

**COUNTY OF SACRAMENTO
CALIFORNIA**

ZONING ADMINISTRATOR REPORT

For the Agenda of:
July 20, 2016

To: Zoning Administrator

From: Department Of Community Development

Subject: PLNP2015-00267. Mendenhall Residential Accessory Dwelling. Request For A Use Permit To Allow A Residential Accessory Dwelling In The AR-1 Zone At 4522 Illinois Avenue In The Fair Oaks Community. Applicant: Steve Mendenhall. APN: 246-0141-051. Environmental Determination: Exempt

Supervisory
District(s): Peters

Contact: Ciara Atilano, Assistant Planner, 874-1628, atilanoc@saccounty.net

Request:

A Use Permit to allow an existing 857-square-foot pool house to be converted into a residential accessory dwelling on approximately 1.36 acres in the AR-1 (*Agricultural-Residential*) zone (SZC 5.4.5.C).

Applicant/Owner:

Steve Mendenhall
4522 Illinois Avenue
Fair Oaks, CA 95628

Summary of Key Points:

- The Use Permit will allow for an existing pool house to be used as a residential accessory dwelling.
- The property is serviced by a private drive way off of Illinois Avenue.
- This project meets all development standards per Section 5.4.5 of the Sacramento County Zoning Code (SCZC).
- The Fair Oaks Community Planning Advisory Council (CPAC) met on February 2, 2016 and recommended Approval (5 - 0) of the proposed project.

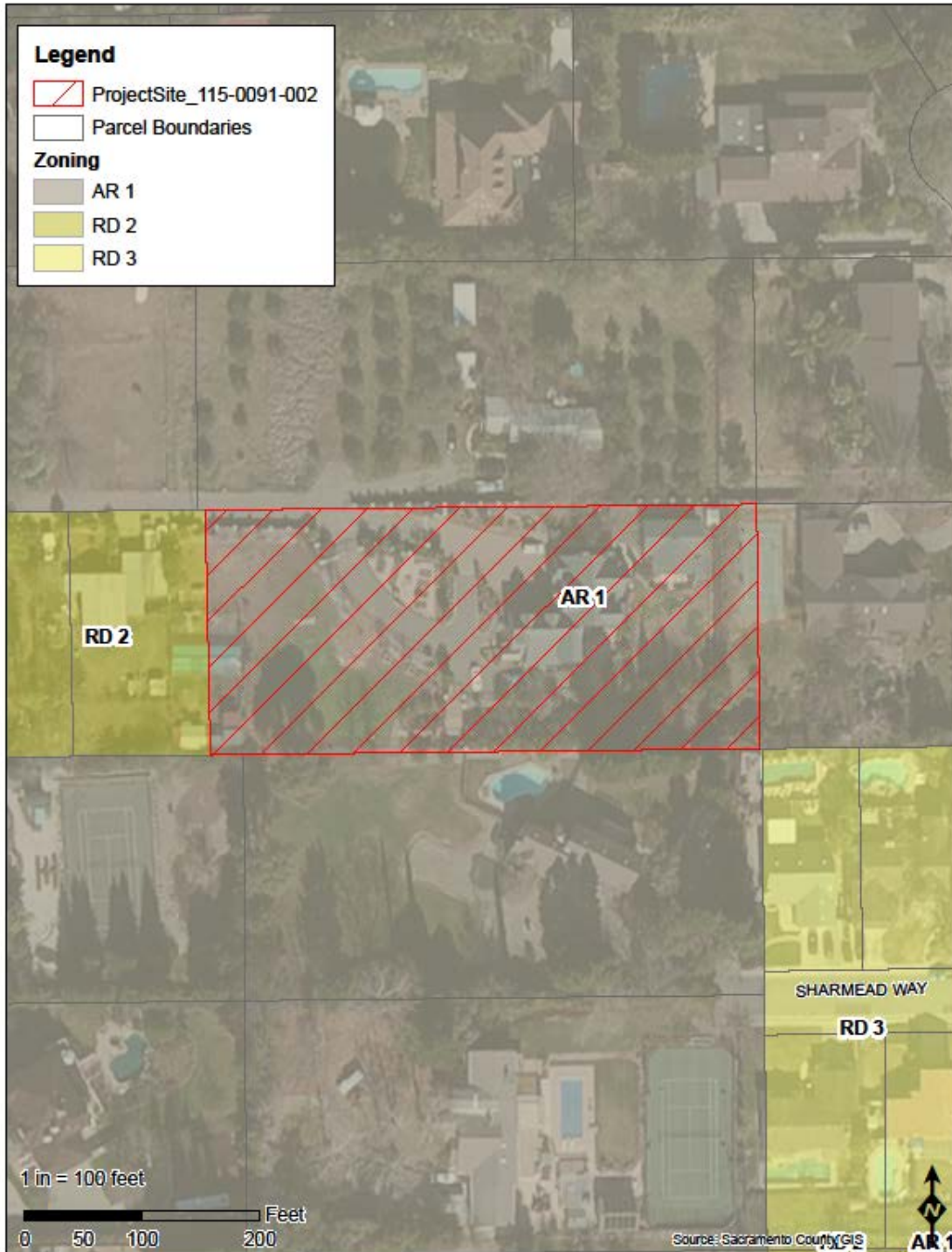
Recommendation:

1. Recognize the exempt status of the request under Section 15301 of the California Environmental Quality Act (CEQA).
2. Approve the requested entitlement for a Use Permit, as requested, subject to the findings and the conditions listed in Exhibit A (Recommended Findings and Conditions) of this report.
3. Mitigation Monitoring and Reporting Program: None

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MAPS

Project Site and Area Zoning



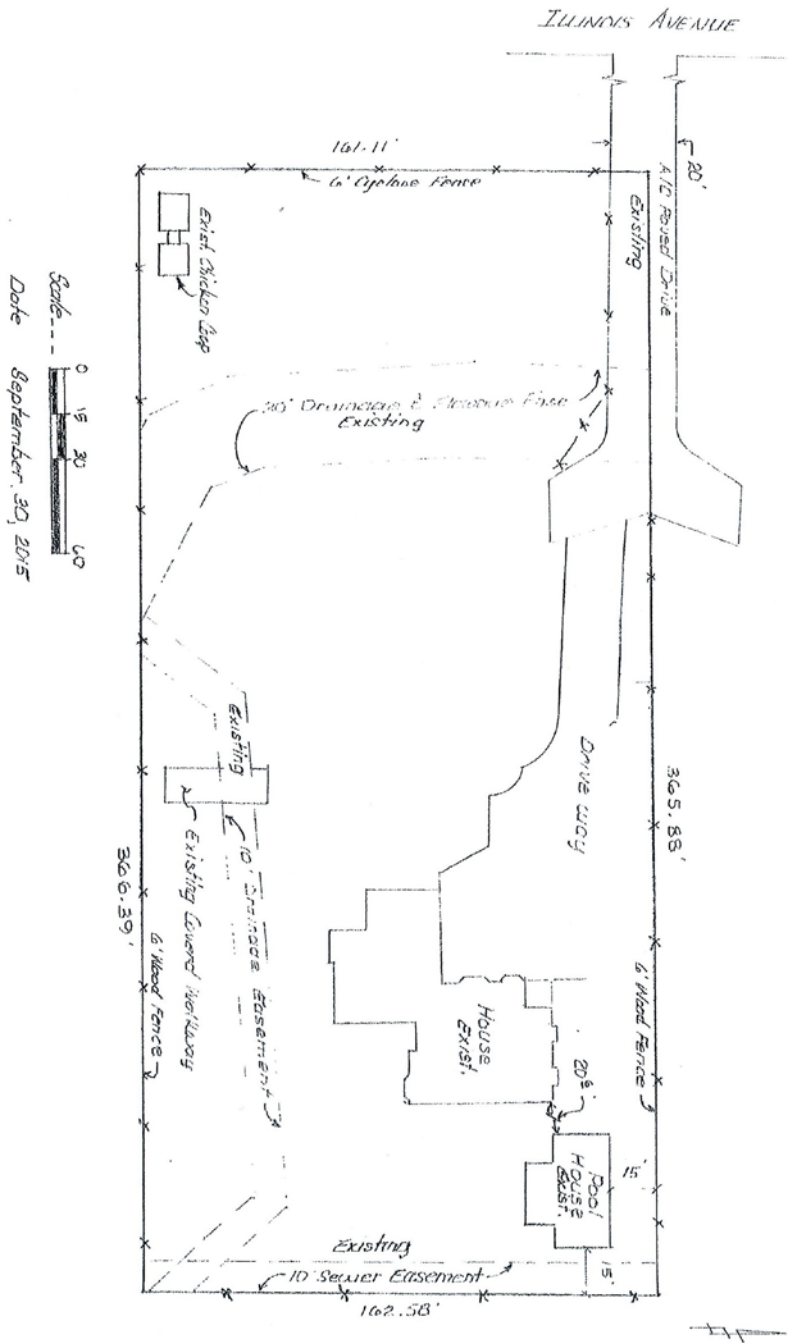
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Aerial View of Project Site



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Site Plan



SITE PLAN

4522 Illinois Avenue, Fair Oaks
County of Sacramento, California

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HISTORY/BACKGROUND

County record states that the property was originally established in 1895 through the Fair Oaks Tract Final Map (No. 003-024) and further divided into its current configuration in 2004 through a Parcel Map (No. 179-011). The property is zoned AR-1, an agricultural residential zone. The property is located in the Fair Oaks Community and is part of the Fair Oaks Community Plan. The parcel is 1.36 acres with an existing 2,913 square foot two-story primary home and an 857 square foot pool house. In August 2005, the County issued the applicant two building permits – one to build the single-family dwelling (CBN2005-02322) and the other to build the pool house (CBN2005-02323). Both dwellings were constructed concurrently and were completed in August 2007. The applicant is requesting to convert the pool house to an accessory dwelling. The current application for an accessory dwelling was submitted on November 23, 2015.

PROJECT DESCRIPTION

The applicant is requesting a Use Permit to allow an 857 square foot residential accessory dwelling on a 1.36-acre lot. The applicant proposes to convert an existing pool house into an accessory dwelling with the existing residence remaining the primary residence. The accessory dwelling will feature a large open living area, a bedroom space, a bathroom, and a kitchen with a small 4 burner (40,000 BTU) stove. The pool house was constructed with a gas line connected to the primary residence to supply the existing water heater and central heat system.

The pool house is approximately 600 feet from Illinois Avenue (the nearest public street), 20 feet from the main house, and 15 feet from the surrounding property fence. The primary home and pool house are accessed from Illinois Avenue by a private street connected to the existing 20-foot wide driveway. In 2005, the Sacramento Metropolitan Fire Department issued a Certificate of Release stating that the existing driveway is approved for all fire rated issues including appropriate fire apparatus access, fire flow, and fire hydrants. Furthermore, per section 5.4.5.C. of the SZC, this residential accessory dwelling requires one parking space. The existing driveway will accommodate the required parking space.

GENERAL PLAN AND COMMUNITY PLAN CONSISTENCY

General Plan Consistency

This parcel has a General Plan designation of Agricultural-Residential. Therefore, the project is consistent with Sacramento County General Plan policies related to Agricultural-Residential land use and development. Additionally, the General Plan does not contain any specific policies related to Residential Accessory Dwellings.

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Community Plan Consistency

The subject property is in the Fair Oaks Community. The Fair Oaks Community Plan designates the subject property as AR-1 (Agricultural-Residential 1 acre minimum). The proposed accessory dwelling does not conflict with this designation and does not conflict with the policies of the Fair Oaks Community Plan.

ZONING CODE USE AND DEVELOPMENT STANDARD CONSISTENCY

Zoning Code Use Regulations

Sacramento County Zoning Code Table 3.2, Allowed Accessory Uses, states that residential accessory dwellings are allowed by right in AR-1 zones. Moreover, Sacramento County Zoning Code Section 3.9, Accessory Use Standards, allows accessory dwellings ranging between 600 square-feet and 1,200 square-feet with the attainment of a Conditional Use Permit. The applicant is requesting an 857 square foot residential accessory dwelling through the Use Permit process.

Zoning Code Development Standards

Sacramento County Zoning Code Chapter 5, Development Standards, Section 5.4.5, is the development standards for residential accessory dwellings. Table I illustrates the applicable Zoning Code development standards for the proposed project.

**Table I
Residential Accessory Dwelling Standards**

Standard	Zoning Code Section	Required/Maximum/ Minimum	Proposed
Maximum Height	5.4.5.B (Table 5.10)	16 feet	13 feet 11 inches
Maximum Area	5.4.5.D.6	1,200 square feet	857 square feet
Setback from public street	5.4.2.B. (Table 5.7)	20 feet	600 feet
Setback from primary residence	5.4.5.B. (Table 5.10)	10 feet	20 feet
Side yard setback	5.4.2.B. (Table 5.7)	5 feet	15 feet
Rear yard setbacks	5.4.2.B. (Table 5.7)	25 feet/10 feet minimum if an equivalent or greater amount of space is added to the required side yard area so that the combined total area of the rear and side yards is equal to or greater than the area which would otherwise be required.	15 feet

The proposed residential accessory dwelling meets all Zoning Code development standards.

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DESIGN GUIDELINES CONSISTENCY

The project does not require review under the Countywide Design Guidelines.

LAND USE AND NEIGHBORHOOD COMPATIBILITY

Table II outlines the existing land uses, zoning, and community plan designations for the subject property and surrounding parcels.

Table II
Existing Land Uses, Zoning, and Community Plan Designations

	Existing Land Use	Zoning and Community Plan Designations
Subject Property	Single-family	AR-1
North	Single-family	AR-1
South	Single-family	AR-1
East	Single-family	RD-3 and RD-2
West	Single-family	RD-2

Land Use Compatibility

The surrounding area is mostly agricultural-residential and residential in nature. The project is compatible with the existing and surrounding land uses, since the size of the parcel is consistent and parcels in the surrounding area are developed with numerous structures. In addition, residential accessory dwellings that are larger than 600 square-feet and less than 1,200 square-feet are allowed with a Use Permit in Agricultural Residential (AR-1) zones. The property is adjacent to similar low-density residential zones (AR-1, RD-2), which permit residential accessory dwellings is compatible with the project’s request.

ENVIRONMENTAL DETERMINATION

The project has received a Categorical Exemption under Section 15301, Existing Facilities, of the California Environmental Quality Act (CEQA). The project consists of the conversion of an existing pool house into a residential accessory dwelling unit, and involves negligible expansion of use, and is therefore exempt from the provisions of CEQA.

COMMUNITY RESPONSE AND COMMUNITY PLANNING ADVISORY COUNCIL (CPAC) REVIEW

Community Response

The applicant distributed a letter defining the project description to a minimum of 30 property owners within 500 feet of the subject property. No communication was received from neighboring property owners nor was testimony received at the CPAC meeting regarding this project.

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Community Planning Advisory Council (CPAC) Review

The Fair Oaks Community Planning Advisory Council (CPAC) voted 5 - 0 to approve the proposed project on February 2, 2016. No comments were received from CPAC members and no neighbors attended the meeting.

PROJECT ANALYSIS

The proposal is consistent with relevant County plans and ordinances, including the Sacramento County Zoning Code development standards for accessory structures. The project, as proposed, is compatible with the surrounding land uses. No concerns have been raised by the community. For these reasons, staff recommends approval of this proposal, with findings and conditions as listed in Exhibit A.

ATTACHMENTS

ATT 1 – CPAC Referral, Dated February 3, 2016

ATT 2 – Context Photos (4)

EXHIBITS

EXH A - Recommended Findings and Conditions

EXH B - Draft Conditional Use Permit

EXH C - Site Plan

EXH D - Revised Floor Plan With Elevations

ENV DOC – Notice of Exemption

HEARING DATE:	
PLANNER	
NOTICES	

CPAC REFERRAL

UPZ		
CPAC COMMUNITY		
ER RELEASE	Y <input type="checkbox"/>	N <input type="checkbox"/>

12/22/2015

Mendenhall Residential Accessory Dwelling

PLNP2015-00267

DATE

PROJECT NAME

CONTROL NO.

APPLICANT: <u>Steve Mendenhall</u>	A.P.N.: <u>246-0141-051</u>	ZONING: <u>AR-1</u>
ADDRESS: <u>4522 Illinois Avenue</u>	CONTACT: <u>Steve Mendenhall</u>	COM. PLAN: <u>AR-1</u>
CITY/STATE: <u>Fair Oaks, CA 95628</u>	TELEPHONE: <u>(925) 951 3877</u>	GEN. PLAN: <u>AG-RES</u>

REQUEST: A Use Permit to allow an existing 857 square-foot pool house to be converted into a residential accessory dwelling on approximately 1.36 acres in the AR-1 zone. (SCZC 5.4.5.C)



PRIMARY CPAC
Fair Oaks



ADJACENT CPAC (If Applicable)

HEARING BODY:

Zoning Administrator

REVISED APPLICATION:



DATE:

Planning Division
Project Manager:

Thomas Vogt

RETURN BY:

DATE:

ADVISORY COUNCIL COMPLETE THIS SECTION - PLEASE PRINT OR TYPE

- Meeting date(s) at which proposal discussed: FAIR OAKS CPAC
- Number of council members present: 5 Quorum: YES NO
- Is the proposal compatible with the area or neighborhood in which proposed: YES NO
- Summarize neighborhood response or reaction: _____

- Motion by: H. AZAR Seconded by: E. SABATINI
- Council recommendation: APPROVAL DENIAL CONTINUE Date: _____
- Council vote on motion to reflect recommendation
YES: 5 NO: 0 ABSTAIN: 0 ABSENT: 0
- Comments/conditions on recommendation: _____

Harry A
Investigating Member

Henry A
Chairperson or Secretary

2-3-16
Date

FOR ADDITIONAL SPACE PLEASE USE REVERSE SIDE

Return to: SACRAMENTO COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT
827 - 7th Street, Room 225, Sacramento, CA 95814
ATTENTION: CPAC Secretary



1. Pool House Front – West Side



2. Pool House Left Side – North Side

CONTEXT
PHOTO
NOS.: 1 & 2

CONTROL #: 15-UPZ-00267
PROJECT NAME: MENDENHALL RAD

PARCEL NO.: 246-0141-051
DATE: 11-23-15
ZA ATTACHMENT 2
Page 1 of 2



3. Pool House Right Side – South Side



4. Pool House Back – East Side

CONTEXT
PHOTO
NO.: 3 & 4

CONTROL #: 15-UPZ-00267
PROJECT NAME: MENDENHALL RAD

PARCEL NO.: 246-0141-051
DATE: 11-23-15
ZA ATTACHMENT 2
Page 2 of 2

SUBJECT: MENDENHALL RESIDENTIAL ACCESSORY DWELLING

ASSESSOR'S PARCEL NO.: 246-0141-051

CONTROL NO.: PLNP2015-00267

CONDITIONS OF APPROVAL:

Entitlement Expiration:

1. This action does not relieve the applicant of the obligation to comply with all ordinances, statutes, regulations and procedures. Any required subsequent procedural actions shall take place within 36 months of the date on which the permit became effective or this action shall automatically be null and void. (*Sacramento County Planning and Environmental Review Division*)

Substantial Compliance:

2. The final development plans shall be in substantial compliance with Exhibit "C" (Site Plan) and Exhibit "D" (Revised Floor Plan with Elevations). (*Sacramento County Planning and Environmental Review Division*)

Operational:

3. Any proposed project not incorporating an entry design that will accommodate access control gates pursuant to Sacramento County Code 17.04, Section 503.6.1 shall not be approved for future access control gates. Any proposed access gates need to meet the setback and visibility requirements. Note: Gate plan submittal is a separate submittal process. (*Sacramento County Department of Transportation*)
4. All building, fence, and gate setbacks shall be based on the ultimate right-of-way, all of which must be shown on the project site exhibit and the building plans. (*Sacramento County Department of Transportation*)

Advisory:

5. An asphalt concrete (AC) overlay projects are tentatively scheduled for Illinois Avenue beginning 1/1/16. At the time of completion of said overlay projects, a three-year trench cut moratorium will be in effect in which no pavement trenching shall occur. Then. A five-year trench cut moratorium will be in effect in which pavement trenching can occur, but the maximum trench cut fees will be imposed and must be paid prior to approval of improvement plans. (*Sacramento County Department of Transportation*)
6. The existing building is currently connected to public sewer. Sewer service shall continue to be provided by SASD infrastructure to the existing sewer service lateral. Required modification, if any, shall be to the satisfaction of SASD. SASD Design Standards apply to any sewer construction/and or modification. (*Sacramento Area Sewer District*)
7. Each lot and each building with a sewage source shall have a separate connection to the SASD's sewer system. If there is more than one building in any single parcel and the parcel is not proposed for split, then each building on that parcel shall have a separate connection to a private on-site sewer line or SASD public sewer line. (*Sacramento Area Sewer District*)

8. Expansion of this property may require payment of sewer impact fees to both SASD and SRCSD, in accordance with each District's Ordinances. Applicant should contact Permit Services Unit at (916) 876-6100 for sewer impact fee information. (*Sacramento Area Sewer District*)

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FINDINGS:

1. The request is consistent with the County General Plan Map Agricultural-Residential Designation and Text in that no policy conflicts have been identified.
2. The request is consistent with the Fair Oaks Community Plan Map.
3. The proposed development will conform to applicable Zoning Code regulations, including Sections 3.9.3.D (Accessory Use Standards), and 5.4.5 (Accessory Use Development Standards).
4. The project has exempt status under Section 15301 of the California Environmental Quality Act (CEQA).
5. The granting of the Use Permit will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing or working in the neighborhood of the proposed use or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County in that:
 - a. No land use impacts have been identified.
 - b. No neighborhood concerns or issues have been identified with the request.

###

USE PERMIT

Sacramento County
Community Development Department
827 Seventh Street, Room 230
Sacramento, California 95814

DATE

Assessor's Parcel No.: 246-0141-051
Control No.: PLNP2015-00267
Zoned: AR-1

APPLICANT/OWNER:

Steve Mendenhall
4522 Illinois Avenue
Fair Oaks, CA 95628

ACTION: ON [REDACTED], THE ZONING ADMINISTRATOR APPROVED A USE PERMIT, WITH CONDITIONS,

A Use Permit to allow an existing 857 square-foot pool house to be converted into a residential accessory dwelling on approximately 1.36 acres in the AR-1 zone. (SCZC 5.4.5.C)

PROPERTY LOCATION: 4522 Illinois Avenue, in the Fair Oaks community.

ENVIRONMENTAL DETERMINATION: The Zoning Administrator recognized that the project was categorically EXEMPT from the requirements of the Environmental Impact Report per California State Guidelines Section 15301.

CAUTION: The above use permit is of no force and effect until the expiration of a 10-day appeal period from and after the date of the hearing on the use permit before the Zoning Administrator and until the applicant has complied with all conditions imposed in connection with the issuance of this use permit.

FINDINGS AND CONDITIONS OF APPROVAL: Listed on Page 3. **[Insert conditions and findings after final hearing.]**

Note: Appeal of this action may be made in writing, including a filing fee of \$4,135.00, to the Secretary of the Board of Zoning Appeals within 10 calendar days of the date of hearing and pursuant to Title I, Chapter 15, Article 3 of the Zoning Code of

Sacramento County. The Secretary of the Board of Zoning Appeals is located at 700 H Street, Room 2450, Sacramento, California 95814. For verification of fees for filing an appeal or further information contact the Planning Department at 874-6221 or the Board of Zoning Appeals at 874-7891.

This action does not relieve the applicant of the obligation to comply with all ordinances, statutes, regulations and procedures. All costs incurred by the County to enforce the conditions listed in this permit shall be the responsibility of the permit holder and/or property owner. The above use will not be conducted to constitute either a public or private nuisance. Violation of any of the foregoing conditions will constitute grounds for revocation of this permit. Building permits are required in the event any construction is planned.

A conditional use permit, if not used for the purpose for which it was granted, shall lapse and shall become void three years following the date on which the permit became effective, unless by condition of the permit a greater time is allowed, or upon the expiration date of a valid building permit obtained after the grant of the conditional use permit, whichever date is last to occur.

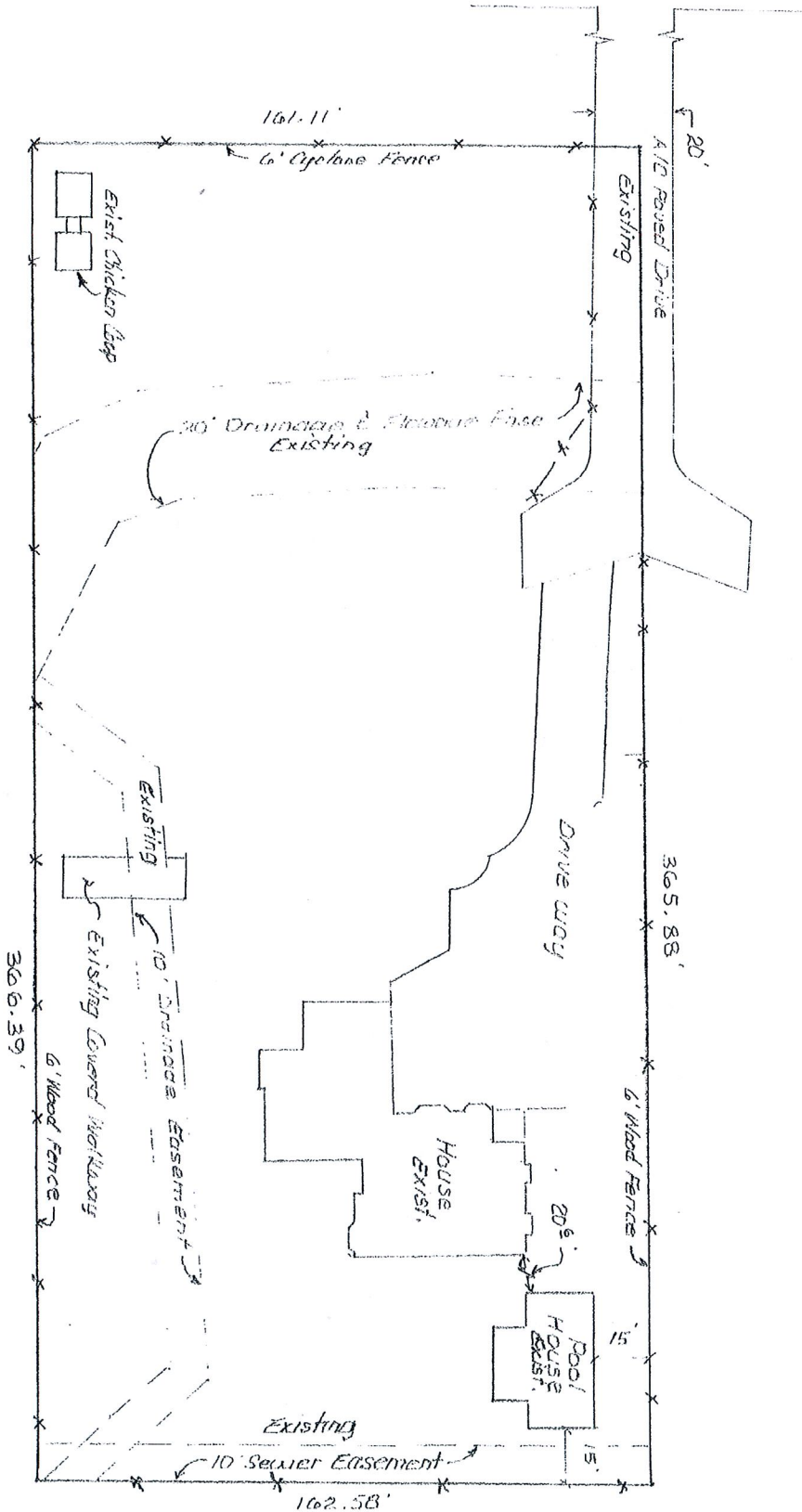
MARK MICHELINI
SENIOR PLANNER

CONDITIONS OF APPROVAL:

FINDINGS:

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ILLINOIS AVENUE



Scale --- 0 15 30 40
 Date September 30, 2015

PLNP 2015 00267

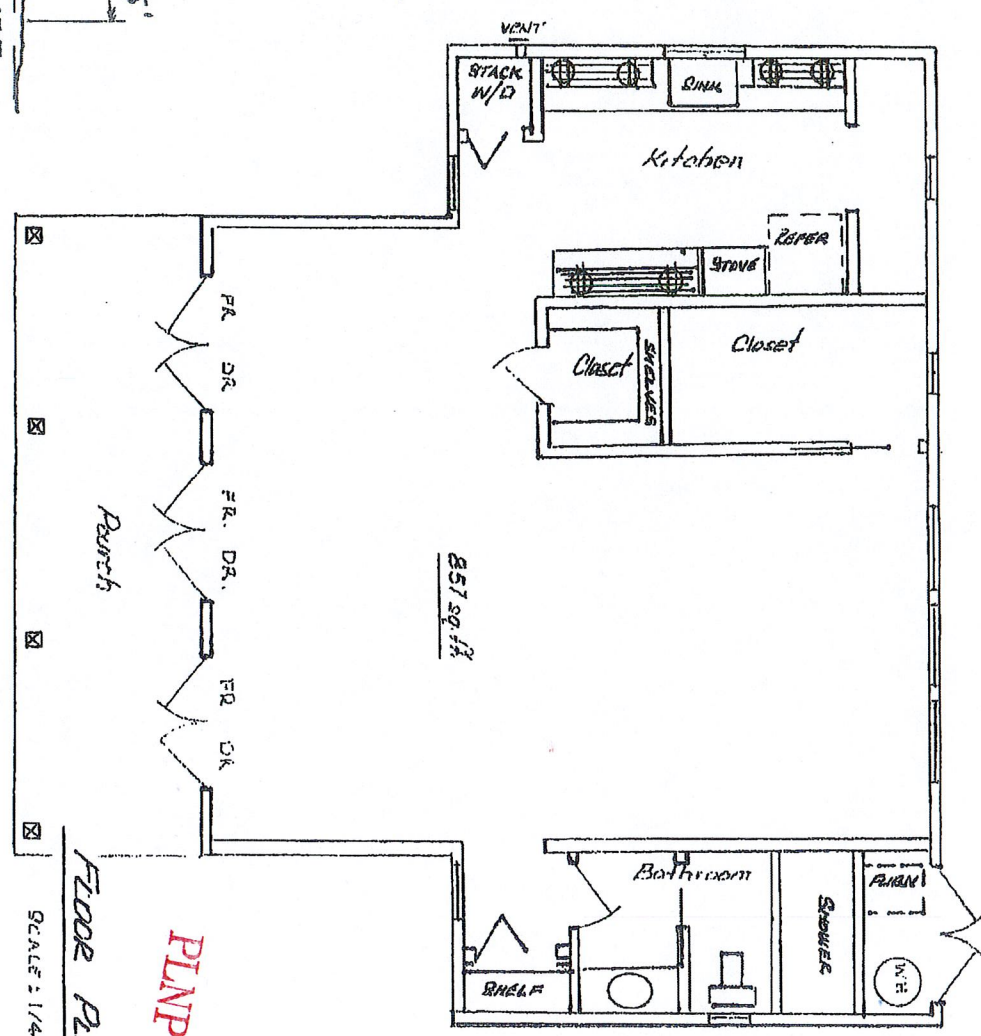
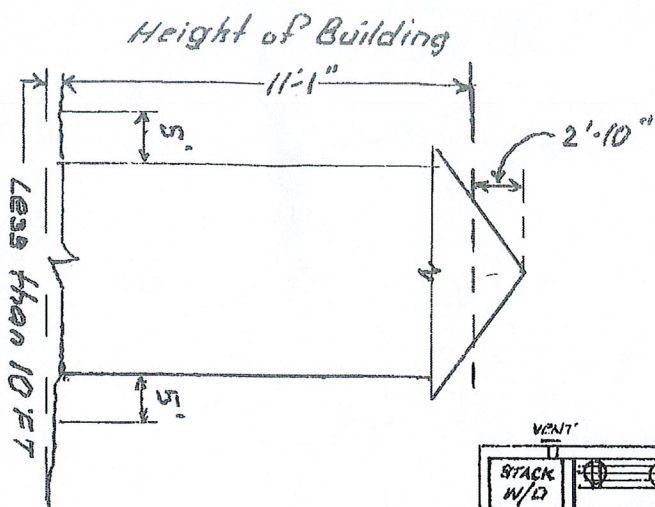
RECEIVED

NOV 23 2015

PLANNING DEPT.
 County of Sacramento

SITE PLAN

4522 Illinois Avenue, Fair Oaks
 County of Sacramento, California



FLOOR PLAN

SCALE: 1/4" = 1'-0"

RECEIVED
JUN 01 2016
PLANNING DEPT.
COUNTY OF SACRAMENTO
PLNP 2015 . 00 267

RECEIVED

4622 Illinois Avenue, Fair Oaks
County of Sacramento, California

REVISED



RECORDING REQUESTED
WHEN RECORDED MAIL TO:

County of Sacramento
Department of Community Development
Planning and Environmental Review Division
827 Seventh Street, Room 225
Sacramento, CA 95814

CONTACT PERSON: Catherine Hack
TELEPHONE: (916) 874-7914

SPACE ABOVE RESERVED FOR RECORDER'S USE

NOTICE OF EXEMPTION

Project Title:

MENDENHALL RESIDENTIAL ACCESSORY DWELLING

Control Number:

PLNP2015-00267

Project Location:

The property is located at 4522 Illinois Avenue, approximately 300 feet east of Illinois Avenue and 700 feet north of the intersection of Illinois Avenue and Winding Way in the Fair Oaks community.

APN:

246-0141-051

Description of Project:

A Use Permit to allow an existing 857 square-foot pool house to be converted into a residential accessory dwelling on approximately 1.36 acres in the AR-1 zone.

Name of public agency approving project:

Sacramento County

Name of person or agency carrying out project:

Steve Mendenhall

Exempt Status:

CATEGORICAL EXEMPTION 15301

Reasons why project is exempt:

The project consists of the conversion of an existing pool house into a residential accessory dwelling unit, and involves negligible expansion of use, and is therefore exempt from the provisions of CEQA.

[Original Signature on File]

Catherine Hack
ENVIRONMENTAL COORDINATOR OF
SACRAMENTO COUNTY, STATE OF CALIFORNIA

Copy To:

County of Sacramento
County Clerk
600 Eighth Street, Room 101
Sacramento, CA 95814

OPR:

State Clearinghouse
1400 Tenth Street
Sacramento, CA 95814