

**COUNTY OF SACRAMENTO  
CALIFORNIA**

Control No.: PLNP2011-00098  
Type: UPZ

**TO:** ZONING ADMINISTRATOR

**FROM:** COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT

**SUBJECT:** 5625 TANGERINE AVENUE USE PERMIT AMENDMENT

**CONTACT:** Carol Gregory, Planner III, (916) 874-5458; gregoryc@saccounty.net

**PROJECT DESCRIPTION**

ASSESSOR'S PARCEL NO.: 050-0500-047-0000

LOCATION: The property is located at 5625 Tangerine Avenue, on the north side of Tangerine Avenue, approximately 183 feet east of Persimmon Avenue, in the South Sacramento community. (Supervisor District 2: Jimmie Yee)

APPLICANT/OWNER:

Warren Mayberry  
5625 Tangerine Avenue  
Sacramento, CA 95823

REQUEST: A **Use Permit Amendment** to legalize the expansion of carport structures to three (3) existing garages on 0.90 of an acre in the RD-5 (*Residential Density 5*) zone, which will exceed 50% of the habitable floor area of the primary dwelling, pursuant to Sacramento County Zoning Code (SZC) Section 305-82(b). A prior Use Permit allowed the three (3) garages and one (1) covered storage shed to exceed requirements specified in SZC Section 305-82(b) (Control No. 1998-UPZ-0014).

ENVIRONMENTAL DOCUMENT: **EXEMPT**

**Overview:**

The proposed project consists of a request to legalize the expansion of carport structures to three (3) existing garages located at 5625 Tangerine Avenue in the South Sacramento community area.

**Summary of Significant Issues:**

No significant issues have been identified at the time of this writing.

**CPAC Recommendation:**

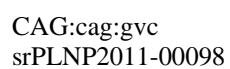
The South Sacramento Community Planning Advisory Council (CPAC) met on August 17, 2011 and recommended **APPROVAL** (4-0) of the proposed project. The Council was supportive of the proposal and had no comments or concerns.

**Recommendations:**

Staff is recommending **APPROVAL** of the proposed project.

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## I. LOCATION MAP



## II. PROJECT ANALYSIS

- A. General Plan Designation: Low Density Residential.
- B. Community Plan Designation: Residential Density 5 (RD-5).
- C. Applicable Regulations: Sacramento County Zoning Code Sections 305-80, 305-82, and 305-83.2
- D. History/Background: The subject parcel was rezoned to its current zoning designation as a result of the South Sacramento Zoning Consistency Hearings on December 27, 1978 (ZMA #3967; SZC 78-179). The Zoning Administrator approved a Use Permit to allow three (3) garages and one (1) covered storage shed to exceed more than 50% of the habitable area of the primary dwelling on April 1, 1998 (Control No. 1998-UPZ-0014). The project proposal will amend this prior Use Permit.
- E. Prior Zoning Agreements: None.
- F. Adjacent Land Uses and Zoning:

	Existing Land Use	Zoning and Community Plan Designations
Subject Property	Single-Family Residential	RD-5
North	Single-Family Residential	RD-5
South	Single-Family Residential (across Tangerine Avenue)	City of Sacramento
East	Single-Family Residential	RD-10
West	Single-Family Residential	RD-5

- G. Project Description: The applicant is requesting a Use Permit Amendment to legalize the expansion of carport structures to three (3) existing garages on 0.90 of an acre in the RD-5 (Residential Density 5) zone, which will exceed 50% of the habitable floor area of the primary dwelling, pursuant to Sacramento County Zoning Code (SZC) Section 305-82(b). A prior Use Permit allowed the three (3) garages and one (1) covered storage shed to exceed requirements specified in SZC Section 305-82(b) (Control No. 1998-UPZ-0014). According to County Assessor's Records, the primary dwelling on the property is a 2 bedroom, 2 bath approximately 2,133 square foot two-story home built in 1976 with a garage area of approximately 596 square feet. An existing patio cover of approximately 829.25± square feet is located behind the primary dwelling along with an existing 138± square foot gazebo. As well, an existing 178± square foot carport is located at the front of the primary dwelling. A two-story garage of approximately 2,500 square feet is planned to be constructed on the property with a breezeway roof connecting the house to the new garage building. As indicated from the applicant's site plan (see Exhibit "1"), the total lot area for the property is approximately 39,271 square feet. Below is a list of the square footages for the existing garages, carport structures, and storage shed according to Exhibit "1".

Existing Garage #1: 1,049.2± square feet  
Existing Carport Structure for Garage #1: 619.2± square feet  
Existing Garage #2: 1395.9± square feet  
Existing Garage #3: 1,190.79± square feet  
Existing Carport Structure for Garages #2 & #3: 1,367.21± square feet  
Existing Storage Shed: 478± square feet  
Total: 6,100.3± square feet

With the accessory structures outlined above on the property, the proposal still meets the Sacramento County Zoning Code (SZC) building coverage requirements which allow not more than 30% of the required rear yard to be occupied by accessory structures [SZC Section 305-82(c)]. Planning staff calculated that approximately 28.4% of the rear yard is currently occupied with accessory structures. Additionally, due to the lot size of the property, the proposal exceeds the minimum open space requirement of 10% of the net lot area within the buildable portion of the lot [SZC Section 305-02.2(d)].

H. Issues and Discussion:

- County Department of Water Resources (DWR) staff reviewed the project proposal and noted that the subject parcel may be affected by Morrison/Florin Creek flooding. There is a drainage service report that the detached garage and shop flooded several inches in 2000. The problem was apparently alleviated with the installation of an on-site drain inlet connected to the County storm drain system.

III. STAFF RECOMMENDATIONS

The request is consistent with the County General Plan, South Sacramento Community Plan, and Sacramento County Zoning Code Development Standards for Accessory Structures, with the exception of Section 305-82(b). The carport structures exist on the property and the request will legalize these structures. The applicant is conditioned to obtain all necessary permits associated with the carport structures. No neighborhood concerns or issues have been identified with the request. For these reasons, staff recommends **APPROVAL** of this proposal.

A. Recommended Actions:

1. Environmental Documentation: Recognize the **EXEMPT** status of the request under Section 15301, Class 1 and Section 15305, Class 5.
2. Use Permit Amendment: **APPROVE** the requested entitlement to legalize the expansion of carport structures to three (3) existing garages on 0.90 of an acre, subject to the findings listed in Section III.B and the conditions listed in Section III.C of this report.
3. Mitigation Monitoring and Reporting Program: None.

- B. Recommended Findings: The staff recommendations are based upon the following considerations:
1. The request is consistent with the County General Plan Map Low Density Residential Designation and Text in that no policy conflicts have been identified.
  2. The request is consistent with the South Sacramento Community Plan Map and Text.
  3. The proposed development will conform to applicable Zoning Code regulations Sections 305-80, 305-82, and 305-83.2, with the exception of 305-82(b).
  4. Staff has identified no effects from the proposal which would result in a significant detrimental impact on adjoining or neighboring properties if the conditions, as recommended by staff, are adopted.
  5. The granting of the Use Permit Amendment 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 such 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. The carport structures exist on the property and the request will legalize these structures.
    - b. The applicant is conditioned to obtain all necessary permits associated with the carport structures.
    - c. No neighborhood concerns or issues have been identified with the request.
- C. Recommended Conditions: Any approval of the Use Permit Amendment shall be subject to the following conditions:
1. The final development plans shall be in substantial compliance with Exhibits “1” (Plot Plan), “2” (Photo Elevations of Garages and Carport Structures). (***Sacramento County Community Planning and Development Department***)
  2. 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 Community Planning and Development Department***)
  3. Obtain all necessary permits for the existing carport structures on-site from the Municipal Services Agency. (***Sacramento County Community Planning and Development Department***)

4. All accessory structures on the property shall comply with the permitted uses in the RD-5 zone as specified in the Sacramento County Zoning Code Residential and Open Space Use Table, Section 201-02, Title II: Use Regulations and Development Standards. (*Sacramento County Community Planning and Development Department*)
5. The property is currently connected to public sewer. Sewer service shall continue to be provided by SASD infrastructure to the existing sewer service lateral. Required modifications, if any, shall be to the satisfaction of SASD. SASD Design Standards apply to any sewer construction and/or modification. (*Sacramento Area Sewer District*)
6. 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*)
7. Additional sewer impact fee may be required and if required, must be paid before issuance of the building permit. Contact PSU at (916) 876-6100 for further information on sewer impact fee. (*Sacramento Area Sewer District*)

#### IV. ATTACHMENTS

- A. Approved Exhibit for Prior Use Permit (Control No. 1998-UPZ-0014)
- B. CPAC Referral

#### V. EXHIBITS

1. Plot Plan
2. Photo Elevations of Garages and Carport Structures

This staff report was prepared on August 23, 2011.





## CPAC REFERRAL

PLANNER

NOTICES

CPAC COMMUNITY

DEPA RELEASE

Y

N

June 1, 2011

Date

5625 Tangerine Avenue Use

PROJECT NAME

PLNP 2011-UP2-00098

CONTROL NO

APPLICANT

Warren Mayberry

APN

05D-058D-047

ZONING

RD-5

ADDRESS

5625 Tangerine Avenue  
Sacramento, CA 95823

CONTACT PERSON

Warren Mayberry

COM. PLAN

RD-5

TELEPHONE

(916) 424-2954

GEN. PLAN

Low Density Residential

REQUEST A Use Permit Amendment to allow three (3) existing carport covers/garages, one (1) existing covered storage area, and a proposed 2,500+ square foot two-story garage with a breezeway roof from the primary dwelling on a 90 or an acre in the RD-5 zone, which will exceed 50% of the habitable floor area of the primary dwelling, pursuant to SDC Section 305-82(b). A prior Use Permit allowed one of the garages.



PRIMARY CPAC

South Sacramento



ADJACENT CPAC (If Applicable)

(Control No 1998-UP2-001)

HEARING

BODY:

Zoning Administrator

REVISED

APPLICATION



DATE:

Planning Department  
Project Manager.

Carol Gregory

RETURN BY:

(Date)

## ADVISORY COUNCIL COMPLETE THIS SECTION - PLEASE PRINT OR TYPE

- Meeting date(s) at which proposal discussed: Aug 17 2011
- Number of council members present: 4 Quorum: YES ☒ NO ☐
- Is the proposal compatible with the area or neighborhood in which proposed: YES ☒ NO ☐
- Summarize neighborhood response or reaction:

N/A

Motion by: Banks

Seconded by:

Council recommendation: APPROVAL ☒ DENIAL ☐ CONTINUE ☐ Date: 8-17-11

Council vote on motion to reflect recommendation

YES: 4 NO: 0 ABSTAIN: 0 ABSENT: 4

Comments/conditions on recommendation:

For this Project

Investigating Member

Chairperson or Secretary

Date

FOR ADDITIONAL SPACE PLEASE USE REVERSE SIDE

Return to:

SACRAMENTO COUNTY PLANNING DEPARTMENT  
827 - 7th Street, Room 230, Sacramento, CA 95814  
ATTN: CPAC Secretary

CPAC

ATTACHMENT B

PL=227.00

PLNP 201100098

JUN 08 2011

RECEIVED

PLANNING DEPT  
County of Sacramento

EXISTING COVERED  
STORAGE FOR PERMIT

(E) CONCRETE  
DRIVEWAY

AREAS FOR PERMIT

EXISTING GARAGE

(E) CONCRETE  
DRIVEWAY

EXISTING CARPORT COVERS FOR  
PERMIT

(E) CARPORT

(E) DRIVEWAY

(N) CONCRETE  
DRIVEWAY

(E) DRIVEWAY

(N) BREZEWAY ROOF  
CONNECTING HOUSE TO  
NEW GARAGE BUILDING

(E) PATIO COVER

EXISTING HOUSE

EXISTING GAZEBO

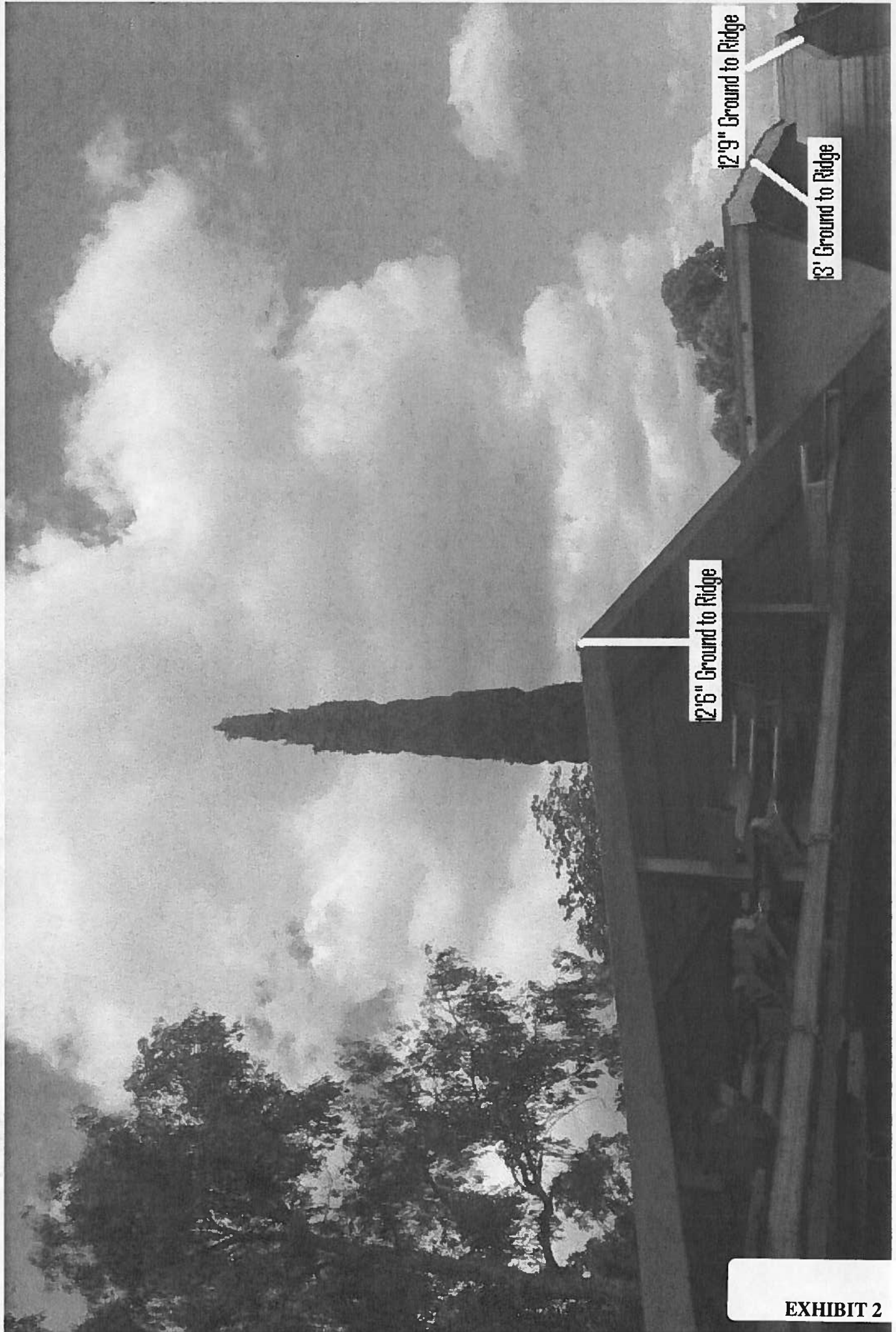
(E) CONC. PATIO

EXISTING SHED

PL=227.00

Exhibit 1

Exhibit 1





PLNP 2011 - 00098

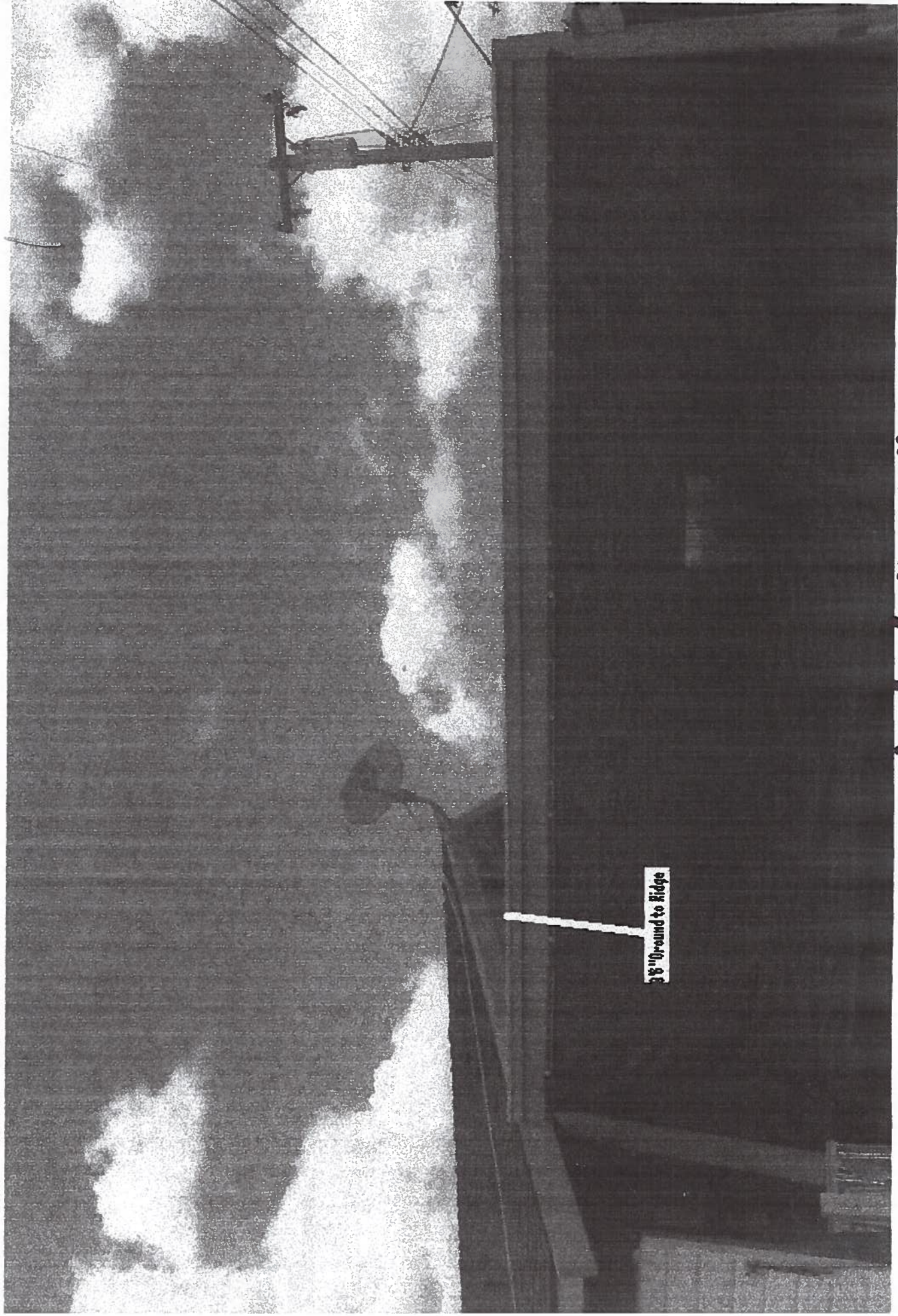


Exhibit "26"





*Exhibit "2c"*