approval to replace the approved floor plans and elevations with new production home options for The Meadows residential subdivision ranging in size from 2,190 square feet to 3,148; and

**WHEREAS**, The Meadows residential subdivision is zoned RIC ARC; and

**WHEREAS**, the ARC suffix stands for “Architectural Review” and the ARC combining zone district requires that floor plans and building elevations be approved from the Planning Commission at a noticed public hearing; and

**WHEREAS**, the project is exempt from the California Environmental Quality Act (CEQA) under Section 15061(b)(3), General Rule Exemption, which states that CEQA is not required when there is no possibility that the action under consideration could have a significant effect on the environment; and

**WHEREAS**, the Planning Commission of the City of Galt held a duly noticed public hearing on March 14, 2013; and

**WHEREAS**, the Planning Commission reviewed all evidence in the record including the staff report and oral and written testimony.

**NOW THEREFORE, BE IT RESOLVED** that the Planning Commission of the City of Galt, California, using their independent judgment, hereby approves the Project and makes the following findings:

A. A legally noticed public hearing was held for input and testimony by the Planning Commission on March 14, 2013.

B. The Planning Commission determined that the new production home options are replacing the previously approved architectural plans and that there are no other changes being requested to the previously approved rezone and subdivision map, for The Meadows.

C. The Planning Commission determines that the request to change the architectural package is consistent with zoning requirements and places no further burden on the City’s services as determined on October 19, 2004 when the rezone and architectural review was approved by the City Council.

D. This project’s architectural floor plans and elevations shall be in substantial compliance with the architectural floor plans and elevations per the attached as Exhibit A and on file in the official file for the project at the City Clerk’s Office. Modifications to the building elevations will require subsequent approval by the Planning Commission at a duly noticed public hearing; and

E. The Planning Commission requires this subdivision shall not place two identical elevations directly across from nor adjacent to one another. Further, there may be no less than 10% (three homes) of any one floor plan nor more than 37% (10 homes) of any one floor plan and all other conditions to remain in effect.

F The homes will be designed to provide a screened location for trash carts keeping them hidden from public view and provide space in the side yard behind the front fence for potential RV and boat parking.

The Planning Commission Secretary shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

**PASSED AND ADOPTED** by the Planning Commission of the City of Galt, California, this 14th day of March 2013, upon motion by Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_ by the following vote, to wit:

- AYES:** Commission members:
- NOES:** Commission members:
- ABSTAIN:** Commission members:
- ABSENT:** Commission members:

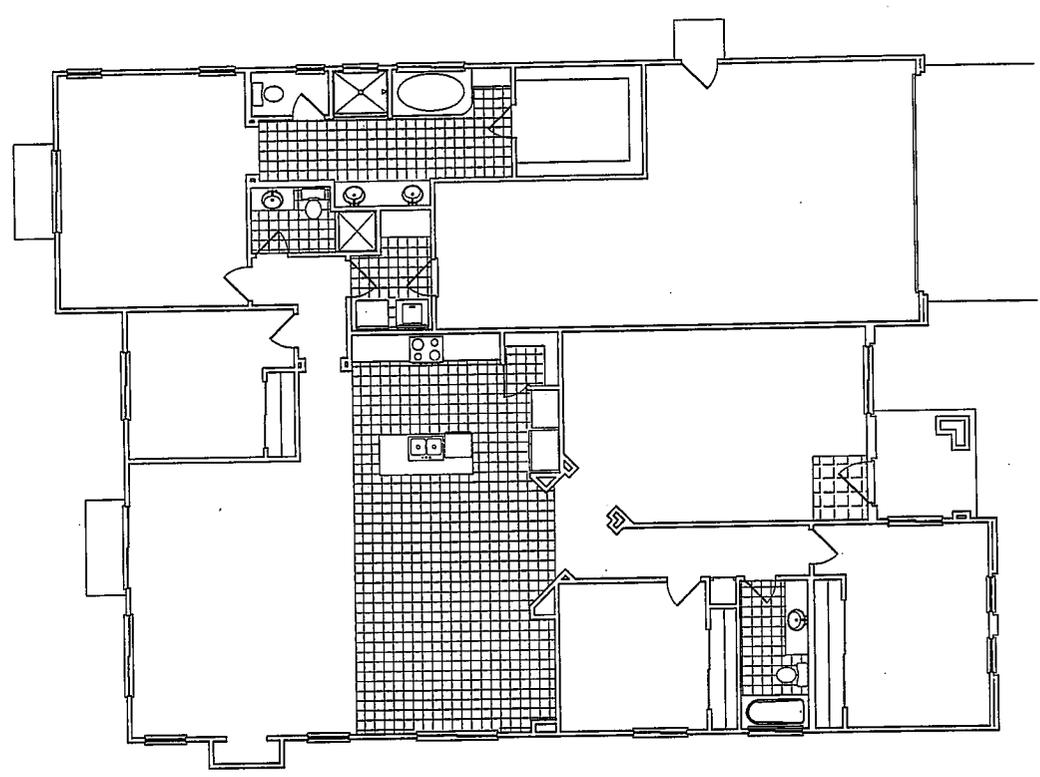
\_\_\_\_\_  
Planning Commission Chair, City of Galt

ATTEST:

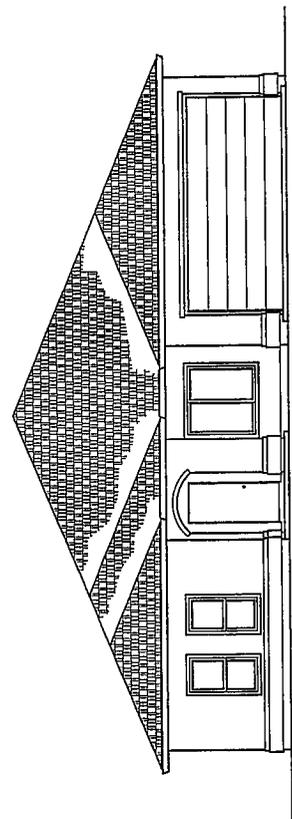
\_\_\_\_\_  
Planning Commission Secretary, City of Galt



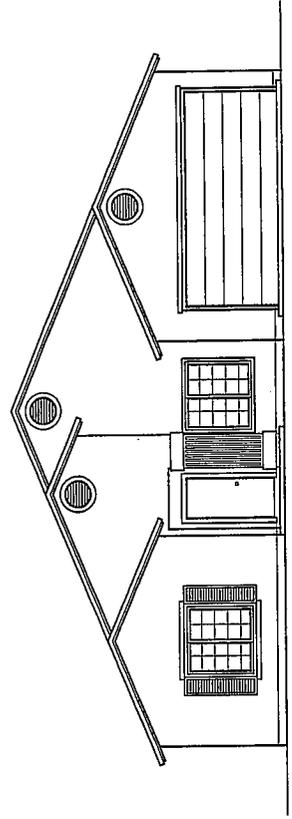
Winkelman Design 2726 Pacific Ave. Stockton, CA 95210 PH: (209) 463-3800 All Rights Reserved	Beck Community Builders Inc. 3114 W. HAMMER LANE, STOCKTON, CA. 95209 PH: (209) 951-0331	The Meadows Plan # 2 CA.	SHEET <b>1</b>	TOTAL SHEETS 3
			DATE 05/08/08	DRAWN BY JLD



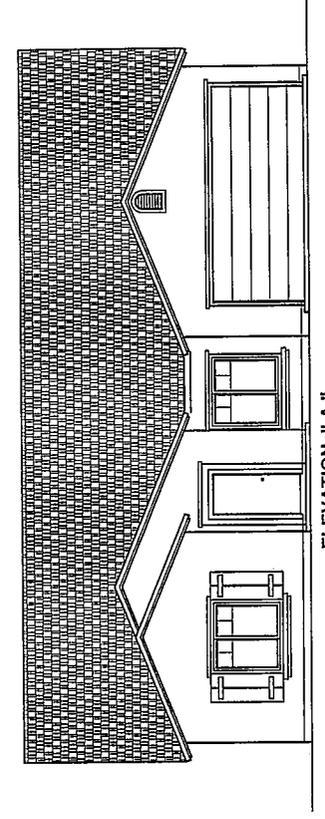
FLOOR PLAN



ELEVATION "C"



ELEVATION "B"

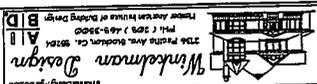


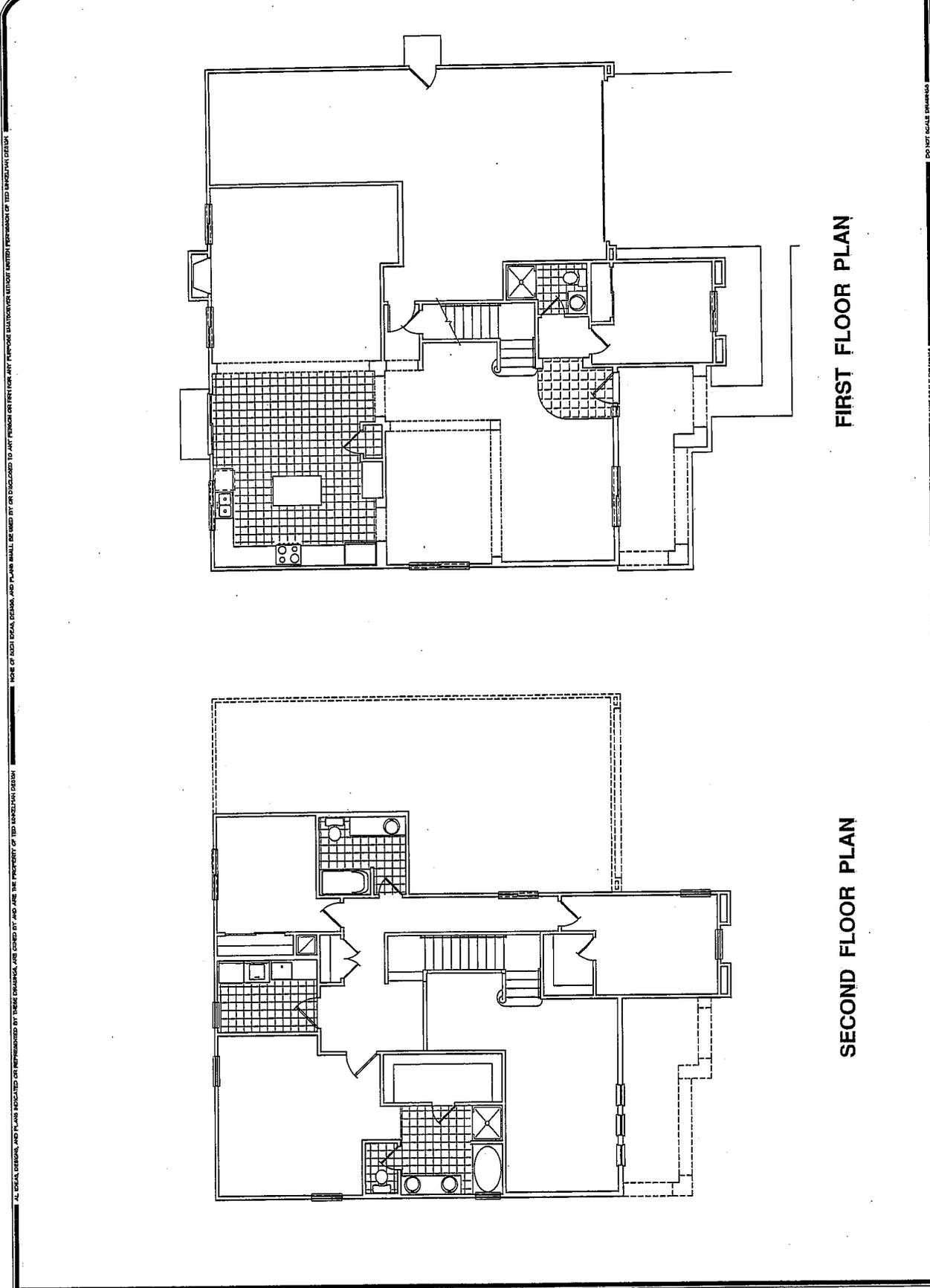
ELEVATION "A"

ALL DESIGN, DIMENSIONS, AND PLANS INDICATED OR REFERENCED BY THESE DRAWINGS ARE OWNED BY AND ARE THE PROPERTY OF TED WINKELMAN DESIGN. NO PART OF THESE DRAWINGS OR ANY INFORMATION CONTAINED HEREIN SHALL BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF TED WINKELMAN DESIGN.

NOTE: DIMENSIONAL DIFFERENCES MAY OCCUR DUE TO NORMAL CONSTRUCTION PRACTICES. DO NOT SCALE DRAWINGS.



	<b>Beck Community Builders Inc.</b> 3114 W. HATFIELD LANE, STOCKTON, CA. 95209 PH: (209) 951-2331	<b>The Meadows</b> Plan # 3 Galt, CA.	DATE: _____ DRAWN: _____ CHECKED: _____ APP'D: _____ SHEET: _____ OF: _____
--	---	---	--



FIRST FLOOR PLAN

SECOND FLOOR PLAN

ALL DIMENSIONS AND PLANS INDICATED OR REPRESENTED BY THESE DRAWINGS ARE CORRECT BY AND ARE THE PROPERTY OF TED BARKER-JOHNSON DESIGN. NONE OF SUCH DIMENSIONS, DESIGNS, AND PLANS SHALL BE USED BY OR DISCLOSED TO ANY PERSON OR ENTITY FOR ANY PURPOSE WHATSOEVER WITHOUT THE WRITTEN PERMISSION OF TED BARKER-JOHNSON DESIGN.

NOTE: 1. FROM DIMENSIONAL DIFFERENCES MAY VARY DUE TO MATERIAL CONSTRUCTION PRACTICES. DO NOT SCALE DIMENSIONS. DO NOT SCALE DIMENSIONS.





Drawn: BJECA  
 Date: NOVEMBER, 2004  
 Project: **A-2**

PLAN - 1860  
 ELEVATIONS  
 1/4" = 1' - 0"

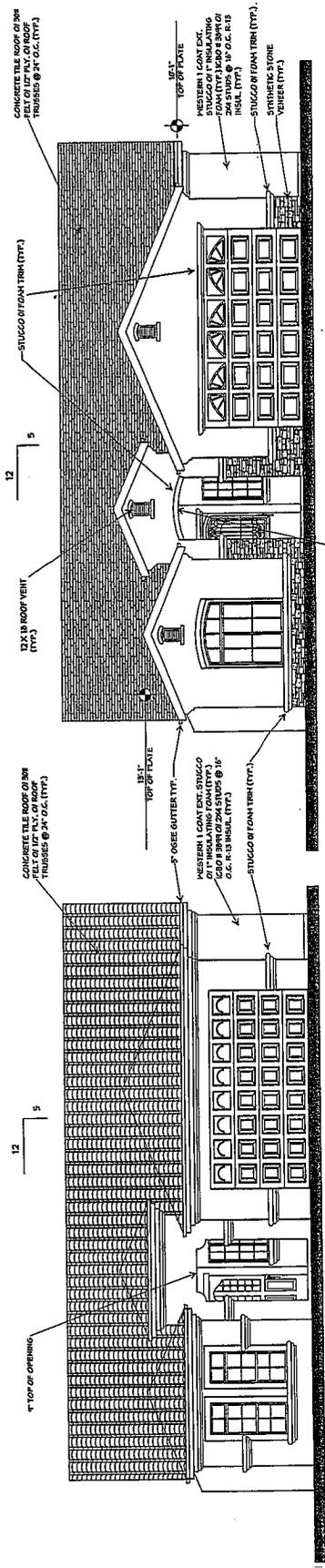
THE MEADOWS  
 PRISTINE HOMES  
 GALT, CALIFORNIA

The Architect, Plans, Sections, and Specifications are prepared by the Architect and are subject to the Building Code and other applicable laws and regulations. The Contractor shall be responsible for obtaining all necessary permits and for complying with all applicable laws and regulations.

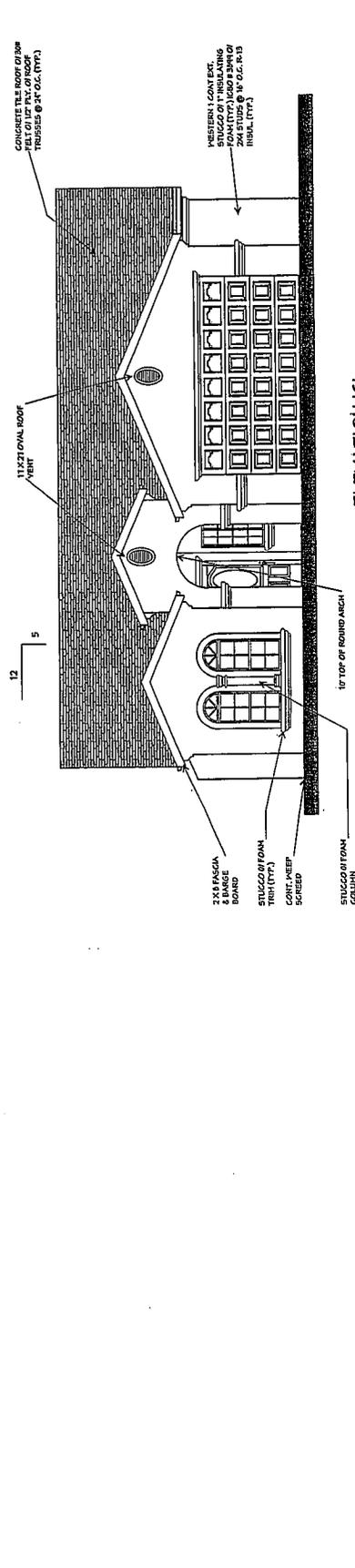
Architect: James R. Taylor, Architect  
 1977 N. Peckham Ave. - Stockton, Ca. 95207  
 Tel: (209) 478-4018 Fax: (209) 478-0266

San Joaquin Design Group  
 Architectural & Planning

# Attachment 1



ELEVATION 'A'



ELEVATION 'C'

ELEVATION 'B'



A-2

Sheet: SITE DA  
Date: NOVEMBER 2004

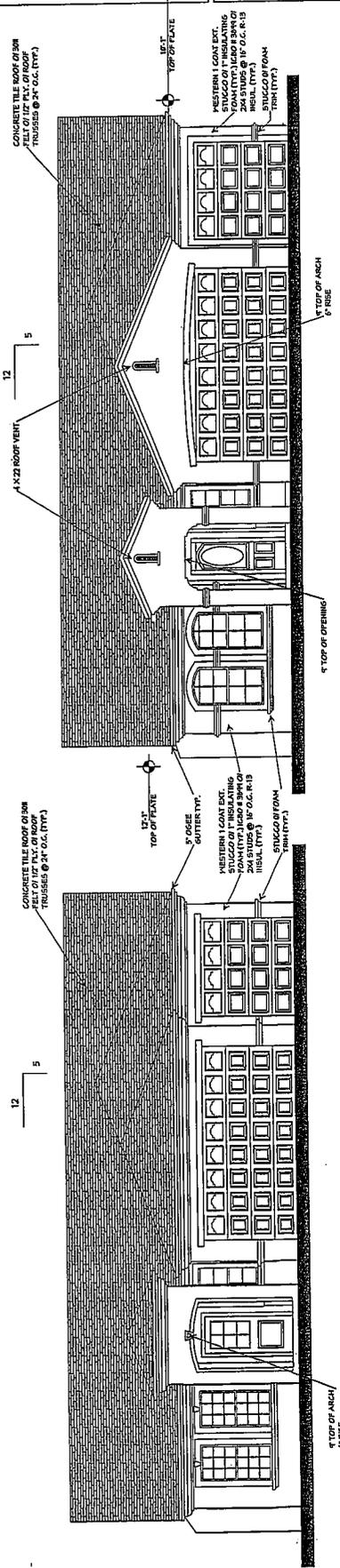
ELEVATIONS

1/4" = 1'-0"

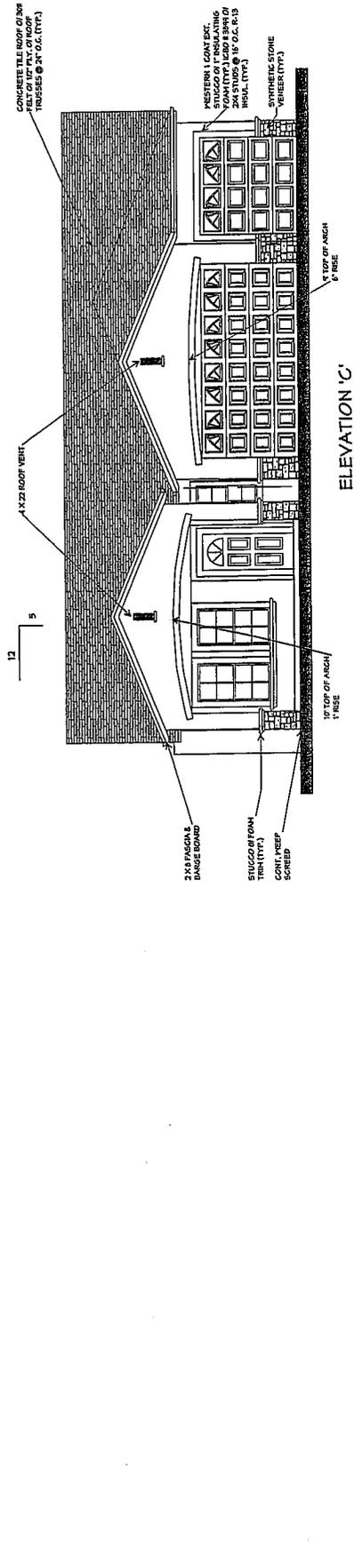
THE MEADOWS  
PRISTINE HOMES  
GALT, CALIFORNIA

Architect: Thomas - Architects  
All drawings - Architect  
Field: R. May, S. Pinner  
The Manufacturer, Supplier, and Installer of any material or product shown on this drawing shall be responsible for its proper use and application in accordance with the manufacturer's instructions.

San Joaquin Design Group  
Architecture & Planning  
1077 N. Foothill Ave. - Stockton, CA 95207  
Tel: (209) 478-4019 Fax: (209) 478-0266



ELEVATION 'A'



ELEVATION 'C'

ELEVATION 'B'



A-2

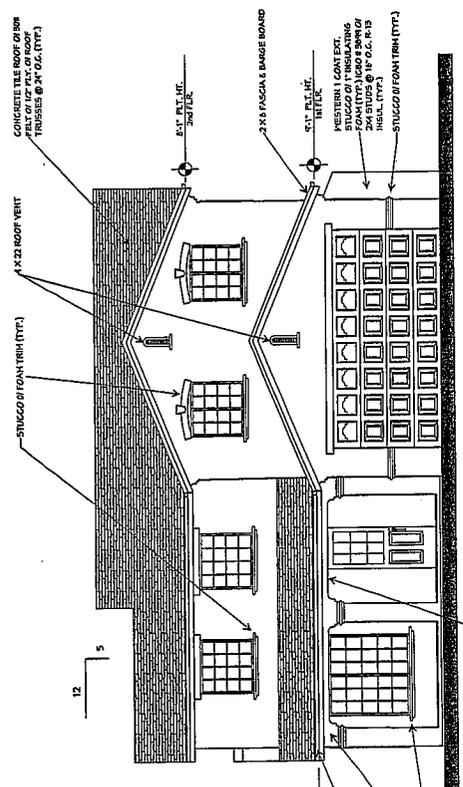
DATE: 01.14.11  
 TIME: NOVEMBER 2004  
 NAME:

PLAN 2177  
 ELEVATIONS  
 SCALE: 1/4" = 1'-0"

THE MEADOWS  
 PRISTINE HOMES  
 GALT, CALIFORNIA

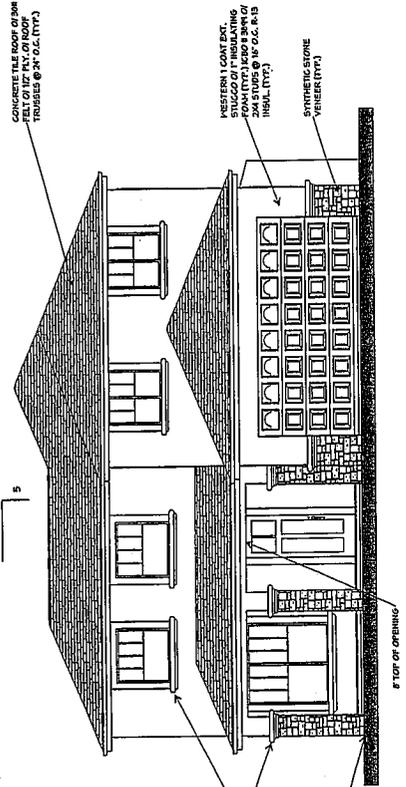
James K. Thomas - Architect  
 1877 N. Peckham Ave. - Stockton, CA 95201  
 Tel: (209) 478-0115 Fax: (209) 478-0266

San Joaquin Design Group  
 Architecture & Planning  
 1877 N. Peckham Ave. - Stockton, CA 95201  
 Tel: (209) 478-0115 Fax: (209) 478-0266

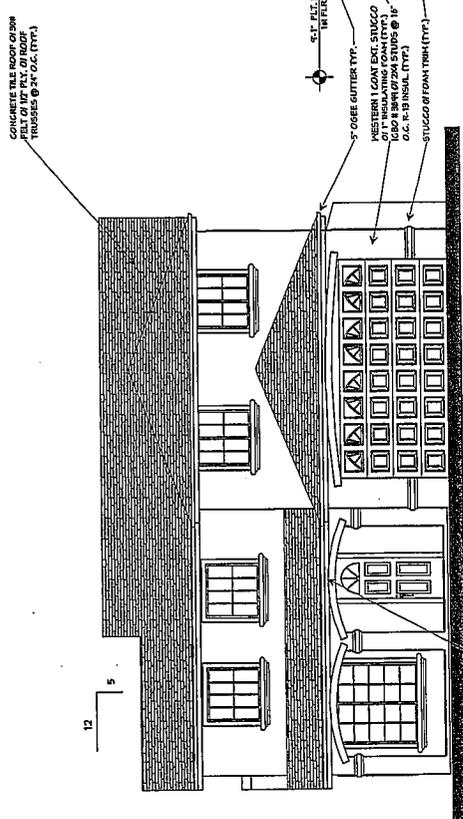


FRONT ELEVATION 'A'

12  
5



FRONT ELEVATION 'C'



FRONT ELEVATION 'B'

12  
5

8 1/2\"/>

**San Joaquin Design Group**  
 Architecture & Planning  
 1817 N. Peckham Ave., Stockton, Ca. 95207  
 Tel: (209) 478-0419 Fax: (209) 478-0266

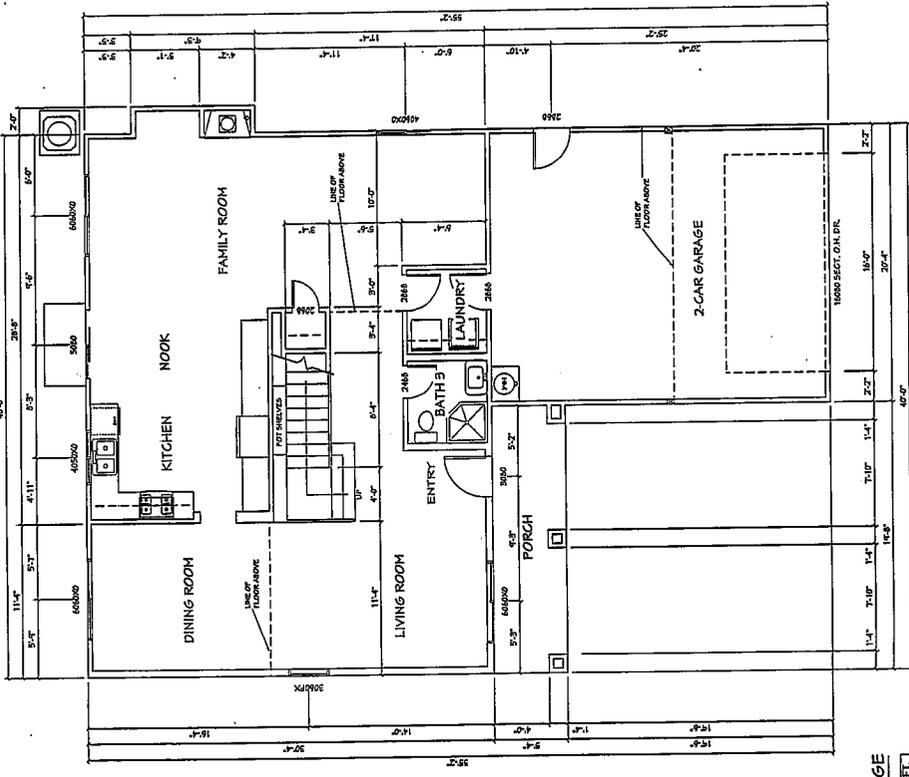
The information shown on this plan is based on the information provided by the client and is not to be used for any other purpose without the written consent of the architect.

**THE MEADOWS**  
 PISTON HOMES  
 GALT, CALIFORNIA

**PLAN 2177**  
 FLOOR PLANS  
 SCALE: 1/4" = 1'-0"

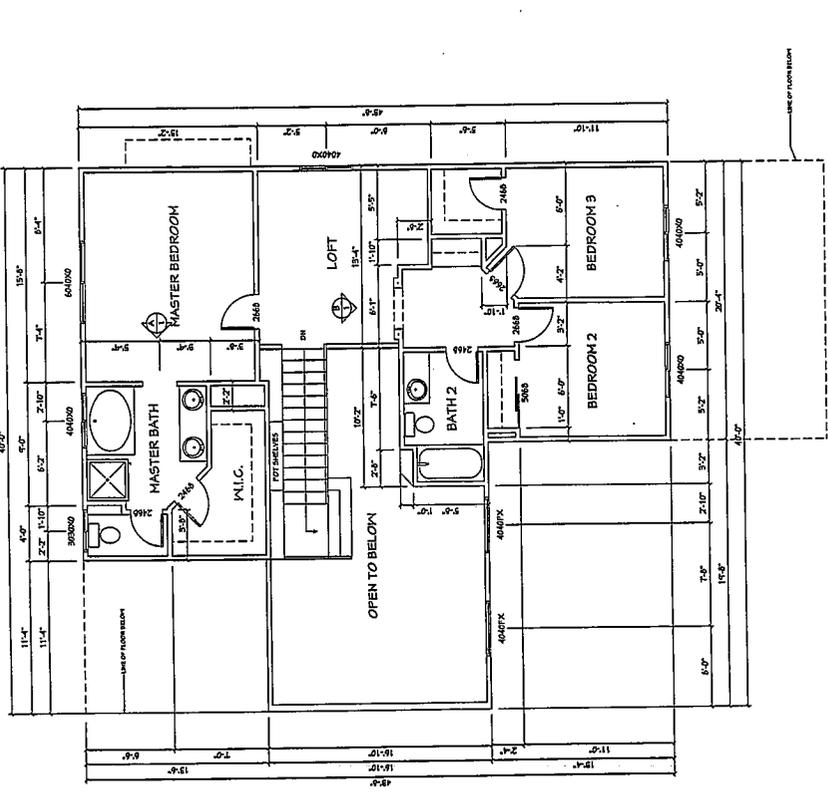
DATE: NOVEMBER 2004  
 DRAWN BY: [Name]

A-1



**FIRST FLOOR PLAN**  
 FIRST FLOOR AREA: 1232 SQ. FT.  
 SCALE: 1/4" = 1'-0"

**FLOOR PLAN NOTES**  
 1. This project shall comply with the requirements of the 2001 International Building Code, California Building Code, and California Mechanical Code, unless otherwise noted.  
 2. All materials shall be of the highest quality available.  
 3. All work shall be in accordance with the California Building Code, and all materials shall be of the highest quality available.  
 4. All work shall be in accordance with the California Building Code, and all materials shall be of the highest quality available.  
 5. All work shall be in accordance with the California Building Code, and all materials shall be of the highest quality available.

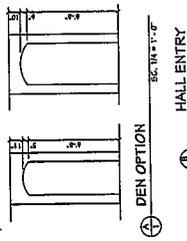


**SECOND FLOOR PLAN**  
 SECOND FLOOR AREA: 485 SQ. FT.  
 SCALE: 1/4" = 1'-0"

**SQUARE FOOTAGE**

LIVING AREA	2088 SQ. FT.
GARAGE	649 SQ. FT.
PORCH	66 SQ. FT.

**FLOOR PLAN NOTES**  
 1. ALL DIMENSIONS SHOWN ARE NET DIMENSIONS.  
 2. ALL DIMENSIONS SHOWN ARE NET DIMENSIONS.  
 3. ALL DIMENSIONS SHOWN ARE NET DIMENSIONS.  
 4. ALL DIMENSIONS SHOWN ARE NET DIMENSIONS.  
 5. ALL DIMENSIONS SHOWN ARE NET DIMENSIONS.



**DEN OPTION**  
 SCALE: 1/4" = 1'-0"  
**HALL ENTRY**  
 SCALE: 1/4" = 1'-0"