

# CITY PLANNING COMMISSION

1231 "I" STREET, SUITE 200, SACRAMENTO, CA 95814

|                     |  |             |              |
|---------------------|--|-------------|--------------|
| APPLICANT           | JAMES W. AND RUBY F. PREGLER, 943 Piedmont Drive, Sac., CA 95822 |             |              |
| OWNER               | JAMES W. AND RUBY F. PREGLER, 943 Piedmont Drive, Sac., CA 95822 |             |              |
| PLANS BY            | JAMES W. AND RUBY F. PREGLER, 943 Piedmont Drive, Sac., CA 95822 |             |              |
| FILING DATE         | 1/20/89  | ENVIR. DET. | Exempt 15302 |
| ASSESSOR'S PCL. NO. | 016-0191-002   |             |              |
|                     |  | REPORT BY   | JJP:vf       |

APPLICATION: Special Permit to expand an existing boat dock eight feet in length in the Standard Single Family (R-1) and Flood (F) zones.

LOCATION: 943 Piedmont Drive

PROPOSAL: The applicant is requesting the necessary entitlements to replace a 40' x 8' wooden boat dock with a 48' x 8' steel frame and wood deck boat dock on the Sacramento River adjacent to a single family residential lot.

PROJECT INFORMATION:

|                            |   |
|----------------------------|---|
| General Plan Designation:  | Low Density Residential (4-15 du/ac) and Park Recreation-Open space |
| Existing Zoning of Site:   | R-1 and F   |
| Existing Land Use of Site: | Single family residence with river access                           |

Surrounding Land Use and Zoning

North: Single family; R-1 and F  
South: Single family; R-1 and F  
East : Single family; R-1  
West : Sacramento River; F

|                              |                                 |
|------------------------------|---------------------------------|
| Property Dimensions:         | 100' x 365'                     |
| Property Area:               | 0.8± acres                      |
| Square Footage of Boat Dock: | 48' x 8'                        |
| Building Materials:          | Polystyrene floats, steel, wood |

PROJECT EVALUATION: Staff has the following comments regarding this proposal:

A. Land Use and Zoning

The subject site is a 0.8± acre interior lot located in the Standard Single Family and Flood (R-1 and F) zones. A single family residence is located on the eastern portion of the site. Surrounding land uses are single family residences in the R-1 and F zones to the north, south and east and the Sacramento River to the west. The eastern half of the site (located in the R-1 zone) is designated Low Density Residential by the General Plan and the western half of the site (located in the F zone) is designated Park-Recreation-Open Space by the General Plan. The subject site is unusual in that the rear of the subject property and that of adjacent parcels extends to the Sacramento River. Property owners along this portion of the river own the levee and land on the river side of the levee (see Vicinity, Land Use and Zoning Map). As a result, several of the owners of property in this area, including the applicant, have had private boat docks located on the river

adjacent to their parcel for several years. The current Zoning Ordinance requires that private boat docks obtain a special permit from the Planning Commission. However, many of these boat docks, including the applicant's, do not have special permits, since they existed prior to annexation or were constructed when the old Zoning Ordinance did not require a special permit.

B. Applicant's Proposal

The applicant has indicated that an 8' x 40' wooden boat dock has been located on the Sacramento River adjacent to the subject site for approximately 30 years (Exhibit A). In 1988, the wooden dock was broken in half by the wake action of passing boats. The applicant contacted the U. S. Army Corps of Engineers to obtain a permit to repair the boat dock. The Corps of Engineers issued a permit to the applicant to construct the boat dock in February of 1988 subject to the condition that the new dock have a steel frame. The applicant also decided to extend the boat dock eight feet (8' x 48') to provide the space necessary to safely moor his boat.

On October 14, 1988, the State Lands Commission informed the applicant that he would also need a permit from their office to repair the boat dock. The applicant filed an application with the State Lands Commission on October 26, 1988. The Commission also informed the applicant that they would need any necessary permit or approvals from the City of Sacramento before the State could issue him a permit. The applicant then filed a special permit application for a private boat dock with the City Planning Division on January 10, 1989.

The applicant began construction on the new boat dock and a new ramp to the dock in November of 1988 (Exhibit A and B). The dock is now completed and the applicant's boat is moored at the dock.

C. Staff Evaluation

As noted above, the City's General Plan designates the western portion of the subject site and the adjacent Sacramento River as Parks, Recreation and Open Space. One of the policies of the Conservation And Open Space Element of the General Plan is to implement the goals and policies of the Sacramento River Parkway Plan. A stated recommendation of the Sacramento River Parkway Plan is:

Private use of the river's edge and parkway segments should be discouraged. Existing private docks, boat ramps, floats and moorings should be gradually phased out or made public. No additional new permits for similar facilities should be granted.

The City Department of Parks and Community Services has reviewed the applicant's proposal and has recommended that the special permit be denied as the subject site is part of the adopted Sacramento River Parkway and private docks, excepting those at key locations, are not consistent with the plan (Exhibit C).

Planning staff concurs with the recommendation of Parks and Community Services Department and finds that the proposed boat dock is not consistent with the policies of the City General Plan. Staff recommends that the special permit request be denied.

ENVIRONMENTAL DETERMINATION: This project is exempt from environmental review pursuant to State EIR Guidelines (CEQA Section 15302).

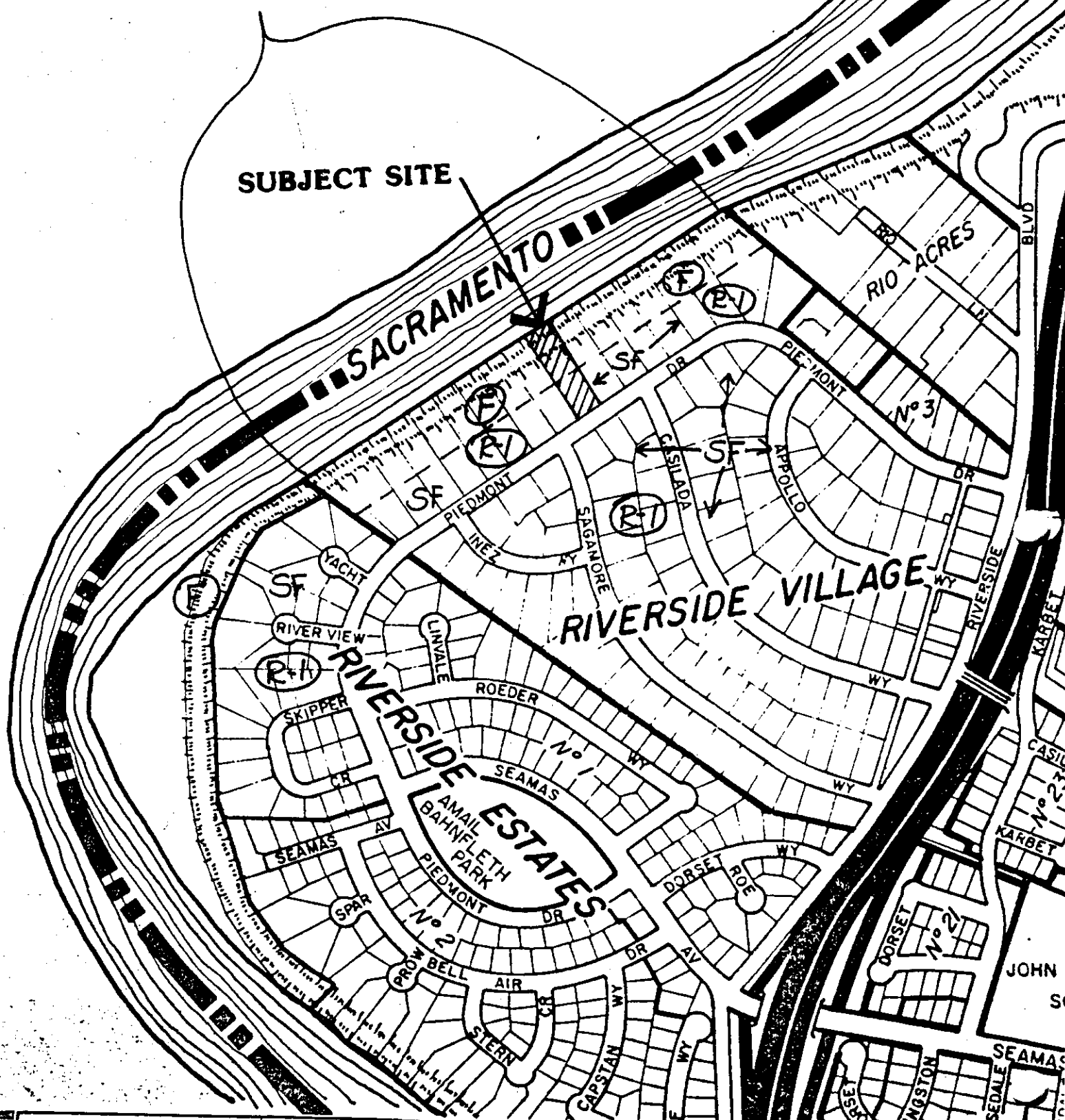
RECOMMENDATION: Staff recommends that the Planning Commission deny the special permit request to expand the existing boat dock based upon findings of fact which follow:

Findings of Fact

The project, if approved, would be inconsistent with the goal of the Sacramento River Parkway Plan to phase out existing private boat docks along the Sacramento River.

Single Family Residential  
With River Access

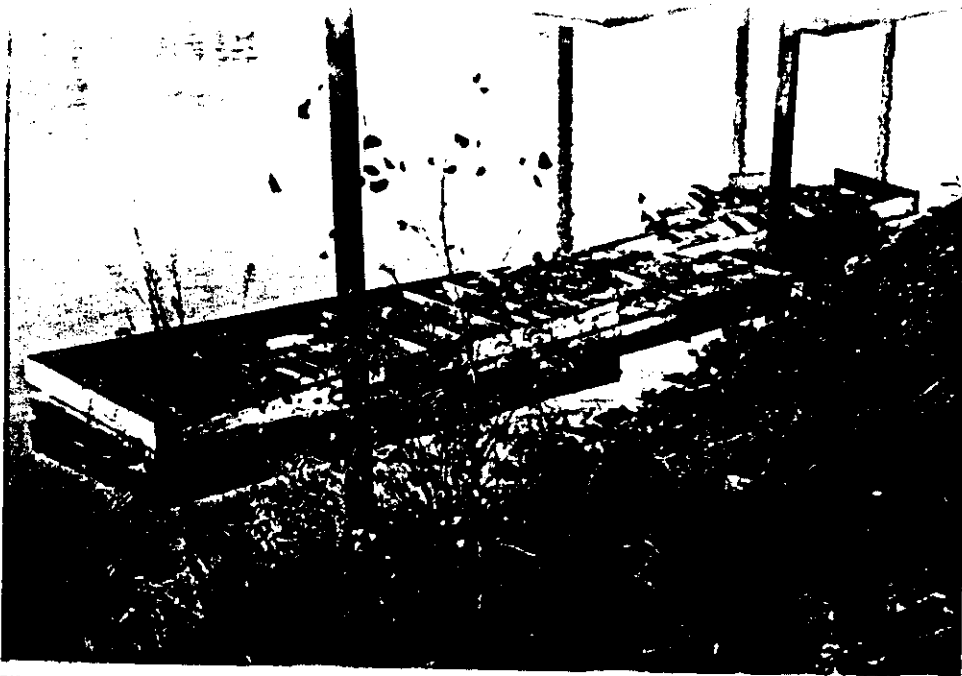
SUBJECT SITE



P89-051

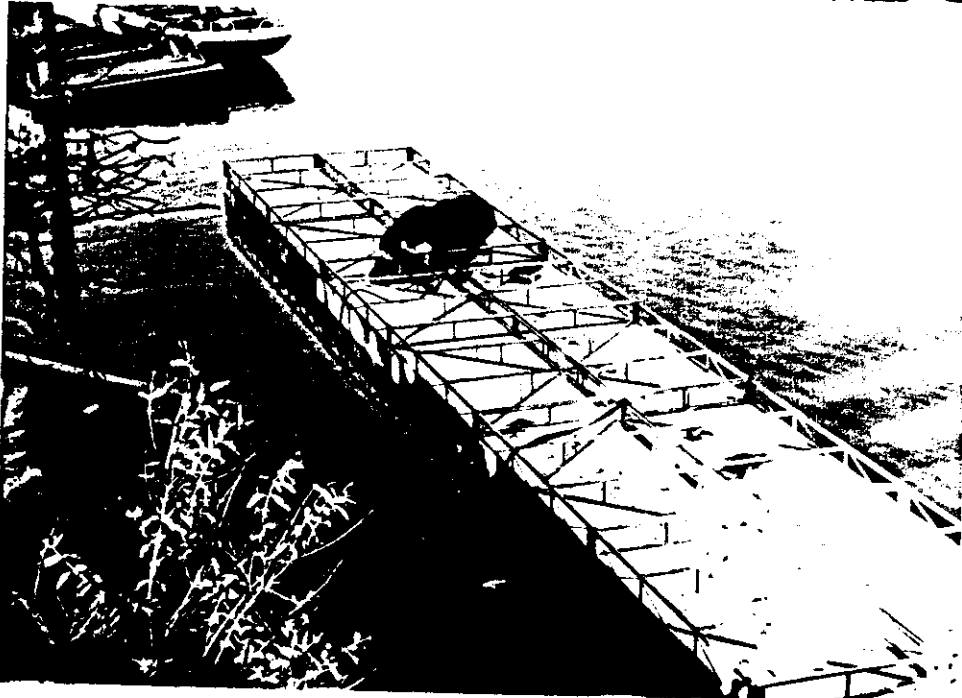
VICINITY - LAND USE - ZONING

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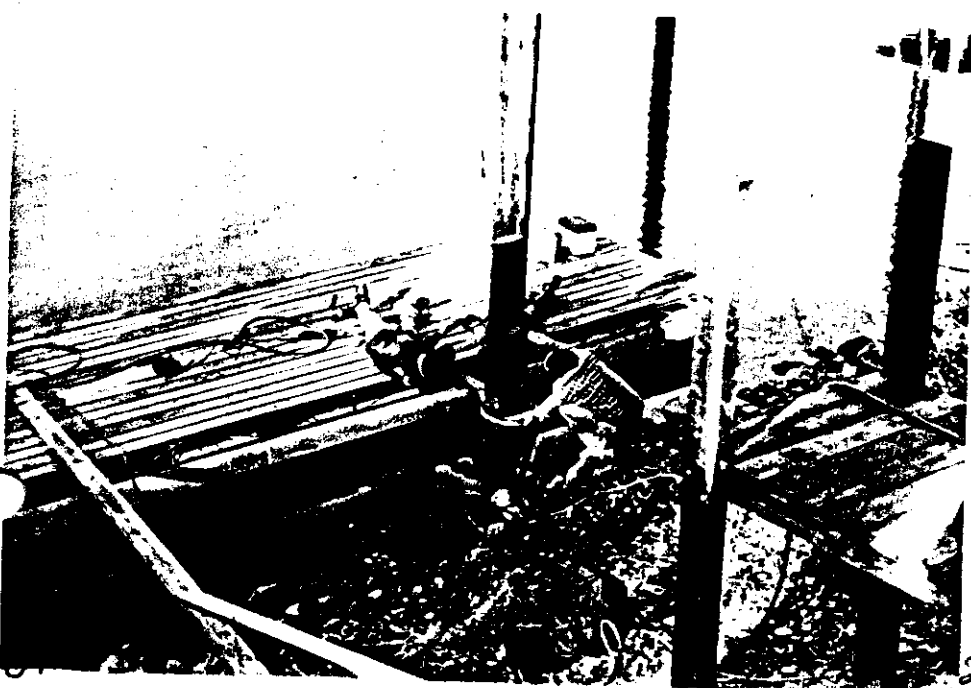


**EXHIBIT A**

← Old Boat Dock



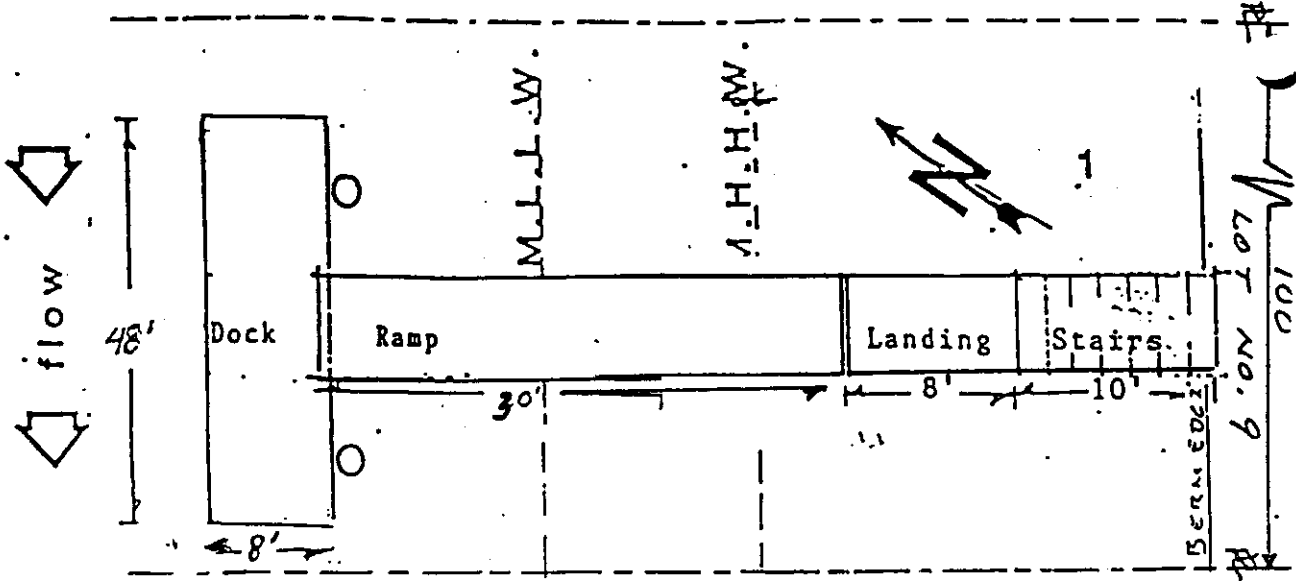
New Boat  
← Dock Under  
Construction



↙

Floating Moorage on the Sacramento River LOT 10 - PERON

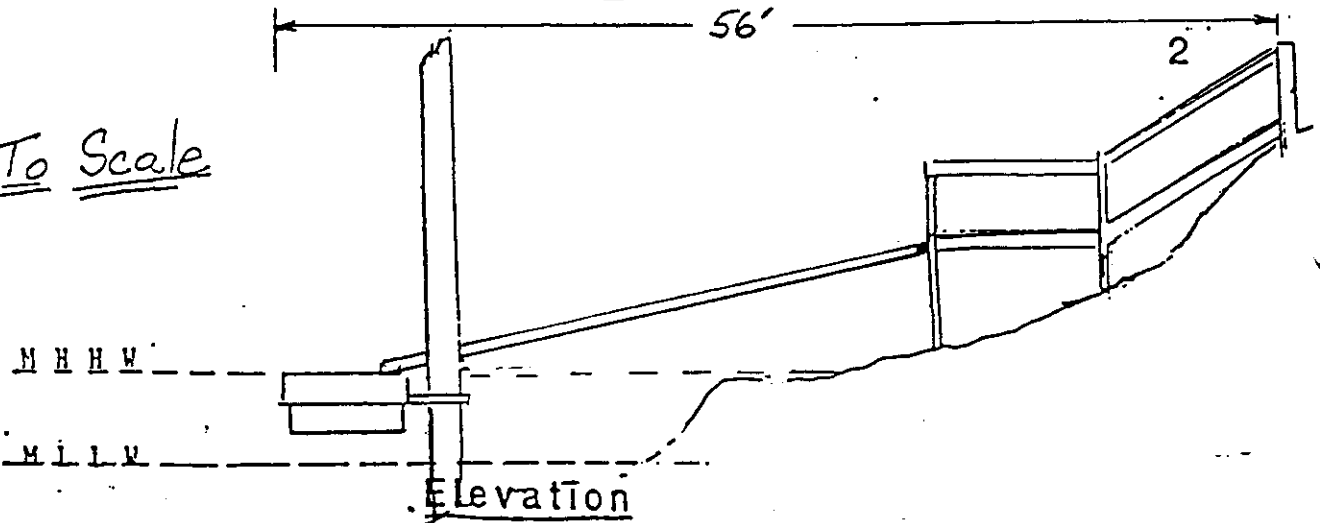
Sacramento River



PLAN

LOT 8 - SCHABER

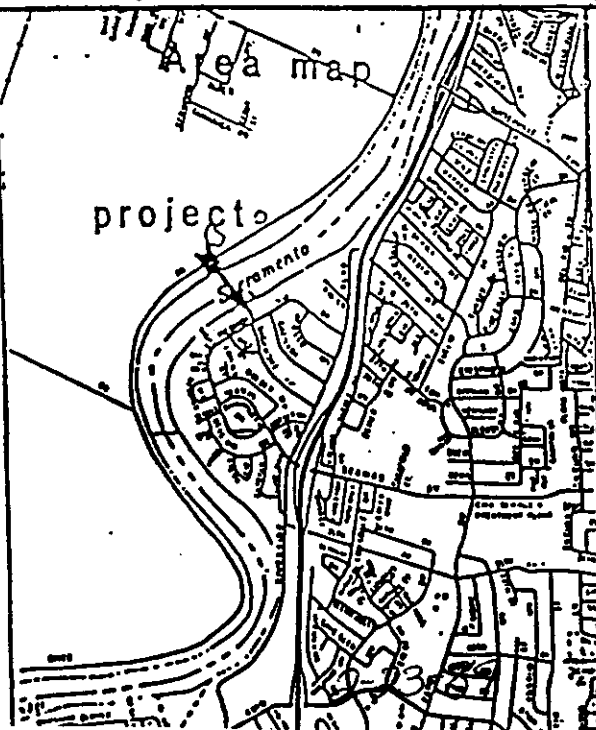
Not To Scale



Elevation

List of materials

- Dock
- Frame 2"x12" D.F.
- String: 2"x6" D.F.
- Dock 2"x6" D.F.
- Plats 8"x24"x8'
- Stairs
- Poste 4"x6" D.F.
- String. 4"x12" D.F.
- Land. Fr. 4"x6" D.F.
- Treads 2"x6" D.F.
- Rails 2"x4" D.F.



Name & address

J.W.Pregler  
943 Piedmont Dr.  
Sacto. Ca. 95822

Date SEPT. 14, 1988

S/S PERMIT NO.  
9852 NW

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2-23-89

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**EXHIBIT C**

Environmental Assessment  
and Resource Planning

**LEGEND**

**LAND USE:**

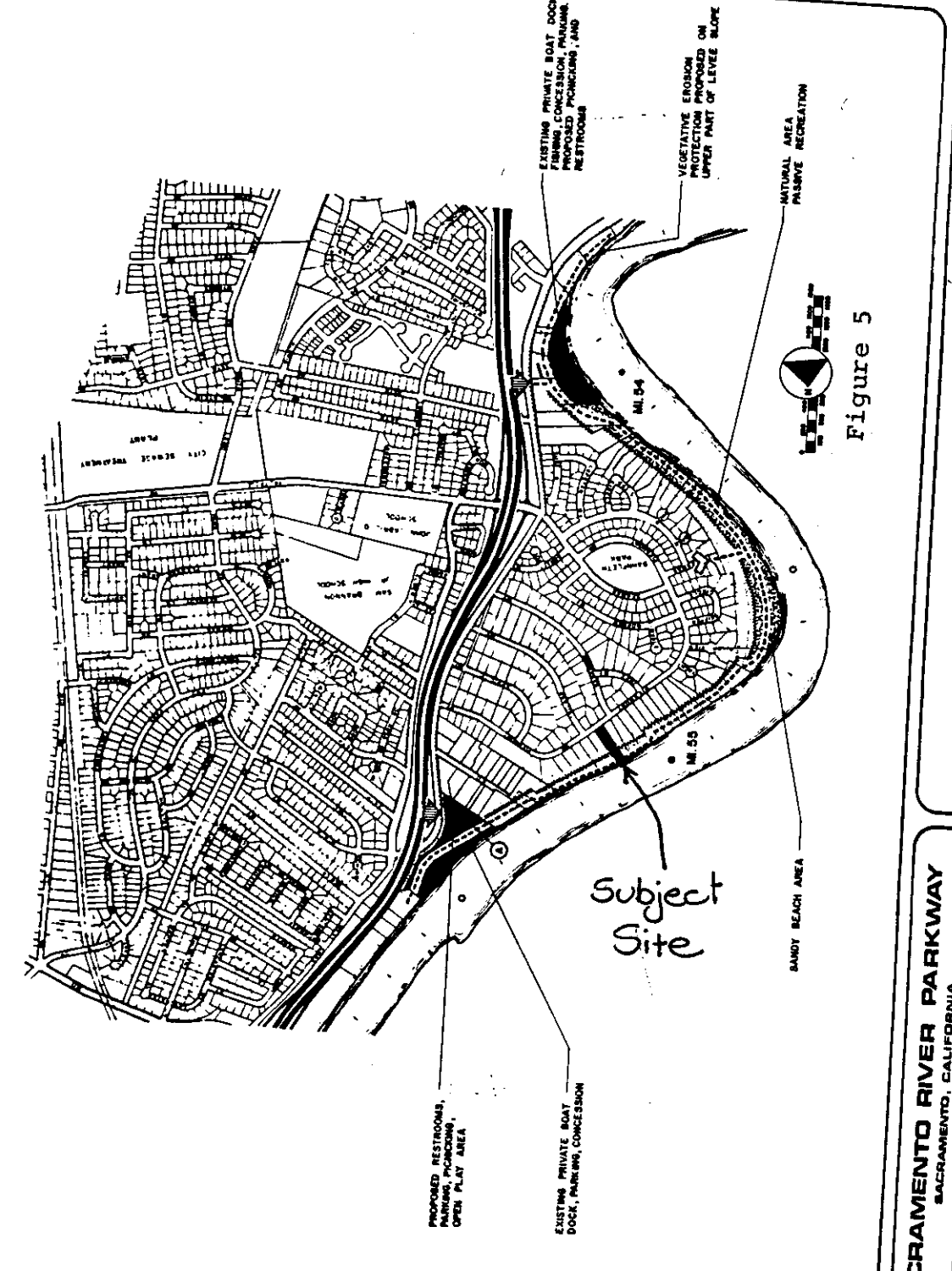
- DEVELOPED AREA
- NATURAL AREA
- SECURITY FENCING
- SAFETY BARRIER
- AREAS REQUIRING MAJOR ACQUISITION

**ACCESS:**

- AUTOMOBILE ACCESS AREAS
- PEDESTRIAN / BICYCLE ACCESS, SPECIFIC LOCATION
- PEDESTRIAN / BICYCLE ACCESS, GENERAL LOCATION

**TRAILS:**

- EXISTING TRAIL
- PRIMARY TRAIL
- SECONDARY TRAIL
- TEMPORARY BYPASS TRAIL
- ALTERNATE TRAIL
- POTENTIAL FUTURE OFF-STREET MULTI-PURPOSE TRAILS



**STUDY AREA - D**

**SACRAMENTO RIVER PARKWAY**  
SACRAMENTO, CALIFORNIA

RIVERSIDE VILLAGE IMPROVEMENT ASSOCIATION  
967 Piedmont Drive  
Sacramento, CA 95822-1701  
441-0428

Item 20  
CITY OF SACRAMENTO  
CITY PLANNING DIVISION

22 February 1989

FEB 23 1989

Sacramento City Planning Commission  
1231 I Street, Suite 200  
Sacramento, CA 95814

RECEIVED

RE: Application No. P89-057  
Hearing Feb. 23, 1989, Item #20

Dear Commissioners:

This letter is written on the behalf of the 17 property owners in the RIVERSIDE VILLAGE subdivision who own river frontage and support the application by James W. and Ruby F. Pregler at 943 Piedmont Drive.

The RIVERSIDE VILLAGE was subdivided in 1947, and subsequently was annexed to the City of Sacramento. The subdivision has exceptionally large lots and is composed entirely of single family homes except for the parcels fronting Riverside Blvd. There were originally 16 lots with river frontage, but a few years ago one two plus acre parcel was split so that there are now 17. Several of the lots have docks dating back before city annexation. There are at least two parcels which had docks, but do not have one now. Docks have been approved by State and federal agencies and the docks do not endanger flood control or are a hazard to navigation.

The value and attractiveness of the large lots with river frontage is evident by the very rare sale of river frontage parcels in the RIVERSIDE VILLAGE subdivision, and when one is sold, it has a very high price. Two parcels are still owned by the original owners. The average period of ownership may exceed 20 years. Just recently an undeveloped six acre parcel on the opposite side of the river sold for \$4,050,000; that is \$675,000 an acre or about \$10,000 per linear foot of river frontage.

At one time a bike path was planned for the levee in the RIVERSIDE VILLAGE subdivision. It is no longer in any plan. At several hearings on the City General Plan objections were voiced to the designation of the levee area as park/open space. We were assured that such designation did not constitute a plan for the city to purchase that land.

When the lot split was being considered by the Planning Commission the City Department of Parks and Community Services recommended that as a condition for the lot split, the levee area be dedicated to the City. It was found that this was an invalid request for a lot split. We believe that the denial of an application for an improvement of a dock in this same vicinity is equally invalid.

It is our belief that the City's ability at present or at any foreseeable time in the future, to purchase the levee in fee in

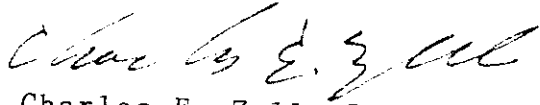


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RE: Application No. P89-057  
22 February 1989  
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the RIVERSIDE VILLAGE subdivision is nonexistent. The severance damages would be excessive and would not be in the public interest.

We request the Commission to APPROVE application No. P89-057.

Sincerely,



Charles E. Zell, President  
Riverside Village Improvement Association