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DEPARTMENT OF
PLANNING AND DEVELOPMENT

CITY OF SACRAMENTO
CALIFORNIA

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PLANNING SERVICES
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April 2, 1997

Law and Legislation Committee
Sacramento, California

Honorable Members in Session:

SUBJECT: CITY CODE AMENDMENT RELATING TO THE REVIEW BY THE PLANNING COMMISSION REVIEW OF THE 5 YEAR CAPITAL IMPROVEMENT PROGRAM (CIP) AND PERIODIC UPDATES AND MODIFICATIONS TO THE CIP (M96-040)

LOCATION AND COUNCIL DISTRICT: Citywide

RECOMMENDATION:

City staff and the City Planning Commission recommend that the Law and Legislation Committee recommend that the Council approve the attached City Code amendment.

CONTACT PERSONS: Jim McDonald, Associate Planner, 264-5723
Carolyn Foster, Senior Budget Analyst, 264-5848

FOR COMMITTEE MEETING OF: April 15, 1997

SUMMARY:

The existing City Code requires that the CIP must be submitted to the City Planning Commission annually for review and finding of conformity with the adopted General Plan. In 1996 the City began preparing the CIP in a five year cycle. The purpose of this report is to seek approval to modify the City Code to allow for a CIP consistency review by the Planning Commission, consistent with the new 5 year preparation cycle.

BACKGROUND INFORMATION:

In June of 1996, the City Council began the implementation of a Five Year, versus annual, CIP preparation process. The Five Year program allows staff to develop and better implement master plans for their respective departments. The amendment allows the Planning Commission to review the CIP consistent with the five year cycle of preparation. The Planning Commission will also review, from time to time, modifications made to the CIP during the five year cycle by individual departments. The Director of Planning will have the discretion to review and approve minor projects and modifications, and will forward larger projects to the Planning Commission for their review, consistent with the existing review procedure.

FINANCIAL CONSIDERATIONS:

No impact. No goods or services are being purchased.

ENVIRONMENTAL CONSIDERATIONS:

This City Code amendment is exempt from environmental review pursuant to California Environmental Quality Act (CEQA) Section 15061(b)(3).

POLICY CONSIDERATIONS:

The proposed City Code amendment will allow the Planning Commission to provide General Plan consistency review on the same schedule as the 5 Year CIP preparation. Individual project consistency review will be provided by staff and the Planning Commission.

MBE/WBE REPORTS:


No impact. No goods or services are being purchased.

Respectfully submitted,


ART GEE, PRINCIPAL PLANNER
PLANNING SERVICES


JACK CRIST
DEPUTY CITY MANAGER

RECOMMENDATION APPROVED:


Betty Masuoka
Deputy City Manager

ORDINANCE NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

AN ORDINANCE AMENDING SECTION 56.04.404 OF TITLE 56 OF THE CITY CODE AND ADDING SECTIONS 56.04.405 AND 56.04.406 TO THE CITY CODE RELATING TO REVIEW OF THE CITY CAPITAL IMPROVEMENT PROGRAM AND CAPITAL IMPROVEMENT PROJECTS; REVIEW OF ACQUISITION AND DISPOSITION OF REAL ESTATE, ABANDONMENT and VACATION OF STREETS AND AUTHORIZATION AND CONSTRUCTION OF PUBLIC BUILDINGS AND STRUCTURES; AND REVIEW OF PROJECTS OF LOCAL AGENCIES FOR CONSISTENCY WITH THE CITY'S GENERAL PLAN

Section 1

Section 56.04.404 of Title 56 of the City Code is amended to read as follows:

56.04.404: **Review of public works projects**

- (a) Adoption of Capital Improvement Program: Not less than every five (5) years, the Council shall adopt a capital improvement program, which shall set forth the program of capital improvement projects for planning, initiation or construction during the next five (5) years.
- (b) Review of Proposed Capital Improvement Program: Prior to consideration by the Council of the capital improvement program required by (a) above, the City Manager shall submit the program to the Planning Commission for its review. Within sixty (60) days of receipt of the proposed program of capital improvement projects, the Planning Commission shall review and report to the Council on the conformity of the Program with the adopted General Plan or part thereof and any applicable specific plan or part thereof.

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DATE ADOPTED: _____

- (c) Amendments to the Capital Improvement Program: Prior to the Council or authorized designee authorizing the initiation or construction of a project not contained in the then applicable capital improvement program, the City Manager shall submit the proposed project to the Planning Director for review for consistency with the adopted General Plan or part thereof and any applicable specific plan or part thereof. The Planning Director shall review and report to the Council or authorized decision-maker on the consistency of the proposed project within thirty (30) days of the date of submittal of the project; provided that the Planning Director may submit the proposed project to the Planning Commission for consistency review if the Planning Director, in his or her sole discretion, determines that the proposed project presents policy issues that warrant review for consistency by the Planning Commission. The Planning Commission shall provide its report on consistency within the thirty (30) day time period.

Section 2

Section 56.04.405 is added to Title 56 of the City Code to read as follows:

56.04.405 Restrictions on acquisition and disposal of real estate, abandonment and vacation of streets, and authorization and construction of public buildings and structures

- (a) Except as modified below, the provisions of Section 65402 of the Government Code concerning restrictions on the acquisition and disposal of real estate, abandonment and vacation of streets, and authorization and construction of public buildings and structures are hereby adopted by the City of Sacramento and shall be followed in the administration of the General Plan. The acquisition or disposal of real estate, abandonment or vacation of streets or authorization or construction of public buildings and structures which is included in a capital improvement project reviewed by the Planning Commission or Planning Director pursuant to Section 56.04.404 shall not be subject to further review pursuant to this section.
- (b) The provisions of Subsection (a) of this section shall not apply to the following actions, provided that such actions are of a minor nature:
- (1) the disposition of the remainder of a larger parcel which was acquired and used in part for street purposes;
 - (2) acquisition disposition or abandonment for street widening; or
 - (3) alignment projects.

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Section 3

Section 56.04.406 is added to Title 56 of the City Code to read as follows:

56.04.406 Planning Commission Review of Projects of Other Governmental Agencies

The Planning Commission shall serve as the planning agency for purposes of reviewing projects of the county, districts, school districts and other local agencies for consistency with the City's general plan pursuant to Government Code Sections 65402 and 65403 and other applicable statutory provisions.

DATE PASSED FOR PUBLICATION:

DATE ENACTED:

DATE EFFECTIVE:

MAYOR

ATTEST:

CITY CLERK

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Section 1

Section 56.04.404 of Title 56 of the City Code is amended to read as follows:

56.04.404: Review of public works projects

- (a) ~~The provisions of Section 65402 of the Planning and Zoning Law are hereby adopted by the City of Sacramento and shall be followed in the administration of the general plan.~~
- (a) **Adoption of Capital Improvement Program.** Not less than every five (5) years, the Council shall adopt a capital improvement program, which shall set forth the program of capital improvement projects for planning, initiation or construction during the next five (5) years.
- (b) ~~The provisions of Subsections (a) of this sections shall not apply to the following actions by the City of Sacramento:~~
- (1) ~~The disposition of the remainder of a larger parcel which was acquired and used in part for street purposes;~~

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~~(2) Acquisition, disposition, or abandonments for street widening, or~~

~~(3) Alignment projects.~~

~~Provided, however, that such dispositions for street purposes, acquisitions, dispositions, or abandonments for street widening or alignment projects are of a minor nature:~~

~~(b) **Review of Proposed Capital Improvement Program:** Prior to consideration by the Council of the capital improvement program required by (a) above, the City Manager shall submit the program to the Planning Commission for its review. Within sixty (60) days of receipt of the proposed program of capital improvement projects, the Planning Commission shall review and report to the Council on the conformity of the Program with the adopted General Plan or part thereof and any applicable specific plan or part thereof.~~

~~(c) Within such time as may be fixed by the council the city manager shall submit to the planning commission the program of the proposed capital improvement projects recommended for planning, initiation or construction during the ensuing fiscal year. Within 60 days of receipt thereof the planning commission shall review and report to the council as to the conformity with the adopted general plan or part thereof and the applicable specific plan or part thereof.~~

~~(Ord. No. 3535, §1)~~

~~(c) **Amendments to the Capital Improvement Program:** Prior to the Council or authorized designee authorizing the initiation or construction of a project not contained in the then applicable capital improvement program, the City Manager shall submit the proposed project to the Planning Director for review for consistency with the adopted General Plan or part thereof and any applicable specific plan or part thereof. The Planning Director shall review and report to the Council or authorized decision-maker on the consistency of the proposed project within thirty (30) days of the date of submittal of the project, provided that the Planning Director may submit the proposed project to the Planning Commission for consistency review if the Planning Director, in his or her sole discretion, determines that the proposed project presents policy issues that warrant review for consistency by the Planning Commission. The Planning Commission shall provide its report on consistency within the thirty (30) day time period.~~

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- (b) The provisions of Subsection (a) of this section shall not apply to the following actions, provided that such actions are of a minor nature:
 - (1) the disposition of the remainder of a larger parcel which was acquired and used in part for street purposes;
 - (2) acquisition, disposition or abandonment for street widening; or
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