



# REPORT TO COUNCIL

## City of Sacramento

# 16

915 I Street, Sacramento, CA 95814-2604  
www.CityofSacramento.org

Public Hearing  
**September 23, 2008**

Honorable Mayor and  
Members of the City Council

**Title:** Call-up of Azusa Street Tentative Map (P06-074)

**Location/Council District:** 1141 and 1151 Azusa Street, Assessor's Parcel Numbers 274-0091-001, 002; Council District 1

**Recommendation:** Conduct a public hearing and upon conclusion adopt 1) a **Resolution** adopting the Negative Declaration and approving the Mitigation Monitoring Program (MMP), and 2) a **Resolution** approving the project.

**Contact:** Mark Kraft, Associate Planner, (916) 808-8116; Lindsey Alagozian, Senior Planner, (916) 808-2659

**Presenter:** Lindsey Alagozian

**Department:** Development Services

**Division:** Current Planning

**Organization No:** 21001010

### **Description/Analysis**

**Issue:** The applicant is requesting a tentative map to subdivide two parcels into seven parcels in the Standard Single Family (R-1) zone. The project also requires a subdivision modification to create lots less than 52 feet wide, a subdivision modification to create lots less than 100 feet deep, and a subdivision modification to create lots less than 5,200 square feet in size. The lots are proposed to be accessed from Azusa Street via a T court. The proposal was approved by the Planning Commission on July 10, 2008; however, Mayor Fargo called-up the project on July 21, 2008 for review by the City Council.

**Policy Considerations:** The project is consistent with the land use designations and applicable policies of the General Plan and the South Natomas Community Plan. It also conforms to the General Plan Update Vision and Guiding Principles to include a mix of housing types within neighborhoods to promote a diversity of household types and choices for the goal of promoting stable neighborhoods.

**Committee/Commission Action:** On July 10, 2008, the Planning Commission by a vote of 3-4, voted against a motion to continue the item to the August 14 Planning



Commission meeting. The intent of this motion was to give the applicant time to evaluate the financial feasibility of reducing the proposed number of lots from seven to five. The Planning Commission then voted 5-2 to approve the project as proposed.


**Environmental Considerations:** Environmental Planning Services has determined that the project, as proposed may have potentially significant impacts to the environment; however mitigation measures have been incorporated in the project to reduce these impacts to a less than significant level. Therefore, a Mitigated Negative Declaration has been prepared. In compliance with Section 15070(B)1 of the California Environmental Quality Act (CEQA) Guidelines, mitigation measures have been identified that are either incorporated into project plans or have been identified to reduce impacts to a less-than-significant level. These mitigation measures address biological resources, noise and cultural resources. The mitigation measures are listed in the attached Mitigation Monitoring Plan (Exhibit A). The Mitigated Negative Declaration was available for public review during the period of Wednesday, November 7, 2007 to Thursday, December 6, 2007. At the time of preparation of this staff report, no comment letters on the Mitigated Negative Declaration have been received.

**Rationale for Recommendation:** While the project does require subdivision modifications for lot width, depth and area, the project is consistent with the density range specified for the site in the South Natomas Community Plan and the City's General Plan. The project is also consistent with General Plan and Community Plan policy supporting infill housing development. Furthermore, staff has determined that the proposed lots are of adequate size to construct average sized homes with adequate setback and yard area.

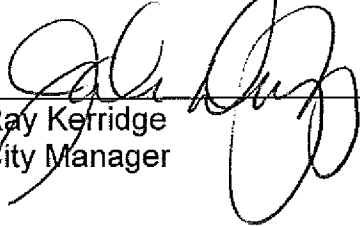
**Financial Considerations:** This report has no fiscal considerations.

**Emerging Small Business Development (ESBD):** No goods or services are being purchased under this report.

Respectfully Submitted by:   
David Kwong  
Planning Manager

Approved by:   
William Thomas  
Director of Development Services

Recommendation Approved:

  
Ray Kerridge  
City Manager

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## **Attachment 1- Project Background**

### **Policy Considerations:**

#### **General Plan Goals and Policies:**

The General Plan designates the subject parcel as Low Density Residential (4-15 du/na). Development under this designation will consist of single-family detached units, duplexes, halfplexes, townhouses, condominiums, zero lot line units and cluster houses. The project, which proposes single-family detached units, is within the General Plan's Low Density Residential range. Applicable General Plan goals and policies include:

General Plan Element, Policy 2, Sec 1-30

It is the policy of the City that adequate housing opportunities be provided for all income households and that projected housing needs are accommodated.

Residential Land Use Element, Goal C, Sec 2-15

Develop residential land uses in a manner which is efficient and utilizes existing and planned urban resources.

Housing Element, Goal 1, Sec 3-10.2

Provide adequate housing sites and opportunities for all households.

Staff believes the proposal is consistent with the above goals and policies and supports the proposal.

#### **South Natomas Community Plan:**

The South Natomas Community Plan designates the site as Low Density Residential (4-8 du/na). The proposed density for this site is 8 units per net acre, consistent with this designation. The proposed subdivision is supportive of numerous goals and policies of the South Natomas Community Plan. The applicable goals and policies are listed below:

- Provide housing of varied types, densities, and prices, arranged to enhance neighborhood identity, to create and maintain family-oriented environments, and to avoid visual monotony (p. 6).
- Maintain single-family housing type residential dominance east of Interstate 5 (p. 6).
- Preserve the low density character of Gardenland but encourage use of deep-lot regulations or infill incentives on large parcels in order to use the land more efficiently (p. 6).
- The Gardenland neighborhood is designated as high priority for all types of rehabilitation and scattered site and mixed income construction while the remainder of the community is designated as "suitable for new housing of all types" (p. 10).

- Gardenland is designated as an infill area to encourage use of the City's infill development ordinance (p. 12).
- Where possible, further subdivision is encouraged over deep lot development. However, subdivision of parcels is encouraged whenever possible (p. 13).

Staff believes the proposal is consistent with the above policies, therefore staff is supportive of the applicant's proposal.

### **General Plan Update Vision and Guiding Principles:**

While the City's General Plan is being updated, the City Council has adopted a vision for the future of the City as well as several guiding principles to help achieve this vision. This was done to ensure that new developments submitted during the ongoing update comply with the goals and policies that are being incorporated into the General Plan through the update. The applicable guiding principles this proposal complies with include:

1. Include a mix of housing types within neighborhoods to promote a diversity of household types and housing choices for residents of all ages and income levels in order to promote stable neighborhoods.
2. Promote strategic development of vacant, underutilized, and infill land, especially along transportation and commercial corridors, to improve the city's economic outlook.
3. Promote designs for development that are compatible with the scale and character of Sacramento's existing neighborhoods.

### **Zoning**

The project site is zoned Standard Single Family Residential (R-1). This is a low density residential zone composed of single-family residences. Approximate density is six to eight dwelling units per acre. The development proposed proposes a density of 8 units per acre and is therefore consistent with zoning regulations.

### **Tentative Map design**

The Tentative Map will create 7 lots on .94+ acres. Staff's position is that the proposed subdivision is compatible with existing and proposed single family subdivisions in the area. Preservation of existing trees on the site caused a redesign of the original project, placing the street at the east end of the site with the court accessing lots 4 and 5. Surrounding development limits the possibility of providing public street connectivity to adjoining parcels; therefore staff believes that the proposed design makes the most efficient use of the property given existing constraints. The design allows for the construction of necessary utilities, and does not to preclude or hinder development of parcels adjacent to the project site.

In order to approve a Tentative Map, the City Council must make the following findings:

1. None of the conditions described in Government Code Section 66474, subsection (a) through (g), inclusive, exist with respect to the proposed subdivision as follows:

a. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the City's General Plan, all applicable community and specific plans, and Title 16 of the City Code, which is a specific plan of the City;

b. The site is physically suitable for the type of development proposed and suited for the proposed density;

c. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife their habitat;

d. The design of the subdivision and the type of improvements are not likely to cause serious public health problems;

e. The design of the subdivision and 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.

2. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the City General Plan, the South Natomas Community Plan and Title 16 Subdivisions of the City Code, which is a specific plan of the City (Gov. Code §66473.5);

3. The discharge of waste from the proposed subdivision into the existing community sewer system will not result in a violation of the applicable waste discharge requirements prescribed by the California Regional Water Quality Board, Central Valley Region, in that existing treatment plants have a design capacity adequate to service the proposed subdivision (Gov. code §66474.6);

4. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities (Gov. Code §66473.1);

5. The City Council has considered the effect of the approval of this tentative subdivision map on the housing needs of the region and has balanced these needs against the public service needs of its residents and available fiscal and environmental resources (Gov. Code §66412.3).

Staff believes that the Council can make the above findings for the proposed project, given that the project falls within the density range specified by the General Plan, South Natomas Community Plan, and zoning designations for the site, and the project is in an established urban area, and thus will not injure fish or wildlife habitat or forfeit potential agricultural land.

Following is a summary of the lot design on the tentative map:

Lot No:	Lot Size	Lot Dimensions	Description
1	5576 + square feet	95' x 60'	New Single Family Home
2	4443 + square feet	95' x 47'	New Single Family Home
3	4225 + square feet	95' x 50'	New Single Family Home
4	4312+ square feet	72' x 54'	New Single Family Home
5	4574+ square feet	76' x 62'	New Single Family Home
6	5227+ square feet	102' x 51'	New Single Family Home
7	5576+ square feet	102' x 56'	New Single Family Home

**Vehicular Circulation:** The property fronts on Azusa Street, and the parcels will be accessed via a private drive, Salvador Court.

**Pedestrian Circulation:** The project will be conditioned to provide curb, gutter and sidewalk per City standards to the satisfaction of the Development Engineering Division along Azusa Street adjacent to the project.

**Walls, Fencing & Trees:** No fencing or gate is shown abutting Azusa Street; however, any gates abutting Azusa Street will be subject to Special Permit approval. No Heritage Trees were identified on the subject site. On-site trees required to be preserved by the City Arborist have been preserved by the proposed design.

**Subdivision Modifications**

Per the Subdivision Ordinance, no subdivision shall create lots which are impractical for improvement or use due to steepness of terrain, location of water courses, size, shape, inadequate frontage or access or building area or other physical condition. In evaluating subdivision modifications, the Council is required to make the following findings:

1. That 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. That the cost to the subdivider of strict or literal compliance with the regulation is not the sole reason for granting the modification;
3. That the modification will not be detrimental to the public health, safety or welfare or be injurious to other properties in the vicinity;
4. That 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.

The proposed tentative map requires Subdivision Modifications for lot width, depth, and size as detailed below on Table 3:

Table 3 – Non-Standard Sized Lots Summary			
Lot No.:	Lot Size:	Lot Dimensions:	Non-Standard Description:
1	5576± square feet	95' x 60'	Depth below 100 feet
2	4443± square feet	95' x 47'	Depth below 100 feet Width below 52' Size below 5200 sf
3	4225± square feet	95' x 50'	Depth below 100 feet Width below 52' Size below 5200 sf
4	4312± square feet	72' x 54'	Depth below 100 feet Size below 5200 sf
5	4574 + square feet	76' x 62'	Depth below 100 feet Size below 5200 sf
6	5227 + square feet	102' x 51'	Width below 52'
7	5576 + square feet	102' x 56'	NA

The applicant is requesting a subdivision modification for lot width, depth, and size. It is staff's position that, given the size and configuration of the property, the proposed subdivision is the best method of utilizing the existing property. The applicant has submitted a site plan and floor plans demonstrating that the lots are of adequate size to construct average sized homes and provide adequate setback and yard area. Staff therefore believes that the Council can make the above cited findings for the proposal and supports the subdivision modifications.

#### Subdivision Review Committee

On October 17, 2007, the Subdivision Review Committee, with all ayes, voted to recommend approval of the proposed Tentative Map, subject to conditions of approval as found in Attachment 1.

#### Height, Bulk and Setbacks

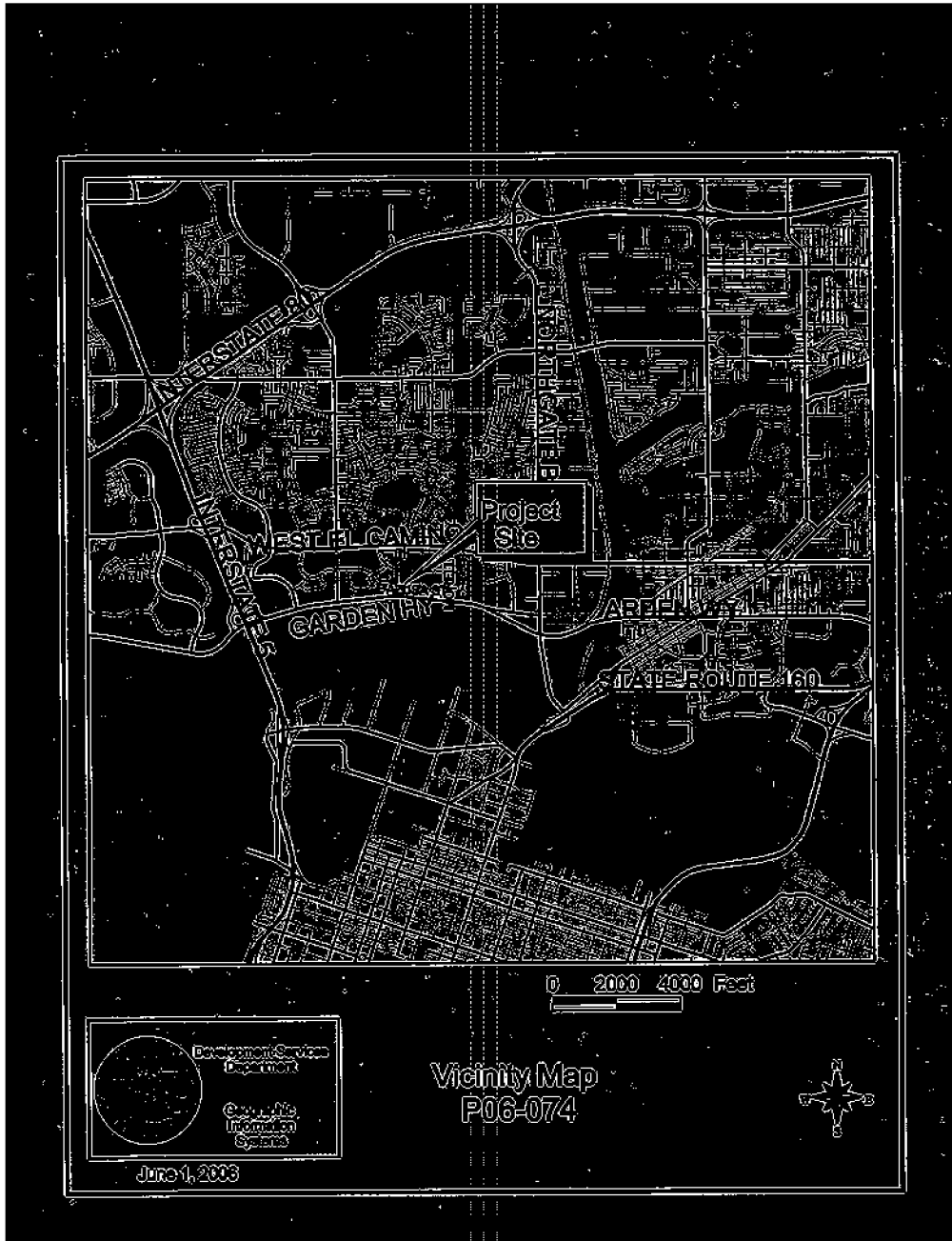
The applicant is not requesting construction of the homes on the created parcels at this

time, so staff is not approving house plans per the applicant's request. However, to ensure that the homes will meet the necessary zoning requirements, staff has provided the following analysis, shown on Table 4.

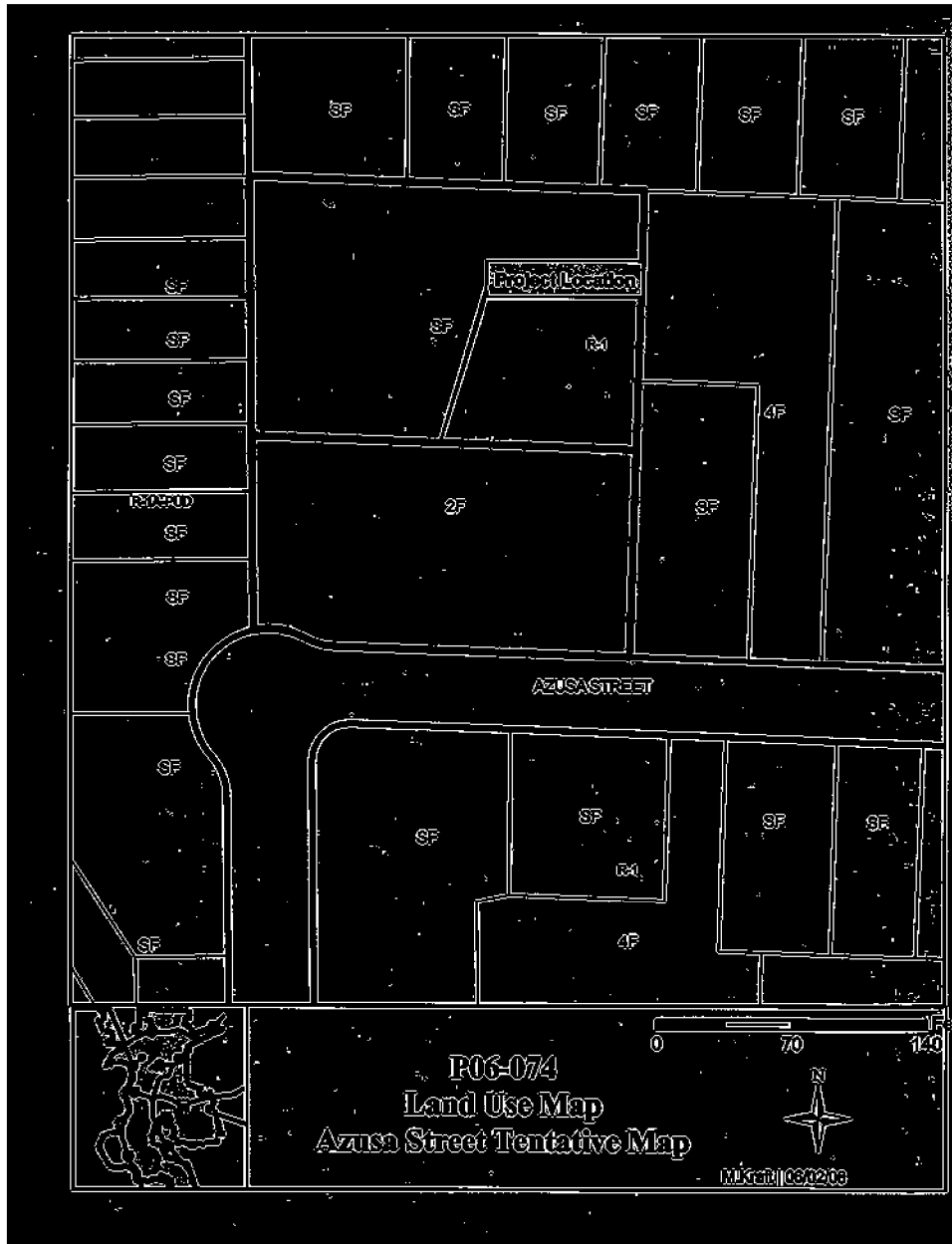
	Req.	Lot 1	Lot 2	Lot 3	Lot 4	Lot 5	Lot 6	Lot 7
Height	35' max	*	*	*	*	*	*	*
Interior Side	5' min	5'	5'	5'	5'	5'	5'	5'
Street side	12.5' min	20'	NA	NA	NA	NA	NA	20'
Rear	15' min	15'	15'	15'	15'	15'	32'	27'
Lot Coverage	40% max	36%	35%	33%	35%	38%	27%	28%

\*Elevations were not provided for this application, however, the homes would be limited to 35 feet in height.

The site plans depict garages forward which will not meet design review criteria for the Expanded North Area Review Checklist, particularly for lots 2 and 3, and the homes will require additional review. Staff would encourage the applicant to redesign the homes for Lots 2 and 3 in order to meet the Single Family Design Review checklist. However, as shown in the table above, the lots provided are capable of accommodating homes which meet height, bulk and setback requirements of City Code.



Attachment 3



**Attachment 4**

**RESOLUTION NO.**

Adopted by the Sacramento City Council

**ADOPTING THE MITIGATED NEGATIVE DECLARATION AND THE MITIGATION MONITORING PROGRAM FOR THE AZUSA PROJECT (P06-074)**

**BACKGROUND**

- A. On July 10, 2008, the City Planning Commission conducted a public hearing on and approved with conditions the Azusa Project (P06-074).
- B. On July 21, 2008, the Azusa Project was called-up for hearing before the City Council under Sacramento City Code section 17.200.040.
- C. On September 23, 2008 the City Council conducted a public hearing, for which notice was given pursuant Sacramento City Code Section 17.200.010(C)(2)(d) and received and considered evidence concerning the Azusa Project (P06-074).

**BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:**

Section 1. The City Council finds as follows:

A. The Project initial study identified potentially significant effects of the Project. Revisions to the Project made by or agreed to by the Project applicant before the proposed mitigated negative declaration and initial study were released for public review were determined by City's Environmental Planning Services to avoid or reduce the potentially significant effects to a less than significant level, and, therefore, there was no substantial evidence that the Project as revised and conditioned would have a significant effect on the environment. A Mitigated Negative Declaration (MND) for the Project was then completed, noticed and circulated in accordance with the requirements of the California Environmental Quality Act (CEQA), the State CEQA Guidelines and the Sacramento Local Environmental Procedures as follows:

1. On November 7, 2007 a Notice of Intent to Adopt the MND (NOI) dated November 7, 2007 was circulated for public comments for 30 days. The NOI was sent to those public agencies that have jurisdiction by law with respect to the proposed project and to other interested parties and agencies, including property owners within 500 feet of the boundaries of the proposed project. The comments of such persons and agencies were sought.

2. On November 7, 2007 the project site was posted with the NOI, the NOI was published in the Daily Recorder, a newspaper of general circulation, and the NOI was posted in the office of the Sacramento County Clerk.

Section 2. The City Council has reviewed and considered the information contained in the MND, including the initial study, the revisions and conditions incorporated into the Project, and the comments received during the public review process and the hearing on the Project. The City Council has determined that the MND constitutes an adequate, accurate, objective and complete review of the environmental effects of the proposed project.

Section 3. Based on its review of the MND and on the basis of the whole record, the City Council finds that the MND reflects the City Council's independent judgment and analysis and that there is no substantial evidence that the Project will have a significant effect on the environment.

Section 4. The City Council adopts the MND for the Project.

Section 5. Pursuant to CEQA section 21081.6 and CEQA Guidelines section 15074, and in support of its approval of the Project, the City Council adopts a Mitigation Monitoring Program to require all reasonably feasible mitigation measures be implemented by means of Project conditions, agreements, or other measures, as set forth in the Mitigation Monitoring Program.

Section 6. Upon approval of the Project, the City's Environmental Planning Services shall file or cause to be filed a Notice of Determination with the Sacramento County Clerk and, if the project requires a discretionary approval from any state agency, with the State Office of Planning and Research, pursuant to section 21152(a) of the Public Resources Code and section 15075 of the State EIR Guidelines adopted pursuant thereto.

Section 7. Pursuant to Guidelines section 15091(e), the documents and other materials that constitute the record of proceedings upon which the City Council has based its decision are located in and may be obtained from, the Office of the City Clerk at 915 I Street, Sacramento, California. The City Clerk is the custodian of records for all matters before the City Council.

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Exhibit A: Mitigation Monitoring Program

EXHIBIT A  
MITIGATION MONITORING PLAN

MITIGATION MONITORING PLAN

**FOR:**  
Azusa Project (P06-074)

**PREPARED BY:**  
CITY OF SACRAMENTO  
DEVELOPMENT SERVICES DEPARTMENT  
ENVIRONMENTAL PLANNING SERVICES  
KRISTIN FORD  
808-8419

**TYPE OF ENVIRONMENTAL DOCUMENT:**  
**INITIAL STUDY/MITIGATED NEGATIVE DECLARATION**

**DATE:**  
September 13, 2007

**ADOPTED BY:**  
**CITY OF SACRAMENTO**  
**PLANNING COMMISSION**

**DATE:**

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**ATTEST:**

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**Azusa Project (P06-074)  
MITIGATION MONITORING PLAN**

This Mitigation Monitoring Plan (MMP) has been required by and prepared for the City of Sacramento Development Services Department, Environmental Planning Services, 2101 Arena Blvd., Ste. 200, Sacramento, CA 95834, pursuant to Public Resources Code of California, Statute, 21081.6.

**SECTION 1: PROJECT IDENTIFICATION**

**Project Name/File Number:** Azusa Project (P06-074)

**Owner/Developer/Applicant:** Tim Wong  
Wong and Associates  
10089 Folsom Boulevard, Suite A  
Rancho Cordova, CA 95670  
Phone: (916) 361-6926

**City of Sacramento Contact:** Kristin Ford, Assistant Planner  
Environmental Planning Services  
Development Services Department  
2101 Arena Blvd., Ste. 200  
Sacramento, CA 95834  
Phone: (916) 808-8419

**Project Location**

The proposed project site consists of approximately 1.2 acres (APN 274-0091-001 & 002) and is located at 1141 and 1151 Azusa Street. The site is located north of Garden Highway; west of Truxel Road, east of Northgate Boulevard and south of San Juan Road in Sacramento, California.

**Project Components**

The proposed project would subdivide two parcels into seven parcels in the Standard Single-Family (R-1) zone in the North Sacramento Community Plan Area.

**A. Tentative Map** to subdivide approximately 1.2 acre parcel into seven single family lots in the Standard Single-Family (R-1) zone;

**B. Subdivision Modification** for lot less than 100 feet deep.

**SECTION 2: GENERAL INFORMATION**

The Mitigation Monitoring Plan (MMP) includes mitigation for Biological and Cultural Resources. The intent of the Plan is to prescribe and enforce a means for properly and successfully implementing the mitigation measures as identified within the Initial Study/Mitigated Negative Declaration for this project. Unless otherwise noted, the cost of implementing the mitigation

measures as prescribed by this Plan shall be funded by the owner/developer/applicant identified above. This Mitigation Monitoring Plan (MMP) is designed to aid the City of Sacramento in its implementation and monitoring of mitigation measures adopted for the proposed project.

The mitigation measures have been taken verbatim from the Mitigated Negative Declaration/Initial Study and are assigned the same number they have in the document. The MMP describes the actions that must take place to implement each mitigation measure, the timing of those actions, and the entities responsible for implementing and monitoring the actions. The developer would be responsible for fully understanding and effectively implementing the mitigation measures contained with the MMP. The City of Sacramento, along with other applicable local, state or federal agencies, would be responsible for ensuring compliance.

VERIFICATION OF COMPLIANCE					
MITIGATION MEASURE	IMPLEMENTING RESPONSIBILITY	MONITORING RESPONSIBILITY	COMPLIANCE STANDARDS	TIMING	VERIFICATION OF COMPLIANCE (INITIALS/DATE)
<p><b>Biological Resources</b></p> <p>B-1a To mitigate impacts to Swainson's hawk and other raptors during the nesting season (March 15 through September 15), the project applicant(s) shall retain a qualified biologist to conduct preconstruction surveys and to identify active nests on and within 0.5 mile of the project site. The surveys shall be conducted prior to the approval of grading and/or improvement plans (as applicable) and no more than 30 days before the beginning of construction. To the extent feasible, guidelines provide in Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in the Central Valley (Swainson's Hawk Technical Advisory Committee 2000) shall be forwarded.</p>	Applicant	City of Sacramento Development Services Department;  California Department of Fish and Game	Mitigation Measures included on the construction plans and specifications. Pre-construction biological surveys shall be completed as specified and submitted with grading/building plans.	Prior to issuance of any grading or building permit, measures identified on plans shall be verified for compliance. The Development Services Department shall assure that measures are identified on construction plans and specifications and confirm compliance	

<p>if no nests are found, no further mitigation is required.</p> <p>If active nests are found, impacts to nesting Swainson's hawks and other raptors shall be avoided by establishment of appropriate buffers around the nests. No project activity shall commence within the buffer area until a qualified biologist confirm as that any young have fledged and the nest is not longer active. DFG guidelines recommend implementation of 0.25-mile buffers for most raptors and 0.5-mile buffers for Swainson's hawk, but the size of the buffer may be adjusted if a qualified biologist and the City in consultation with DFG, determine that such an adjustment would not be likely to adversely affect the nest. Monitoring of the nest by a qualified biologist during and after construction activities will be required if the activity has potential to adversely affect the nest.</p> <p>1b. Trees on the site that need to be removed to</p>				<p>prior to issuance of any grading or building permit. Measures shall also be implemented concurrent with construction activities. Prior to issuance of grading permit.</p>	
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<p>accommodate construction shall be felled between September 15 and January 31, outside of the general nesting season for raptors and other birds. Alternately, a pre-construction survey for nesting birds shall be conducted prior to tree removal between February 1 and September 15.</p> <p><b>Cultural Resources</b></p> <p>CR-1 The applicant shall hire a qualified archaeologist to conduct a records search for the project site, including a search of the North Central Information System at CSU Sacramento. The qualified archaeologist shall provide recommendations for mitigation should any resource be identified on the project site by the records search. Prior to issuance of grading permits, the applicant shall provide proof that the records search has been performed and that any cultural resources identified on the project site have been mitigated according to the recommendations of the</p>	<p>Applicant</p>	<p>City of Sacramento—DSD Native American Heritage Commission</p>	<p>Measures shall be included on all grading plans</p>	<p>Measure shall be implemented prior to issuance of grading permits and during construction activities.</p> <p>Measures shall be implemented during construction activities, as specified.</p>	
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<p>qualified archaeologist.</p> <p>CR-2a In the event that any prehistoric subsurface archeological features or deposits, including locally darkened soil ("middens"), that could conceal cultural deposits, animal bone, obsidian and/or mortars are discovered during construction-related earth-moving activities, all work within 50 meters of the resources shall be halted, and the City shall consult with a qualified archaeologist to assess the significance of the find. Archeological test excavations shall be conducted by a qualified archaeologist to aid in determining the nature and integrity of the find. If the find is determined to be significant by the qualified archaeologist, representatives of the City and the qualified archaeologist shall coordinate to determine the appropriate course of action. All significant cultural materials recovered shall be subject to scientific analysis and professional museum curation.</p>					
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<p>In addition, a report shall be prepared by the qualified archeologist according to current professional standards.</p> <p>CR-2b If a Native American site is discovered, the evaluation process shall include consultation with the appropriate Native American representatives.</p> <p>If Native American archeological, ethnographic, or spiritual resources are involved, all identification and treatment shall be conducted by qualified archeologists, who are certified by the Society of Professional Archeologists (SOPA) and/or meet the federal standards as stated in the Code of Federal Regulations (36 CFR 61), and Native American representatives, who are approved by the local Native American community as scholars of the cultural traditions.</p>					
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<p>In the event that no such Native American is available, persons who represent tribal governments and/or organizations in the locale in which resources could be affected shall be consulted. If historic archeological sites are involved, all identified treatment is to be carried out by qualified historical archeologists, who shall meet either Register of Professional Archeologists (RPA), or 36 CFR 61 requirements.</p> <p>CR-3 If a human bone or bone of unknown origin is found during construction, all work shall stop in the vicinity of the find, and the County Coroner shall be contacted immediately. If the remains are determined to be Native American, the coroner shall notify the Native American Heritage Commission, who shall notify the person most likely believed to be a descendant. The most likely descendant shall work with the contractor to develop a program for re-interment of</p>					
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the human remains and any associated artifacts. No additional work is to take place within the immediate vicinity of the find until the identified appropriate actions have taken place.

**RESOLUTION NO.**

Adopted by the Sacramento City Council

**APPROVING THE TENTATIVE MAP AND SUBDIVISION MODIFICATIONS FOR THE AZUSA STREET TENTATIVE MAP PROJECT LOCATED AT 1141 AND 1151 AZUSA STREET. (APNs: 274-0091-001,002) (P06-074)**

**BACKGROUND**

- A. On July 10, 2008, the City Planning Commission conducted a public hearing on and approved with conditions the Azusa Project (P06-074).
- B. On July 21, 2008, the Azusa Project was called-up for hearing before the City Council under Sacramento City Code section 17.200.040.
- C. On September 23, 2008 the City Council conducted a public hearing, for which notice was given pursuant Sacramento City Code Section 17.200.010(C)(2)(d) and received and considered evidence concerning the Azusa Project (P06-074).

**BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:**

Section 1. Based on the verbal and documentary evidence received at the hearing on the Azusa Street Tentative Map Project, the City Council approves the Project entitlements based on the findings of fact and subject to the conditions of approvalas set forth below.

Section 2. The City Council approves the Project entitlements based on the following findings of fact:

- A. The Tentative Map to subdivide two lots into seven lots in the R-1 zone is hereby approved based upon the following findings:
  - 1. None of the conditions described in Government Code Section 66474, subsection (a) through (g), inclusive, exist with respect to the proposed subdivision as follows:
    - a. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the City's General Plan, all

applicable community and specific plans, and Title 16 of the City Code, which is a specific plan of the City;

b. The site is physically suitable for the type of development proposed and suited for the proposed density;

c. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife their habitat;

d. The design of the subdivision and the type of improvements are not likely to cause serious public health problems;

e. The design of the subdivision and 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.

2. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the City General Plan, the South Natomas Community Plan and Title 16 Subdivisions of the City Code, which is a specific plan of the City (Gov. Code §66473.5);

3. The discharge of waste from the proposed subdivision into the existing community sewer system will not result in a violation of the applicable waste discharge requirements prescribed by the California Regional Water Quality Board, Central Valley Region, in that existing treatment plants have a design capacity adequate to service the proposed subdivision (Gov. code §66474.6);

4. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities (Gov. Code §66473.1);

5. The City Council has considered the effect of the approval of this tentative subdivision map on the housing needs of the region and has balanced these needs against the public service needs of its residents and available fiscal and environmental resources (Gov. Code §66412.3).

B. The Subdivision Modifications for lot width, depth, and size are hereby approved subject to the following findings;

1. The City Council finds that it 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.

Section 3. The City Council approves the Project entitlements subject to the following conditions of approval:

- A. The Tentative Map to subdivide two lots into seven lots in the R-1 zone is hereby approved subject to the following conditions:
  - A1. Pay off existing assessments, or file the necessary segregation requests and fees to segregate existing assessments.

#### DEVELOPMENT ENGINEERING

- A2. 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.
- A3. 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. 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.
- A4. All internal subdivision streets shall be constructed to a City Standard 41' cross-section. Salvador Street will require full dedication but only half-street improvements.
- A5. 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.

#### SMUD

- A6. Dedicate a standard 12.5 foot public utility easement (PUE) for underground facilities and appurtenances adjacent to all street right of ways.

#### CSD-1

- A7. 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.
- A8. Each lot and each building with a sewage source shall have a separate connection to the CSD-1 sewer system.
- A9. In order to obtain sewer service, construction of CSD-1 sewer infrastructure will be required.
- A10. Sewer easements will be required. All sewer easement shall be dedicated to CSD-1, in a form approved by the district engineer. All CSD-1 sewer easements shall be at least 20 feet in width and ensure continuous access for installation and maintenance. CSD-1 will provide maintenance only in public right-of-way's end in easements dedicated to CSD-1.
- A11. CSD-one requires their sewers to be located a minimum of 10 feet (measured horizontally from edge of pipe to edge of pipe) from all potable water of lines. Separation of sewer line from other parallel utilities such as storm drain and other 'dry' utilities (electrical, telephone, cable, etc.) shall be a minimum of 7 feet (measured horizontally from the center of pipe to the center of pipe). Any deviation from the above separation due to depth and roadway with must be approved by the District on a case-by-case basis. Prior to recording the Final Map, the applicant shall prepare a utility plan that will demonstrate that this condition is met.
- A12. All structures along private drives shall have a minimum 10 foot setback (measured horizontally from edge of collector pipe to edge of structure) so that CSD-1 can properly maintain the sewer line.

#### CITY UTILITIES

- A13. Provide separate metered domestic water services to each parcel. Any excess domestic water services must be abandoned to the satisfaction of the Department of Utilities (DOU). (Note: There are two existing water services located on proposed Lot 1. Excess domestic water service shall be properly abandoned to the satisfaction of the DOU. There is an existing 6" water main located on the west side outside of the west property line. There is also an existing 6" water main located in

Azusa Street. Water main connection shall be from the 6" main located in Azusa Street.)

- A14. A new fire hydrant may be required to the satisfaction of the DOU and the Fire Department.
- A15. 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.
- A16. 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 Department of Utilities (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.
- A17. 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.
- A18. 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 DOU.
- A19. This project is greater than 1 acre in size; therefore, the project is required to comply with the State "NPDES General Permit for Stormwater Discharges Associated with Construction Activity" (State Permit). To comply with the State Permit, the applicant will need to file a Notice of Intent (NOI) with the State Water Resources Control Board (SWRCB) and prepare a Stormwater Pollution Prevention Plan (SWPPP) prior to construction. A copy of the State Permit and NOI may be obtained from [www.swrcb.ca.gov/stormstr/construction.html](http://www.swrcb.ca.gov/stormstr/construction.html). The SWPPP will be reviewed by the DOU prior to issuing a grading permit. The following items shall be included in the SWPPP: (1) vicinity map, (2) site map, (3) list of potential pollutant sources, (4) type and location of erosion and sediment BMP's, (5) name and phone number of person responsible for SWPPP and (6) certification by property owner or authorized representative.

#### FIRE

- A20. Provide the required fire hydrants in accordance with CFC 903.4.2 and Appendix III-

## B, Section 5.

- A21. Provide a paved secondary access through to the Garden Highway. This project is located within a flood evacuation zone:

In determining the adequacy of a route of access, the deployment of fire equipment or other services under emergency conditions shall be considered (City Code 16.40.020)

Rescue Zones and Evacuation Zones. In addition to FEMA development standards, the following safety measures will be required in development within areas that are both rescue zones and evacuation zones in the 1996 flood management plan. New subdivisions shall have two or more vehicular ingress and egress points designed to facilitate evacuation and other emergency services where geographically feasible. (City Code 17.156.050.B.1)

## PPDD: Parks

- A22. 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.
- A23. 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. Special consideration should be given during the design phase of a development project to address the benefits derived from the urban forest by installing, whenever possible, large shade trees and thereby increasing the shade canopy

cover on residential lots and streets. Trees in the urban environment reduce air and noise pollution, furnish habitat for wildlife, provide energy saving shade and cooling, enhance aesthetics and property values, and contribute to community image and quality of life.

3. 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 \$36,922. This is based on seven (7) residential units and an average land value of \$295,000 per acre for the South Natomas Planning Area, plus an additional 20% for off-site park infrastructure improvements. 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 \$15,757. This is based on seven (7) units at the residential target infill rate of \$2,251 each. 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.
4. 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.
5. Per Sacramento City Code, water meters shall be located at the point of service which is located at the back of curb for separated sidewalks or the back of walk for connected sidewalks.
6. 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.
7. Gravity sewer may not be available to serve the entire project area due to shallow depth of existing 6 inch collector line in Azusa Street.
8. Existing Sacramento regional County sanitation District (SRCSD) facilities serving

of this proposed project are capacity constrained. Ultimate capacity will be provided by construction of the Lower Northwest and Upper Northwest interceptors, currently scheduled for completion in 2010. SRCSD is working to identify potential interim projects to provide additional capacity. SRCSD and County sanitation District 1 (CS D.-1) will issue sewer permits to connect to the system if it is determined that capacity is available at the property has met all other requirements for service. This process is "first come, first served". There is no guarantee that capacity will be available when actual requests for sewer service or made. Once connected the property has the entitlement to use the system. However, its entitlement is limited to the capacity accounted for by the payment of the appropriate SRCSD fees.

9. Developing this property will require the payment of sewer impact fees. Applicant should contact the Fee Quote Desk at 876-6100 for sewer impact fee information.
10. The homes will be subject to Design Review per the Expanded North Area Design Review Checklist.

**Table of Contents:**

Exhibits A-H: Tentative Map, Site Plan and Floor Plans

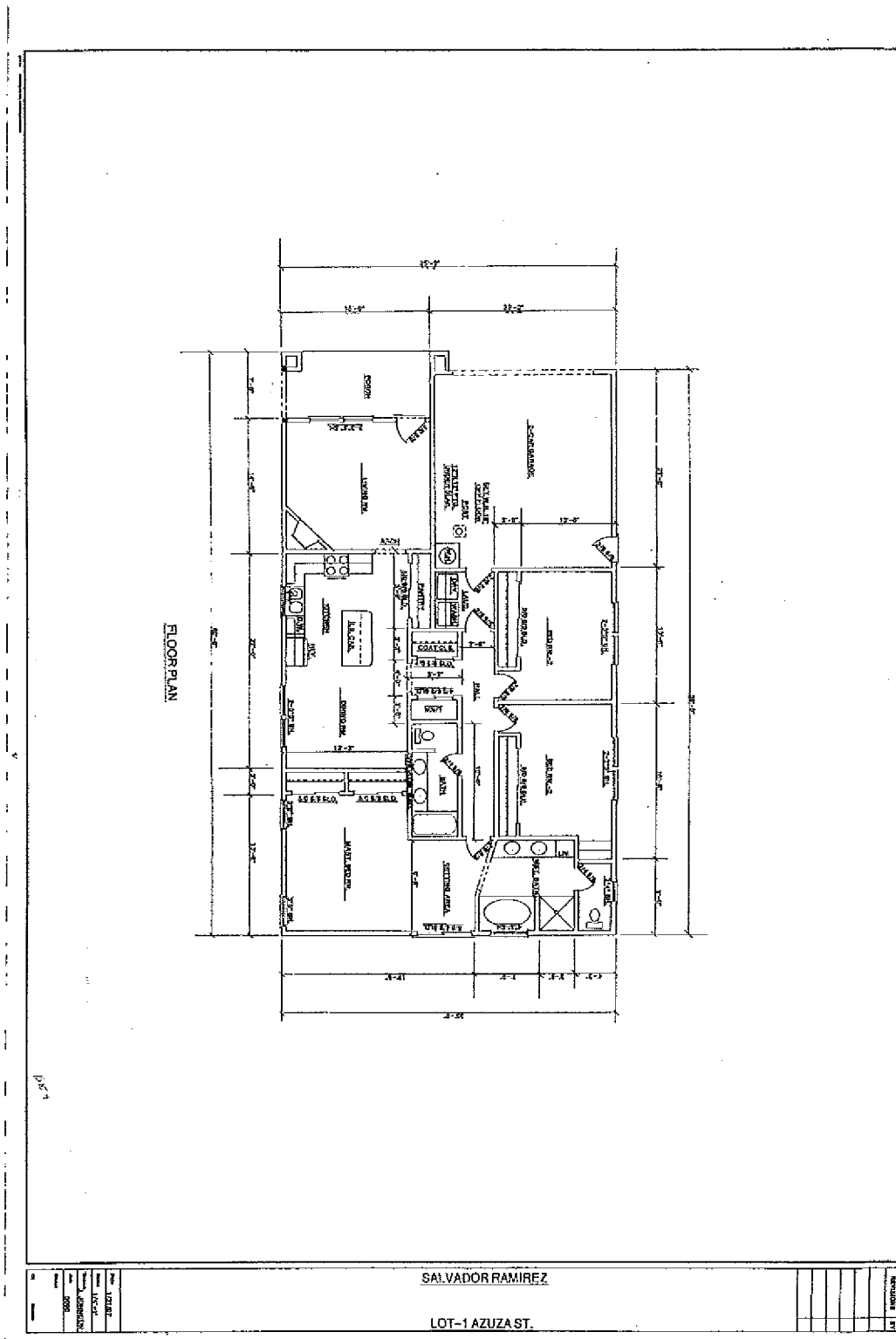


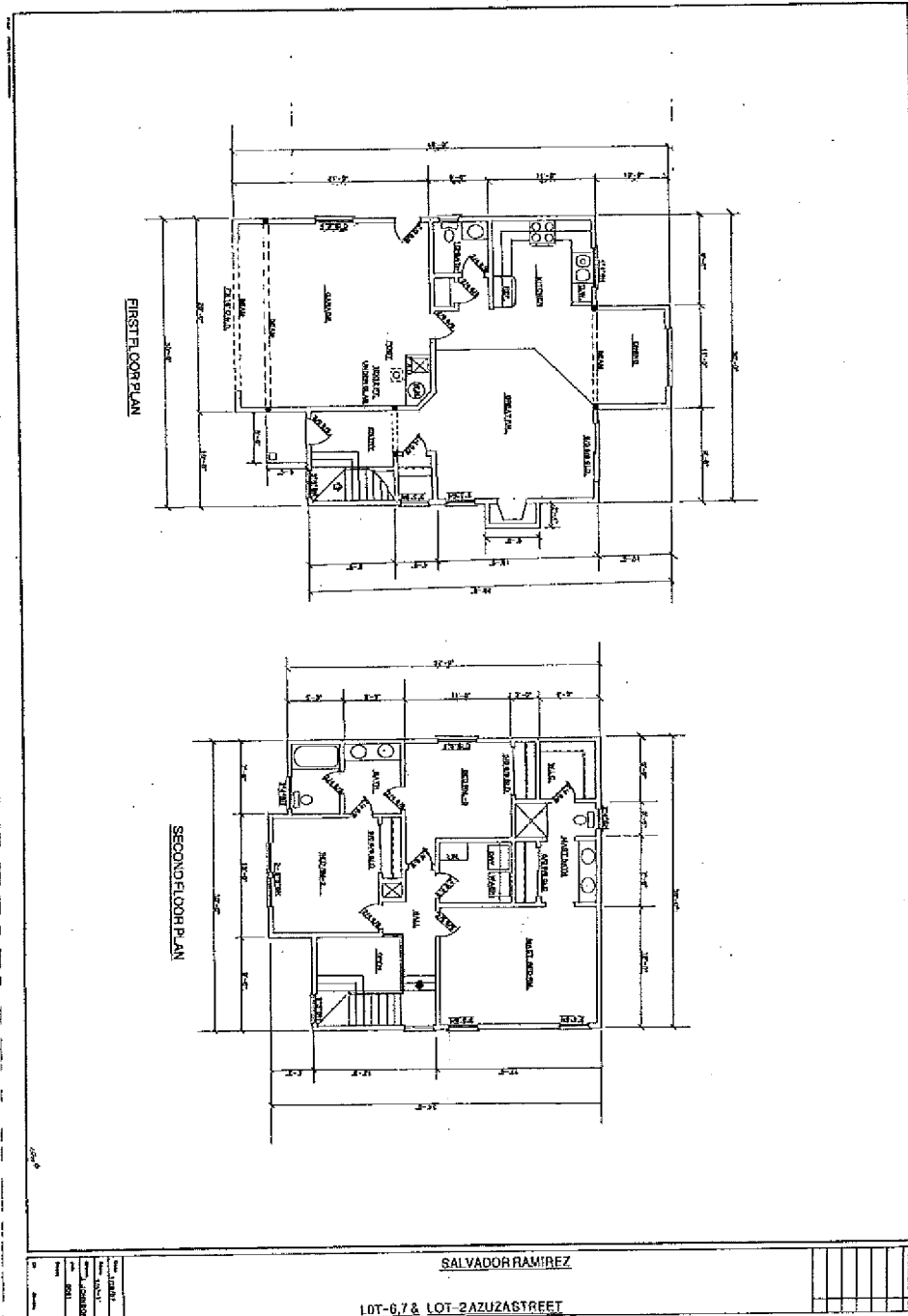






Exhibit D-Floor Plan Lot 1





SALVADOR RAMIREZ  
 10T-6.7 & LOT-2 AZUSA STREET

DATE	10/23/08
BY	SALVADOR RAMIREZ
PROJECT	10T-6.7 & LOT-2 AZUSA STREET
SCALE	AS SHOWN
REVISIONS	

NO.	DESCRIPTION

