

REPORT TO SHASTA COUNTY BOARD OF SUPERVISORS

BOARD MEETING DATE:

October 3, 2023

CATEGORY:

Consent Calendar

SUBJECT:

Take the following actions regarding Tract No. 18-0001, Stillwater Ranches Unit 2 Phase 2 Permanent Road Division (PRD) in the Palo Cedro area: (1) Receive the: (a) petition for formation; (b) petition for activation; (c) affidavit for formation; (d) annual maintenance cost estimate; (e) County Surveyor's Report (in the form of a map); (f) Consent and Waiver to Assess Annual Parcel Charges; and (g) annual parcel charge report; (2) adopt resolutions which: (a) forms the PRD; and (b) confirms the annual parcel charge report for Fiscal Year 2024-2025; (3) approve the Final Map for filing and recordation; and (4) approve a maintenance agreement with Albert L. Shufelberger, President of Stillwater Properties to guarantee workmanship on the project roads and accept a security bond for maintenance.

DEPARTMENT:

Public Works

SUPERVISORIAL DISTRICT #:

District 3

DEPARTMENT CONTACT:

Troy Bartolomei, Interim Director of Public Works, (530) 225-5661

STAFF REPORT APPROVED BY:

Troy Bartolomei, Interim Director of Public Works

Vote Required?

Simple Majority Vote

General Fund Impact?

No General Fund Impact

RECOMMENDATION

Take the following actions regarding Tract No. 18-0001, Stillwater Ranches Unit 2 Phase 2 Permanent Road Division (PRD) in the Palo Cedro area: (1) Receive the: (a) petition for formation and the petition for activation of the PRD; (b) affidavit verifying information contained in the petitions; (c) annual maintenance cost estimate for the PRD; (d) receive the County Surveyor's Report on the boundary description (in the form of a map); (e) Consent and Waiver to Assess Annual Parcel Charges from Albert L. Shufelberger, President of Stillwater Properties, a California Corporation (Developer); (f) annual parcel charge report; (2) adopt a resolution which forms the PRD; (3) adopt a resolution which confirms the annual parcel charge report for Fiscal Year 2024-2025; (4) approve the Final Map for filing and recordation; (5) find that as required by Planning Commission Resolution No. 2018-033, adopted November 8, 2018, all required offers of dedication for public roads, pedestrian path easements, public utility easements, and open space; easements as shown on the Final Map have been made and on behalf of the public, accept said offers of dedication; and (6) approve a maintenance agreement with the Developer guaranteeing workmanship on the project roads and accept a security bond for maintenance in the amount of \$83,847.

DISCUSSION

On November 8, 2018, the Planning Commission approved the tentative map for Tract No 18-0001, Stillwater Ranches Unit 2 Phase 2. This is an eighteen-lot subdivision on the northerly side of Old 44 Drive Road in the Palo Cedro area.

The Developer was conditioned to form a PRD to maintain roads within the subdivision. The Developer presently owns all of the subdivision lots and has submitted valid petitions asking the Board to form and activate the PRD. The proposed annual parcel charges are \$1,169 per lot. Proposition 218 requires a public hearing and a vote of the affected property owners. The owner has executed a Consent and Waiver to Assess Annual Parcel Charge document. The owner has thus consented to waive any and all entitlement to notice of a public hearing, the right to a public hearing, and the right to protest the proposed annual parcel charge. There are no other individuals or entities known to the County who own any property within the proposed PRD or subdivision or who would otherwise be entitled notice and a public hearing.

Adoption of the attached resolutions will fulfill all approval requirements for the Final Map. Staff recommends that the Board approve the Final Map for filing and recordation.

A Mitigated Negative Declaration was adopted by the Planning Commission in conjunction with the approval of Tentative Tract Map 18-0001 in accordance with the California Environmental Quality Act (CEQA). The Planning Director has reviewed the Final Map and has found it to be in substantial conformance with Tentative Tract Map 18-0001 as approved by the Planning Commission. No further environmental review is necessary pursuant to CEQA.

ALTERNATIVES

State law requires the filing of the final map when all conditions of the tentative map have been met or bonded for. The Board may decline to form the PRD and waive the requirement for the PRD as outlined in County Ordinance 667. The Board could also decline to form the PRD and elect to have the maintenance costs borne by the County Road Fund or decline to have the roads maintained altogether. Additional actions may be required and costs to the County may occur should the Board choose one of those options.

OTHER AGENCY INVOLVEMENT

The conditions of approval were established by the Planning Commission. County Counsel has approved the petitions, resolutions, agreement, and consent and waiver document as to form. Risk Management has reviewed and approved the agreement. The recommendation has been reviewed by the County Administrative Office.

FISCAL IMPACT

Sufficient appropriations to administer the formation of the PRD are included in the Fiscal Year 2023-24 Roads Budget. Formation costs are reimbursed by the Developer. Future maintenance costs will be covered through parcel charges paid by the residents of the PRD.

ATTACHMENTS:

- 1: Petition for Formation
- 2: Petition for Activation
- 3: Affidavit
- 4: Maintenance Cost Estimate
- 5: County Surveyor's Report (Map)
- 6: Consent and Waiver
- 7: Annual Parcel Report FY 24-25
- 8: Forming Resolution
- 9: Forming Resolution - Exhibit A (Consent and Waiver)
- 10: Forming Resolution - Exhibit B (Boundary Map)
- 11: Annual Parcel Report Resolution
- 12: Annual Parcel Report Resolution - Exhibit A (Consent and Waiver)
- 13: Annual Parcel Report Resolution - Exhibit B (Parcel Report)
- 14: Maintenance Agreement
- 15: Warranty Bond