

From: [Planning](#)
To: [Brian Jacks](#)
Subject: RE: 4835 Rio Linda Blvd
Date: Thursday, May 12, 2022 9:38:42 AM
Attachments: [image002.png](#)
[image003.png](#)

Hello Brian,

Yes, you can keep my email as documentation that a contractor storage yard is an existing legal non-conforming use.

Your zoning letter will be followed up in a separate email.

Have a nice day.

Thank you,
Pamela Morgan
Associate Planner

TO LOOK UP ZONING, design review districts, historic districts, parking district, SPD etc. please copy this link into your URL:
<https://www.arcgis.com/apps/webappviewer/index.html?id=6f8e021cb286482b9a649e33ac6e67ea>



From: Brian Jacks <brian@jackscre.com>
Sent: Tuesday, May 10, 2022 4:58 PM
To: Planning <Planning@cityofsacramento.org>
Subject: RE: 4835 Rio Linda Blvd

Hi Pamela,

The attached Phase I report (dated 2/23/04), which was updated from a 6/9/98 Phase I report, provides the following history regarding the property:

The property is located on the west side of Rio Linda Boulevard, approximately 330 feet north of the intersection of Main Avenue, in the City of Sacramento. As shown on Figure 1, the property consists of an approximately 2,500 square-foot building on approximately 0.9-acre of land. The property has been owned by William Kochoo since approximately 1992. The property was occupied by Kochoo Construction Company from 1992 through early 2003, and has been vacant since then. Kochoo Construction Company used the property for equipment storage and has performed equipment maintenance at the property. Our review of available

records suggests that the building was constructed between 1967 and 1976 and had tenants including Dodson Machine & Welding Company, Rio Verta Heating & Air Conditioning, and Roberts Truck Service prior to 1992. The property was originally part of a larger tract of land including the parcel immediately west of the property and was a dairy farm in the late 1930s and 1940s. The reader is referred to Attachment 1 for details of historic records for the property, including aerial photographs, historic directories and agency records.

My client purchased the property in 2004 for use as a concrete contractor's storage yard. He also obtained the attached permit (#0410005) that same year for modifications to building, electrical, plumbing and mechanical. In addition, he installed a fence with slats that was approved by the City as well. We are looking for a zoning letter or email confirmation that confirms the current use is considered legal non-conforming with clarification for how long the property could be left vacant before such use would lose this status.

Thanks, Brian

JACKS COMMERCIAL REAL ESTATE

Brian Jacks | Principal Broker

916-837-3456 | Brian@JacksCRE.com

<https://cas5-0-urlprotect.trendmicro.com:443/wis/clicktime/v1/query?url=www.JacksCommercial.com&umid=a70eb462-d93a-4c30-a2b9-1ea9d6d0724b&auth=0c78d5381d8efeba9ba4477b3ca23a49d0ab462f-e63c15a128416da00bde30b55e7dc4fa46c75aba> | DRE Lic. #02088254

From: Planning <Planning@cityofsacramento.org>

Sent: Monday, May 9, 2022 3:56 PM

To: Brian Jacks <brian@jackscre.com>

Subject: RE: 4835 Rio Linda Blvd

Hello [@Brian Jacks](#),

This site was rezoned to C-1 in 1988. How did a contractor storage yard get established in a C-1 zone in 2004? This would not have been allowed in 2004.

Do you have more history on this site that you can please share?

Thank you,
Pamela Morgan
Associate Planner

TO LOOK UP ZONING, design review districts, historic districts, parking district, SPD etc. please copy this link into your URL:

<https://cas5-0-urlprotect.trendmicro.com:443/wis/clicktime/v1/query?url=https%3a%2f%2fwww.arcgis.com%2fapps%2fwebappviewer%2findex.html%3fid%3d6f8e021cb286482b9a649e33ac6e67ea&umid=a70eb462-d93a-4c30-a2b9-1ea9d6d0724b&auth=0c78d5381d8efeba9ba4477b3ca23a49d0ab462f-24ca442ec2100edc8b9161fcd7b26fa6b96db6eb>



From: Brian Jacks <brian@jackscre.com>
Sent: Monday, May 9, 2022 2:54 PM
To: Planning <Planning@cityofsacramento.org>
Subject: RE: 4835 Rio Linda Blvd

Hi there, please advise. Thanks, Brian

JACKS COMMERCIAL REAL ESTATE

Brian Jacks | Principal Broker
916-837-3456 | Brian@JacksCRE.com
<https://cas5-0-urlprotect.trendmicro.com:443/wis/clicktime/v1/query?url=www.JacksCommercial.com&umid=3674df65-745b-46ff-919a-1550a3d32caa&auth=0c78d5381d8efeba9ba4477b3ca23a49d0ab462f-a2803fbc896905099c1e356ef17145a48f033615> | DRE Lic. #02088254

From: Brian Jacks
Sent: Wednesday, May 4, 2022 11:05 AM
To: Planning <Planning@cityofsacramento.org>
Subject: RE: 4835 Rio Linda Blvd

Good morning,

West Concrete has owned/occupied 4835 Rio Linda Blvd since 2004 for operation as a concrete company, but with no mixers or batch plant. Basically, they've operated like a typical contractor yard. From what I can tell, this particular use would be considered a legal non-conforming use, as pertains to the current zoning, correct? In the event the building is sold to another concrete company, we want to make sure there will be no use permit issues. If the property were to become vacant, how long before the legal non-conforming use expires?

Thanks, Brian

JACKS COMMERCIAL REAL ESTATE

Brian Jacks | Principal Broker
916-837-3456 | Brian@JacksCRE.com
<https://cas5-0-urlprotect.trendmicro.com:443/wis/clicktime/v1/query?url=www.JacksCommercial.com&umid=3674df65-745b-46ff-919a-1550a3d32caa&auth=0c78d5381d8efeba9ba4477b3ca23a49d0ab462f-a2803fbc896905099c1e356ef17145a48f033615> | DRE Lic. #02088254

From: Planning <Planning@cityofsacramento.org>
Sent: Tuesday, March 22, 2022 1:42 PM
To: Planning <Planning@cityofsacramento.org>; Brian Jacks <brian@jackscre.com>; Planning

<Planning@cityofsacramento.org>

Subject: RE: 4835 Rio Linda Blvd

Mr. Jacks,

You should not disregard the WC. WC means "With Conditions" and some specific land use conditions were placed on the property a long time ago.

I do not think "WC" was ever listed in the Zoning Code.

You should start by reviewing records of on the property, especially the old rezone:

<https://www.cityofsacramento.org/Clerk/Services/Public-Records>

Not sure if this will show up in a title report or not.

Robert W. Williams

Associate Planner

Community Development Department

www.cityofsacramento.org/cdd

From: Planning <Planning@cityofsacramento.org>

Sent: Tuesday, March 22, 2022 1:22 PM

To: Brian Jacks <brian@jackscre.com>; Planning <Planning@cityofsacramento.org>

Subject: RE: 4835 Rio Linda Blvd

Hi Brian,

I would disregard the -R overlay and the WC as well. There are no standards or requirements in our code any longer associated with those overlays.

Thank you,

Jose R. Quintanilla

Associate Planner, North Area (North Natomas, South Natomas, North Sacramento)

Planning Division | Community Development Department

300 Richards Blvd., 3rd Floor

Sacramento, CA 95811

planning@cityofsacramento.org

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From: Brian Jacks <brian@jackscre.com>

Sent: Monday, March 21, 2022 9:48 PM

To: Planning <Planning@cityofsacramento.org>

Subject: RE: 4835 Rio Linda Blvd

Fatima,

I'm already familiar with C-1 zoning and permitted uses, but can you please help me understand what is meant by the highlighted portion below:

C-1-**R(WC)** - LIMITED COMMERCIAL/**REVIEW - WITH CONDITION**

Thanks, Brian

JACKS COMMERCIAL REAL ESTATE

Brian Jacks | Principal Broker

916-837-3456 | Brian@JacksCRE.com

<https://cas5-0-urlprotect.trendmicro.com:443/wis/clicktime/v1/query?url=www.JacksCommercial.com&umid=f8c32b7d-874e-46d7-93af-a62109dcf354&auth=0c78d5381d8efeba9ba4477b3ca23a49d0ab462f-7eb0244466b1fe141d63dc92df9889239dcc58c3> | DRE Lic. #02088254

From: Planning <Planning@cityofsacramento.org>

Sent: Friday, March 18, 2022 10:42 AM

To: Brian Jacks <brian@jackscre.com>; Planning <Planning@cityofsacramento.org>

Subject: RE: 4835 Rio Linda Blvd

Hi Brian,

I reviewed this location information on our land information lookup app: <https://cas5-0-urlprotect.trendmicro.com:443/wis/clicktime/v1/query?url=https%3a%2f%2fwww.arcgis.com%2fapps%2fwebappviewer%2findex.html%3fid%3d6f8e021cb286482b9a649e33ac6e67ea&umid=f8c32b7d-874e-46d7-93af-a62109dcf354&auth=0c78d5381d8efeba9ba4477b3ca23a49d0ab462f-5e43d9e41f7978cd95197967a2b0ccb934fc9811>

And based on this zoning, here is what I found in title 17: <https://cas5-0-urlprotect.trendmicro.com:443/wis/clicktime/v1/query?url=http%3a%2f%2fwww.qcode.us%2fcodes%2fsacramento%2fview.php%3ftopic%3d17%2dii%2d17%5f216%2dvi%26showAll%3d1%26frames%3don&umid=f8c32b7d-874e-46d7-93af-a62109dcf354&auth=0c78d5381d8efeba9ba4477b3ca23a49d0ab462f-ecbd7f9702de5a4d49222ddf1ee4b078c9a72307>

Article VI. C-1 Zone—Limited Commercial Zone 17.216.600 C-1 zone—Purpose.

The purpose of the C-1 zone is to provide for certain offices, retail stores, and commercial service establishments that are compatible with residential developments. This zone is intended to be applied to small lots that are surrounded by a residential neighborhood. (Ord. 2013-0020 § 1; Ord. 2013-0007 § 1)

17.216.610 C-1 zone—Permitted uses.

A. Permitted uses. The following uses are permitted by right in the C-1 zone, subject to the limitations specified:

Use	Limitations

1. Residential Uses	
Dormitory	Subject to special use regulations in section 17.228.111
Dwelling, duplex	
Dwelling, multi-unit	Subject to special use regulations in section 17.228.117
Dwelling, single-unit	
Residential care facility	
2. Commercial and Institutional Uses	
Assembly—cultural, religious, social	Subject to special use regulations in section 17.228.128
Athletic club; fitness studio	
Bed and breakfast inn	
Childcare center	Subject to special use regulations in section 17.228.113
Cinema (inside arts and entertainment district)	
Commercial service	
Community market	Subject to special use regulations in section 17.228.124
Laundromat, self-service	
Library; archive	
Museum	
Nonresidential care facility	
Office	
Restaurant	
Retail store	This use is limited to 40,000 gross square feet; if use exceeds this limitation, a conditional use permit is required
School—dance, music, art, martial arts	
Temporary commercial building	Subject to special use regulations in section 17.228.126
Theater	
Tobacco retailing	Permitted in a store that has greater than 15,000 square feet of gross floor area if the total area of shelving allocated to tobacco products and tobacco paraphernalia does not exceed 250 square feet.
3. Industrial and Agricultural Uses	
Aquaculture	Subject to special use regulations in section 17.228.810 et seq.
Community garden, private (not exceeding 3.0 acres)	Subject to special use regulations in section 17.228.810 et seq.
Market garden (not exceeding 3.0 acres)	Subject to special use regulations in section 17.228.810 et seq.
Solar energy system, commercial (city property)	Allowed in this zone and exempt from the provisions of this title

B. Conditional uses. The following uses in the C-1 zone require approval of a conditional use permit, subject to the limitations specified:

Use	Limitations	Approval Required by: Planning and Design Commission (PDC); Zoning Administrator (ZA); or City Council (CC)
1. Residential Uses		
Fraternity house; sorority house	Subject to special use regulations in section 17.228.111	PDC
Mobilehome park		PDC
Residential hotel	Subject to special use regulations in section 17.228.112	PDC
Temporary residential shelter		PDC
2. Commercial and Institutional Uses		
Alcoholic beverage sales, off-premises consumption	Subject to special use regulations in section 17.228.108	PDC
Amusement center, indoor		PDC
Amusement center, outdoor		PDC
Bar; nightclub	Subject to special use regulations in section 17.228.108	PDC
Cemetery		PDC
Check-cashing center	Subject to special use regulations in section 17.228.121	PDC
Cinema (outside arts and entertainment district)		PDC
College campus		PDC
Correctional facility		PDC
Drive-in theater		PDC
Golf course; driving range		PDC
Kennel		ZA
Non-profit organization, food preparation for off-site consumption		PDC
Non-profit organization, food storage and distribution	This use is limited to 6,400 gross square feet	PDC
Non-profit organization, meal service facility		PDC
Outdoor market	In granting a conditional use permit the zoning administrator may consider the traffic, parking, noise, hours of operation, and any applicable development standards related to the proposed outdoor market	ZA

Retail store	Permitted with a conditional use permit if use exceeds 40,000 gross square feet; permitted by right if use does not exceed 40,000 gross square feet	PDC
School, K-12		PDC
Stand-alone parking facility	The zoning administrator may waive the development standards stated in sections 17.608.040 and 17.612.020	ZA
Superstore	Subject to special use regulations in section 17.228.119	PDC
Tobacco retailing	Permitted with a conditional use permit in a store that has 15,000 square feet or less of gross floor area or allocates more than 250 square feet of shelving to tobacco products and tobacco paraphernalia.	ZA
Transit vehicle—service, repair, storage		PDC
Veterinary clinic; veterinary hospital		ZA
3. Industrial and Agricultural Uses		
Antenna; telecommunications facility	Subject to special use regulations in section 17.228.300 et seq.	PDC
Boat dock; marina		PDC
Community garden, private (exceeding 3.0 acres)	Subject to special use regulations in section 17.228.810 et seq.	ZA
Heliport; helistop	Subject to special use regulations in section 17.228.114	PDC
High voltage transmission facility	Subject to special use regulations in section 17.228.500 et seq.	CC
Market garden (exceeding 3.0 acres)	Subject to special use regulations in section 17.228.810 et seq.	ZA
Passenger terminal		PDC
Surface mining operation	Subject to provisions of chapter 17.720	PDC
Well—gas, oil		PDC

C. Accessory uses. The following uses are permitted in the C-1 zone when accessory to a permitted or conditional use, subject to the limitations specified:

Use	Limitations
Accessory antenna	
Childcare, in-home (family day care home)	
Common area	
Dwelling unit, accessory	Subject to special use regulations in section 17.228.105
Family care facility	
Family day care facility	

Home occupation	Subject to special use regulations in section 17.228.200 et seq.
Private garden	Subject to special use regulations in section 17.228.810 et seq.
Recycling facility, convenience	Subject to special use regulations in section 17.228.400 et seq.
Urban beekeeping	Subject to section 9.44.330
Watchperson's quarters	The structure shall be limited to 1,000 square feet

D. Prohibited uses. All uses not listed as permitted, conditional, or accessory uses are prohibited in the C-1 zone.

E. Outdoor storage. Outdoor storage of any inventory or supplies in view of any public right-of-way is prohibited, except for auto and mobile home sales, rental, and storage uses. Outdoor storage or parking of vehicles overnight for auto service or repair uses is prohibited.

F. Auto service and repair near residential. Auto service or repair work performed within 300 feet of property used or zoned for residential purposes shall not be conducted before 6:00 a.m. or after 10:00 p.m. All such work shall be performed within a building. (Ord. 2021-0023 § 28; Ord. 2020-0021 § 29; Ord. 2019-0027 § 11; Ord. 2017-0061 § 39; Ord. 2016-0001 § 20; Ord. 2015-0005 § 28; Ord. 2013-0020 § 1; Ord. 2013-0007 § 1)

17.216.620 C-1 zone—Height, density, lot coverage, and floor area ratios.

A. Height. The maximum height is 35 feet.

B. Density. The maximum density is 30 dwelling units per net acre.

C. Floor area ratios. Minimum and maximum floor area ratios are established in the general plan. (Ord. 2013-0020 § 1; Ord. 2013-0007 § 1)

17.216.630 C-1 zone—Setbacks.

A. Front-yard setback. There is no minimum or maximum front-yard setback.

B. Street side-yard setback. There is no minimum or maximum street side-yard setback.

C. Interior side-yard setback.

1. Unless paragraph 2 of this subsection applies, the minimum interior side-yard setback is five feet.

2. If the interior side-yard lot line abuts a public alley, no minimum interior side-yard setback is required.

D. Rear-yard setback.

1. Unless paragraph 2 of this subsection applies, the minimum rear-yard setback is 15 feet.

2. If the rear-yard lot line abuts a public alley, the minimum rear-yard setback is five feet.

E. Levee setback. A minimum 20-foot setback from the landside toe of any flood control levee is required for development less than five acres in size. A minimum 50-foot setback is required from the landside toe of any flood control levee for development five acres or greater in size. No primary or accessory structures may encroach into the levee setback. (Ord. 2017-0061 § 40; Ord. 2013-0020 § 1; Ord. 2013-0007 § 1)

17.216.640 C-1 zone—Generally applicable development standards.

- A. For architectural design guidelines and exceptions to the height and area standards, see chapter [17.600](#).
- B. For parking requirements, see chapter [17.608](#).
- C. For landscaping and paving requirements, see chapter [17.612](#).
- D. For recycling and solid waste disposal regulations, see chapter [17.616](#).
- E. For wall, fence, and gate regulations, see chapter [17.620](#).
- F. For residential accessory structure and use regulations, see chapter [17.624](#).
- G. For sign standards and regulations, see chapter [15.148](#).
- H. For historic preservation program generally, see chapter [17.604](#). For preservation design review of development projects, see section [17.808.100](#) et seq. (Ord. 2013-0020 § 1; Ord. 2013-0007 § 1)

17.216.650 C-1 zone—Site plan and design review.

- A. General.
 - 1. For development projects not located in a historic district and not involving a landmark, no tentative map, parcel map, or permit shall be approved or issued unless an application for site plan and design review of the proposed project is approved in accordance with chapter [17.808](#) or the project is exempt under section [17.808.160](#).
 - 2. As used in this subsection A, “permit” means a building permit, a demolition permit, a sign permit, a grading permit, a paving permit, an encroachment permit, and a certificate of occupancy.
- B. Historic districts and landmarks.
 - 1. For development projects located in a historic district or involving a landmark, no person shall commence construction or otherwise undertake a development project, and no tentative map, parcel map, or permit shall be approved or issued unless an application for site plan and design review of the proposed project is approved in accordance with chapter [17.808](#) or the project is exempt under section [17.808.160](#).
 - 2. As used in this subsection B, “permit” means a building permit, a demolition permit, a sewer or water connection or disconnection, a sign permit, a grading permit, a paving permit, an encroachment permit, and a certificate of occupancy. (Ord. 2017-0061 § 41; Ord. 2013-0020 § 1; Ord. 2013-0007 § 1)

Please let me know if you have any further questions or need additional information.

Best,

Fatima T. Malik, MPH

Assistant Planner | Neighborhood Team

FMalik@CityofSacramento.org

(916) 808 - 7812

From: Brian Jacks <brian@jackscre.com>
Sent: Friday, March 18, 2022 8:22 AM
To: Planning <Planning@cityofsacramento.org>
Subject: 4835 Rio Linda Blvd

Good morning,

I will be marketing 4835 Rio Linda Blvd and recognize the following zoning:
C-1-R(WC) - LIMITED COMMERCIAL/REVIEW - WITH CONDITION

I'm familiar with C-1 zoning and permitted uses, but can you please help me understand the review/with condition component?

Thanks, Brian

JACKS COMMERCIAL REAL ESTATE

Brian Jacks | Principal Broker

916-837-3456 | Brian@JacksCRE.com

<https://cas5-0-urlprotect.trendmicro.com:443/wis/clicktime/v1/query?url=www.JacksCommercial.com&umid=c61de345-2422-4a14-87b0-dd5d75147f02&auth=0c78d5381d8efeba9ba4477b3ca23a49d0ab462f-55dba1c009b217b7f70b8cc796405f186ed42892> | DRE Lic. #02088254