



**CITY OF SACRAMENTO PLANNING COMMISSION
RECORD OF DECISION**

New City Hall, 915 I Street, 3rd Floor, Sacramento, CA 95814

Project Name: 540 Claire Avenue Tentative Map
Project Number: P06-062
Project Location: 540 Claire Avenue
Assessor's Parcel No.: 226-0110-026
Applicant: Steve Santa Croce, Sigma Engineering Consultants, (530) 662-2373
770 Dead Cat Alley, Suite 306, Woodland, CA 95695
Action Status: Approved Action Date: 09/14/06

REQUESTED ENTITLEMENT(S): A. Environmental Determination: Exempt (CEQA Section 15332);
B. Tentative Map to subdivide a 1.36± acre parcel to seven parcels in the Standard Single-Family (R-1) zone;
C. Subdivision Modification to allow non-standard lot sizes on single family residential lots.

ACTIONS TAKEN: On 09/14/06, the Planning Commission took the following actions based on the attached findings of fact and subject to the attached conditions of approval: Approved Entitlements (A), (B) and (C).

Action certified by: 
David Kwong, Planning Manager

Sent to Applicant: 09/15/06

By: 
Staff Signature

NOTICE OF PROTEST RIGHTS

The above conditions include the imposition of fees, dedications, reservations, or other exactions. Pursuant to California Government Code section 66020, this Notice of Decision serves as written notice to the project applicant of (1) the amount of any fees and a description of any dedications, reservations, or exactions imposed, and (2) that the applicant may file a protest against the imposition of those fees, dedications, reservations, or other exactions within 90 days of the date of this approval, which is deemed to be the date that the fees, dedications, reservations, or other exactions are imposed. If the payment of a fee is imposed as a condition of approval, but the amount of the fee is not stated in this Notice of Decision and is not otherwise available to the applicant on a fee schedule or otherwise, the 90 days protest period will begin to run when the applicant is notified of the amount of the fee.

For purposes of this notice, the following fees are deemed to be imposed upon approval of the first discretionary entitlement for the subject development project and are subject to the protest procedures set forth in Title 18 of the Sacramento City Code as indicated: North Natomas Public Facilities Fee, Transit Fee, and Drainage Fee (SCC 18.24.160); North Natomas Land Acquisition Fee (SCC 18.24.340); North Natomas School Facilities Fee (SCC18.24.710); Jacinto Creek Planning Area Facilities Fee (SCC18.28.150); Willow Creek Project Area Development Fee (SCC 18.32.150); Development Impact Fees for the Railyards, Richards Boulevard, and Downtown Areas (SCC 18.36.150); Habitat Conservation Fee for the North and South Natomas Community Plan Areas (18.40.090); and Park Development Impact Fee (18.44.140).

The time within which to challenge a condition of approval of a tentative subdivision map, including the imposition of fees, dedication, reservation, or other exaction, is governed by Government Code section 66499.37

EXPIRATION

TENTATIVE MAP: Failure to record a final map within three years of the date of approval or conditional approval of a tentative map shall terminate all proceedings.

SPECIAL PERMIT: A use for which a Special Permit is granted must be established within three years after such permit is issued. If such use is not so established, the Special Permit shall be deemed to have expired.

VARIANCE: Any variance involving an action which requires a building permit shall expire at the end of three years unless a building permit is obtained within the variance term.

PLAN REVIEW: Any plan review shall expire at the end of three years unless a building permit is obtained within the plan review term.

NOTE: Violation of any of the foregoing conditions will constitute grounds for revocation of this permit. Building permits are required in the event any building construction is planned. The County Assessor is notified of actions taken on rezoning, special permits and variances.

APPEALS

Appeals of the Planning Commission decision of this item to the City Council must be filed at 915 I Street, New City Hall, 3rd Floor, within 10 calendar days of this meeting, on or before 09/25/06. If the 10th day falls on a Sunday or holiday, the appeal may be filed on the following business day.

Findings Of Fact

- A. Environmental Determination:** The City Planning Commission finds and determines that the proposed project is exempt from environmental review pursuant to Section 15332 of the CEQA Guidelines.
- B. The Tentative Map** to subdivide a 1.36± acre parcel to seven parcels in the Standard Single-Family (R-1) zone is **approved** subject to the following Findings of Fact and Conditions of Approval:
1. None of the conditions described in Government Code Section 66474, subsection (a) through (g), inclusive, exist with respect to the proposed subdivision;
 2. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the City's General Plan, the North Sacramento Community Plan, and Chapter 16 of the City Code, which is a Specific Plan of the City. The City's General Plan designates the subject site as Low Density Residential and the North Sacramento Community Plan land use designation is Residential (4-8 du/na);
 3. The discharge of waste from the proposed subdivision into the existing community sewer system will not result in violation of the applicable waste discharge requirements prescribed by the California Regional Water Quality Control Board, Central Valley Region, in that existing treatment plants have a design capacity adequate to service the proposed subdivision; and
 4. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities.
- C. The Subdivision Modification** to allow non-standard lot sizes on single family residential lots is **approved** subject to the following Findings of Fact and Conditions of Approval:

1. That the property to be divided is of such size or shape, or is affected by such topographic conditions, or that there are such special circumstances or conditions affecting the property that it is impossible, impractical, or undesirable in the particular case to conform to the strict application of these regulations;
2. That the cost to the subdivider of strict or literal compliance with the regulation is not the sole reason for granting the modification;
3. That the modification will not be detrimental to the public health, safety or welfare or be injurious to other properties in the vicinity; and
4. That granting the modification is in accord with the intent and purposes of these regulations and is consistent with the general plan and with all other applicable specific plans of the city.

Conditions Of Approval

B. The Tentative Map to subdivide a 1.36± acre parcel to seven parcels in the Standard Single-Family (R-1) zone.

NOTE: These conditions shall supersede any contradictory information shown on the Tentative Map approved for this project (P06-062). 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 Final 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 Development Engineering and Finance Division:

GENERAL: All Projects

- B1. Pay off existing assessments, or file the necessary segregation requests and fees to segregate existing assessments.
- B2. Pursuant to City Code Section 16.40.190, indicate easements on the Final Map to allow for the placement of centralized mail delivery units. The specific locations for such easements shall be subject to review and approval of the Development Engineering and Finance Division after consultation with the U.S. Postal Service.
- B3. Show all continuing and proposed/required easements on the Final Map.
- B4. Multiple Final Maps may be recorded. Prior to recordation of any Final Map all infrastructure/improvements necessary for the respective Final Map must be in place to the satisfaction of the Departments of Utilities, and Development Services.
- B5. 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.

DEVELOPMENT ENGINEERING: Streets

- B6. Construct standard subdivision improvements as noted in these conditions pursuant to section 16.48.110 of the City Code. All improvements shall be designed and constructed to the satisfaction of the Development Engineering Division. 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 street lighting and the repair or replacement/reconstruction of any existing deteriorated curb, gutter and sidewalk per City standards to the satisfaction of the Development Engineering Division.
- B7. Claire Avenue is shown as an existing 60' right-of way on the Tentative Map. Construct Claire Avenue to a standard 59-foot (half-street only) cross-section. The additional 1/2 –foot of right-of-way shall be added to the planter strip
- B8. Irving Avenue is shown on the Tentative Map to be a partially dedicated 44' right-of-way. This right-of-way width is no longer being used by the City. Therefore the applicant shall dedicate an additional 26.5 feet of right-of-way and construct the northern half of Irving Avenue as a City Standard 53-foot (half street only) cross-section.
- B9. 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 Development Engineering and Finance Division;

PUBLIC/PRIVATE UTILITIES

- B10. Dedicate a standard 12.5 foot public utility easement (PUE) for underground and overhead facilities and appurtenances adjacent to Claire Avenue.
- B11. Dedicate a standard 12.5 foot public utility easement (PUE) for underground facilities and appurtenances adjacent to Irving Avenue.

CITY UTILITIES

- B12. The applicant may file a phased final map. The first phase would create Lots 4 through 7 adjacent to existing infrastructure and a remainder lot adjacent to Claire Avenue where no drainage system currently exists. The second phase would create lots 1 through 3 when drainage infrastructure in Claire Avenue and a through street is available to allow for development of the remainder parcel.
- B13. Provide separate metered domestic water services to each parcel. Per City Code, water meters shall be located at the point of service which is the back of curb for separated sidewalks or the back of walk for connected sidewalks.
- B14. Place a 2-inch (minimum) sleeve(s) under the sidewalks for each single family lot along all streets with separated curb and sidewalk in order to allow for landscaping and irrigation of the landscape

planter. Sleeves shall be placed at the time sidewalks are constructed. Landscaping may be deferred until construction of the homes.

- B15. Prior to or concurrent with the submittal of improvement plans, the applicant must provide the Department of Utilities (DOU) with the average day water system demands, the fire flow demands, and the proposed points of connection to the water distribution system for the proposed development. The DOU can then provide the "boundary conditions" for the design of the water distribution system. The water distribution system shall be designed, per Section 13.4 of the Design and Procedures Manual, to satisfy the more critical of the two following conditions: 1) At maximum day peak hour demand, the operating or "residual" pressure at all water service connections shall be at least 30 pounds per square inch, and 2) At average maximum day demand plus fire flow, the operating or "residual" pressure in the area of the fire shall not be less than 20 pounds per square inch. The applicant shall submit a water study with pipe network calculations for the proposed water distribution system. The calculations shall be reviewed and approved by the DOU prior to improvement plan approval. Note: An 8-inch water main is located in Claire Avenue, adjacent to the site, and a 6-inch water main is located in Sir Bradley Way. A water main extension (8" minimum) is required in Irving Avenue to the satisfaction of the DOU.
- B16. A sanitary sewer study described in Section 9.9 of the City Design and Procedures Manual is required. This study and shed map will determine if adequate depth is available in the existing sewer system in Sir Bradley Way. A new sewer main (8-inch minimum) shall be constructed to service Parcels 4 through 7 and shall be approved by the DOU. Note: A 6-inch sewer main is located in Sir Bradley Way approximately 50 feet south of Irving Avenue, and an 8-inch sewer main is located in Claire Avenue.
- B17. Provide separate sanitary sewer services to each parcel to the satisfaction of the DOU.
- B18. Properly abandon under permit, from the City and County Environmental Management Department, any well or septic system located on the property.
- B19. A drainage study and shed map as described in Section 11.7 of the City Design and Procedures Manual is required and shall be submitted and approved by the DOU prior to or concurrent with submittal of improvement plans. If required by the DOU, the applicant shall develop a SSWMM model for the drainage study to determine the size of the public drainage main required in Claire Avenue to be extended to the existing storm drain system in Sully Street. Prior to performing the drainage study, the applicant shall coordinate with the DOU to determine the scope of the drainage study. There are other developers concurrently doing a drainage study that may satisfy this condition. The finished lot pad elevations shall be a minimum of 1.20 feet above the 100-year HGL and shall be approved by the DOU. The drainage study shall include an overland flow release map for the proposed project. Frontage improvements along Claire Avenue shall not block the existing ditch drainage. Note: A 12-inch storm drain pipe is located in Irving Avenue. A 48-inch storm drain pipe is located in Claire Avenue at Sully Street, 1100 feet west of the project site.
- B20. A grading plan showing existing and proposed elevations is required. Adjacent off-site topography shall also be shown to the extent necessary to determine impacts to existing surface drainage paths. Each proposed lot shall drain independently to the adjoining street. No grading shall occur until the grading plan has been reviewed and approved by the DOU.
- B21. Lot pad elevations shall be a minimum of 1.5 feet above the controlling overland release elevation and a minimum of 1.2 feet above the highest adjoining back of sidewalk elevation. Finished lot

pad elevations shall be accepted by the DOU.

- B22. The applicant must comply with the City of Sacramento's Grading, Erosion and Sediment Control Ordinance. This ordinance requires the applicant to show erosion and sediment control methods on the subdivision improvement plans. These plans shall also show the methods to control urban runoff pollution from the project site during construction.
- B23. Post construction, stormwater quality control measures shall be incorporated into the development to minimize the increase of urban runoff pollution caused by development of the area. Only source control measures are required. This will not affect site design. Refer to the "Guidance Manual for On-Site Stormwater Quality Control Measures" dated January 2000 for appropriate source control measures.
- B24. If this project disturbs greater than 1 acre of property, the project is required to comply with the State "NPDES General Permit for Stormwater Discharges Associated with Construction Activity" (State Permit). To comply with the State Permit, the applicant will need to file a Notice of Intent (NOI) with the State Water Resources Control Board (SWRCB) and prepare a Stormwater Pollution Prevention Plan (SWPPP) prior to construction. A copy of the State Permit and NOI may be obtained at www.swrcb.ca.gov/stormwtr/construction.html. The SWPPP will be reviewed by the Department of Utilities prior to issuing a grading permit or approval of improvement plans to assure that the following items are included: 1) vicinity map, 2) site map, 3) list of potential pollutant sources, 4) type and location of erosion and sediment BMPs, 5) name and phone number of person responsible for SWPPP, 6) signed certification page by property owner or authorized representative. Note: If the project is phased, the site may be less than 1 acre. If the project is not phased, the site exceeds 1 acre, and the applicant shall obtain all necessary permits.

FIRE:

- B25. Dead ends exceeding 150 feet in length require approved Fire Department turnaround (45' radius cul-de-sac or city standard hammerhead). Note: this condition refers to Claire Avenue.

PPDD: Parks

- B26. **Payment of In-lieu Park Fee:** Pursuant to Sacramento City Code Chapter 16.64 (Parkland Dedication) the applicant shall pay to City an in-lieu park fee in the amount determined under SCC §§16.64.040 and 16.64.050 equal to the value of land prescribed for dedication under 16.64.030 and not satisfied by dedication. (See Advisory Note)
- B27. **Maintenance District:** The applicant shall initiate and complete the formation of a parks maintenance district (assessment or Mello-Roos special tax district), or annex the project into an existing parks maintenance district. The applicant shall pay all city fees for formation of or annexation to a parks maintenance district. (Contact Development Services Department, Special Districts, Project Manager. 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.)

ADVISORY NOTES:

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

B28. As per City Code, the applicant will be responsible to meet his/her obligations regarding:

- 1 Title 16, 16.64 Park Dedication / In Lieu (Quimby) Fees, due prior to approval of the final map. The Quimby fee due for this project is estimated at \$11,264.00. This is based on 6 single family residential units and an average land value of \$105,000 per acre for Planning Area North Sacramento, plus an additional 20% for off-site park infrastructure improvements, less 0 acres in land dedication. 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.
- 2 Title 18, 18.44 Park Development Impact Fee, due at the time of issuance of building permit. The Park Development Impact Fee due for this project is estimated at \$26,268.00. This is based on 6 single-family units at \$4,378.00 each. 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.
- 3 Community Facilities District 2002-02, Neighborhood Park Maintenance CFD Annexation.

B29. Existing Sacramento Regional County Sanitation District (SRCSD) facilities serving this proposed project are capacity constrained. Ultimate capacity will be provided by construction of the Lower Northwest and Upper Northwest Interceptors, currently scheduled for completion in 2010. SRCSD is working to identify potential interim projects to provide additional capacity. SRCSD and County Sanitation District 1 (CSD-1) will issue sewer permits to connect to the system if it is determined that capacity is available and the property has met all requirements for service. This process is "first come, first served." There is no guarantee that capacity will be available when actual requests for sewer are made. Once connected, the property has entitlements to use the system. However, its entitlements are limited to the capacity accounted for by the payment of appropriate SRCSD fees.

B30. Developing this property may require the payment of additional sewer impact fees. Applicant should contact the Fee Quote Desk at (916) 876-6100 for sewer impact fee information.

B31. The proposed project is located in the Flood zone designated as an X zone on the Federal Emergency Management Agency (FEMA) Federal Insurance Rate Maps (FIRMs) dated July 6, 1998. Within the X zone, there are no requirements to elevate or flood proof.

C. The Subdivision Modification to allow non-standard lot sizes on single family residential lots.

C1. The applicant shall comply with the conditions of approval on the Tentative Map (P06-062).

C2. Any new single family home is subject to Design Review approval prior to submittal of a building permit application.

C3. New walls, fencing and vehicular gates must be installed according to standards per City code.

FIRE:

- C4. Timing and Installation. When fire protection, including fire apparatus access roads and water supplies for fire protection, is required to be installed, such protection shall be installed and made serviceable prior to and during the time of construction.
- C5. A Water Supply Test must be requested by the project applicant for all projects involving the construction of new commercial buildings, additions to commercial buildings, or four or more residential units. Please contact the Utilities Department at 808-7065.

TRANSPORTATION – ENGINEERING SERVICES – ELECTRICAL SECTION

- C6. This project shall require street lighting. There is an existing street lighting system around this project area. Improvements of right-of-way may require modification to the existing system. Electrical equipment shall be protected and remain functional during construction.

ADVISORY NOTES: POLICE DEPARTMENT

Landscaping:

- C7. Landscaping shall be of the type and situated in locations to maximize observation while providing the desired degree of aesthetics. Security planting materials are encouraged along fence and property lines and under vulnerable windows.

Doors:

- C8. All exterior doors and doors leading from the enclosed garage areas to family units shall be solid core with a minimum thickness of 1-3/4 inches.
- C9. Main entrance doors into individual family units shall be secured with single cylinder deadbolt locks with a minimum throw of one inch, in addition to door latches with a one-half inch minimum throw. The locks should be so constructed that both deadbolt and dead latch can be retracted by a single action of the inside doorknob.
- C10. A viewing device or peephole shall be installed in each individual unit entrance door and shall allow for 180 degree vision.
- C11. Exterior doors swinging out shall have non removable hinge pins or hinge studs to prevent removal of door.

Sliding Glass Doors:

- C12. Single sliding glass doors shall have the movable section of the door adjusted in such a manner that the up and down play is taken up to prevent lifting with a pry tool to defeat the locking mechanism.
- C13. Secondary dead locks shall be installed on all single sliding glass doors accessible from ground level or adjacent balconies. Lock bolts shall be of hardened material or shall have hardened steel inserts.
- C14. Vision panels in exterior doors (if used) or within reach of the inside activating device, shall be of burglary resistant glazing or equivalent.

Windows:

- C15. Windows shall be constructed so that when the window is locked it cannot be lifted from the frame.

The vertical play shall be taken up to prevent lifting of the movable section to defeat the locking mechanism.

C16. The sliding portion of a sliding glass window shall be on the inside track.

C17. Window locking devices shall be capable of withstanding a force of 300 pounds in any direction.

Numbering:

C18. All residential buildings shall display a street number in a prominent location on the street side (or front of home) in such a position that the number is easily visible to approaching emergency vehicles. The numerals shall be no less than 4 inches in height and shall be of a contrasting color to the background to which they are attached. The numerals shall be lighted at night.

Exterior Security Lighting:

C19. All exterior doors shall be adequately illuminated at all hours with their own light source.