




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


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

Project Name: 2751 Norwood Avenue
Project Number: P07-082
Project Location: 2751 and 2761 Norwood Avenue
Assessor's Parcel No.: 263-0122-0013,014
Applicant: Deborah Farmar, Ourada Engineering
Action Status: Approved with Conditions Action Date: 03/13/08

REQUESTED ENTITLEMENT(S): A. Environmental Determination: Exempt per CEQA Section 15332
B. Tentative Map to subdivide two lots into six lots in the Standard Single Family (R-1) zone.
C. Subdivision Modification to create lots less than 52 feet wide.
D. Subdivision Modification to create lots without public street frontage
E. Variance to reduce the required front setback of an existing house on the property from 25 feet to 14 feet.

ACTIONS TAKEN: On 03/13/08, the Planning Commission took the following actions based on the attached findings of fact and subject to the attached conditions of approval:
A. Environmental Determination: Exempt per CEQA Section 15332
B. Approved the Tentative Map to subdivide two lots into six lots in the Standard Single Family (R-1) zone.
C. Approved the Subdivision Modification to create lots less than 52 feet wide.
D. Approved the Subdivision Modification to create lots without public street frontage.
E. Variance to reduce the required front setback of an existing house on the property from 25 feet to 14 feet.

Action certified by: 
David Kwong, Planning Manager

Sent to Applicant: 03/14/2008 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 Design 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 07/03/06. 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: Exemption

1. The Planning Commission of the City of Sacramento has determined that 2751 Norwood Avenue (P07-082) is exempt from review under the California Environmental Quality Act as follows:
 - a. The Project is exempt under the following provisions of the California Environmental Quality Act and/or Guidelines: CEQA Guidelines Section 15332, Infill Development Projects
 - b. The factual basis for the finding of exemption is as follows:

The proposed project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designations and regulations; The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses; The project site has no value as habitat for endangered rare or threatened species; The approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality, and; The site can be adequately served by all required utilities and public services.
2. The Planning Commission has reviewed and considered the Environmental Planning Services determination of exemption and the comments received at the hearing on the Project and has determined that the Project is exempt from review under the California Environmental Quality Act for the reasons stated above.

B. The Tentative Map to subdivide two lots into six lots in the R-1 zone is hereby approved based upon the following findings:

1. That the proposed map is consistent with the general plan or any applicable specific plan, or other applicable provisions of this code;
2. That the site is physically suitable for the type of development;
3. That the site is physically suitable for the proposed density of development;
4. That 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 or their habitat.
5. That the design of the subdivision or the type of improvements are not likely to cause serious public health problems;
6. That 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. In this connection, the planning commission 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. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction, and no authority is granted to the planning commission to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision; or
7. Subject to Section 66474.4 of the Subdivision Map Act, that the land is not subject to a contract entered into pursuant to the California Land Conservation Act of 1965 (commencing with Section 51200 of the Government Code) and that the resulting parcels following a subdivision of the land would be too small to sustain their agricultural use. (Section 66474). (Ord. 2002-002 § 4, 2002)

C-D. The Subdivision Modifications for lot width and to create four lots without public street frontage are hereby approved subject to the following findings;

1. The Planning Commission finds that is undesirable in this particular case to conform to the strict application of City Code Chapter 16 in that the property is constrained by the adjacent street and lotting pattern.
2. The cost to the subdivider of strict or literal compliance with the regulation is not the sole reason for granting the modification.
3. The modification will not be detrimental to the public health, safety, or welfare or be injurious to other properties in the vicinity in that size of the lots will allow for the development of single family homes with adequate setbacks.
4. The granting of the modification is in accord with the intent and purpose of these regulations and is consistent with the General Plan and with all other applicable Specific Plans of the City in that the site is designated residential.

E. The Variance to reduce the required front setback of an existing house (On Lot 1) on the property from 25 feet to 14 feet is hereby approved based on the following findings of fact:

1. Granting the variance does not constitute a special privilege extended to an individual property owner in that variances would be granted to other property owners facing similar circumstances. Strict application of setback requirements in this instance would constitute a hardship because the existing

house, which has a front setback compatible with surrounding structures, would need to be moved as a result of a Tentative Map condition requiring additional land dedication.

2. Granting the variance would not be detrimental to the public welfare nor result in the creation of a public nuisance in that the setback of the existing house is compatible with surrounding structures, and is greater than that of the residence to the north.
3. Granting the Variance does not constitute a use variance in that residential uses are allowed under existing zoning designations.

Conditions Of Approval

B. The Tentative Map to subdivide two lots into six lots in the R-1 zone is hereby approved subject to the following conditions:

SPECIAL DISTRICTS: Assessment Districts

B1. Pay off existing assessments, or file the necessary segregation requests and fees to segregate existing assessments.

DEVELOPMENT ENGINEERING:

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 Division after consultation with the U.S. Postal Service.

B3. Private reciprocal ingress, egress, and maneuvering easements are required for future development of the area covered by this Tentative Map. The applicant shall enter into and record an Agreement For Conveyance of Easements with the City stating that a private reciprocal ingress/egress, and maneuvering easement shall be conveyed to and reserved from the appropriate parcels at no cost, at the time of sale or other conveyance of either/any of the parcel(s).

B4. 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 Division.

B5. 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. Improvements required shall be determined by the City. 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.

B6. The applicant shall dedicate 10-ft of additional right-of-way along Norwood Avenue adjacent to the subject property. SMUD

B7. Dedicate a 12.5-ft PUE for overhead and underground facilities and appurtenances adjacent to all public street rights of ways.

B8. Dedicate any private drive, ingress and egress easement, or Irrevocable Offer of Dedication and 10-foot adjacent thereto, as a PUE for overhead and underground facilities and appurtenances within lots 3, 4, 5 & 6.

B9. Dedicate any private drive, ingress and egress easement, or Irrevocable Offer of Dedication as a PUE for overhead and underground facilities and appurtenances within lot 2.

FIRE:

B10. All turning radii for fire access shall be designed as 35' inside and 55' outside.

B11. Dead ends exceeding 150 feet in length require an approved Fire Department turnaround (45'

radius cul-de-sac or city standard hammerhead).

B12. Roads used for Fire Department access shall have an unobstructed width of not less than 20' and unobstructed vertical clearance of 13'6" or more.

B13. Provide the required fire hydrants in accordance with CFC 903.4.2 and Appendix III-B, Section 5.

B14. Fire service mains shall not cross property lines unless a reciprocal easement agreement is provided.

B15. 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.

B16. The furthest projection of the exterior wall of a building shall be accessible from within 150 ft of an approved Fire Department access road and water supply as measured by an unobstructed route around the exterior of the building. (CFC 902.2.1)

B17. Roads used for Fire Department access that are less than 28 feet in width shall be marked "No Parking Fire Lane" on both sides; roads less than 36 feet in width shall be marked on one side.

B18. Provide clear access to building openings, free of landscaping and other obstructions. Exterior doors and openings required by this code or the Building Code shall be maintained readily accessible for emergency access by the Fire Department. CFC 902.3.1

DOU:

B19. Only one metered domestic water service is allowed per parcel. Excess water services shall be abandoned to the satisfaction of the Department of Utilities (DOU). Current City water service records indicate that there is an existing 3/4-inch water service located at the address of 2761 Norwood Avenue. The applicant shall locate, verify, and provide a drawing to the Department of Utilities showing all existing water services to be reused or properly abandoned with the improvement plans. (Note: There is an existing 4-inch and 12-inch water main in Norwood Ave. All new water service connections shall be to the existing 12-inch water main in Norwood Ave.)

B20. 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. Water meters for lots 3, 4, 5, and 6 shall be located at the Right of Way of Norwood Avenue.

B21. Only one sanitary sewer service is allowed per parcel. Excess sanitary sewer services shall be abandoned to the satisfaction of the DOU. (Note: There is an existing 6-inch sanitary sewer main in Norwood Ave.)

B22. The developer/owner shall construct a drainage main extension of no less than 15-inches in diameter in Norwood Avenue. (Note: There is an existing storm drain manhole south of project area in Norwood Avenue.)

B23. A project specific drainage study is required. The drainage study shall include an overland flow release map for the proposed project. Sufficient off-site and on-site spot elevations shall be provided in the drainage study to determine the direction of storm drain runoff. Onsite storm water detention is required. The amount of detention storage required for the proposed development shall meet the "do no harm" criteria. Drainage improvement shall be to the satisfaction of the DOU. Prior to design, contact the DOU for the design criteria.

B24. An on-site surface drainage system is required and shall be connected to the street drainage system by means of a storm drain service tap. All on-site systems shall be designed to the standard for

private storm drainage systems (per Section 11.12 of the Design and Procedures Manual).

B25. The building pad elevation shall be approved by the DOU and shall be a minimum of 1.5 feet above the local controlling overland release elevation or a minimum of 1.2 feet above the highest adjoining back of sidewalk elevation, whichever is higher.

B26. The applicant shall enter into and record an Agreement for Conveyance of Easements with the City, in a form acceptable to the City Attorney, stating that (1) the storm drainage, water, and sanitary sewer pipelines and other facilities crossing parcels are private facilities that the City shall have no responsibility to maintain or repair, and (2) private easements for such pipelines and facilities shall at no cost be conveyed to and reserved from each parcel, as needed to authorize the operation, use, maintenance and repair of such pipelines and facilities, at the time of sale or other conveyance of any parcel. A note stating the following shall be placed on the Final Map: "THE PARCELS CREATED BY THIS MAP SHALL BE DEVELOPED IN ACCORDANCE WITH RECORDED AGREEMENT FOR CONVEYANCE OF EASEMENTS IN BOOK _____, O.R. PAGE _____."

B27. 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.

B28. Per City Code, the Subdivider may not develop the project in any way that obstructs, impedes, or interferes with the natural flow of existing off-site drainage that crosses the property. Furthermore, all lots shall be graded so that drainage does not cross lot or property lines. The project shall construct the required public and/or private infrastructure to handle runoff to the satisfaction of the DOU. If private infrastructure is constructed to handle runoff, the applicant shall dedicate the required private easements and/or, at the discretion of the DOU, the applicant shall enter into and record an Agreement for Maintenance of Drainage with the City, in a form acceptable to the City Attorney.

PPDD: Parks

B29. 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)

B30. 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:

1. 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.
2. Water meter boxes located in driveways shall be as follows: (1) for 1-inch domestic water service, Christy traffic box B1324 (H/20 loading) with reading lid B1324-61GH and (2) for 1.5-inch domestic water

service, Christy traffic box B1730 (H/20 loading) with reading lid B1730-51G.

3. Prior to design of the subject project, the Department of Utilities suggests that the applicant request a water supply test to determine what pressure and flows the surrounding public water distribution system can provide to the site. This information can then be used to assist the engineers in the design of the fire suppression systems.

4. City records indicate that an existing private sanitary sewer main is located to the north lot line of property 2761 Norwood Avenue. A relocation of the private sanitary sewer main may be required.

5. 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.

6. 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 most current "Guidance Manual for On-Site Stormwater Quality Control Measures" for appropriate source control measures.

7. The proposed project is located in the Flood zone designated as 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.

8. 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 \$9,387. This is based on five single family residential units and an average land value of \$105,000 per acre for the North Sacramento Planning Area, plus an additional 20% for off-site park infrastructure improvements, less 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 \$24,215. This is based on five single family residential units at the rate of \$4,843 per unit. 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.

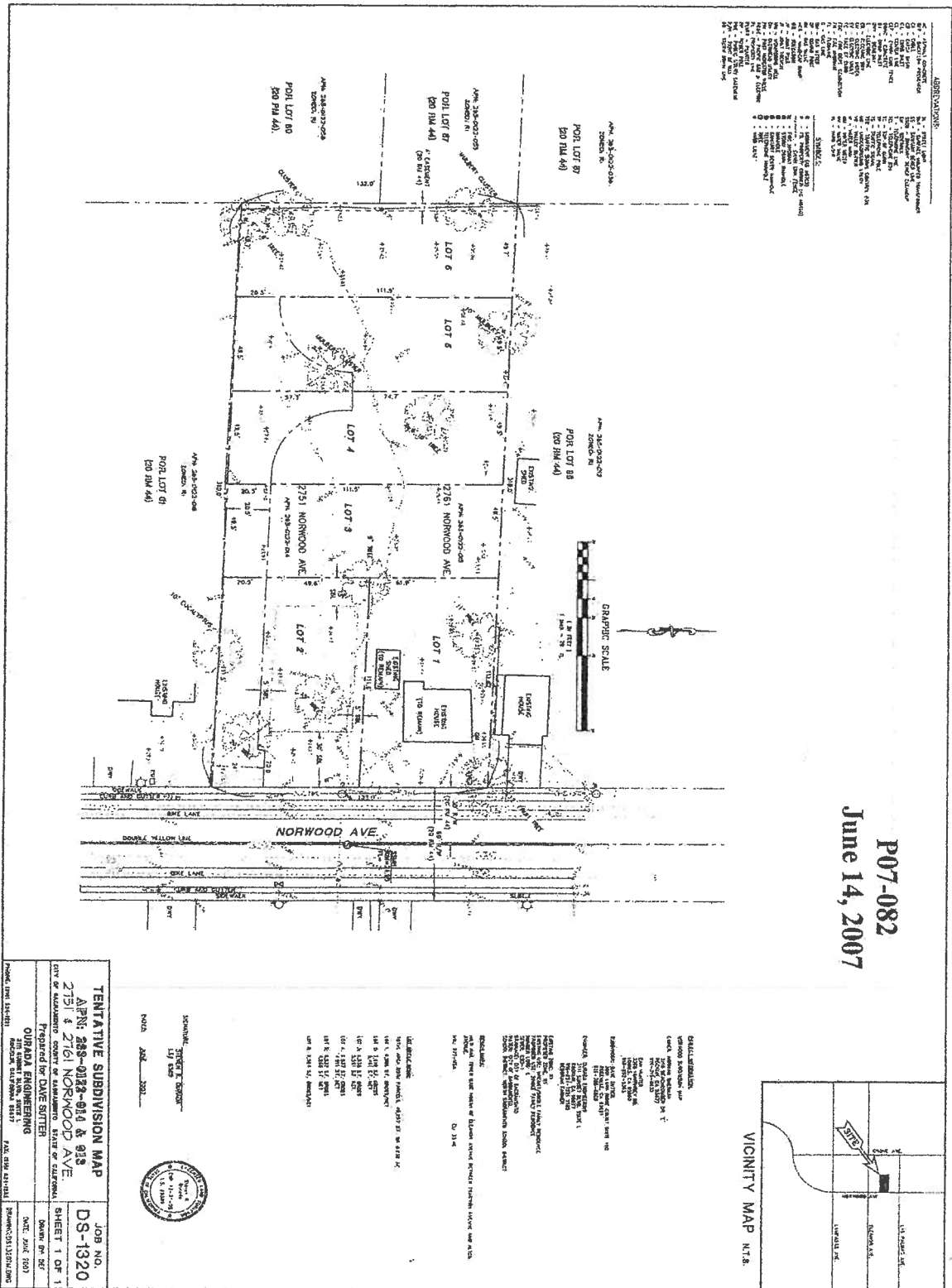


Exhibit A- Tentative Map