



CITY OF SACRAMENTO

DEPARTMENT OF PLANNING AND DEVELOPMENT
1231 "I" Street Sacramento, Ca. 95814

Administration
Room 300 449-5571
Building Inspections
Room 200 449-5716
Planning
Room 200 449-5604

July 14, 1986

Transportation and Community
Development Committee
Sacramento, California

SUBJECT: Amendment of the Subdivision Ordinance relating to approval authority for halfplex tentative maps in the Single Family, R-1 and Townhouse, R-1A zones.

LOCATION: Citywide

SUMMARY

The attached report was submitted to the City Council for consideration and subsequently referred to the Transportation and Community Development Committee. The reason for the referral was to allow for a more extensive discussion of the City's policy which allows two units on corner lots in single family subdivisions.

BACKGROUND INFORMATION

The Ordinance Amendment submitted to the Council was to reduce the hearing process by delegating the authority for final approval of Tentative Maps for halfplex projects on corner lots to the Planning Commission. Councilman Johnson requested referral of the matter to the Transportation and Community Development Committee in order to discuss the broader issue of allowing two units on corner lots in single family subdivisions.

Currently duplex units are allowed on corner lots in the Single Family, R-1 zone as a matter of right. There is no discretionary review. The Sacramento County Zoning Ordinance has the same provision. Halfplex units are allowed on corner lots but require staff level review of design and City Council approval of a subdivision map. Duplex units provide rental housing opportunities for households that want to rent but do not want to be in an apartment complex. Halfplex units provide a smaller and often more affordable ownership unit in single family areas. Both provide a valuable and unique housing opportunity.

July 14, 1986

The most frequent opposition to halfplex units on corner lots have been in instances where the surrounding single family area is experiencing a high rental rate rather than owner occupancy. However, to deny the halfplex units could dictate a duplex unit instead since they do not require discretionary review. The Council, in the past, has conditioned subdivision maps to prohibit two units on corner lots however this is legally questionable without the developer's concurrence.

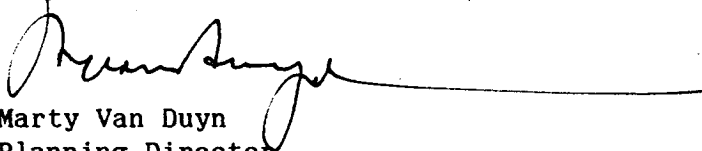
Staff cannot find substantial evidence where the policy of allowing two units on corner lots have created a major negative impact on single family neighborhoods.

RECOMMENDATION

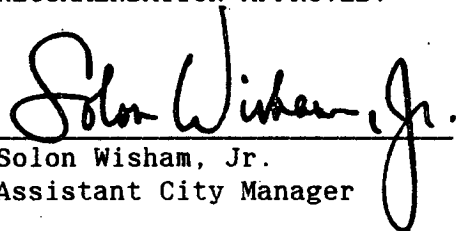
Staff recommends the Committee discuss the issue and provide the City Council with direction on the following:

1. Need for change in City policy regarding allowing duplex and halfplex units on corner lots.
2. Adoption of the attached Ordinance reducing the hearing process for halfplex units.

Respectfully submitted,


Marty Van Duyn
Planning Director

RECOMMENDATION APPROVED:


Solon Wisham, Jr.
Assistant City Manager

AG:lao
attachments
M86-001

AG



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March 11, 1986

City Council
Sacramento, California

Honorable Members in Session:

- SUBJECT:
1. Environmental Determination
 2. Amendment of the Subdivision Ordinance relating to approval authority for halfplex tentative maps in the Single Family, R-1 and Townhouse, R-1A zones. (N86-001)

SUMMARY

The attached ordinance amendment would delegate to the Planning Commission the authority to approve certain tentative maps. The maps would consist of dividing existing corner lots in the Single Family, R-1 and Townhouse, R-1A zones for halfplex development. The Planning Commission and staff recommend adoption of the amendment.

BACKGROUND INFORMATION

The City Council recently adopted a zoning ordinance amendment to permit halfplexes on corner lots located in the Single Family, R-1 zone, subject to specific provisions which are reviewed at staff level and approval of a map subdividing the property. Approval authority for the tentative map for halfplex projects was not changed and currently lies with the City Council.

During 1985, the Planning Division processed approximately 25 requests involving the development of corner lots for halfplexes. Of those requests, only one was controversial; the controversy related to street improvements. The remainder of the halfplex requests were routine. Recognizing the non-controversial nature of these projects, the City Council has requested staff to investigate eliminating the need for Council action on the tentative maps which are specifically for corner lot halfplex projects.

The proposed ordinance amendment would delegate tentative map approval authority to the Planning Commission similar to applications for special permits and variances. Appeals will still be heard by the City Council.

VOTE OF THE PLANNING COMMISSION

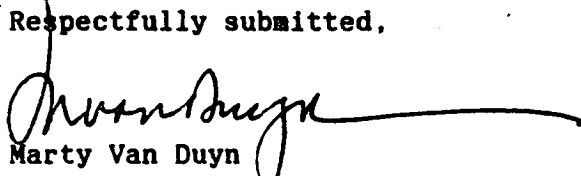
On February 13, 1986, the Planning Commission voted five ayes, three absent and one vacancy, to recommend adoption of the ordinance amendment.

RECOMMENDATION

The Planning Commission and staff recommend the following action by the City Council:

1. Ratify the Negative Declaration; and
2. Adopt the attached subdivision ordinance amendment.

Respectfully submitted,


Marty Van Duyn
Planning Director

FOR CITY COUNCIL INFORMATION
WALTER J. SLIPE
CITY MANAGER

AG:lao
attachments
M86-011

March 18, 1986

MEETING DATE February 13, 1986
 ITEM NO. 25 FILE P M 86-001

- GENERAL PLAN AMENDMENT
- COMMUNITY PLAN AMENDMENT
- REZONING
- SPECIAL PERMIT
- VARIANCE
- TENTATIVE MAP
- SUBDIVISION MODIFICATION
- LOT LINE ADJUSTMENT
- ENVIRONMENTAL DET.
- OTHER Amend Subdivision Ordinance

Location: _____

Recommendation:

- Favorable
- Unfavorable
- Petition
- Correspondence

<u>PROPOSERS</u>		
<u>NAME</u>		<u>ADDRESS</u>

<u>OPPOSERS</u>		
<u>NAME</u>		<u>ADDRESS</u>

MOTION NO. _____

	YES	NO	MOTION	SECOND
Ferris	<input checked="" type="checkbox"/>			
Fong	<input checked="" type="checkbox"/>			
Goodin	<input checked="" type="checkbox"/>			
Howay	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	
Santer	<input checked="" type="checkbox"/>			
Ishmael	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>
Ramirez	<input checked="" type="checkbox"/>			
Simpson	<input checked="" type="checkbox"/>			
Augusta	<input checked="" type="checkbox"/>			

- MOTION**
- TO APPROVE
 - TO DENY
 - TO APPROVE SUBJECT TO COND. & BASED ON FINDINGS OF FACT IN STAFF REPORT
 - TO APPROVE/DENY BASED ON FINDINGS OF FACT IN STAFF REPORT
 - INTENT TO APPROVE/DENY SUBJECT TO COND. & BASED ON FIND. OF FACT DUE
 - TO RECOMMEND APPROVAL & FORWARD TO CITY COUNCIL
 - TO RECOMMEND APPROVAL SUBJECT TO COND. & FORWARD TO CITY COUNCIL
 - TO RATIFY NEGATIVE DECLARATION
 - TO CONTINUE TO _____ MEETING
 - OTHER _____

ORDINANCE NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

AN ORDINANCE ADDING SECTION 40.415 TO THE SACRAMENTO CITY CODE RELATING TO APPROVAL AUTHORITY FOR HALFPLEXES IN THE SINGLE FAMILY (R-1) AND TOWNHOUSE (R-1A) ZONES (M86-001)

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO AS FOLLOWS:

40.415 - Same - Special Procedure for Certain Maps

(a) Tentative Maps required by the provisions of Section 40.401, which propose to subdivide existing corner lots located in the Single Family (R-1) and Townhouse (R-1A) zones for halfplex development, shall be processed in accordance with the provisions of this section. Except as otherwise provided herein, the tentative maps shall be processed in accordance with Sections 40.401 through 40.413 of this Article IV (tentative map).

(b) Notwithstanding any of the provisions of this Chapter to the contrary, the Advisory Agency created by Section 40.602.5 (b), consisting of the City Engineer and Planning Director shall function as an Advisory Agency as set forth in Section 40.409 for the purposes of tentative maps specified in this section. Said Advisory Agency shall also perform functions of Advisory Agency in regard to subdivision modifications which are submitted in conjunction with a tentative map as specified in this section.

(c) The Subdivision Committee shall meet and advise the Advisory Agency in a manner set forth in Section 40.408 except that the Planning Director's report shall incorporate comments of the Advisory Agency, Subdivision Committee and staff recommendations and be submitted to the Planning Commission; and except that public noticing shall be by the Secretary to the Planning Commission.

(d) Within the period prescribed by the Subdivision Map Act, the Planning Commission shall consider the tentative map, accompanying drawings, statements and other data, the Planning staff report and evidence and testimony introduced at the Commission hearing, and shall approve, conditionally approve, or deny the map.

The Planning Commission shall base its action on the conformity of the tentative map with all requirements and on the quality of the design of the proposed subdivision. If the Planning Commission disapproves the tentative map, the report shall contain the statement of reasons for such disapproval. If the Planning Commission conditionally approves the tentative map, the report shall contain a complete set of conditions of approval.

(e) An applicant or any persons aggrieved by the determination of the Planning Commission may appeal to the City Council at any time within ten (10) days after the decision of the Planning Commission. Such appeal shall be filed on a form provided by the Planning Director. Thereupon the appeal document and the City Planning file shall be transmitted to the City Council and a hearing shall be held within 30 days after the date of filing the appeal.

(f) Notice of the appeal shall be given by the City Clerk in the following manner:

- (1) by posting on a publicly accessible bulletin board at least ten (10) days prior to the date set for the hearing; and,
- (2) by written notice to those persons who appear and identify themselves for the record before the Planning Commission, the owner or applicant and all property owners whose names appear on the list of owners of property located within 300 feet of the radius of the subject property.

(g) Within ten (10) days following the conclusion of the hearing, the City Council shall render its decision on appeal.

PASSED FOR PUBLICATION:

ENACTED:

EFFECTIVE:

MAYOR

ATTEST:

CITY CLERK

M86-001