



28

CITY OF SACRAMENTO

DEPARTMENT OF PLANNING AND DEVELOPMENT
1231 "I" Street Sacramento, Ca. 95814

Administration
Room 300 449-5571
Building Inspections
Room 200 449-5716
Planning
Room 200 449-5604

APPROVED
BY THE CITY COUNCIL

SEP 10 1985

OFFICE OF THE
CITY CLERK

September 4, 1985

City Council
Sacramento, California

Honorable Members in Session:

- SUBJECT:**
1. Environmental Determination
 2. Ordinance amending Sections 28E and 28-C-3-(d) of the Zoning Ordinance for the City of Sacramento pertaining to Condominiums and Condominium Conversions (M85-076)

SUMMARY

The attached Ordinance would amend sections of the Zoning Ordinance pertaining to condominiums and condominium conversions in two ways. First, it would extend the time given for establishing a new condominium project or a conversion to condominium units from one year to two years. Second, it would eliminate the requirement of a two hour fire separation or fire sprinkler system unless deemed necessary by the City Council. The amendment has been prepared at the request of various applicants for conversions as well as the Council's Transportation and Community Development Committee. Staff recommends the City Council adopt the attached Ordinance.

BACKGROUND INFORMATION

The current condominium Ordinance specifies that the project must be established within one year from approval. Based on the experience with past projects, most have had to request additional time to establish the use. The amendment would extend the time allowed to establish the use to two years. This would be consistent with the time allowed to establish other uses requiring Special Permits.

The other amendment relates to the present requirement of a two hour fire wall separation or sprinkler system when conversions of apartments to condominium units occur. Construction of new condominiums do not have this requirement and recently the City has approved variances to the requirement for conversions. The variances were approved when it was found that the units were built under past construction codes that were similar to codes in present use in the area of fire safety. The proposed amendment would eliminate the requirement of a two hour fire separation or sprinklers unless deemed necessary by the City Council pursuant to recommendations from the Fire Chief and the Director of Building Division.

City Council

-2-

September 4, 1985

VOTE OF THE PLANNING COMMISSION

On August 22, 1985, the Commission voted eight ayes, one absent to recommend adoption of the Ordinance amendment.

VOTE OF THE COUNCIL'S TRANSPORTATION AND COMMUNITY DEVELOPMENT COMMITTEE

On September 3, 1985, the Committee voted three ayes, one absent, to recommend adoption of the Zoning Ordinance amendment.

RECOMMENDATION

The Transportation and Community Development Committee, the Planning Commission and staff recommend the following City Council Action:

- 1. Ratify the Negative Declaration;
- 2. Adopt the attached Zoning Ordinance amendment

Respectfully submitted,


 Marty Van Duyn
 Planning Director

FOR CITY COUNCIL INFORMATION
 WALTER J. SLIPE
 CITY MANAGER

AG:pb
 attachment
 M85-076

September 10, 1985
 All Districts

APPROVED
BY THE CITY COUNCIL

ORDINANCE NO. 85-089

SEP 10 1985

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

OFFICE OF THE
CITY CLERK

ORDINANCE AMENDING SECTIONS 28E AND
28-C-3-(d) ZONING ORDINANCE OF THE CITY
OF SACRAMENTO PERTAINING TO CONDOMINIUMS
AND CONDOMINIUM CONVERSIONS (M85-076)

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

SECTION 1.

Section 28E of the Comprehensive Zoning Ordinance of the City of Sacramento, (Ordinance No. 2550 Fourth Series as amended) is hereby amended to read:

E. Expiration for Failure to Establish Use

The expiration of a special permit issued under this section shall be governed by the provisions of Section 15-D-4, provided that a Condominium Conversion project shall be deemed established when one unit in the project has been sold to an individual purchaser other than the owner or applicant.

SECTION 2.

Section 28-C-3-(d) of the Comprehensive Zoning Ordinance of the City of Sacramento (Ordinance No. 2550 Fourth Series as amended) is hereby amended to read:

(d) Fire Safety.

It is the purpose of this development standard to provide safety to occupants of condominium units and to protect the

investment in real property represented by the ownership interest of each condominium owner. Each condominium unit shall have a smoke detection system. In addition, where the Council finds it necessary in order adequately to provide for fire safety the Council may require, on recommendation of the Fire Chief and the Director of the Building Division, that each condominium unit shall have either a two-hour fire separation on its floors and each wall common to itself and an adjacent unit, or an automatic fire sprinkler system, or such other fire protection system as the Council finds will protect the occupants of and the owner's investment in the condominium as effectively as a two-hour fire separation or automatic fire sprinkler system. Nothing in this subsection (d) shall apply to a limited equity housing cooperative, as defined by Business and Processions Code Section 11003.4.

DATED PASSED FOR PUBLICATION:
 DATE ENACTED:
 DATE EFFECTIVE:

MAYOR

ATTEST:

CITY CLERK

City Planning Commission
Sacramento, California

Members in Session:

- Subject: 1. Environmental Determination - Negative Declaration
2. Ordinance amending Section 28E and 28-C-3(d) zoning ordinance of the City of Sacramento pertaining to condominiums and condominium conversions (M85-076)

Location: City wide.

SUMMARY: The attached ordinance would amend sections of the zoning ordinance pertaining to condominiums and condominium conversions in two ways. First it would extend the time given for establishing a new condominium project or a conversion to condominium units from one year to two years. Second it would eliminate the requirement of a two hour fire separation or fire spinkler system unless deemed necessary by the City Council. The amendment has been prepared at the request of various applicants for conversions as well as the Council's Transportation and Community Development Committee. Staff recommends the Planning Commission approve the ordinance amendment and forward to City Council for adoption.

BACKGROUND: The current condominium ordinance specifies that the project must be established within one year from approval. Based on experience with past projects most have had to request additional time to establish the use. The amendment would extend the time allowed to establish the use to two years. This would be consistent with the time allowed to establish other uses requiring special permits.

The other amendment relates to the present requirement of a two hour fire wall separation or spinkler system when conversions of apartments to condominium units occur. Construction of new condominiums do not have this requirement and recently the City has approved variances to the requirement for conversions. The variances were approved when it was found that the units were built under past construction codes that were similar to codes in present use in the area of fire safety. The proposed amendment would eliminate the requirement of a two hour fire separation or spinklers unless deemed necessary by the City Council pursuant to recommendations from the Fire Chief and the Director of the Building Division.

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

1. Ratify the negative declaration
2. Approve the proposed ordinance amendment and forward to City Council for adoption.

Respectfully submitted

Art Gee

Art Gee, Principal Planner
AG:sr

ORDINANCE AMENDING SECTIONS 28E AND
28-C-3-(d) ZONING ORDINANCE OF THE CITY
OF SACRAMENTO PERTAINING TO CONDOMINIUMS
AND CONDOMINIUM CONVERSIONS

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E. Expiration for Failure to Establish Use

The expiration of a special permit issued under this section shall be governed by the provisions of Section 15-D-4, provided that a Condominium Conversion project shall be deemed established when one unit in the project has been sold to an individual purchaser other than the owner or applicant.

SECTION 2.

Section 28-C-3-(d) of the Comprehensive Zoning Ordinance of the City of Sacramento (Ordinance No. 2550 Fourth Series as amended) is hereby amended to read:

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DATED PASSED FOR PUBLICATION:

DATE ENACTED:

DATE EFFECTIVE:

MAYOR

ATTEST:

CITY CLERK



CITY OF SACRAMENTO

203

DEPARTMENT OF PLANNING AND DEVELOPMENT
1231 "I" Street
Sacramento, Ca. 95814

Administration
Room 300 449-5571
Building Inspections
Room 200 449-5716
Planning
Room 200 449-5604

August 29, 1985

City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: Ordinance amending Sections 28E and 28-C-3-(d) of the Zoning Ordinance of the City of Sacramento pertaining to condominiums and condominium conversions. (M85-076)

SUMMARY

This item is presented at this time for approval of publication of title pursuant to City Chapter, Section 38.

BACKGROUND INFORMATION

Prior to publication of an item in a local paper to meet legal advertising requirements, the City Council must first pass the item for publication. The City Clerk then transmits the title of the item to the paper for publication and for advertising the meeting date.

RECOMMENDATION

It is recommended that the item be passed for publication of title and continued to September 10, 1985.

PASSED FOR
PUBLICATION
& CONTINUED
TO 9-10-85

Respectfully submitted,

Marty Van Duyn
Planning Director

FOR CITY COUNCIL INFORMATION
WALTER J. SLIPE
CITY MANAGER

MVD:lao
attachment
M85-076

September 3, 1985
All Districts

ORDINANCE NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

**ORDINANCE AMENDING SECTIONS 28E AND
28-C-3-(d) ZONING ORDINANCE OF THE CITY
OF SACRAMENTO PERTAINING TO CONDOMINIUMS
AND CONDOMINIUM CONVERSIONS (M85-076)**

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DATED PASSED FOR PUBLICATION:

DATE ENACTED:

DATE EFFECTIVE:

MAYOR

ATTEST:

CITY CLERK

MEETING DATE 8-22-85
 ITEM NO. 25-B FILE P M 85-076

- GENERAL PLAN AMENDMENT
- COMMUNITY PLAN AMENDMENT
- REZONING
- SPECIAL PERMIT
- VARIANCE
- TENTATIVE MAP
- SUBDIVISION MODIFICATION
- LOT LINE ADJUSTMENT
- ENVIRONMENTAL DET.
- OTHER amending zoning ordinance

Location: _____

Recommendation:
 Favorable
 Unfavorable
 Petition
 Correspondence

<u>PROPOSERS</u>		
<u>NAME</u>		<u>ADDRESS</u>

<u>OPPOSERS</u>		
<u>NAME</u>		<u>ADDRESS</u>

MOTION NO. _____

	YES	NO	MOTION	SECOND
Ferris	✓			
Fong	✓		✓	
Goodin	✓			
Holloway	<u>absent</u>			
Hunter	✓			
Ishmael	✓			✓
Ramirez	✓			
Simpson	✓			
Augusta	✓			

- MOTION
- TO APPROVE
 - TO DENY
 - TO APPROVE SUBJECT TO COND. & BASED ON FINDINGS OF FACT IN STAFF REPORT
 - TO APPROVE/DENY BASED ON FINDINGS OF FACT IN STAFF REPORT
 - INTENT TO APPROVE/DENY SUBJECT TO COND. & BASED ON FIND. OF FACT DUE _____
 - TO RECOMMEND APPROVAL & FORWARD TO CITY COUNCIL
 - TO RECOMMEND APPROVAL SUBJECT TO COND. & FORWARD TO CITY COUNCIL
 - TO RATIFY NEGATIVE DECLARATION
 - TO CONTINUE TO _____ MEETING
 - OTHER _____