



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

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

Project Name:	Piedmont Drive Private Boat Dock	
Project Number:	P08-001	
Project Location:	955 Piedmont Drive	
Assessor's Parcel No.:	016-0171-007	
Applicant:	Debbie R. Gualco, Reynolds Gualco Architecture & Interior Design	
Action Status:	Denied Project	Action Date: 7-17-2008

**REQUESTED ENTITLEMENT(S):** A request to construct a single private boat dock on the Sacramento River within the Flood (F) zone, for use of the residence located at 955 Piedmont Drive.

A. Environmental Determination: Exempt per CEQA Guidelines Section 15270 (a), projects which a public agency rejects or disapproves.

B. Special Permit to allow a private boat dock within the Flood (F) zone.

**ACTIONS TAKEN:** On 7/17/2008, the Planning Commission took the following actions based on the attached findings of fact:

Denied the Special Permit

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

Sent to Applicant: 7/17/2008

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 Planning Commission decision of this item to the City Council must be filed at 300 Richards Blvd, 3rd Floor, within 10 calendar days of this meeting, on or before 7/28/08. 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**

### **Findings of Fact**

- A. Pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15270(a), CEQA does not apply to projects which a public agency rejects or disapproves.
- B. The **Special Permit** to allow a private boat dock within the Flood (F) zone is **denied** subject to the following Findings of Fact:
1. **Development will not enhance the appearance and public use of the river, and is not consistent with adopted specific plans;**
    - a. The private boat dock does not enhance the appearance of the river and is contrary to promoting public access to the Sacramento River and constrains development of a continuous lineal parkway along the Sacramento River. The proposed use is inconsistent with the General Plan open space goals and the Sacramento River Parkway Plan to establish public access bicycle and pedestrian trails.
  2. **Development will not have an adverse effect on any natural resources;**
    - a. Development of a private boat dock may not have adverse effects on natural resources that cannot be mitigated in that construction of the dock in the river would be subject to local and state regulations. Full environmental review of the project is needed.
  3. **Development will not have an adverse effect on the use of adjacent property;**
    - a. Development of a private boat dock may not have an adverse effect on use of adjacent property. Full environmental review of the project is needed.
  4. **Development will have direct access to a major or collector street;**
    - a. The proposed use of a private boat dock does not require direct access to a major or collector street.
  5. **Development is fully served by all necessary utility services;**
    - a. The proposed use of a private boat dock may not require service by utility services.
  6. **Adequate off-street parking is provided on the landward side of the levee;**
    - a. The proposed use of a private boat dock does not require additional off-street parking.
  7. **Development is consistent with the purposes of the flood zone, the open space element of the general plan, the Sacramento River Parkway Plan, and adopted specific plans;**
    - a. Development of a private boat dock is not consistent with the General Plan Open Space goals and policies or the Sacramento River Parkway Plan.