

**CITY OF SACRAMENTO  
DEPARTMENT OF DEVELOPMENT SERVICES  
ZONING ADMINISTRATOR  
1231 I Street, Sacramento, CA 95814**

**ACTION OF THE ZONING ADMINISTRATOR**

On Wednesday, March 2, 2005, the Zoning Administrator approved with conditions a tentative map and subdivision modifications to subdivide one parcel into two parcels in the Standard Single Family (R-1) zone for the project known as (File Z04-287). Findings of Fact and conditions of approval for the project are listed on pages 2-4.

**Project Information**

Request:

1. **Zoning Administrator Tentative Map** to subdivide one parcel into two parcels on 0.29± partially developed acres in the Standard Single Family (R-1) zone.
2. **Subdivision Modification** to create an interior lot (parcel 2) less than 52 feet wide.
3. **Subdivision Modification** to create an interior parcel (parcel 2) less than 5,200 square feet in size.

Location: 5200 20<sup>th</sup> Avenue (D1, Area 4)

Assessor's Parcel Number: 021-0282-013

Applicant: Thua Duc Le and Tuyet T. Le  
6924 Sandy Souza Way  
Elk Grove, CA 95758

Property Owner: Same as Applicant

Project Planner: Lindsey Alagozian

General Plan Designation: Low Density Residential 4-15 du/na  
Existing Land Use of Site: Single Family Residence  
Existing Zoning of Site: Standard Single Family (R-1) zone

**Surrounding Land Use and Zoning:**

North: R-1; Residential  
South: R-1; Residential  
East: R-1; Residential  
West: R-1; Residential

Property Dimensions: 100 feet by 125 feet  
Property Area: 0.29 ± acres  
Topography: Flat  
Street Improvements: Existing  
Utilities: Existing

Project Plans: See Exhibit A

Previous Files: None

Additional Information The applicant is requesting to subdivide one parcel into two parcels for future single family development in the Standard Single Family (R-1) zone. Currently the site contains an existing 1,500 square foot residence and an 850 square foot detached garage. The proposed subdivision will create one corner lot of 7,600 square feet and one interior lot of 4,900 square feet in size. The corner lot will be substantially larger than the standard corner lot size of 6,200 square feet in order to provide an adequate five foot setback for the existing residence. The residence will be located on the corner lot (parcel 1) and the detached garage will be on parcel 2; without a primary residence. The applicant will be required to remove the detached garage prior to obtaining approval of the final map. A condition regarding this issue is included in the conditions of approval listed below.

The project requires approval of the Zoning Administrator for a two parcel Tentative Map and Subdivision Modifications for creating an interior parcel that does not meet the standard lot size and the standard depth size. The applicant has submitted plans showing that a standard size residence with adequate yard space could be constructed on the proposed substandard parcel 2 without any entitlements.

The project is located within the Colonial Park Arts and Recreation Effort (CARE) and the Tahoe Park Neighborhood Associations. Staff sent early project notification to the associations. In addition, the site was posted and property owners within 100 feet of the subject parcel were notified of the public hearing. Staff received no phone calls regarding the project. No opposition to the project was expressed.

Subdivision Review Committee: The proposed map was heard at the Subdivision Review Committee (SRC) on February 16, 2005. During the hearing minor changes were made to the proposed conditions of approval. All conditions were accepted by both the applicant and the Committee. The Subdivision Review Committee recommended that the project be approved by the Zoning Administrator subject to the conditions listed below.

Agency Comments The proposed project has been reviewed by the Department of Utilities, Public Works – Transportation and Engineering Planning Divisions, Fire, Parks, the Building Division, SMUD, and other utilities. The comments received pertaining to the subdivision have been included as conditions of approval.

Environmental Determination This project will not have a significant effect on the environment and is exempt from environmental review pursuant to California Environmental Quality Act Guidelines, Section 15315, Minor Land Divisions.

**CONDITIONS:** Tentative Map

**NOTE: These conditions shall supersede any contradictory information shown on the Tentative Map approved for this project (Z04-287). 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:

**GENERAL: All Projects**

1. Pay off existing assessments, or file the necessary segregation requests and fees to segregate existing assessments;
2. Show all continuing and proposed/required easements on the Parcel Map;
3. 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.
4. 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 the repair or replacement/reconstruction of any existing deteriorated curb, gutter and sidewalk, fronting the property and the design and installation of ornamental streetlights.

**PUBLIC/PRIVATE UTILITIES**

5. Dedicate a 12.5-foot public utility easement for overhead and underground facilities and appurtenances adjacent to all public street rights of ways.
6. Dedicate the South 5 feet of Parcels 1 and 2 as a public utility easement for overhead and underground facilities and appurtenances, **and** dedicate the existing service that crosses Parcel 2 as a public utility easement for overhead facilities and appurtenances.
7. Connection or reconnection to CSD-1's sewer system shall be required to the satisfaction of CSD-1. Sacramento County Improvement Standards apply to any on and off-site sewer construction.
8. Each parcel and each building with a sewage source shall have a separate connection to the CSD-1 sewer system.
9. Demonstrate to CSD-1 the existence of, or if required, obtain a minimum 10-foot wide private sewer service easement across an adjoining parcel to the CSD-1 sewer collector.
10. Sewer service laterals will not be permitted to connect directly to the upgraded 21" diameter trunk sewer line on 20<sup>th</sup> Avenue. Design of all CSD-1 sewer facilities shall be coordinated with and approved by CSD-1.

**CITY UTILITIES**

11. Either provide separate sanitary sewer and metered domestic water services to each parcel to the satisfaction of the Department of Utilities or 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 Parcel 2 shall convey to Parcel 1, as needed, private easements for water and sanitary sewer services at no cost 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 # (BOOK \_\_\_, PAGE\_\_\_)."**

The existing services crossing proposed Parcel 2 may be retained for use by Parcel 1 or Parcel 2 at the time of building permit of Parcel 2. If the existing water service is not reused for Parcel 2 or retained for use by Parcel 1, then the water service shall be abandoned to the satisfaction of the Department of Utilities.

12. Existing water and sanitary sewer services for Parcel 1 will be permitted to cross Parcel 2 in the existing location until a building permit is obtained for Parcel 2. At the time of a building permit for a structure on Parcel 2 the location of the existing water and sanitary sewer services for Parcel 1 shall be located to the satisfaction of the Department of Utilities and CSD-1.
13. Only one domestic water service is allowed per parcel. Any new domestic water services shall be metered.
14. 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. No grading shall occur until the grading plan has been reviewed and approved by the Department of Utilities.
15. 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 Department of Utilities.
16. 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.
17. 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.

**PPDD: Parks**

18. The Applicant shall comply with City Code 16.64 (Parkland Dedication) and dedicate a park site at a location deemed acceptable to the City's PPDD; **and/or**, as determined by PPDD, request the City have prepared, at the applicants expense, a fair market value appraisal of the property to be subdivided and pay the required parkland dedication in lieu fees or, as an alternative to the appraisal process, pay the required parkland dedication in lieu fees based on the Community Planning Area "fixed market value " per acre of land as adopted by Sacramento City Council.
19. The applicant must provide proof they have initiated and completed the formation of a parks maintenance district (assessment or Mello-Roos special tax district), or annexed the project to an existing parks maintenance district prior to recording a Final (Parcel) Map. The applicant shall pay all city fees for formation of or annexation to special districts. The purpose of the district is to equitably spread the cost of neighborhood park maintenance on the basis of special benefit, in the case of an assessment district. In the case of a special tax district, the

cost will be spread based upon the hearing report, which specifies the tax rate and method of apportionment. (Contact Development Services Department, Special Districts, Project Manager).

### **MISCELLANEOUS**

20. Any existing underground utilities (Water & Sewer) that cross the new parcel line shall be either removed or relocated or a private easement provided to the satisfaction of the Department of Utilities and CSD-1.
21. The existing detached garage located on Parcel 2 shall be removed because no lot may be utilized solely by a detached accessory structure or use.
22. The applicant shall provide the either a garage or parking pad (minimum dimensions of 10' by 20') for the existing single-family residence on parcel 1.

### **ADVISORY NOTES:**

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

23. 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.
24. Any use of CSD-1 sewer easements, which is not compatible or interferes with the construction, reconstruction, operation, maintenance, or repair of the District's sanitary sewer(s), shall not be allowed. Each proposed use shall be reviewed and approved in writing by the District Engineer prior to the use of the easement by the Grantor. This includes landscaping.
25. Developing this property may require the payment of additional sewer impact fees. Applicant should contact the Fee Quote Desk at 876-6100 for sewer impact fee information.

### **Findings of Fact – Tentative Map**

1. The Tentative Subdivision Map is consistent with the General Plan which designates the subject site as Low Density Residential 4-15 du/na.
2. All existing streets and/or utility easements of record are reserved. The Tentative Subdivision Map will not result in the abandonment of any street or utility easement of record.
3. The Tentative Subdivision Map will not eliminate or reduce in size the access way to any resulting parcel.
4. The resulting parcels from the Tentative Subdivision Map conform to the requirements of this Subdivision Ordinance, Chapter 40, the City's General Plan, and the City's Comprehensive Zoning Code.

### **Findings of Fact – Subdivision Modification: Lot Depth**

1. 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. 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.
4. 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.

**Findings of Fact – Subdivision Modification: Lot Size**

1. 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. 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.
4. 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.

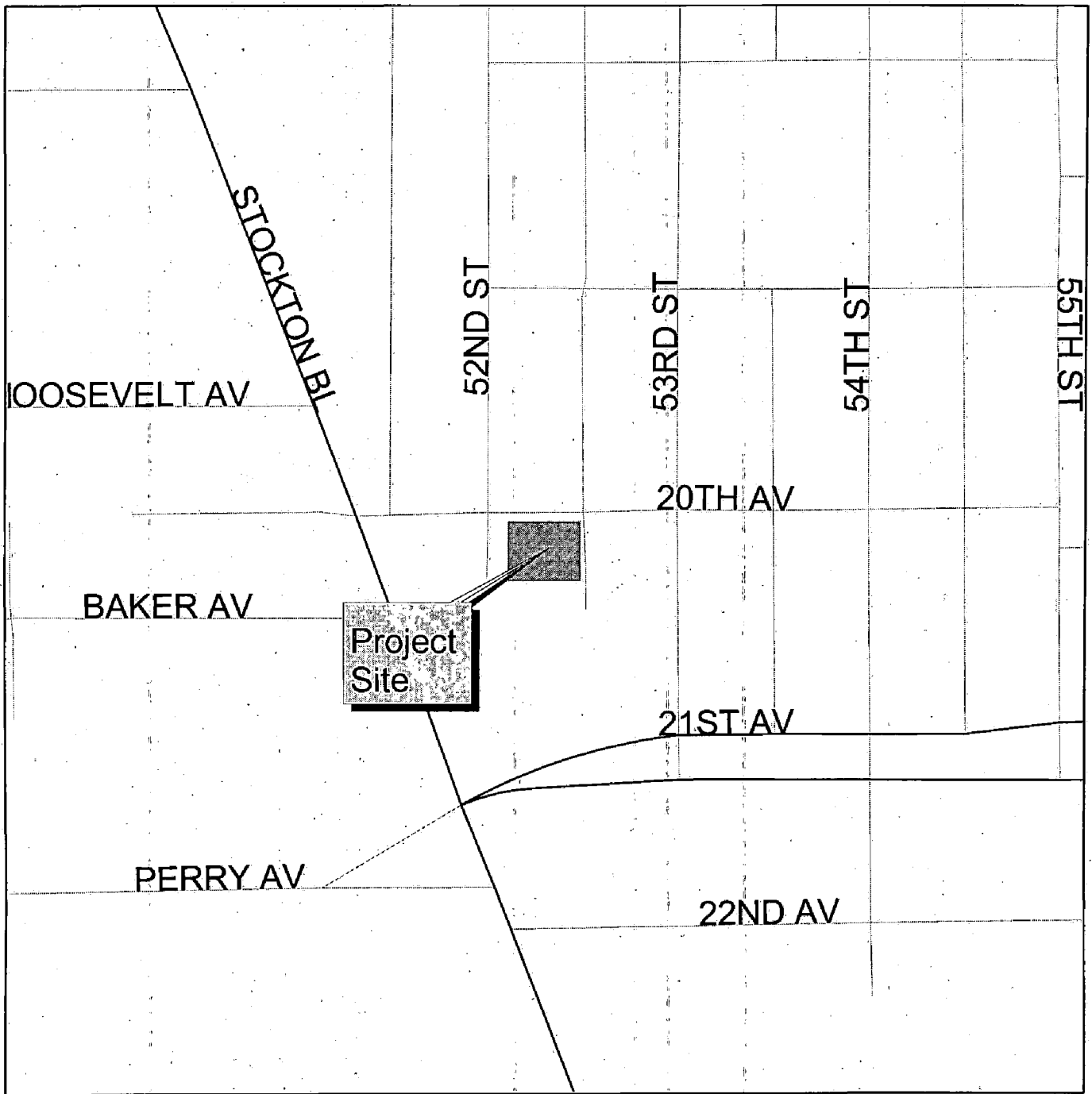


Joy D. Patterson  
Zoning Administrator

The Tentative Map that is granted must be finalized within two years after such tentative map is approved. If such map is not so finalized the Tentative Map shall be deemed to have expired and shall be null and void. The decision of the Zoning Administrator may be appealed to the Planning Commission. An appeal must be filed within 10 days of the Zoning Administrator's hearing. If an appeal is not filed, the action of the Zoning Administrator is final.

Note: The applicant will need to contact the Development Engineering and Finance Division (Jerry Lovato, 808-7918) after the appeal period is over to submit for a Final Map.

cc: File (original)  
ZA Log Book  
Applicant  
Development Engineering (Jerry Lovato)



0 200 400 Feet



Development Services  
Department

Geographic  
Information  
Systems

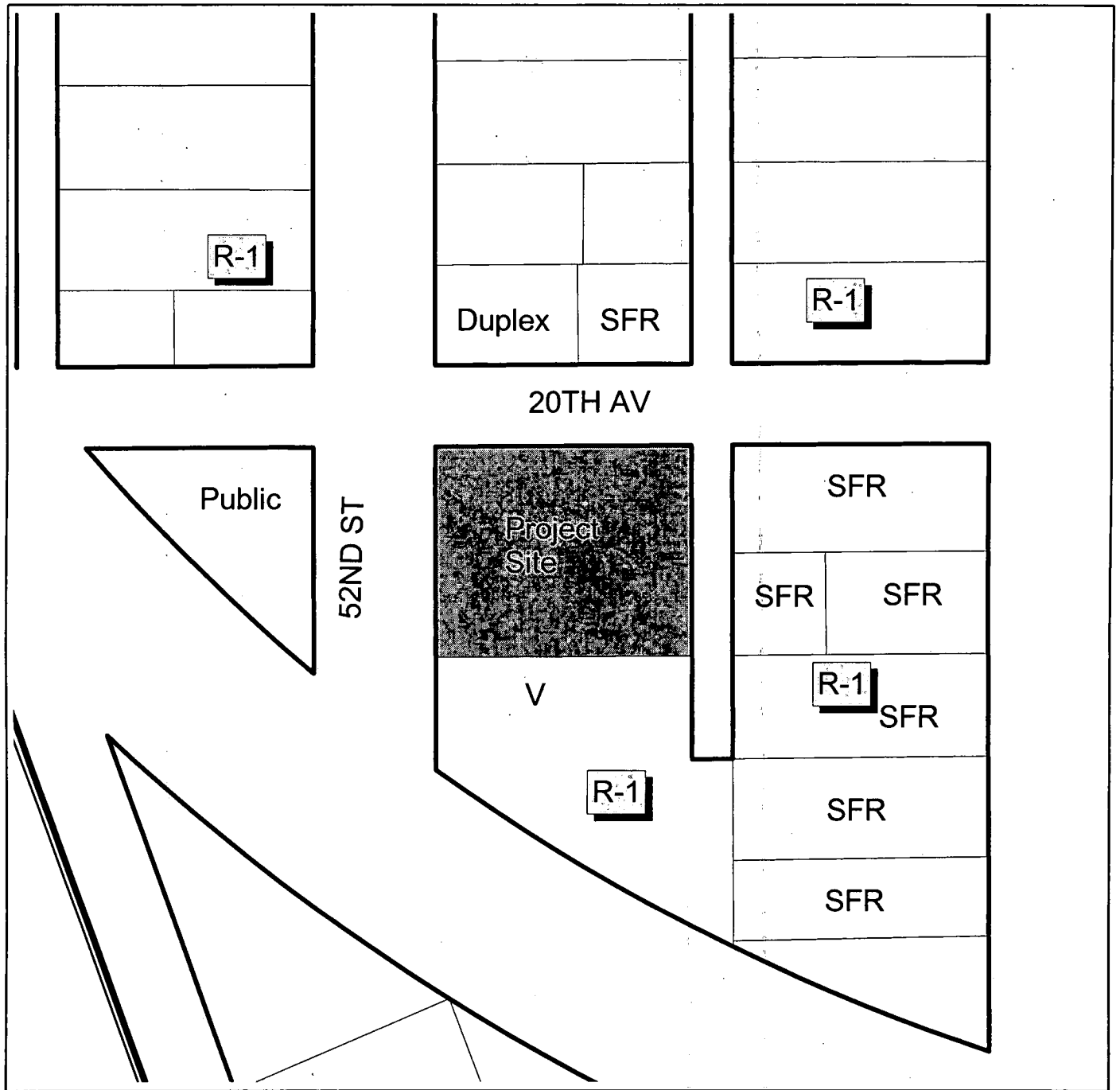
## Vicinity Map




Z04-287

March 2, 2005

Item 5

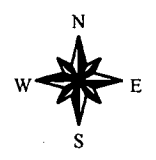




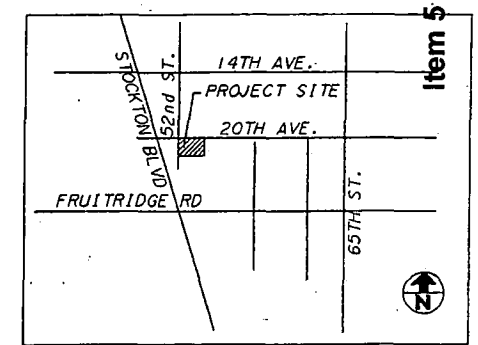
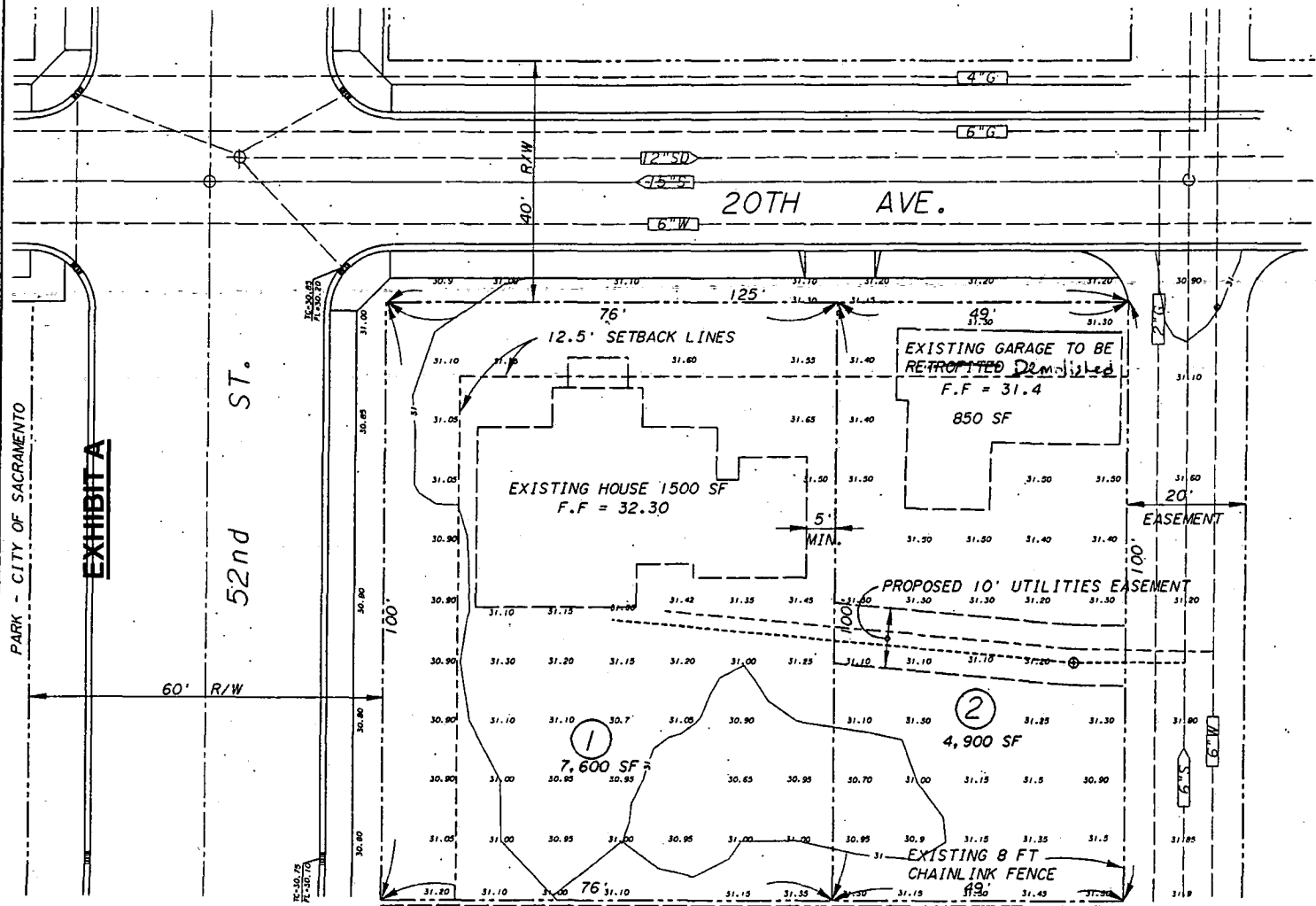
Development Services  
Department

Geographic  
Information  
System

# Land Use & Zoning





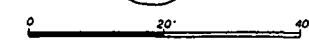


VICINITY MAP  
NTS

INFORMATION	
SUBDIVISION NAME	5200 20TH AVE.
OWNERS	Mr. and Mrs. Le 6924 Sandy Grove Way ELK GROVE, CA 95759 Phone (916) 684-9631
CIVIL ENGINEER & SUBDIVIDER	Mr. D. NGUYEN - RCE No. 44566 5525 Rightwood Way SACRAMENTO, CA 95823 Phone (916) 393-8329
PRESENT ZONING	R 1
PRESENT USE	RESIDENTIAL
PROPOSED ZONING	R 1
PROPOSED USE	RESIDENTIAL
NUMBER OF LOTS	2
NET GROSS AREA OF PROPERTY	12,500 SF
SCHOOL DISTRICT	SACRAMENTO CITY UNIFIED SCHOOL DISTRICT
WATER	SACRAMENTO CITY
SANITARY (SEWER)	SACRAMENTO COUNTY
STORM DRAINAGE	SACRAMENTO CITY
FLOOD CONTROL	SACRAMENTO CITY

**NOTE:**

ALL EXISTING PUBLIC UTILITIES, CURB & GUTTER AND SIDEWALKS ARE SHOWN AROUND THE PROPERTY.



COLONIAL HEIGHTS LIBRARY- CITY OF SACRAMENTO  
4799 STOCKTON BLVD  
021-282-012  
TENTATIVE MAP  
Scale: 1" = 10'

March 2, 2005

Z04-287

ENGINEER: D. NGUYEN	DATE: AUGUST 22, 2004	APN: 021-282-013	CITY OF SACRAMENTO	SHEET: 1
DRAWN A.L.L.	DATE: AUGUST 22, 2004	PROPERTY ADDRESS: 5200 20th AVE. SACRAMENTO CA 95820	TENTATIVE MAP	1
APPROVED: [Signature]	DATE: 8/23/04			