



RECORDING REQUESTED
WHEN RECORDED MAIL TO:

County of Sacramento
Planning and Environmental Review
827 Seventh Street, Room 225
Sacramento, CA 95814
CONTACT PERSON: Julie Newton
TELEPHONE: (916) 876-8502

SPACE ABOVE RESERVED FOR RECORDER'S USE

NOTICE OF EXEMPTION

Project Title:

Magnolia Avenue Accessory Dwelling Unit

Control Number:

PLNP2023-00123

Project Location:

The subject parcel is located at 7865 Magnolia Ave, on the north side of Magnolia Avenue, approximately 850 feet east of New York Avenue, in the Fair Oaks community of unincorporated Sacramento County.

APN:

242-0195-042-0000

Description of Project:

The project is proposing the construction of a new, two-story detached Accessory Dwelling Unit (ADU), with an approximately 754square-foot two-car garage on the first floor and a 963 square-foot ADU on the second story, with a 36 square-foot entry way on the first floor. The ADU is proposed to have a kitchen, a deck, two full bathrooms, two bedrooms, and a living room.

The project seeks the following entitlements:

1. A Minor Special Development Permit to allow an Accessory Dwelling Unit (ADU) to deviate from the following Sacramento County Zoning Code (SZC) Development Standards:
 - Maximum Building Height and Maximum Number of Stories (Section 5.4.5.B, Table 5.11): 20 feet if minimum of 10 feet from rear property line and 5 feet from side property line. As proposed the ADU would be 40 feet from the rear property line and 12 feet 6 inches from the side property line and 24 feet and 8 inches tall.
 - Number of Building Stories (section 5.4.5.B., Table 5.11, Footnote 6): Detached or attached ADUs greater than 16 feet in height may only be a single story. ADUs attached to a two-story primary dwelling may match the roofline of the primary dwelling so long as they are single story and maintain a minimum of a five-foot side yard setback and 10-foot rear yard setback. As proposed the ADU would be detached with two stories.

Name of public agency approving project:

Sacramento County – ceqa@sacounty.gov

Person or agency carrying out project:

Gary Osipov
7865 Magnolia Avenue, Fair Oaks, CA 95628
(916)233-5858
garrybroker@gamil.com

Exempt Status:

Categorical Exemption (PRC Section 21084; CEQA Guidelines Sections 15300 -15333):

- CEQA Guidelines Section 15303 subsection (a), Class 3–New Construction of Conversion of Small Structures

Reasons why project is exempt:

The project consists of the construction and location of a second dwelling unit, in a residential zone, in an urbanized area, and is therefore exempt from the provisions of CEQA.

Section 15300.2-Exceptions

Section 15300.2 of the CEQA Guidelines, Exceptions, provides conditions under which categorical exemptions are inapplicable. Review of the Project indicates that it will not violate any of the exceptions, as described in the following section.

1. *For Classes 3, 4, 5, 6, and 11, will the project occur in certain specified sensitive environments or locations?*

The Project site is developed with an existing single-family residence within an urbanized community.

2. *Will cumulative impacts be considerable because successive projects of the same type will occur at the same place over time?*

The Project will not result in potentially significant impacts. Therefore, no cumulative impacts will result from the Project and successive projects of the same type and at the same place over time.

3. *Is there a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances?*

There are no known unusual circumstances that will have a significant effect on the environment.

4. *Will the project result in damage to scenic resources, including but not limited to trees, historic buildings, rock outcroppings, or similar resources within a highway officially designated as a scenic highway?*

River Road/ Highway 160 (from the Sacramento City Limits at the northern edge of Freeport to the southern tip of the Delta at Antioch Bridge) is a designated State Scenic Highway. The Project is not located within the vicinity of this scenic highway. Therefore, the project will not result in damage to scenic resources or similar resources within a highway that is officially designated as a scenic highway.

5. *Is the project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code?*

The Project site is not included on any list compiled pursuant to Section 65962.5 of the Government Code. Therefore, the Project will not have an impact related to being located on a hazardous waste site.

6. *Will the project cause a substantial adverse change in the significance of a historic resource?*

The project site does not contain any historical resources.

Copy To:

**County of Sacramento
County Clerk**

3636 American River Drive, Suite 110
Sacramento, CA 95864

OPR:

State Clearinghouse
1400 Tenth Street
Sacramento, CA 95814

Julie Newton
ENVIRONMENTAL COORDINATOR OF
SACRAMENTO COUNTY, STATE OF CALIFORNIA