

REPORT AMENDED BY STAFF 3-9-89

In the Matter of the decision of the City )  
Planning Commission to approve a special )  
permit to expand an existing boat dock eight )  
feet in length in the R-1 zone located at 943 )  
Piedmont Drive )

NOTICE OF DECISION  
AND  
FINDINGS OF FACT

At its regular meeting of February 23, 1989, the City Planning Commission indicated an intent to approve the above entitlement subject to conditions and based upon findings of fact due March 9, 1989. Based upon documentary and oral evidence at the public hearing, the Planning Commission approved the special permit request based upon the conditions and findings of fact which follow.

Conditions

1. The maximum size of the boat dock shall be 48' x 8' as shown on the submitted plans (Exhibits A and B).
2. ~~The special permit shall be for a time period not to exceed 10 years (March 23, 1999) or until such time that the land adjacent to the boat dock is acquired by the City of Sacramento, whichever occurs first. The applicant shall remove the boat dock and ramp when the special permit expires.~~ *The special permit shall expire in 10 years (March 9, 1999) or at such earlier time as the land adjacent to the boat dock is acquired by the City of Sacramento, whichever occurs first. The applicant shall, at his expense, remove the boat dock and ramp when the special permit expires. This time limit condition is being imposed because the dock, while compatible with existing development, may be incompatible with the use of a portion of the immediately adjacent property as a public parkway. The applicant shall enter into an agreement with the City, which may be recorded, reflecting his consent to this condition. (staff amended)*
3. The applicant shall obtain a building permit from the City Building Division and any necessary permits from the State Lands Commission and the Army Corps of Engineers.

Findings of Fact

1. The project, as conditioned, is based upon sound principles of land use in that:
  - a. the project is located within the "F" zone; and
  - b. this eastern portion of the Sacramento River is built up to its full residential capacity and there are several private boat docks serving the residences in the vicinity.

2. The project, as conditioned, will not be detrimental to the public health, safety or welfare or result in the creation of a nuisance in that:
  - a. a boat dock has been located at the subject site for over 30 years and the new boat dock will be constructed so as not to be a safety hazard on the Sacramento River.
  - b. the City of Sacramento has no immediate plans to acquire the property adjacent to the boat dock. The boat dock will be removed within 10 years of date of approval or when the City acquires the land adjacent to the boat dock, whichever occurs first.
  
3. The project, as conditioned, is consistent with the City's General Plan which designates the site for Low Density Residential (4-15 du/ac) and Park-Recreation-Open Space uses.

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Approved by the Planning Commission  
on March 9, 1989 for the February 23,  
1989 meeting.

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CHAIRPERSON