



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

**New City Hall, 915 I Street, 3<sup>rd</sup> Floor, Sacramento, CA 95814**


Project Name: 912 Piedmont Drive @ Inez Way TM  
Project Number: Z06-063  
Project Location: 912 Piedmont Drive @ Inez Way  
Assessor's Parcel No.: 016-0202-005  
Applicant: David Rose, Roses Engineering & Planning Co.,  
Action Status: Approved with Conditions Action Date: 08/10/2006

**REQUESTED ENTITLEMENT(S):** Entitlements to subdivide one (1) parcel into two (2) parcels on 0.37± developed acres in the Standard Single-Family Residential (R-1) zone.  
A. Environmental Determination: Exempt (CEQA 15315).  
B. Tentative Map to subdivide one (1) parcel into two (2) parcels.

**ACTIONS TAKEN:** On August 10, 2006, the Planning Commission took the following actions based on the attached findings of fact and subject to the attached conditions of approval:  
Approved with Conditions

**Action certified by:**   
David Kwong, Planning Manager

Sent to Applicant: August 11, 2006

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 (SCC 18.24.710); Jacinto Creek Planning Area Facilities Fee (SCC 18.28.150); 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 August 20, 2006. If the 10<sup>th</sup> day falls on a Sunday or holiday, the appeal may be filed on the following business day.

### **Findings Of Fact**

- A. Environmental Determination: Categorical Exemption 15315.
- B. Tentative Map to subdivide one (1) parcel into two (2) parcels
  - 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, and Chapter 16 of the City Code, which is a Specific Plan of the City. The City's General Plan designates the site as Low Density Residential (4-15 du/na).
  - 3. The site is physically suitable for the type of development proposed and suited for the proposed density.
  - 4. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife their habitat.
  - 5. The design of the subdivision or the type of improvements are not likely to cause serious public health problems.
  - 6. The design of the subdivision or 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.

## **Conditions Of Approval**

The Tentative Map to subdivide one (1) parcel into two (2) parcels is hereby approved subject to the following conditions:

**NOTE:** These conditions shall supersede any contradictory information shown on the Tentative Map approved for this project (Z06-063). 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 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. Show all continuing and proposed/required easements on the Parcel Map;
- B3. 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**

- B4. 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 and Finance 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 and gutter per City standards to the satisfaction of the Development Engineering and Finance Division.
- B5. 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**

- B6. Dedicate the Northeasterly 5-feet of Parcel 2 as a public utility easement for overhead and underground facilities and appurtenances.

### **CITY UTILITIES**

- B7. Only one domestic water service is allowed per parcel. Excess domestic water services must be abandoned to the satisfaction of the Department of Utilities. Any new domestic water services shall be metered. The applicant should be advised that the tap record research and verification of tap locations by the field crews involved prior to sign-off of this condition may take a considerable amount of time, therefore, all requests

should be submitted in a timely manner. (Note: There is an existing 4" water main in Inez Way and Piedmont Dr.)

- B8. Only one sanitary sewer service is allowed per parcel.
- B9. The applicant shall show all easements that serve the subject parcel and existing utilities including services that cross property lines. The applicant must enter into and record an Agreement for Conveyance of Easements with the City for the repair and maintenance of existing and future utility services that cross property lines stating that private utility easements shall be conveyed to and reserved from Parcel 1 to 2 and/or from Parcel 2 to 1, at no cost, at the time of sale or other conveyance of either parcel. A note stating the following must be placed on the Final Map: "THE PARCELS CREATED BY THIS MAP SHALL BE DEVELOPED IN ACCORDANCE WITH RECORDED AGREEMENT FOR CONVEYANCE OF EASEMENTS # (BOOK\_\_, PAGE\_\_)."
- B10. Either the lots must be graded so that drainage does not cross property lines or the applicant must enter into and record an Agreement for Conveyance of Easements with the City stating that a private reciprocal drainage easements shall be conveyed to and reserved from each parcel as needed, at no cost, at the time of sale or other conveyance of either parcel. A note stating the following must be placed on the Final Map: "THE PARCELS CREATED BY THIS MAP SHALL BE DEVELOPED IN ACCORDANCE WITH RECORDED AGREEMENT FOR CONVEYANCE OF EASEMENTS # (BOOK\_\_, PAGE\_\_)."

**ADVISORY NOTES:**

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

1. Any existing underground utilities that crosses the new parcel line shall be either removed, rerouted or provide an easement.
2. The proposed project is located in the Flood zone designated as a **Shaded X** zone on the Federal Emergency Management Agency (FEMA) Federal Insurance Rate Maps (FIRMs) that have been revised by a Letter of Map Revision effective February 18, 2005. Within the Shaded X zone, there are no requirements to elevate or flood proof.
3. *Planning Advisory:* Since the front yard of a corner lot is defined by the Zoning Code as the narrower of the two street frontages, no matter which street the front entrance of the residence faces, the front of the new corner lot (parcel #1) will be considered to be Inez Way when the map is finalized.