

P94-100 - WITTER RANCH TENTATIVE MAP

- REQUEST:
- A. Tentative Map to subdivide one lot into two lots on 25.2+ developed acres in the Agriculture Open Space (AOS) zone.
  - B. Variance to establish a lot less than 20 acres in the AOS zone.
  - C. Variance to allow a lot to be utilized solely by accessory structures in the AOS zone. (WITHDRAWN)
  - D. Variance to establish a residential lot without an enclosed garage in the AOS zone. (WITHDRAWN)

LOCATION: 3480 Witter Way  
225-0180-002  
North Natomas Community Plan  
Natomas School District  
Council District 1

APPLICANT:	Jack London, 488-1555; 2646 Marconi Ave. Sacto. 95821
OWNER:	Mr. & Mrs Edwin Witter 2646 Marconi Ave. Sacto. CA. 95821
PLANS BY:	Morton & Pitalo, Inc. 1788 Tribute Rd. 200 Sacto. CA. 95834
APPLICATION FILED:	September 14, 1994
STAFF CONTACT:	Bridgette Williams, 264-5000

**SUMMARY/RECOMMENDATION:** The applicant proposes to subdivide a 25.2+ acre parcel into two lots for the "Witter Ranch Foundation". In order to meet the applicant's objectives, the project requires the discretionary planning entitlements described above. In evaluating the project, the basic issue is separating the Witter Ranch Farm from the homestead. **Staff recommends approval of the project.** This recommendation is based on its consistency with the General Plan and Community Plan land use designations and policies regarding preservation of the Witter Ranch Historic Farm as a valuable historic

resource in the North Natomas Community.

**PROJECT INFORMATION:**

General Plan Designation:	Parks, Recreation Open Space; Low Density Residential (4-15 du/na)
Community Plan Designation:	Agriculture
Existing Land Use of Site:	Single Family Dwelling; Farm Buildings
Existing Zoning of Site:	AOS

**Surrounding Land Use and Zoning:**

North: vacant, farming; A  
 South: vacant, farming; AOS  
 East: vacant, farming; A  
 West: west drainage canal; F

Property Dimensions:	irregular
Property Area:	25.2± gross acres
Residential Dwelling:	3,000 sq.ft.
Farm Buildings:	Barn - 3,200 sq.ft./Ranch House - 1,500 sq.ft. Tank House - 300 sq.ft./Foreman's House - 300 sq.ft. Accessory Structure Housing Farm Implements - 1,300 sq.ft.
Topography:	Flat
Street Improvements:	Existing
Utilities:	Existing

**BACKGROUND INFORMATION:** Currently, the 25.2± acre site is owned by Mr and Mrs. Edwin Witter. The purpose of the tentative map is to subdivide the 25.2± acre in order to "gift" the farm in two stages to the Witter Ranch Foundation. The Witter property has been designated a historically preserved site at City, State and Federal levels and is currently being used by the Witter Foundation for visitation of school kids. The proposed tentative map reflects two parcels (Parcel 1: 24.1± acres & Parcel 2: 1.1± acres). Upon recordation of the Final Map, Parcel 1 will be gifted to the Witter Ranch Foundation. Upon the death of the occupants, Mr. & Mrs. Witter, the two parcels will be combined and both parcels will be gifted to the Witter Ranch Foundation as a place for visitors of all ages to experience the farm culture of the 1920's.

**STAFF EVALUATION:** Staff has the following comments:

A. **Tentative Map Design**

The proposed tentative map reflects two parcels (Parcel 1: 24.1± acres & Parcel 2: 1.1± acres). The submitted tentative map indicates vehicle access off of Witter Way. Witter Way runs north and south of the project site and along its

west property line. Witter Way is currently unimproved and is a separate parcel owned by RD 1000. The Witter Ranch property, therefore, has access from a private easement. The City's Transportation Division is not requiring that the applicant construct standard street improvements along Witter Way since it is privately owned. Access off of a private easement will not be a problem since the applicant/property owner(s) does not intend to further subdivide the property in order to sell the land for future commercial and/or residential development.

As previously mentioned above, the applicant wishes to subdivide the property in order to gift Parcel 1 to the Witter Ranch Foundation and upon the death of the current occupants, Mr and Mrs. Edwin Witter, Parcel 2 will be gifted to the foundation. The applicant has been informed by its attorney that parcelization is necessary in order to gift the property to the Witter Ranch Foundation, while the residential dwelling is occupied by the Witter family. Additionally, the applicant will not be required to provide public (water, sewer etc.) infrastructure since the property is serviced by a private well. Staff supports the applicant's proposal to subdivide the property for purposes of preserving an historical site. Preservation of the site supports existing policy and the General Plan and Community Plan land use designations.

#### B. Zoning Requirements

##### 1. Variance - Lot Size

Section 3-B of the City Zoning Ordinance requires a minimum lot size of 20 acres for parcels located in the Agriculture Open Space (AOS) zone. With the proposed subdivision (Parcel 2) will be less than 20 acres in size (1.1 acres). The Witter family's dwelling is located on the 1.1 acre lot. Farm houses (outbuildings) are located on the 24.1 acre parcel. Staff is not opposed to the establishment of a lot less than 20 acres in size since the intent of the Agriculture Open Space zone will still be met. The AOS zone is an exclusive agricultural zone designed for the long term preservation of agricultural and open space land. The zone is designated to prevent premature development of land for urban uses. In the long term, the parcels will be combined establishing one lot totaling 25.2± acres. The lot will be preserved as an historical site and owned by the Witter Ranch Foundation. With this, staff believes that the intent of the AOS zone will be met. Staff, therefore, supports the Variance to establish a lot less than 20 acres in size.

## 2. Variances - Accessory Structures/Enclosed Garages

A Variance to utilize a site solely with detached accessory buildings was requested. Section 5-D-5(d) of the City Zoning Ordinance prohibits a lot and/or building site utilized solely by a detached accessory building(s) in residential zones. In this case, the buildings in question are existing agricultural buildings which are allowed in the AOS zone by right. Therefore, the Variance request is not needed.

A Variance to establish a residential lot without an enclosed garage was requested as part of this application. Section 2-E-26(i) of the Zoning Ordinance states that a dwelling and/or mobile home must have an enclosed garage (either attached or detached) if more than 50 percent of other dwellings or mobile homes located within one thousand (1,000) feet, have garages. In the case of the Witter's property, there are no other dwellings within 1,000 feet of the subject site, therefore, the Variance request was not needed.

### PROJECT REVIEW PROCESS:

#### A. Environmental Review

##### 1. Environmental Issues

The proposed project is not anticipated to result in any significant environmental impact.

##### 2. Environmental Determination

The proposal is considered a minor land division in which the applicant proposes to divide the lot into fewer than four parcels and is in conformance with the applicable Plans and zoning. Therefore, this project is exempt from environmental review pursuant to State EIR Guidelines (CEQA Section 15301).

#### B. Public/Neighborhood/Business Association Comments

The Natomas Community Association informed staff by phone that they were not opposed to the applicant's request and supports the overall intent to preserve the historical Witter Ranch.

#### C. Subdivision Review Committee Recommendation

On October 5, 1994, the Subdivision Review Committee, by a vote of three ayes, voted to recommend approval of the proposed subdivision subject to the conditions in the attached Tentative Map Resolution.

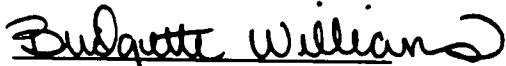
**PROJECT APPROVAL PROCESS:** Of the entitlements below, Planning Commission has the authority to approve or deny the Tentative Map and Variances. The Planning Commission action may be appealed to the City Council. The appeal must occur within 10 days of the Planning Commission action.

**RECOMMENDATION:** Staff recommends the Planning Commission take the following actions:

- A. Adopt the attached Resolution approving the Tentative Map to subdivide 25.2+ developed acres into two lots for the historical Witter Ranch.
- B. Adopt the Resolution approving the Variances to establish a lot less than 20 acres and a lot solely utilized by accessory structures in the AOS zone. **(WITHDRAWN)**
- C. Variance to establish a residential lot without an enclosed garage in the AOS zone. **(WITHDRAWN)**.

Report Prepared By,

Report Reviewed By,



Bridgette Williams  
Associate Planner

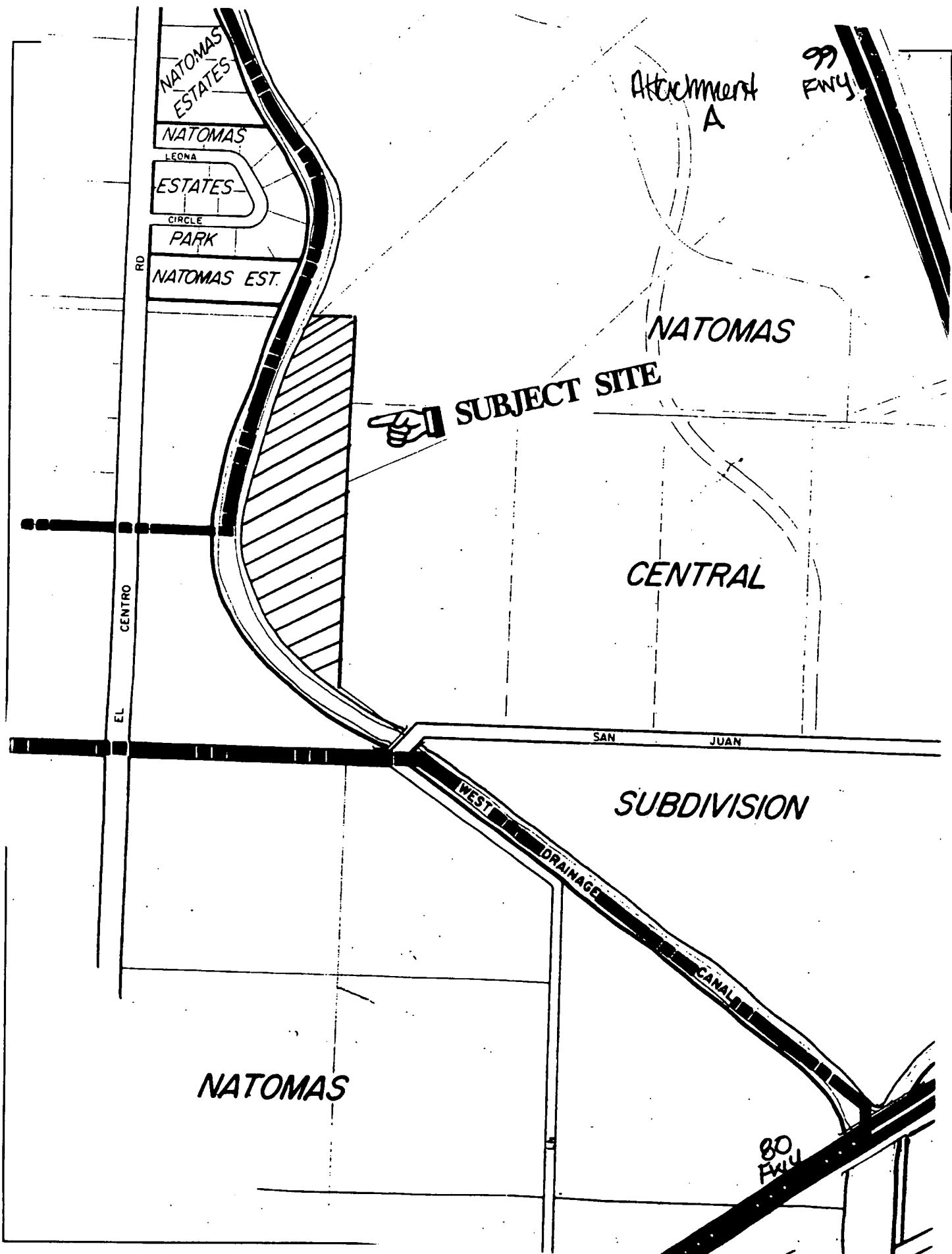


Scot Mende  
Senior Planner

Attachments

Attachment A	Vicinity Map
Attachment B	Land Use and Zoning Map
Attachment C	Resolution Approving Tentative Map
Exhibit C-1	Tentative Map Exhibit
Attachment D	Resolution Approving Variance

P94-100.SR



VICINITY MAP





**RESOLUTION NO.**

**ADOPTED BY THE SACRAMENTO PLANNING COMMISSION**

**ON DATE OF OCTOBER 27, 1994**

**A RESOLUTION ADOPTING FINDINGS OF FACT  
AND APPROVING A TENTATIVE MAP FOR  
PROPERTY LOCATED 3480 Witter Way**

**(P94-100) (APN:225-0180-002)**

WHEREAS, the City Planning Commission on October 27, 1994, held a public hearing on the request for approval of a tentative map for property located at the above described location;

WHEREAS, all governmental and utility agencies affected by the development of the proposed subdivision have been notified and given the opportunity to respond;

WHEREAS, the City Environmental Coordinator has determined that the proposed project is exempt from environmental determination pursuant to CEQA, Section 15301;

WHEREAS, the Subdivision Review Committee has submitted to the City Planning Commission its report and recommendations on the proposed subdivision;

WHEREAS, the City Planning Commission has considered the design of the proposed subdivision in relation to feasible future passive or natural heating and cooling opportunities; and

WHEREAS, the City Planning Commission has considered the effects that approval of the proposed subdivision would have on the housing needs of the Sacramento Metropolitan area and balances these needs against the public service needs of City residents and available fiscal and environmental resources.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF SACRAMENTO THAT:**

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



2. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the City General Plan, and Chapter 40 of the City Code, which is a Specific Plan of the City. Both the City General Plan and the North Natomas Community Plan designate the subject site for agriculture and open space use(s).
3. The discharge of waste from the proposed subdivision into the existing community sewer system will not result in violation of the applicable waste discharge requirements prescribed by the California Regional Quality Control Board, Central Valley Region in that existing treatment plants have a design capacity adequate to service the proposed subdivision.
4. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities.
5. The tentative map for the proposed subdivision is hereby approved, subject to the following conditions which must be satisfied prior to filing of the final map unless a different time for compliance is specifically stated in this condition:
  - A. Meet all County Sanitation District requirements.
  - B. Show all existing easements.
  - C. Show reciprocal ingress and egress easements on Final Map. Place a note on the Final Map: Private reciprocal easements shown hereon shall be dedicated with the transfer of Title of each parcel.
  - D. Provide or verify off site public access to Parcels 1 and 2.
  - E. Obtain approval of Reclamation District No.1000 and pay necessary fees.

**ADVISORY NOTES:**

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

- A. Applicant may file a Certificate of Compliance in lieu of a Final Map to record this lot split if no Subdivision Improvement Agreement is required.
- B. The proposed project is located within the 100-year floodplain, designated as Zone A-99, on the Sacramento Community's official Flood Insurance Rate Map, dated November 15, 1989. Pursuant to the City's floodplain management regulations, codified in City Code Chapter 9, Articles XXVI and XXVII (Sec. 9.1001 et seq.), no building permit will be issued for the construction of any residential structure in the North and South Natomas

Community Plan areas unless the lowest floor of such structure is built at least one foot above the base flood elevation for the project site, as set forth in the January 1989 Working Map of the U.S. Army Corps of Engineers. The City is currently participating in efforts to obtain approval for levee and other improvements to provide a minimum of 100-year flood protection to all of Sacramento. Upon completion of the improvements and a determination that adequate protection against the 100-year flood is provided, elevation should not be required. At some time prior to actual completion of the necessary flood protection improvements and with the approval of Congress, Federal Emergency Management Agency (FEMA) and/or other responsible state or federal authorities, the City may be able to authorize the issuance of building permits for the construction of residential structures without the elevation of the structure one foot above the base flood elevation, provided that the lowest floor of the structure will be at or above the base flood elevation for the project site upon the completion of the approved improvements. It is anticipated that the City may be able to authorize such construction commencing in late 1994. However, there is no assurance that this will occur at this or any other time prior to actual completion of the improvements, and it is dependent upon a number of factors, including but not limited to, the date of approval and financing of flood protection improvements; adequate progress on, or completion of, the flood protection improvements; obtaining approval from appropriate federal and/or state authorities.

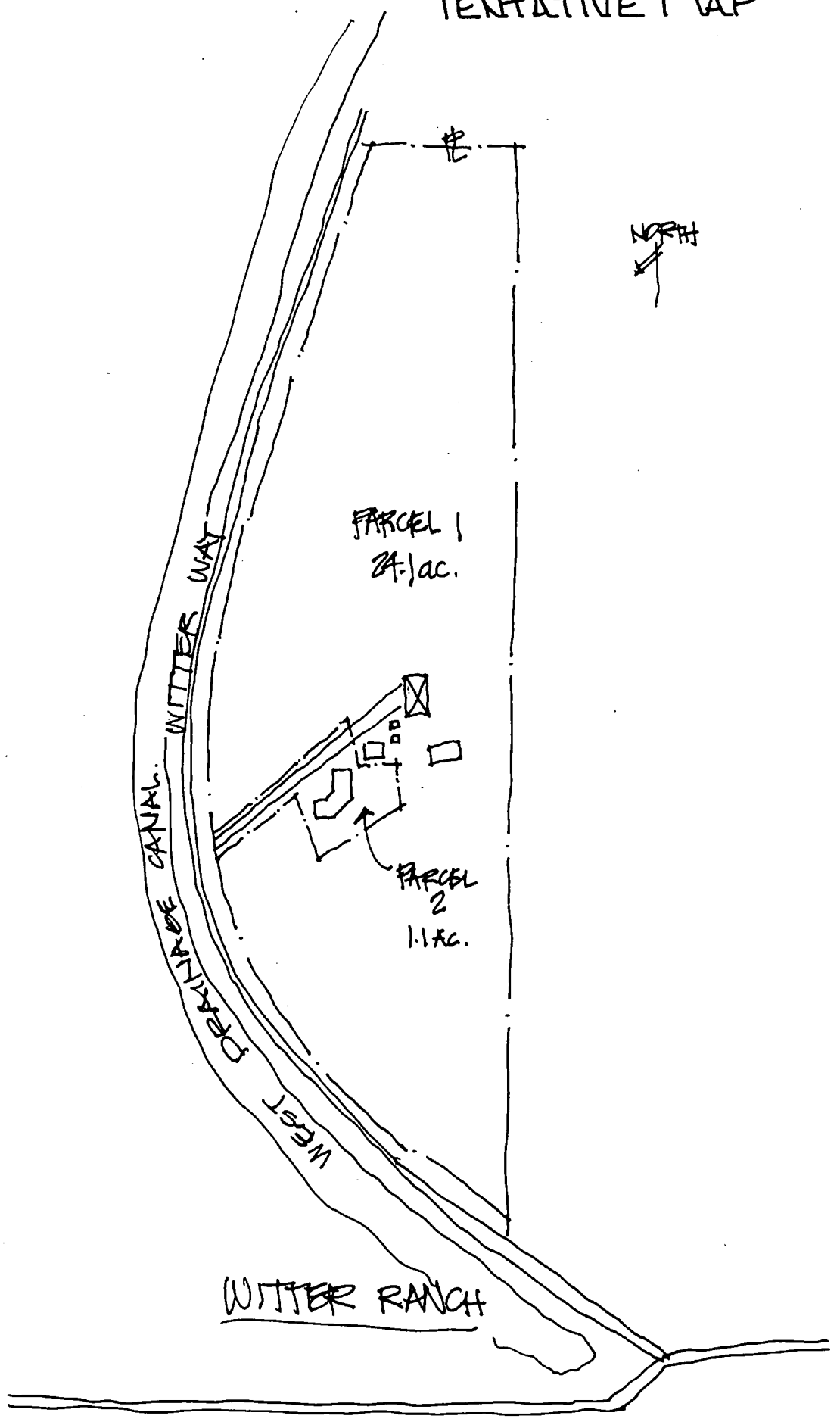
\_\_\_\_\_  
CHAIRPERSON

ATTEST:

\_\_\_\_\_  
SECRETARY TO PLANNING COMMISSION

P94-100

TENTATIVE MAP



**RESOLUTION NO.****ADOPTED BY THE SACRAMENTO PLANNING COMMISSION****ON DATE OF OCTOBER 27, 1994****A RESOLUTION ADOPTING FINDINGS OF FACT AND  
APPROVING A VARIANCE FOR PROPERTY LOCATED AT 3480  
Witter Way****(P94-100) (APN: 225-0180-002)**

WHEREAS, the City Planning Commission on October 27, 1994, held a public hearing on the request for approval of a Variance to establish a lot less than 20 acres in size. for property located at the above described location;

WHEREAS, the proposed project is exempt from environmental review pursuant to State EIR Guidelines (CEQA Section 15301).

WHEREAS, the Planning staff has submitted to the City Planning Commission its report and recommendations on the proposed development;

WHEREAS, the Planning Commission adopts the following findings of fact for the Variance:

1. Granting the Variance does not constitute a special privilege extended to an individual property owner in that a variance would be granted to other property owners facing similar circumstances.
2. Granting the Variance would not be detrimental to the public welfare nor result in the creation of a public nuisance in that:
  - a. the two lots will be eventually merged into one lot which will be greater than 20 acres in size; and
  - b. the two lots merged at a later date will establish a lot owned by the Witter Ranch Foundation which will maintain its historical preservation.
3. Granting the Variance does not constitute a use Variance in that a historical preservation site with farm buildings and a residential dwelling are allowed in the Agriculture Open Space (AOS) zone.

4. The project is consistent with the General Plan and North Natomas Community Plan which designate the site for agriculture open space uses.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF SACRAMENTO THAT:

1. The Variance for the proposed project are hereby approved, subject to the following condition:

Upon the death of Mr and Mrs Edwin Witter, a Lot Line Adjustment shall be obtained in order to merge the two lots into one.

\_\_\_\_\_  
CHAIRPERSON

ATTEST:

\_\_\_\_\_  
SECRETARY TO PLANNING COMMISSION

P94-100