DIRECTOR REPORT

STAFF RECOMMENDATION
Staff recommends the Zoning Administrator approve with conditions a Tentative Parcel Map and recommends the Preservation Director approve with conditions Site Plan and Design Review of the map and building to remain for the project known as Z20-089. Draft Conditions of Approval and Findings of Fact for the project are included below.

REQUESTED ENTITLEMENTS

1. **Tentative Parcel Map** to subdivide a 0.15-acre parcel into two lots located within the Multi-Unit Residential (R-3A-SPD) zone, and Central City Special Planning District (SPD), and Newton Booth Historic District.

2. **Site Plan and Design Review** of the Tentative Parcel Map and for the existing single-unit dwelling to remain on the Proposed Parcel One Multi-Unit Residential (R-3A-SPD) zone, and Central City Special Planning District (SPD), and Newton Booth Historic District.

PROJECT INFORMATION

Location: 2629 U Street
Parcel Number: 010-0115-015
Council District: 4
Applicant: Javed T. Siddiqui, P.E.
JTS Engineering Consultants, Inc.
1808 J Street
Property Owner: Peter Noack, P&C Noack Trust, (916) 996-5600
Project Planner: Sean de Courcy, Associate Planner, (916) 808-2796

Land Use Information
- **General Plan:** Traditional Neighborhood Medium (TNMD)
- **Community Plan Area:** Central City
- **Specific Plan:** Central City
- **Zoning:** Multi-Unit Residential (R-3A-SPD)
- **Special Planning District:** Central City
- **Planned Unit Development:** n/a
- **Design Review Area:** Central City
- **Parking District:** Traditional
- **Historic District:** Newton Booth
- **Historic District Status:** Non-contributing
- **Existing Land Use of Site:** Residential (single-unit dwelling)
Surrounding Land Use and Zoning

North:  R-3A-SPD   Residential (single- & two-unit)
South:  R-4-SPD    Residential (multi-unit)
East:   R-3A-SPD   Commercial
West:   R-3A-SPD   Residential (single- & two-unit)

Site Characteristics

Existing Property Area:  6,493 square feet / 0.15 acres
Topography:  Flat
Street Improvements:  Existing
Utilities:  Existing

Other Information

Previous Files:  n/a

ATTACHMENTS

Attachment 1: Project Plans

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* based on existing development

PROPOSED PROJECT AND ANALYSIS

Existing Site

The subject property is a ±80’ x ±80’ corner lot located on the southeast corner of 26th and U Streets, within the Newton Booth neighborhood in the Midtown area. The site is located within the Multi-Unit Dwelling(R-3A-SPD) zone, Central City Special Planning District (SPD), and Newtown Booth historic district. A single-unit dwelling is located on the western half of the parcel, and the eastern half of the parcel is vacant.

Entitlement Review

The proposed project requires approval of a tentative parcel map and site plan and design review.
Tentative Parcel Map

The applicant is proposing to subdivide the existing lot into two ±40’ x ±80’ lots as shown on the attached exhibit, so that the single-unit dwelling will be on a separate property (proposed Parcel One), leaving the vacant area (proposed Parcel Two) available for sale or future development. There is no specific development proposed with this application.

The proposed subdivision of the existing lot into two lots requires an entitlement for a Tentative Parcel Map (TPM). The TPM will create one interior lot and one corner lot out of the existing parcel.

Both new lots would conform to minimum standards for the R-3A zone established in Sacramento City Code (SCC) chapter 17.208. The project also conforms to all design standards for subdivisions established in Sacramento City Code chapter 17.500, including the requirement that all residentially-zoned lots shall have no less than 20 feet of public street frontage, approved private street frontage, or alleys in the Central City. Therefore, there are no deviations required for the TPM.

Site Plan and Design Review

The TPM also requires an entitlement for Site Plan and Design Review (SPDR), because there is a structure that will remain after the property is subdivided. SPDR is required for the review of conformance with lot coverage, setbacks, and all other development standards. Additionally, the Preservation Director is required to review any potential deviations from these standards in order to retain the existing structure on the resulting new lot; specifically, in relation to the proposed new property lines and the new lot sizes.

There is no development, additions, or demolition proposed with this application. The existing building needs only to conform with setbacks from the proposed new property lines and lot coverage. The existing single-unit dwelling conforms to the required setbacks of the R-3A zone and no deviations are required.

The existing residential building is 1,800 square feet and the proposed lot is 3,433 square feet. There are no other structures on the parcel that would increase the lot coverage. Therefore, the building to remain on proposed Parcel One will conform to maximum lot coverage requirement of the R-3A zone.

The Traditional Neighborhood Medium Density (TNMD) designation and the R-3A-SPD zone allows for a maximum residential density of 36 dwelling units per acre (du/ac). The existing building includes three dwelling units, and the applicant does not propose any additional units within the building and does not propose any development on Lot 2. Accessory dwelling units (ADUs) do not count toward density calculations pursuant to state law. In order to comply with the established density, a condition of approval has been imposed on the Tentative Parcel Map that requires approval of the conversion of one or two of the existing units into ADUs prior to filing for recordation of the parcel map. Conversion of one unit into an ADU results in a density of 28.5 du/ac, and conversion of two units into ADUs results in a density of 14.2 du/ac; both are consistent with the TNMD designation and the R-3A-SPD zone.

Agency Comments
The proposed project has been reviewed by the City’s Public Works Department (DPW), the Utilities Department (DOU), the Parks and Recreation Department (Parks), and the Fire Department (Fire), as well as the Building Division (Building) of the Community Development Department (CDD). Additionally, the Sacramento Municipal Utility District (SMUD), the Sacramento Area Regional Sanitation District (SRCSD), and the Sacramento Area Sewer District (SASD) have reviewed the project. The applicable comments that have been received pertaining to the project have been included as conditions of approval.

SUBDIVISION REVIEW COMMITTEE

The proposed map was presented to the Subdivision Review Committee on September 16, 2020. During the meeting, the proposed conditions of approval specific to the map were presented and accepted by the applicant and approved by the Committee. The conditions from the meeting are incorporated into the Conditions of Approval.

PUBLIC / NEIGHBORHOOD OUTREACH AND COMMENTS

This project was routed to the Newton Booth Neighborhood Association and to Preservation Sacramento. Staff did not receive comments from any groups or individuals following the project routing. On October 9, 2020, the site was posted for hearing, and all property owners and residents within 500 feet of the subject site, as well as the neighborhood associations, were mailed a public hearing notification. At the time of the writing of this report, staff did not receive any additional comments. No opposition to the project was received.

ENVIRONMENTAL CONSIDERATIONS

Environmental Planning Services of the Community Development Department has reviewed this project and determined that it is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15315, Minor Land Divisions (Categorical Exemption – Class 15). Class 15 consists of divisions of property into four or fewer lots.

FLOOD HAZARD ZONE

State Law (SB 5) and Planning and Development Code chapter 17.810 require that the City must make specific findings prior to approving certain entitlements for projects within a flood hazard zone. The purpose is to ensure that new development will have protection from a 200-year flood event or will achieve that protection by 2025. The project site is within a flood hazard zone and is an area covered by SAFCA’s Improvements to the State Plan of Flood Control System, and specific findings related to the level of protection have been incorporated as part of this project. Even though the project site is within a flood hazard zone, the local flood management agency, SAFCA, has made adequate progress on the construction of a flood protection system that will ensure protection from a 200-year flood event or will achieve that protection by 2025. This is based on the SAFCA Urban level of flood protection plan, adequate progress baseline report, and adequate progress toward an urban level of flood protection engineer’s report that were accepted by City Council Resolution No. 2016-0226 on June 21, 2016 and the SAFCA 2019 Adequate Progress Annual Report accepted by City Council Resolution No. 2019-0398 on October 22, 2019.

CONDITIONS OF APPROVAL
Tentative Parcel Map

NOTE: These conditions shall supersede any contradictory information shown on the Tentative Map approved for this project (Z20-070). The design of any improvement not covered by these conditions shall be to City standard.

The applicant shall satisfy each of the following conditions prior to filing the Parcel Map unless a different time for compliance is specifically stated in these conditions. Any condition requiring an improvement that has already been designed and secured under a City Approved improvement agreement may be considered satisfied at the discretion of the Department of Public Works.

The City strongly encourages the applicant to thoroughly discuss the conditions of approval for the project with their Engineer/Land Surveyor consultants prior to City Planning Commission approval. The improvements required of a Tentative Map can be costly and are completely dependent upon the condition of the existing improvements. Careful evaluation of the potential cost of the improvements required by the City will enable the applicant to ask questions of the City prior to project approval and will result in a smoother plan check process after project approval.

General: All Projects

1. Pay off existing assessments or file the necessary segregation requests and fees to segregate existing assessments.

2. Show all continuing and proposed/required easements on the Parcel Map.

Public Works

3. Construct standard subdivision improvements as noted in these conditions pursuant to section 17.504.050 of the City Code. All improvements shall be designed and constructed to the satisfaction of the Department of Public Works. Improvements required shall be determined by the city. The City shall determine improvements required for each phase prior to recordation of each phase. Any public improvement not specifically noted in these conditions or on the Tentative Map shall be designed and constructed to City standards. This shall include the repair or replacement/reconstruction of any existing deteriorated curb, gutter and sidewalk adjacent to the subject property per City standards to the satisfaction of the Department of Public Works.

4. The design and placement of walls, fences, signs and Landscaping near intersections and driveways shall allow stopping sight distance per Caltrans standards and comply with City Code Section 12.28.010 (25’ sight triangle). Walls shall be set back 3’ behind the sight line needed for stopping sight distance to allow sufficient room for pilasters. Landscaping in the area required for adequate stopping sight distance shall be limited 3.5’ in height. The area of exclusion shall be determined by the Department of Public Works.

Electrical

5. This project will require the installation of streetlights on all public streets fronting this property to the satisfaction of Public Works. The number and locations of these lights will be determined when development plans are submitted for review.
SMUD

6. SMUD has existing overhead 21kV facilities along Tomato alley and secondary services on the Northwest corner of the property that will need to remain. The Applicant shall be responsible for maintaining all CalOSHA and State of California Public Utilities Commission General Order No. 95 safety clearances during construction and upon building completion. If the required clearances cannot be maintained, the Applicant shall be responsible for the cost of relocation.

7. Any necessary future SMUD facilities located on the Applicant’s property shall require a dedicated SMUD easement. This will be determined prior to SMUD performing work on the Applicant’s property.

8. In the event the Applicant requires the relocation or removal of existing SMUD facilities on or adjacent to the subject property, the Applicant shall coordinate with SMUD. The Applicant shall be responsible for the cost of relocation or removal.

9. SMUD reserves the right to use any portion of its easements on or adjacent to the subject property that it reasonably needs and shall not be responsible for any damages to the developed property within said easement that unreasonably interferes with those needs.

10. The Applicant shall comply with SMUD siting requirements (e.g., panel size/location, clearances from SMUD equipment, transformer location, service conductors). Information regarding SMUD siting requirements can be found at: https://www.smud.org/en/Business-Solutions-and-Rebates/Design-and-Construction-Services

11. The Applicant shall provide separate SMUD service points to each parcel to the satisfaction of SMUD.

12. The Applicant shall locate, verify, and provide a drawing to SMUD identifying all electrical utility infrastructure for the existing structures. If necessary, any existing onsite electrical infrastructure that serves existing structures shall be relocated to the satisfaction of SMUD.

13. The Applicant shall dedicate the North 5-feet of Parcels 1 and 2 as a public utility easement for overhead and underground facilities and appurtenances.

SASD

14. NONE

SRCSD

15. NONE

DOU

16. The applicant shall grant and reserve easements, as needed, for water, drainage and sanitary sewer facilities, and for surface storm drainage, at no cost at or before the time of sale or other conveyance of any parcel or lot. A note stating the following shall be placed on the Final Map: “Reciprocal easements for utilities, drainage, water and sanitary sewer facilities, and surface storm drainage shall be granted and reserved, as necessary and at no cost, at or before the time of sale or conveyance of any parcel shown in this map.”
Fire
17. NONE

Parks
18. Payment of In-lieu Park Fee: Pursuant to Sacramento City Code Chapter 17.512 (Payment of In-lieu Park Fee: Pursuant to Sacramento City Code Chapter 17.512 (Parkland Dedication) the applicant shall pay to City an in-lieu park fee in the amount determined under SCC §§17.512.030 and 17.512.040 equal to the value of land prescribed for dedication under 17.512.020 and not satisfied by dedication. (See Advisory Note)

19. Maintenance District: The applicant shall initiate and complete the formation of a parks maintenance district (assessment or Mello-Roos special tax district), annex the project into an existing parks maintenance district, form an endowment, or other means of mitigating the impact of the project on the park system to the satisfaction of the City Attorney’s Office. The applicant shall pay all city fees for formation of or annexation to a parks maintenance district. (Contact Public Improvement Financing, Special Districts). In assessment districts, the cost of neighborhood park maintenance is equitably spread on the basis of special benefit. In special tax districts, the cost of neighborhood park maintenance is spread based upon the hearing report, which specifies the tax rate and method of apportionment.

Planning
20. Apply for and obtain ministerial approval from Planning to convert one or two of the smallest units in the existing triplex on Parcel One into attached accessory dwelling unit(s) (ADUs) prior to filing the final map. Existing building shall thereafter be defined as a single- or duplex-dwelling unit with one or two attached ADUs.

Tentative Map Advisory Notes:
The following advisory notes are informational in nature and are not a requirement of this Tentative Map:

21. If unusual amounts of bone, stone, or artifacts are uncovered, work within 50 meters of the area will cease immediately and a qualified archaeologist shall be consulted to develop, if necessary, further mitigation measures to reduce any archaeological impact to a less than significant effect before construction resumes. A note shall be placed on the final improvement plans referencing this condition.

22. House plans shall comply with City Code Chapter 17.508 Driveways which includes:
   a. 17.508.040.J - All driveways shall be at least 5-ft away from the property line.
   b. 17.508.050.A - Residential driveways shall have a width of at least 10-ft and a depth of at least 20-ft measured from the right-of-way line.
   c. 17.508.070.D.3 - Garages off alleys shall be set back at least 4-feet away from the alley right-of-way.

23. The Applicant shall not place any building foundations within 5-feet of any SMUD trench to maintain adequate trench integrity. The Applicant shall verify specific clearance
requirements for other utilities (e.g., Gas, Telephone, etc.).

24. The existing tree on this parcel may be a private protected tree and subject to Sacramento City Code (SCC) 12.56. If development of this property is planned for the future, include the species, size and condition of this tree on the planning documents. If the tree is a private protected tree a tree entitlement will be required to remove it.

25. Current records indicate that the existing water and sanitary sewer service goes through Parcel 2 to Parcel 1 and may be under any future structure. City maintenance responsibilities of the services are to the point of service within the alley right of way. The property owner is responsible for the maintenance and repair of the services on their property. The applicant should relocate existing services from under any future building or reconstruct the existing service within a pipe sleeve for protection and ease of future repair and replacement of the service.

26. As per City Code, the applicant will be responsible to meet his/her obligations regarding:
   
ea. Title 17, 17.512 Park Dedication / In Lieu (Quimby) Fees, due prior to recordation of the final map. The Quimby fee due for this project is estimated at $1,598. This is based on the creation of 1 new parcel at an average land value of $360,000 per acre for the Central City Community Plan Area, plus an additional 20% for off-site park infrastructure improvements. Any change in these factors will change the amount of the Quimby fee due. The final fee is calculated using factors at the time of payment.

   b. Title 18, 18.56 Park Development Impact Fee, due at the time of issuance of building permit. The Park Development Impact Fee due for this project is based on the Central City Incentive Zone Rate of $1.81 per square foot for residential projects, with a minimum rate of $1,354 for units under 750 square feet and a maximum of $3,612 for units over 2,000 square feet. Note that the Park Development Impact Fee increases on July 1, 2020. Any change in these factors will change the amount of the PIF due. The fee is calculated using factors at the time that the project is submitted for building permit.

   c. Community Facilities District 2002-02, Neighborhood Park Maintenance CFD Annexation.

Preservation Site Plan and Design Review

Planning

1. All modifications to the site shall be consistent with the final approved plans.

2. Lot dimensions shall be as shown on the Tentative Parcel Map.

3. The applicant shall obtain all necessary building permits prior to commencing building construction.

4. If any plans that are submitted for a building permit are revised, then a pdf copy of the revisions shall be provided to planning staff for this file.

5. Any modification to the project proposed in the future shall be subject to review and approval by Planning staff and may require additional entitlement(s).

6. Entitlements are valid for three years from date of approval.
Site Plan and Design Review Advisories:

7. PARKS: As per City Code, the applicant will be responsible to meet his/her obligations regarding:
   
a. Title 17, 17.512 Park Dedication / In Lieu (Quimby) Fees, due prior to recordation of the final map. The Quimby fee due for this project is estimated at $1,598. This is based on the creation of 1 new parcel at an average land value of $360,000 per acre for the Central City Community Plan Area, plus an additional 20% for off-site park infrastructure improvements. Any change in these factors will change the amount of the Quimby fee due. The final fee is calculated using factors at the time of payment.
   
b. Title 18, 18.56 Park Development Impact Fee, due at the time of issuance of building permit. The Park Development Impact Fee due for this project is based on the Central City Incentive Zone Rate of $1.81 per square foot for residential projects, with a minimum rate of $1,354 for units under 750 square feet and a maximum of $3,612 for units over 2,000 square feet. Note that the Park Development Impact Fee increases on July 1, 2020. Any change in these factors will change the amount of the PIF due. The fee is calculated using factors at the time that the project is submitted for building permit.
   
c. Community Facilities District 2002-02, Neighborhood Park Maintenance CFD Annexation.

8. UTILITIES: The proposed development is not contiguous to an existing public water and combined sewer main. The nearest public water and combined sewer mains are located within Tomato Alley.

9. UTILITIES: This project is served by the Combined Sewer System (CSS). However, based on the project’s description, the applicant will not be required to pay the combined sewer system impact fee.

10. UTILITIES: Current records indicate that the existing water and sanitary sewer service goes through Parcel 2 to Parcel 1 and may be under any future structure. City maintenance responsibilities of the services are to the point of service within the alley right of way. The property owner is responsible for the maintenance and repair of the services on their property. The applicant should relocate existing services from under any future building or reconstruct the existing service within a pipe sleeve for protection and ease of future repair and replacement of the service.

11. Any future development of Parcel 2 will require that the site comply with the current drainage design standards and mitigate for any increase in impervious area. To meet this requirement 7,600 cubic feet of detention must be provided per each additional acre of impervious area. The maximum discharge rate must be limited to 0.18 cfs/acre. The required detention volume can be partially or fully mitigated by implementing Low Impact Development (LID) features such as Stormwater planters and porous pavement, provided these features conform to the DOU’s Hydromodification Management Plan (HMP) requirements. Designer shall utilize the latest edition of the Sacramento Area Hydrology Model (SAHM) when using LID features. The applicant is advised to contact the City of Sacramento Utilities Department Drainage Planning Section (916-808-7890) at the early planning stages to address any drainage related requirements. (Note: A maintenance agreement may be required for detention and Low Impact Development (LID) features.)
12. **URBAN FORESTRY**: The existing tree on this parcel may be a private protected tree and subject to Sacramento City Code (SCC) 12.56. If development of this property is planned for the future, include the species, size and condition of this tree on the planning documents. If the tree is a private protected tree a tree entitlement will be required to remove it.

13. **SASD**: The subject property is outside the boundaries of SASD but within the Urban Service Boundary and Sacramento Regional County Sanitation District (Regional San) boundaries. Regional San will provide ultimate conveyance and treatment of the sewer generated from this site, but the Sacramento City Utilities Department’s approval will be required for local sewage service.

**FINDINGS OF FACT**

**Environmental Determination**

1. Based on the determination and recommendation of the City’s Environmental Planning Services Manager and the oral and documentary evidence received at the hearing on the Project, the Zoning Administrator and Preservation Director finds that the project is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15315, Minor Land Divisions (Categorical Exemption – Class 15).

**Tentative Map**

2. None of the conditions described in City Code section 17.828.090 and Government Code section 66474 exist with respect to the proposed subdivision as follows:
   
   a. The proposed map is consistent with the General Plan, all applicable community and specific plans, Title 17 of the City Code, and all other applicable provisions of the City Code;
   
   b. The design and improvement of the proposed subdivision is consistent with the General Plan, all applicable community and specific plans, Title 17 of the City Code, and all other applicable provisions of the City Code as conditioned;
   
   c. The site is physically suitable for the type of development;
   
   d. The site is physically suitable for the proposed density of development;
   
   e. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat;
   
   f. The design of the subdivision and the type of improvements are not likely to cause serious public health problems;
   
   g. The design of the subdivision and the type of improvements will not conflict with easements, acquired by the public at large, for access through, or use of, property within the proposed subdivision.

3. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the General Plan, all applicable community and specific plans, Title 17
4. The discharge of waste from the proposed subdivision into the existing community sewer system will not result in a violation of the applicable waste discharge requirements prescribed by the California Regional Water Quality Board, Central Valley Region, in that existing treatment plants have a design capacity adequate to service the proposed subdivision (Gov. Code §66474.6);

5. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities (Gov. Code §66473.1); and

6. The Zoning Administrator has considered the effect of the approval of this Tentative Parcel Map on the housing needs of the region and has balanced these needs against the public service needs of its residents and available fiscal and environmental resources (Gov. Code §66412.3).

Site Plan and Design Review

7. The project is located within the Newton Booth Historic District, a historic district listed on the Sacramento Register of Historic and Cultural Resources.

8. The building on the project site is a non-contributing resource to the historic district, and no physical changes are proposed. The lot division is consistent with the development patterns, spaces, and spatial relationships found in this district, and therefore the project is fully consistent with the Secretary of the Interior Standards for the Treatment of Historic Properties. No deviations are requested and the project is fully consistent with Sacramento City Code.

200-Year Flood Protection

9. The project site is within an area for which the local flood-management agency has made adequate progress (as defined in California Government Code section 65007) on the construction of a flood-protection system that, for the area intended to be protected by the system, will result in flood protection equal to or greater than the urban level of flood protection in urban areas for property located within a flood-hazard zone, as demonstrated by the SAFCA Urban Level of Flood Protection Plan and Adequate Progress Baseline Report and the SAFCA Adequate Progress Toward an Urban Level of Flood Protection Engineer’s Report, each accepted by the City Council on June 21, 2016 (Resolution No. 2016-0226), and the SAFCA 2019 Adequate Progress Annual Report accepted by the City Council on October 22, 2019 (Resolution No. 2019-0398).

Respectfully Submitted: 

Sean de Courcy
Associate Planner
The decision of the Zoning Administrator and Design Director may be appealed to the Planning Commission. An appeal must be filed within 10 days of the Zoning Administrator’s and Design Director’s hearing. If an appeal is not filed, the action of the Zoning Administrator and Design Director is final.

Note: The applicant will need to contact the Public Works Department after the appeal period is over to submit for a Final Map. A discretionary permit expires and is thereafter void if the use or development project for which the discretionary permit has been granted is not established within the applicable time period. The applicable time period is either three years from the effective date of approval of the discretionary permit; or the time specified by the decision-maker, if so stated in a condition of approval of the discretionary permit. A use or development project that requires a building permit is established when the building permit is secured for the entire development project and construction is physically commenced.