

CITY OF PLYMOUTH

RESOLUTION NO. 2016-23

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PLYMOUTH  
AMENDING THE CONDITIONS OF APPROVAL AND DESIGN GUIDELINES FOR  
THE SHENANDOAH RIDGE RESIDENTIAL DEVELOPMENT PROJECT**

**WHEREAS**, the Shenandoah Ridge residential development project (“Shenandoah Ridge”) was approved by the City Council on October 27, 2011, and the Developer has applied for various amendments to the Tentative Map Conditions of Approval and Design Guidelines; and

**WHEREAS**, the Tentative Map, Conditions of Approval, Development Plan, and Design Guidelines for Shenandoah Ridge were approved via City Council Resolution No. 2011-17; and

**WHEREAS**, the Planning Commission has reviewed and considered the Developer’s requested amendments at a duly noticed public hearing on April 7, 2016, and deliberated the project documents and recommended that the City Council approve the amendments; and,

**WHEREAS**, the Plymouth City Council has reviewed and considered the Developer’s request at a duly noticed public hearing on April 28, 2016, and deliberated the project documents, including the environmental impact analysis and received a staff report and public testimony at the public hearing; and,

**WHEREAS**, the City has evaluated the potential impacts associated with these amendments and found them to exempt from further CEQA analysis, as set forth in City Council Resolution No. 2016-21, approved on June 9, 2016.

**NOW, THEREFORE BE IT RESOLVED**, BY THE CITY COUNCIL OF THE CITY OF PLYMOUTH, AS FOLLOWS:

- 1. Findings** – The City Council finds that the requested amendments to the Conditions of Approval, (attached hereto as **Exhibit A**) and Design Guidelines (attached hereto as **Exhibit B**) are consistent with all of the findings made in City Council Resolution 2011-17 (attached hereto as **Exhibit C**), which approved the tentative subdivision map, conditions of approval and design guidelines for the Shenandoah Ridge project. Included in Resolution 2011-17 are findings that the conditions of approval and design guidelines are consistent with and implement the goals and policies of the Plymouth General Plan and are consistent with the zoning applicable to this site. Nothing proposed in the minor amendments contained in **Exhibit A** and **Exhibit B** changes or required modifications to the findings of Resolution No. 2011-17.
- 2. Adoption of Amendments to Shenandoah Ridge Conditions of Approval** – The City Council hereby adopts the Amendments to the Shenandoah Ridge Conditions of Approval, attached hereto as **Exhibit A**.

3. **Adoption of Amendments to Shenandoah Ridge Design Guidelines** – The City Council hereby adopts the Amendments to the Shenandoah Ridge Design Guidelines, attached hereto as **Exhibit B**.
4. All other Conditions of Approval and Design Guidelines for the Shenandoah Ridge project shall remain in full force and effect.
5. This Resolution shall be effective upon the effective date of City Council Ordinance No. 2016- 08, adopting the First Amendment to the Development Agreement by and Between the City of Plymouth and Shenandoah Ridge LLC.

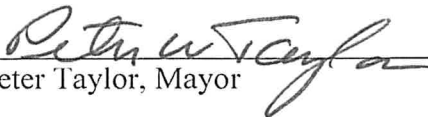
**APPROVED AND ADOPTED**, this 9<sup>th</sup> day of June, 2016 by the following roll call vote:

AYES: Peter Amoruso, Sandy Kyles, Jason Ralphs, Jon Colburn, Peter Taylor

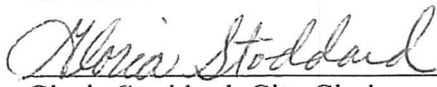
NOES: none

ABSENT: none

ABSTAIN: none

  
Peter Taylor, Mayor

ATTEST:

  
Gloria Stoddard, City Clerk

2622440.1

**Exhibit A**  
**Shenandoah Ridge – Revised Conditions of Approval**

**Condition of Approval #12 is amended to read:**

All property granted in fee title to the City of Plymouth shall be free and clear of all liens and encumbrances and without cost to the City and free and clear of environmental hazards, hazardous materials, or hazardous waste as approved by the City Engineer. For naturally occurring materials, this requirement may be waived or modified by the City Engineer with the concurrence of the City Council.

Timing: Prior to acceptance of Grant Deed

City Approval: City Engineer; Community Development Director

**Condition of Approval #19 c) is amended to read:**

c) The Developer shall provide a variety of home elevations in accordance with the Design Guidelines.

Timing: As needed

City Approval: Community Development Director; Building Official

**Condition of Approval #19 is amended by adding subsection g) as follows:**

g) The Developer shall provide a “master fence plan” for each phase for City review and approval. Said plan may be amended with each dwelling site plan submitted for approval.

Timing: As needed

City Approval: Community Development Director; Building Official

## Exhibit B

### Shenandoah Ridge – Revised Design Guidelines

**Design Guideline 3.4** – The last paragraph is amended to read:

In order to avoid monotony, the same (or substantially similar appearing) elevation may appear no more than twice on one side of a block, or three times on either side of facing blocks, and may not be opposite or kitty-corner from the same elevation on the opposite side of a block. (For purposes of this requirement, “block” length is 600 feet maximum.) In addition, no elevation shall be shared by more than 10 percent of the homes. Flipped elevations with a different color scheme shall be considered a separate elevation.

**Design Guideline 3.10** – The section is amended to read:

#### 3.10 WALLS, FENCES AND HEDGES

Walls and fences are an integral part of the streetscape. Walls and fences can be necessary elements that provide safety, security, privacy, property definition and noise attenuation. When poorly designed or maintained, walls and fences become targets for vandalism and an eyesore that detracts from the overall quality and character of a neighborhood. This code shall supersede the Plymouth Municipal Code, unless silent on a subject, in which case it will defer to the Plymouth Municipal Code. The following guidelines are meant to contribute to the quality of Zinfandel Ridge:

- Unnecessary privacy fences are generally discouraged, particularly on large lots.
- Except for walls constructed during initial subdivision grading, walls between lots are strongly discouraged.
- Walls and on-lot fencing shall be subject to review by the Committee, provided, however, that if the existing color and finish of walls and fences were approved by the Committee in the first instance, owners may maintain, repair, repaint, refinish and replace the walls and fences in an identical color and finish without the approval of the Committee in accordance with the CC&Rs.
- Scale and design of fences should be compatible with the surrounding landscape and architectural materials.
- Fences and walls shall be structurally sound and built with quality, durable materials. Fences and walls shall be maintained in a vertical position and kept in good repair at all times.
- No walls or fences shall exceed six feet (6') in height, except for fences constructed in accordance with agreements between the Developer and neighboring property owners, and except where absolutely necessary, in which case City review and approval will be required.
- Tight board fencing will not be allowed within front yards and shall tie into the main structure at least two feet (2') back from the plane of the front façade.
- Gates may be installed and shall be designed to be compatible and complementary to the fence design. Gates may be required for ease of access to drainage courses within private drainage easements.

- All privacy fences installed along a side property line abutting a street (“Street Fencing”) shall be located outside the right-of-way, but in no case closer than three feet (3') from a sidewalk. This fencing shall be landscaped to break up the surface of the fence facing the street.

- Rather than continuing Street Fencing between the backyard and the street also between the side of the house and the street, preference shall be given to terminate Street Fencing into the side of the house within the rear quarter of the house. Provided, however, that, in the following instances, Street Fencing may terminate anywhere into the side of a house as long as such termination point is at least two feet (2') back from the plane of the front façade:

(a) Where Street Fencing is set back at least ten feet (10') from the closest solid surface improvement (i.e., path or street).

(b) Where a patio is located on the corner of the house closest to the street.

- In order to discourage potential criminal or mischievous behavior through increased visibility, no fencing or only wrought iron or similar open view fencing, with a minimum of 66 percent (66%) transparency, shall be erected on property lines shared with open space or parks. Should existing tree or other obstacles require adjustment to the fence location, the fence shall always be shifted in the direction of the private side, so as to make it easier on the lot owner to maintain the fence.

- Except where appropriate and necessary to protect agricultural operations of neighboring property owners, the use of chain-link or welded wire mesh, as part of a fence, is discouraged.

- The use of four feet (4') high or less chain-link, welded wire mesh, or wooden split rail with wire mesh fencing for small dog runs and similar purposes within the rear area of a lot may be permitted in certain instances by the Committee. An earnest attempt shall be made to choose a fence color that will blend in well with the surrounding vegetation and to screen from view any such fencing from nearby areas.

- The type of fencing installed along the common boundary of agricultural property or buffer area as part of the initial development of the property shall not be changed unless permitted by the Committee.

- Wherever feasible, walls and fences should be integrated with grade changes. This can be achieved by following the contour of the land parallel to the ground or stepping with the grade.

- Retaining walls shall be either Keystone block walls or faced with natural rock or other aesthetically pleasing material (including concrete if aesthetically pleasing colors and designs are incorporated). Please note that structural engineering and City approval will be required for retaining walls above a certain height. Please check with the City Engineer or Community Development Director.

- Landscaping at walls and fences with climate-tolerant plants and vines is strongly encouraged.

**Exhibit C**  
**Shenandoah Ridge – Resolution No. 2011-17**

RESOLUTION NO. 2011-17

A RESOLUTION OF THE PLYMOUTH CITY COUNCIL APPROVING A TENTATIVE SUBDIVISION MAP, DEVELOPMENT PLAN AND DESIGN GUIDELINES FOR ASSESSOR PARCEL NUMBER 008-030-032 SUBJECT TO THE CONDITIONS OF APPROVAL / MMRP TO IMPLEMENT THE SHENANDOAH RIDGE RESIDENTIAL DEVELOPMENT PROJECT.

WHEREAS, Shenandoah Ridge LLC (hereinafter referred to as Applicant) filed an application with the City of Plymouth (hereinafter referred to as City) for a Tentative Subdivision Map (Exhibit A), Development Plan (Exhibit B), and Design Guidelines (Exhibit C); and

WHEREAS, the City Council is the appropriate authority to hear and take action on this project and has the specific authority to conditionally approve the tentative map and related project documents prior to annexation according to the Subdivision Map Act (California Government Code Section 66452.1 and 66454) and the authority to approve a tentative map in the Plymouth Municipal Code, Chapter 16.10 and 16.12; and

WHEREAS, the Plymouth City Council has certified that a Final Environmental Impact Report (FEIR) has been completed in compliance with CEQA and the CEQA Guidelines; that the FEIR adequately addresses the environmental issues of the Project; that the FEIR was presented to the City Council and that the City Council has reviewed and considered the information contained in the FEIR prior to approving the Project; and that the FEIR reflects the City Council's independent judgment and analysis; and

WHEREAS, the Planning Commission considered the Applicant's request at a duly noticed public hearing on August 17, 2011, and at the continued public hearing on August 31, and discussed the need for Vesting Tentative Map versus a Tentative Map, deliberated on the project documents and recommended that the City Council approve a Tentative Map, Development Plan and Design Guidelines; and

WHEREAS, the City Council considered the Applicant's request at a duly noticed public hearing on October 13, 2011, and received a staff report and public testimony at the public hearing.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PLYMOUTH HEREBY RESOLVES AS FOLLOWS:

1. Approve the Tentative Map subject to the Conditions of Approval / MMRP and based on the following findings:

A. California Environmental Quality Act

Finding: The City has adequately review project impacts through the California Environmental Quality Act process and has prepared a Final Environmental Impact Report (FEIR).

Evidence: The Plymouth City Council has adopted Resolution 2011-14 to certify the FEIR in compliance with CEQA and the CEQA Guidelines and has determined that the FEIR adequately addresses the environmental issues of the Project. As part of Resolution 2011-14, a Findings of Fact and Statement of Overriding Considerations document has been prepared to address environmental impact that cannot be mitigated to a less than significant level;

B. Subdivision Map Act

Finding: Section 66474 of the California Subdivision Map Act required a City to deny approval of a tentative map if it makes any of the following finding:

1. That the proposed map is not consistent with applicable general and specific plans as specified in Section 65451.
2. That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.
3. That the site is not physically suitable for the type of development.
4. That the site is not physically suitable for the proposed density of development.
5. That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
6. That the design of the subdivision or type of improvements is likely to cause serious public health problems.
7. That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternate easements, for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public.

Evidence: The above Findings 1. through 7. do not apply to the proposed Tentative Subdivision Map.

1. The proposed map is consistent with the General Plan designation of Suburban Residential. The residential area provides density ranges that are consistent within the Suburban Residential designation of the General Plan. The project proposes an approximate density of 1 dwelling unit per acre and lot size range from 10,000 square feet up to 17,000 square feet, with other parcels utilized for open space (including trails and the Arroyo Ditch), parks and roadways. A detailed General Plan consistency analysis was completed as part of the October 13 Staff Report, as part of the project's public record. The project specifically implements the following General Plan recommended actions:
  - a. The project serve to facilitate the annexation of land encompassing the ridgelines to the north of town for the purpose of enacting development control of these important community view sheds (Land Use Action 3.1).
  - b. Roadway cross-section provided by the Tentative Map use rural street sections with sufficient design provisions and standards for storm drainage. The project also allows as an alternative the use of off-street trails in-lieu of sidewalks, which will provide for safe pedestrian mobility yet closer mimic the character of the existing development (Land Use Action 3.13).
  - c. The project provides park sites to maximize the level of service city-wide. As displayed in Figure 5.2, Park Service Areas, the proposed parks of Shenandoah Ridge and Shenandoah Springs are

- planned to abut one another generally serving as a single park (Parks and Open Space Action 5.2).
- d. The project locates parks to incorporate and maximize the presence of natural amenities while preserving environmental resources and site features (Parks and Open Space Action 5.15).
  - e. The project utilizes open space areas for low impact recreation opportunities. Depending on the specific characteristics of a site, open space areas may be used as recreational amenities and developed with multi-purpose trails, interpretive signage, and wildlife and nature viewing amenities (Parks and Open Space Action 5.16).
  - f. To reinforce rural character the subdivision requires the construction of off-street trails as opposed to sidewalks within the street right-of-way. Standards must be specified to ensure the use of appropriate surface materials and construction practices (Parks and Open Space Action 5.28).
  - g. The project provides a multipurpose (walking, jogging, bicycle, and equestrian use) trail along the Arroyo Ditch and provides for lateral extensions to serve neighborhood areas and points of public access, consistent with a master trail plan (Parks and Open Space Action 5.29).
  - h. The project uses for non-structure best management practices such as bioretention and vegetated swales without degrading the natural and rural character of the land (Public Facilities Action 6.40).
2. The design or improvements of the proposed subdivision are consistent with the City's circulation plan as identified in the Plymouth General Plan. Miller Way provides access to the project from Highway 49 and is a Collector Roadway as identified in the General Plan, Circulation Element. The rural cross-sections proposed for Miller Way and other project roadways are consistent with the General Plan's objective of providing a rural, small town character for new development. The project implements the following General Plan action items:
- a. The project provides for the completion of continuous collector roadways between arterials. Provisions must be made to allow for continuation of collectors through and to new developments. In no case should a collector roadway be discontinued (Circulation Action 4.7).
  - b. The project provides for a context sensitive solutions when new roadways are to be constructed within the project to ensure projects that are compatible with community values (Circulation Action 4.11).
  - c. The project extends existing and planned trail sections of the adjacent properties so as to create a comprehensive, integrated pedestrian system (Circulation Action 4.26)
  - d. The project provide narrow roadway widths and uses the excess right-of-way width as added green space and for sidewalks/trails, neighborhood-scaled street lighting, tree preservation, and landscaping (Circulation Action 4.16).
3. The site is physically suitable for the type of development proposed. The General Plan identifies the site for suburban residential development and the map is designed to accommodate a suburban lot size of 10,000 square feet or larger with a gross density of approximately one acre. The rolling hillside terrain of the site is suited for the type of development proposed.



The tentative map accommodates an open space network that takes into account the topographic constraints of the site.

4. The site is physically suitable for the density of development. The site is located on rolling to steep terrain and the low density of development proposed (less than 1 dwelling unit per gross acre) is consistent with the topographic site constraints. The single family district established by the Planned Development – West designations would allow for as many as 323 dwelling units per acre. This development is proposing 137 units – well within the permitted density range according to Table 3.2 of General Plan.
5. The Environmental Impact Report prepared for the project determined that potential environmental impacts from the design of the subdivision or the proposed improvements will either be mitigated to less than significant levels with implementation of the proposed mitigation measures and conditions of approval, or are significant and unavoidable. The Findings of Fact and Overriding Considerations document, included as part of Resolution 2011-14 addresses these concerns.
6. The Environmental Impact Report prepared for the project determined that potential serious health problems were not identified for the project or will be mitigated to less than significant levels with implementation of the proposed mitigation measures and conditions of approval.
7. No conflicts with easements acquired by the public at large, for access through or use of, property within the proposed subdivision will result from this project. All new utilities, including powerlines will be placed underground throughout the project to serve the project and create needed connection through the project.

Finding: The Subdivision Map Act Section 66473.1 requires that, to the extent feasible, accommodations are made for future passive or natural heating or cooling opportunities in the subdivision.

Evidence: The subdivision design includes large linear lots, flexible setbacks which will allow homes to be located in a variety of locations and configurations on the individual parcels. This will allow the individual homes sites to be designed to take advantage of passive heating or cooling at the option of the builder. The parcels building envelopes are large enough to allow for homes to be placed in the sunlight for passive heating and/or solar panels. The overall project site will also be maintaining a significant portion of the existing Oak tree canopy to provide for natural shading opportunities on the site as well.

Finding: The Subdivision Map Act Section 66473.1 requires that, to the extent feasible, accommodations are made for future passive or natural heating or cooling opportunities in the subdivision.

Evidence: The subdivision design includes large linear lots, flexible setbacks which will allow homes to be located in a variety of locations and configurations on the individual parcels. This will allow the individual homes sites to be designed to take advantage of passive heating or cooling at the option of the builder. The parcels building envelopes are large enough to allow for homes to be placed in the sunlight for passive heating and/or solar panels. The overall project site will also be maintaining a significant portion of the existing Oak tree canopy to provide for natural shading opportunities on the site as well.

- C. Pursuant to Government Code Section 66454 the map is conditioned upon annexation to a maximum term of four (4) years. If the annexation is not completed within four years from the date of adoption, the map is automatically null and void.
2. Adopt the Shenandoah Ridge Development Plan and Design Guidelines to provide requirement for the development of the project:
- A. Development Plan and Design Guidelines

Finding. The proposed Shenandoah Ridge Development Plan and Shenandoah Ridge Design Guidelines implement the goals and policies of the Plymouth General Plan and is consistent with Title 19 (Zoning) of the Plymouth Municipal Code.

Evidence.

1. The proposed Shenandoah Ridge Development Plan includes many of the design attributes identified in the City's General Plan. The Design Guidelines are a separate document, but supplement the Development Plan to provide guidelines and review processes related to the development of individual sites. It promotes pedestrian connectivity, accessibility means other than the automobile, and a well connected roadway system. The proposed plans are intended to support these principles by creating a livable community eventually connected to local and regional open spaces and trails as adjacent properties develop. The projects also support the community character and natural resource preservation objectives of the General Plan. The project designs have taken into account the existing topography, tree canopy and other natural features of the site and have incorporated these features into the design of the project site where possible.
2. The Plymouth Municipal Code requires a Development Plan within the Planned Development – West (PD) zoning district. The Development Plan includes development standards related to roadway improvements, parks and open space, a comprehensive trail system, permitted land uses, protection of site resources (trees, ridgelines, hillsides, etc.). These provisions within the Development Plan supplement requirements within the zoning code, public works standards and other City regulatory documents.

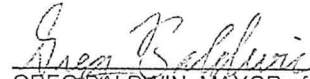
PASSED AND ADOPTED by the City Council of the City of Plymouth on this 27th day of October, 2011.

AYES: Peter Amoruso, Sandy Kyles, Patricia Shackleton, Greg Baldwin

NOES: None

ABSENT: None

ABSTAIN: Jon Colburn

  
GREG BALDWIN, MAYOR of the  
CITY OF PLYMOUTH

ATTEST:

  
GLORIA STODDARD  
CITY CLERK