APPROVED
BY THE CITY COUNCIL
JUN 16 1987
OFFICE OF THE
CITY CLERK

27

OFFICE OF THE
CITY ATTORNEY

JAMES P. JACKSON
CITY ATTORNEY

THEODORE H. KOBEY, JR.
ASSISTANT CITY ATTORNEY

CITY OF SACRAMENTO
CALIFORNIA

812 TENTH STREET
SACRAMENTO, CA
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DEPUTY CITY
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TAMARA MILLIGAN-HARMON
LINDA M. GONZALES

June 16, 1987

City Council
City Hall
Sacramento, CA 95814

Honorable Members in Session:

SUBJECT: **Downtown Urban Design Plan Ordinance and Resolution Relating to Major Projects**

DISCUSSION

The attached ordinance is the same as that distributed to the Council in the Planning Department staff report dated June 16, 1987, except that:

(1) Section 3 has been added to the ordinance to make clear that the provisions which apply for office projects in the Old City over 75,000 square feet of gross floor area also apply for office projects over the height limit (e.g., 75 feet in the C-4 zone); and

(2) In Section 2, regarding variances, the last sentence has been added to make clear that the variance section cannot be read to require a height variance in the Old City when height is governed by special permit under Section 3-C-8 of the Zoning Ordinance.

RECOMMENDATION

If the Council wants to adopt the recommendation in the June 16, 1987 Planning Department staff report, it should adopt the attached ordinance.

Respectfully submitted,

Theodore H. Kobey Jr.

THEODORE H. KOBEY, JR.
Assistant City Attorney

June 16, 1987

#27

CITY OF SACRAMENTO

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

APPROVED
JUN 16 1987
SACRAMENTO REDEVELOPMENT AGENCY
CITY OF SACRAMENTO

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

June 16, 1987

Redevelopment Agency of the
City of Sacramento

City Council of the City of
Sacramento, California 95814

Honorable Members in Session:

SUBJECT: Proposed Downtown Urban Design Plan (M85-069) Ordinance and Resolution relating to Major Projects

SUMMARY

This is a report back regarding the development strategy proposed in the downtown Urban Design Plan relating to Major projects (exceeding 75,000 square feet) outside of the CBD (C-3) zone. In general terms, projects outside the C-3 zone will be limited to a maximum size of 75,000 square feet (with exceptions) for a period of three years (reduced from five years) or until two million square feet of office space is under construction in the C-3 zone, whichever occurs first. The purpose of this provision is to generate major mixed use projects within the C-3 zone in close proximity to the K Street Mall to accelerate the revitalization of downtown retail activities.

Two sections of the Zoning Ordinance are proposed to be amended. Section One pertaining to the size of projects and Section Two relating to building heights. Within the Redevelopment portion of the R Street Corridor (I-5 to 10th, Q to S Streets), a development may exceed the 75,000 square foot standard and/or 75 foot height standard by executing an Owner Participation Agreement (OPA) or Disposition/Development Agreement (DDA) with the Redevelopment Agency. A major element of the OPA/DDA is the advance payment of property taxes equal to 1.25 percent of total project costs to the CBD Trust Fund. These funds, in turn, will be utilized by the Agency for land write-downs, financial assistance and public improvements within the C-3 zone.

The staff recommends adoption of the attached Redevelopment Agency of Sacramento (RACS) Resolution and City Ordinance to implement the development strategy of the Downtown Urban Design Plan.

BACKGROUND

On February 18, 1987, the City Council adopted the Proposed Downtown Urban Design Plan by Resolution 87-116 and City Ordinance 87-013. However, Sections 2 and 3

of the Ordinance were omitted and substituted by the draft language, attached as Exhibit D. The substituted language pertained primarily to the Major Projects Ordinance and height standards. The Council directed staff to prepare necessary language consistent with Exhibit D for consideration.

The revised recommendations propose that all major projects (exceeding 75,000 square feet), outside the C-3 zone but within the Merged Downtown Sacramento Redevelopment Plan, enter into an Owner Participation Agreement (OPA) or a Disposition and Development Agreement (DDA). The main terms of the Agreement will require the following: 1) the project be submitted to the City Planning Commission for environmental review and project review; 2) a grant shall be paid to the CBD support program, equal to 1.25% of the total project costs, for activities to enhance the CBD; 3) pay pro-rata share of traffic and transportation mitigation; 4) be consistent with the urban design and building massing guidelines; and 5) compliance with specific mitigation measures identified in any applicable environmental determination.

In addition, the RACS resolution will expire in three years from adoption, or when two million square feet of additional office space is under construction in the C-3 zone. Exemptions are permitted for rehabilitation of existing structures into office uses, and any new major projects submitted prior to February 18, 1987; however, they will be subject to contribution to the CBD support program and compliance with various environmental, traffic/transportation measures, and the urban design and building massing guidelines.

The proposed City Ordinance recommends no special permits be issued for office projects exceeding 75,000 square feet within the Old City, but outside the C-3 zone. However, medical offices and projects within 660 feet of light rail stations are exempted. The proposed ordinance will remain in effect until two million square feet of additional office space is under construction in the C-3 zone, or for a period of three (3) years, whichever occurs first. These provisions would be monitored and evaluated annually, with progress reports to the City Council.

Adherence to the building height standards for each zone city wide outside the C-3 zone is also recommended for the three years duration of the Downtown Support Program. Exemptions are provided for projects within 660 feet of light rail stations; projects approved prior to February 18, 1987; projects approved but under litigation in Natomas Community Association, et al., vs. City Council, et.al (Superior Court Case #337704); and height standards established under a Planned Unit Development (PUD) designation.

The staff has reviewed and discussed these provisions with affected property owners and developers.

MASTER EIR AND HOUSING STUDY

Two of the developers in the R Street Corridor with major project proposals (Benvenuti Partnership and Standard Realty/Union Pacific) intend to prepare a Master EIR on the cumulative development in the subject area and have offered to fund a housing study to determine feasibility of housing development in the R

Street Corridor. The Housing Study could occur in concert with the Master EIR for the R Street Corridor or separately.

PROJECT REVIEW PROCESS

A diagram indicating how projects will be processed under a OPA/DDA arrangement is attached as Exhibit C.

FINANCIAL DATA

Approval of these recommendations could possibly provide funds for improvements and land acquisition to the CBD area. However, no existing funds would be required to implement the Urban Design Plan. The recommendations are consistent with the City Council's directions of February 18, 1987.

ENVIRONMENTAL IMPACTS

A Negative Declaration was prepared on the overall Urban Design Plan documents, however, staff realized that there exists a potential for environmental impacts as a result of implementation programs and activities. Thus, further environmental assessments may be done pursuant to subsequent program and project proposals.

RECOMMENDATION

The staff recommends adoption of the RACS resolution requiring all major projects to enter into Agreements with the RACS, and the City Ordinance relating to major projects and height limits be consistent with the Urban Design Plan for a period of three (3) years (from date of Council adoption) or when two (2) million square feet of new office space is under construction within the CBD.

Respectfully submitted,

Marty Van Duyn
Planning Director City of Sacramento

FOR:

William H Edgar by GM
William H. Edgar
Executive Director
Sacramento Housing and
Redevelopment Agency

TRANSMITTAL TO COUNCIL:

WALTER J. SLIPE
CITY MANAGER

MVD:AG:tc
attachments

June 16, 1987
District No. 1

M85-069

RESOLUTION NO.

ADOPTED BY THE REDEVELOPMENT AGENCY OF THE CITY OF SACRAMENTO

ON DATE OF

REQUIREMENTS FOR OWNER PARTICIPATION AGREEMENTS AND DISPOSITION FOR OFFICE AND COMMERCIAL PROJECTS EXCEEDING 75,000 SQUARE FEET

BE IT RESOLVED BY THE REDEVELOPMENT AGENCY OF THE CITY OF SACRAMENTO:

Section 1. Whenever the Agency is a party to an Owner Participation Agreement (OPA) or a Disposition and Development Agreement (DDA), as appropriate, for a private commercial and/or office project of more than 75,000 square feet within the Merged Downtown Sacramento Redevelopment Project but outside the C-3 Central Business District Zone, the terms to such an agreement with the Agency shall require the property owner or the redeveloper to do the following:

A. Submit the proposed project to the City of Sacramento Planning Commission for an environmental determination and project review.

B. Before the issuance of a building permit for the project, pay to the Agency an amount which equals 1.25% of the valuation of the building or buildings in the project as determined by the City of Sacramento Building Department. Such payment shall be used by the Agency in the Central Business District (C-3 zone) for:

1. Acquisition costs of land.

2. Loans and grants to redevelopers pursuant to agreements for redevelopment projects.

3. Costs relating to the construction of public improvements.

C. Pay pro-rata share of the costs of traffic mitigation measures including the extension of the light rail system.

EXHIBIT A

D. Pay pro-rata share for the extension and related costs for the operation of the K Street Mall bus shuttle program.

E. Provide open space amenities and pedestrian linkages, as defined in the adopted Merged Downtown Sacramento Redevelopment Plan.

F. ~~Consider~~ Provide child care facilities as part of the project.

G. Restrict commercial uses to limited service retail, as defined in Exhibit "A" attached hereto.

H. Provide residential units as part of the project if the project is within a designated mixed-use area of the Merged Downtown Sacramento Redevelopment Project and consistent with the underlying zone.

I. Comply with the urban design and building massing provisions as specified in the adopted City of Sacramento Central Business District - Special Planning District Architectural Design Guidelines.

J. Comply with specific mitigation measures identified in the environmental determination which are in addition to the above requirements of this resolution.

Section 2. Projects submitted to the City of Sacramento Planning Commission before February 18, 1987 shall comply only with the requirements of A, B, C and D of Section 1 of this resolution.

Section 3. Rehabilitation projects within the scope of this resolution shall comply only with the requirements of A, B, C and D of Section 1 of this resolution.

Section 4. The provisions of this resolution with the exception of Sections I and J of Section 1 shall terminate three years from the date of this resolution or when the amount of additional office space within the Central Business District exceeds two million square feet, whichever first occurs.

Section 5. A cumulative Environmental Impact Report will be prepared for all proposed developments in the area bounded by 3rd, 10th and Q and S Streets. In addition, a plan for housing programs will be prepared for the same subject area.

_____
CHAIR

_____
SECRETARY

1548J/WPP67(L)
TVL:jann
06/15/87

LIMITED SERVICE RETAIL CLASSIFICATIONS FOR USE IN ADMINISTERING AGENCY AGREEMENTS

Retail Goods

Apparel Store
Book and Stationary Store
Camera Store
Camping Equipment Store
Fabric Store
Gift Shop
Luggage & Leather Goods Store
Pet Stores
Plant Stores
Record, Stereo Store
Secondhand Store
Shoe Store
Variety/Merchandise Store

Pedestrian/Consumer Oriented Establishments

Arcades
Art Galleries
Museums

Convenience Goods

Bakery Shop
Bars
Candy Store
Delicatessen
Drug Store
Florist Shop
Grocery Store
Hobby and Crafts Store
Restaurant

Personal/Consumer Services

Banks
Barber Shop
Beauty Shop
Bicycle Shops
Credit Unions
Dry Cleaners
Gas Station
Laundromat
Printing
Photographic Studio
Savings and Loan
Shoe Repair
Tailor Shop
Travel Agency

ORDINANCE NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

ORDINANCE AMENDING SECTION 3-C-10 OF THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SACRAMENTO AND ADDING SECTION J TO SECTION 14 OF SAID ORDINANCE RELATING TO SPECIAL PERMITS FOR OFFICE PROJECTS IN THE OLD CITY AND HEIGHT VARIANCES

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

SECTION 1.

The Comprehensive Zoning Ordinance of the City of Sacramento (Ordinance No. 2550, Fourth Series as amended) is hereby amended by amending Section 3-C-10 to read as follows:

10. Within the Old City, the maximum lot coverage shall be the same as that specified outside the Old City; provided, however, that a Special Permit shall be required for any building to be constructed or expanded to exceed 75,000 square feet of gross floor area, except that a Special Permit shall not be required for any building for which the Redevelopment Agency has entered into a contract with the developer which governs the requirements for development of the building and the parcel or parcels upon which it is located. Notwithstanding the foregoing, no Special Permit shall be issued for office projects exceeding 75,000 square feet of gross floor area within the Old City but outside of the C-3 zone (shown on Appendix A, attached hereto and incorporated herein by reference) for a period of three (3) years or until two million square feet of additional office space within the aforementioned area is under construction, whichever occurs first.

(a) The foregoing prohibition on the issuance of Special Permits shall not apply for medical offices and projects within 660 feet of a light rail station. The 660-foot distance shall be measured from the center point of the block designated for a station to the subject site. Such developments must be consistent with existing zoning and standards established in the City's Transportation Management Plan and Parking Reduction Ordinance.

(b) The success and impact of the foregoing prohibition on the issuance of Special Permits shall be evaluated at the end of said three-year period or upon the construction of two million square feet of additional office space. The program shall be monitored and annual progress reports shall be made in writing to the City Council. The criteria to be monitored shall include but not be limited to vacancy factors for retail commercial and office space, growth in annual retail sales in the CBD-SPD, and expansion of

EXHIBIT B

VOID

retail activities and quality of development, and traffic and parking impacts.

SECTION 2

The Comprehensive Zoning Ordinance of the City of Sacramento (Ordinance No. 2550, Fourth Series as amended) is hereby amended by adding thereto Subsection J to Section 14, to read as follows:

J. Notwithstanding any other provision of this ordinance to the contrary, no variance from height standards shall be issued for any structure outside of the C-3 zone (shown on Appendix A, attached hereto and incorporated herein by reference) for a period of three (3) years or until the construction of two million square feet of additional office space within said area, whichever occurs first. This prohibition shall not apply to:

1. variances of ten percent or less of the height standard which is applicable where such variance is requested to accommodate the top floor of a building or a penthouse;

2. any building for which the Redevelopment Agency has entered into a contract with the developer which governs the requirements for development of the building and the parcel or parcels on which it is located;

3. projects within 660 feet radius of a light rail station which are consistent with existing zoning and standards established in the City's Transportation Management Plan and Parking Reduction Ordinance; and

4. projects which have received a variance, planned unit development special permit, or any other discretionary land use entitlement allowing a building height exceeding height standards of the Zoning Ordinance, prior to the effective date of this ordinance, including but not limited to projects subject to litigation in Natomas Community Association, et al., v. City Council, et al., Sacramento Superior Court Case No. 337704.

PASSED FOR PUBLICATION:

ENACTED:

EFFECTIVE:

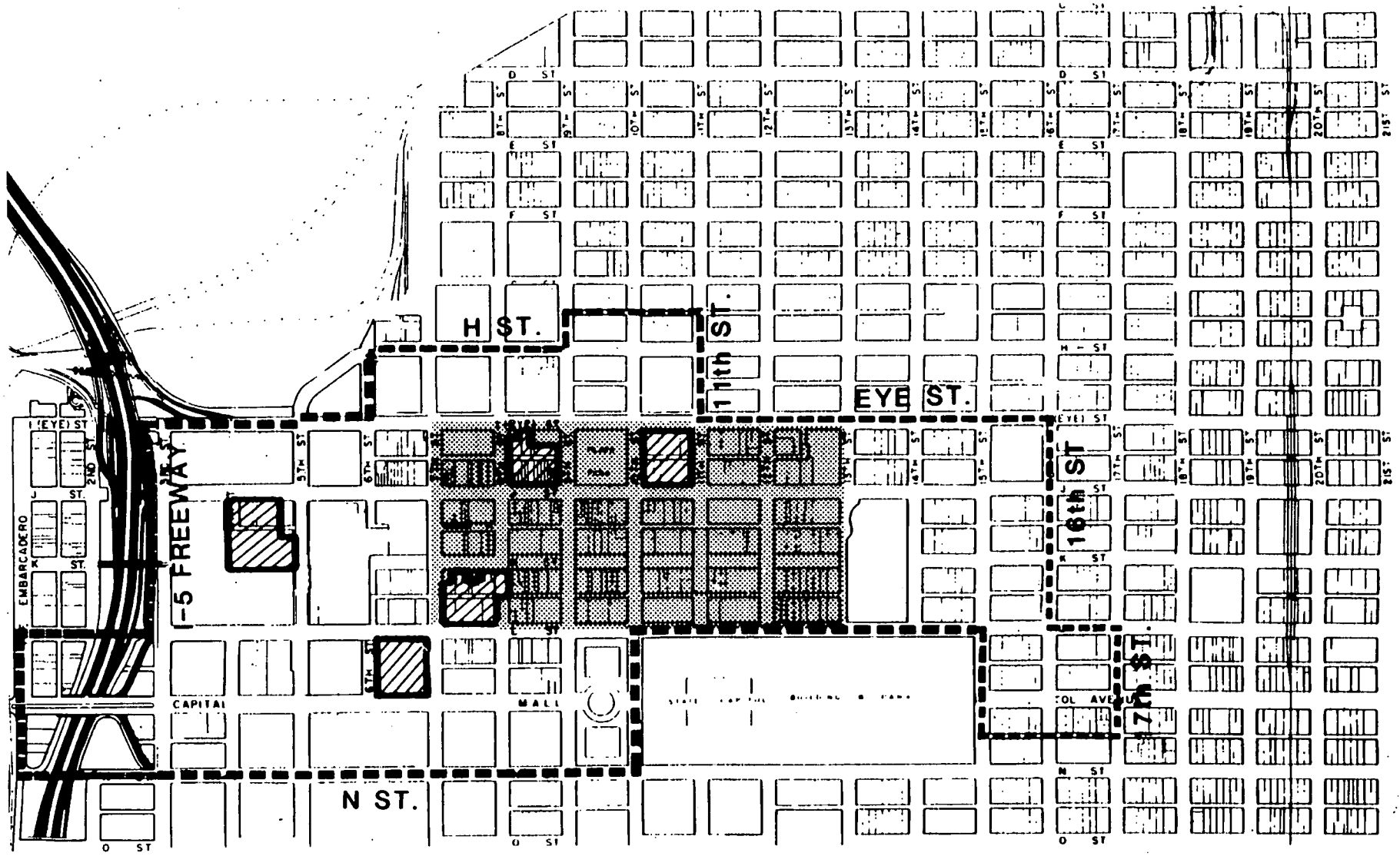
_____

MAYOR

ATTEST:

_____

CITY CLERK



SACRAMENTO URBAN DESIGN PLAN

Sacramento Housing & Redevelopment Agency
Sacramento Department of City Planning

CBD with Incentive Zone and Catalyst Sites

INCENTIVE ZONE

CATALYST SITES

CENTRAL BUSINESS DISTRICT (C-3 ZONE)

NOV. 14, 1986

APPENDIX A

(8)

Approval Process for R Street Projects pursuant to OWNER PARTICIPATION AGREEMENTS

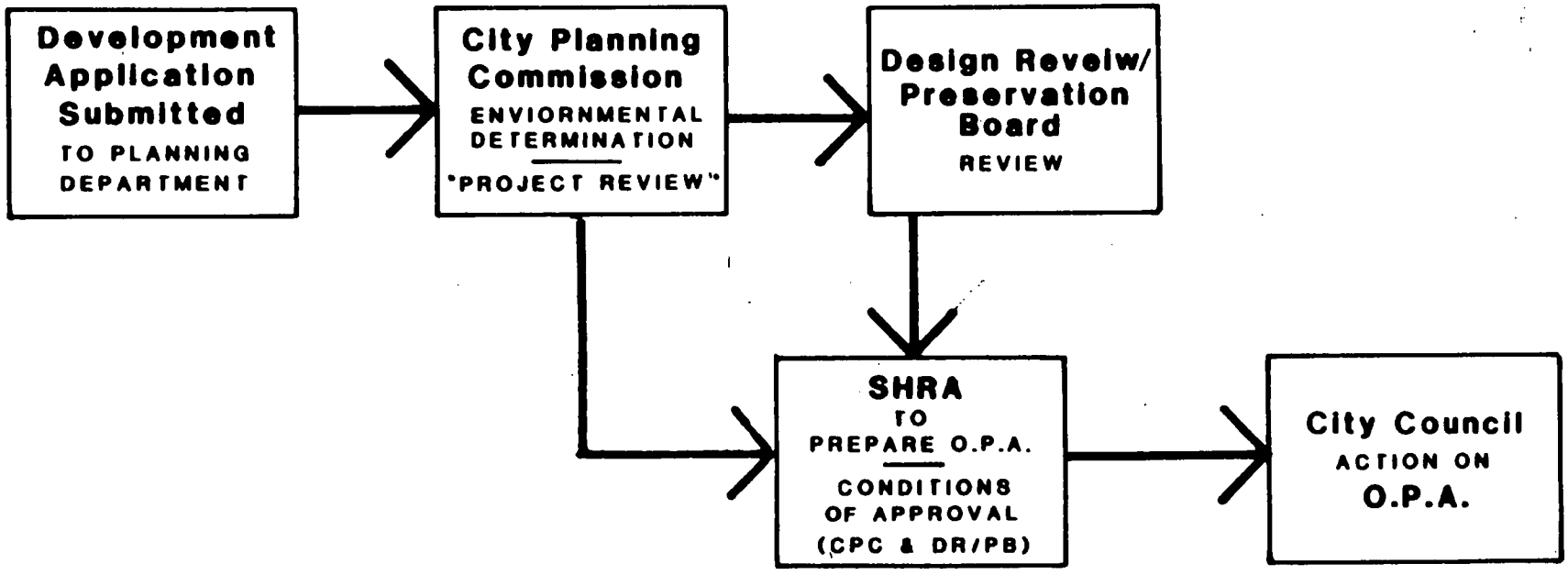


EXHIBIT C

MOTION BY CITY COUNCIL

RE: URBAN DESIGN PLAN

A. Ratify the Negative Declaration.

B. Approve the Urban Design Plan documents and implementing ordinances as amended.

C. Approve the Urban Design Plan development strategy related to the Major Projects Ordinance (Sec. 2) and height standards (Sec. 3) with the following proviso:

1. Projects submitted prior to February 18, 1987 shall be exempt from the provisions of Section 2 and Section 3. Projects submitted prior to February 18, 1987 but have not received approval of planning entitlements must include the following conditions:

   a) The applicant shall develop housing within the C-4 portion of Redevelopment Project Area #4 or provide funds for housing. The applicant shall work with SHRA staff to determine location, number of units, or fees. The Housing Plan shall be subject to the review and approval of the City Council.

   b) The applicant shall agree to contribute its pro-rata share of a light rail loop system to be funded in concert with other new developments within the C-4 portion of Redevelopment Project Area #4 which will connect the R St. Redevelopment Area with the K Street Mall.

2. New developments exceeding 25,000 sq. ft. submitted after February 18, 1987 in the C-4 portion of Redevelopment Project Area #4 shall prepare an implementation and funding plan which shall address the following:

   a) Development and funding of the light rail loop system and shuttle service connecting the C-4 portion of Redevelopment Project Area #4 (R St. Corridor) with the K Street Mall by new developments within the C-4 portion of Redevelopment Project Area #4.

   b) Housing development within the C-4 portion of Redevelopment Project Area #4 or housing fund contribution.

   c) Child care facilities.

   d) Open space amenities and pedestrian linkages.

   e) Limited service commercial uses.

EXHIBIT D

f) Urban Design and Building Massing within the C-4 portion of Redevelopment Project Area #4.

g) This plan shall be submitted to the SHRA and shall be subject to the review and approval of the City Council prior to submittal of specific development plans in the subject area.

3. The Ordinance related to major projects (Section 2) and Height Standards (Section 3) shall remain in effect until two million square feet of office space is under construction in the C-3 zone, or for a period of five (5) years, whichever occurs first. This program shall be reviewed annually by the City Council from the effective date of this ordinance. Factors to be monitored shall include the following:

a) Square footage of development in the C-3 zone, Redevelopment Project Area #4, and other designated subareas to be determined by staff.

b) Location and rate of Public Agency leasing.

c) Vacancy rates in subareas identified in (a) above.

d) Changes in retail sales in the C-3 zone.

e) Quality and number of new retail businesses in the C-3 zone.

f) Level of light rail patronage.

g) Parking and traffic circulation assessment.

4. Projects which are not consistent with Section 2 and Section 3 of the CBD-SPD and paragraphs 2 and 3 above shall not be accepted or processed by the City until the City Council amends this provision at its annual review.

5. Parties which have submitted office development projects in both the C-3 zone and C-4 portion of Redevelopment Project Area #4 must first begin development of a project within the C-3 zone prior to development of a project in the C-4 portion of Redevelopment Project Area #4.

ORDINANCE NO. 87-071

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

APPROVED BY THE CITY COUNCIL

JUN 16 1987

OFFICE OF THE CITY CLERK

ORDINANCE AMENDING SECTIONS 3-C-8 AND 3-C-10 OF THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SACRAMENTO AND ADDING SECTION J TO SECTION 14 OF SAID ORDINANCE RELATING TO SPECIAL PERMITS FOR OFFICE PROJECTS IN THE OLD CITY AND HEIGHT VARIANCES

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

SECTION 1.

The Comprehensive Zoning Ordinance of the City of Sacramento (Ordinance No. 2550, Fourth Series as amended) is hereby amended by amending Section 3-C-10 to read as follows:

10. Within the Old City, the maximum lot coverage shall be the same as that specified outside the Old City; provided, however, that a Special Permit shall be required for any building to be constructed or expanded to exceed 75,000 square feet of gross floor area, except that a Special Permit shall not be required for any building for which the Redevelopment Agency has entered into a contract with the developer which governs the requirements for development of the building and the parcel or parcels upon which it is located. Notwithstanding the foregoing, no Special Permit shall be issued for office projects exceeding 75,000 square feet of gross floor area within the Old City but outside of the C-3 zone (shown on Appendix A, attached hereto and incorporated herein by reference) for a period of three (3) years or until two million square feet of additional office space within the C-3 zone is under construction, whichever occurs first.

(a) The foregoing prohibition on the issuance of Special Permits shall not apply for medical offices and projects within 660 feet of a light rail station. The 660-foot distance shall be measured from the center point of the block designated for a station to the subject site. Such developments must be consistent with existing zoning and standards established in the City's Transportation Management Plan and Parking Reduction Ordinance.

(b) The success and impact of the foregoing prohibition on the issuance of Special Permits shall be evaluated at the end of said three-year period or upon the construction of two million square feet of additional office space. The program shall be monitored and annual progress reports shall be made in writing to the City Council. The criteria to be monitored shall include but not be limited to vacancy factors for retail commercial and office space, growth in

ORDINANCE AMENDING SECTIONS 3-C-5 AND 3-C-10 OF THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SACRAMENTO AND ADDING SECTION 1 TO SECTION 14 OF SAID ORDINANCE RELATING TO SPECIAL PERMITS FOR CERTAIN PROJECTS IN THE OLD CITY AND HEIGHT VARIANCES

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

SECTION 1.

annual retail sales and the CBD-SPD, and expansion of retail activities and quality of development, and traffic and parking impacts.

SECTION 2

The Comprehensive Zoning Ordinance of the City of Sacramento (Ordinance No. 2550, Fourth Series as amended) is hereby amended by adding thereto Subsection J to Section 14, to read as follows:

J. Notwithstanding any other provision of this ordinance to the contrary, no variance from height standards shall be issued for any structure outside of the C-3 zone (shown on Appendix A, attached hereto and incorporated herein by reference) for a period of three (3) years or until the construction of two million square feet of additional office space within said area, whichever occurs first. This prohibition shall not apply to:

1. variances of ten percent or less of the height standard which is applicable where such variance is requested to accommodate the top floor of a building or a penthouse;

2. any building for which the Redevelopment Agency has entered into a contract with the developer which governs the requirements for development of the building and the parcel or parcels on which it is located;

3. projects within 660 feet radius of a light rail station which are consistent with existing zoning and standards established in the City's Transportation Management Plan and Parking Reduction Ordinance; and

4. projects which have received a variance, planned unit development special permit, or any other discretionary land use entitlement allowing a building height exceeding height standards of the Zoning Ordinance, prior to the effective date of this ordinance, including but not limited to projects subject to litigation in Natomas Community Association, et al., v. City Council, et al., Sacramento Superior Court Case No. 337704.

Nothing in this Section 2 or in Subsection J enacted hereby shall be deemed to modify Section 3-C-8 of the Comprehenive Zoning Ordinance (Ordinance No. 2550, Fourth Series as amended).

SECTION 3

The Comprehensive Zoning Ordinance of the City of Sacramento (Ordinance No. 2550, Fourth Series as amended) is hereby amended by amending Section 3-C-8 to read as follows:

8. Within the Old City, the height limits shall be the same as the height limit specified outside the Old City, provided, however, that a special permit may be granted to permit buildings or additional height. However, there shall be no height limit and no special permit shall be required for any building for which

SECTION 3

SECTION 5

the Redevelopment Agency has entered into a contract with a developer which contract governs the requirements for development of the building and the parcel or parcels upon which it is located.

Notwithstanding the foregoing, no such special permit shall be issued for office projects within the Old City but outside of the C-3 zone (shown on Appendix A, attached hereto and incorporated herein by reference) for a period of three (3) years or until two million square feet of additional office space within the C-3 zone is under construction, whichever occurs first.

(a) The foregoing prohibition on the issuance of Special Permits shall not apply for medical offices and projects within 660 feet of a light rail station. The 660-foot distance shall be measured from the center point of the block designated for a station to the subject site. Such developments must be consistent with existing zoning and standards established in the City's Transportation Management Plan and Parking Reduction Ordinance.

(b) The success and impact of the foregoing prohibition on the issuance of Special Permits shall be evaluated at the end of said three-year period or upon the construction of two million square feet of additional office space. The program shall be monitored and annual progress reports shall be made in writing to the City Council. The criteria to be monitored shall include but not be limited to vacancy factors for retail commercial and office space, growth in annual retail sales and the CBD-SPD, and expansion of retail activities and quality of development, and traffic and parking impacts.

PASSED FOR PUBLICATION:

ENACTED:

EFFECTIVE:

_____
MAYOR

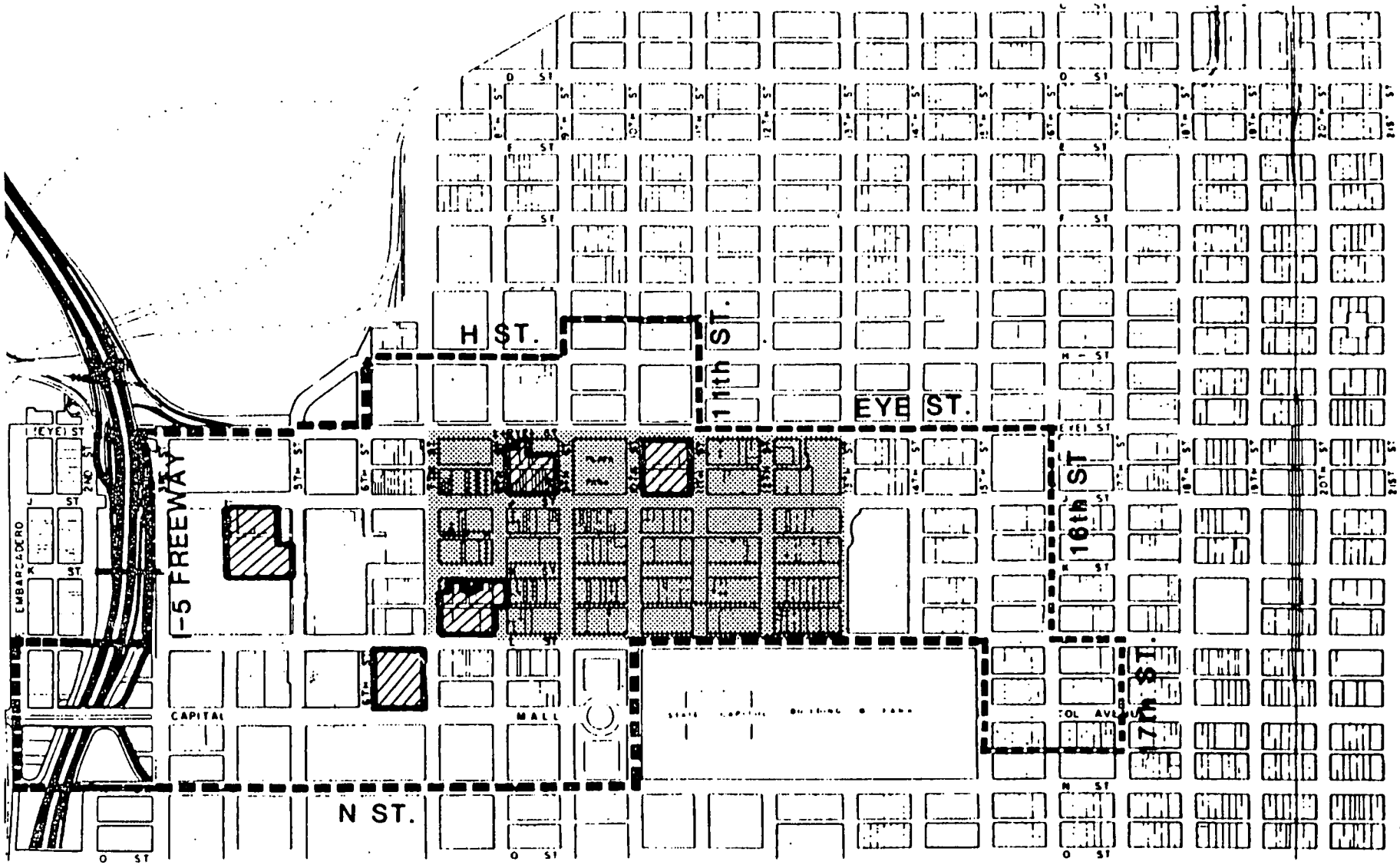
ATTEST:

_____
CITY CLERK

MAYOR

CITY CLERK

#27



SACRAMENTO URBAN DESIGN PLAN

Sacramento Housing & Redevelopment Agency
Sacramento Department of City Planning

CBD with Incentive Zone and Catalyst Sites

INCENTIVE ZONE

CATALYST SITES

CENTRAL BUSINESS DISTRICT (C-3 ZONE)

NOV. 14, 1986

APPENDIX A

(8)

RESOLUTION NO. 87-040

ADOPTED BY THE REDEVELOPMENT AGENCY OF THE CITY OF SACRAMENTO

ON DATE OF

June 16, 1987

REQUIREMENTS FOR OWNER PARTICIPATION AGREEMENTS AND DISPOSITION FOR OFFICE AND COMMERCIAL PROJECTS EXCEEDING 75,000 SQUARE FEET

BE IT RESOLVED BY THE REDEVELOPMENT AGENCY OF THE CITY OF SACRAMENTO:

Section 1. Whenever the Agency is a party to an Owner Participation Agreement (OPA) or a Disposition and Development Agreement (DDA), as appropriate, for a private commercial and/or office project of more than 75,000 square feet within the Merged Downtown Sacramento Redevelopment Project but outside the C-3 Central Business District Zone, the terms to such an agreement with the Agency shall require the property owner or the redeveloper to do the following:

A. Submit the proposed project to the City of Sacramento Planning Commission for an environmental determination and project review.

B. Before the issuance of a building permit for the project, pay to the Agency an amount which equals 1.25% of the valuation of the building or buildings in the project as determined by the City of Sacramento Building Inspection Division. Such payment shall be used by the Agency in the Central Business District (C-3 zone) for:

1. Acquisition costs of land.

2. Loans and grants to redevelopers pursuant to agreements for redevelopment projects.

3. Costs relating to the construction of public improvements.

C. To the extent determined appropriate by the Agency, comply with the following conditions and any other conditions that may be required:

1. Pay pro-rata share of the costs of traffic mitigation measures including the extension of the light rail system.

2. Pay pro-rata share for the extension and related costs for the improvement of a transit service program.

3. Provide open space amenities and pedestrian linkages, as defined in the adopted Merged Downtown Sacramento Redevelopment Plan.

4. Provide child care facilities as part of the project.

5. Restrict commercial uses to limited service retail, as defined in Exhibit "A" attached hereto.

6. Provide residential units as part of the project if the project is within a designated mixed-use area of the Merged Downtown Sacramento Redevelopment Project and consistent with the underlying zone.

7. Comply with the urban design and building massing provisions as specified in the adopted City of Sacramento Central Business District - Special Planning District Architectural Design Guidelines.

8. Comply with specific mitigation measures identified in the environmental determination which are in addition to the above requirements of this resolution.

Section 2. Projects submitted to the City of Sacramento Planning Commission before February 18, 1987 shall comply only with the requirements of A, B, C(1) and C(2) of Section 1 of this resolution.

Section 3. Rehabilitation projects within the scope of this resolution shall comply only with the requirements of A, C(1) and C(2) of Section 1 of this resolution.

Section 4. The provisions of this resolution with the exception of C(7) and C(8) of Section 1 shall terminate three years from the date of this resolution or when the amount of additional office space within the Central Business District exceeds two million square feet, whichever first occurs.

Section 5. A cumulative Environmental Impact Report will be prepared for all proposed developments in the area bounded by 3rd, 10th and Q and S Streets. In addition, a plan for housing programs will be prepared for the same subject area.

Section 6. Any property owner or redeveloper who has entered into an OPA or DDA described in Section 1 of this Resolution shall receive a credit to be applied against the payment required by B of Section 1 of this Resolution for projects constructed by the property owner or redeveloper after June 16, 1987 within the Incentive Zone/Catalyst Sites as depicted on the attached map, Exhibit "B". The credit shall be equal to 1.25% of the cost of constructing said project as determined by the City of Sacramento Building Inspection Division before the issuance of the building permit for the project. The credit shall be valid for a period of three years from the date of the issuance of said building permit and granted only after 50% completion of the building within the Incentive Zone/Catalyst Sites as determined by the City of Sacramento Building Inspection Division.

CHAIR

SECRETARY

1548J/WPP67(L)
TVL:jann
06/17/87

EXHIBIT A

LIMITED SERVICE RETAIL CLASSIFICATIONS FOR USE IN ADMINISTERING AGENCY AGREEMENTS

Retail Goods

Apparel Store
Book and Stationary Store
Camera Store
Camping Equipment Store
Fabric Store
Gift Shop
Luggage & Leather Goods Store
Pet Stores
Plant Stores
Record, Stereo Store
Secondhand Store
Shoe Store
Variety/Merchandise Store

Pedestrian/Consumer Oriented Establishments

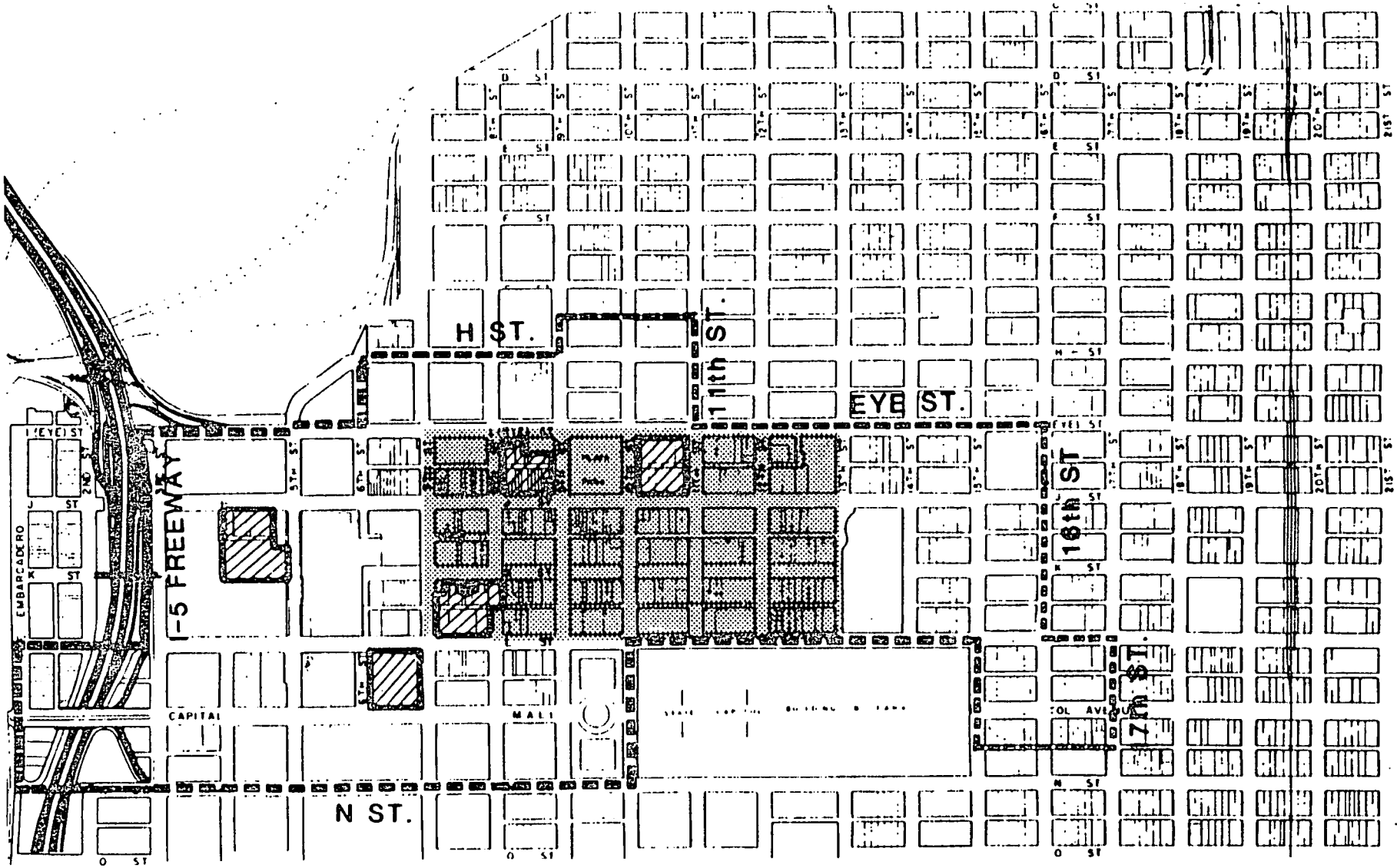
Arcades
Art Galleries
Museums

Convenience Goods

Bakery Shop
Bars
Candy Store
Delicatessen
Drug Store
Florist Shop
Grocery Store
Hobby and Crafts Store
Restaurant

Personal/Consumer Services

Banks
Barber Shop
Beauty Shop
Bicycle Shops
Credit Unions
Dry Cleaners
Gas Station
Laundromat
Printing
Photographic Studio
Savings and Loan
Shoe Repair
Tailor Shop
Travel Agency



SACRAMENTO URBAN DESIGN PLAN

Sacramento Housing & Redevelopment Agency
Sacramento Department of City Planning

CBD with Incentive Zone and Catalyst Sites

EXHIBIT B

INCENTIVE ZONE

CATALYST SITES

CENTRAL BUSINESS DISTRICT (C-3 ZONE)

NOV 14 1990

CITY OF SACRAMENTO

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CONTINUED
TO 6-16-87
PFP'd on 5-12-87

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

May 13, 1987

Redevelopment Agency of the
City of Sacramento

City Council of the City of
Sacramento, California 95814

Honorable Members in Session:

SUBJECT: Proposed Downtown Urban Design Plan (M85-069) Ordinance and Resolution

SUMMARY

This is a report back regarding development strategy of the proposed Downtown Urban Design Plan relating specifically to requirements for major projects (exceeding 75,000 square feet) and adherence to the established height limits. The proposed requirements are for the area outside the Central Business District (CBD C-3 zone), but within the Merged Downtown Sacramento Redevelopment Plan.

It is proposed that if a property owner within the subject area desires to develop a project which exceeds 75,000 square feet, the property owner would have to enter into an Owner Participation Agreement (OPA) or Disposition/Development Agreement (DDA) with the Redevelopment Agency of the City of Sacramento. In addition, all such projects established height limits would be consistent with the development strategy of the Urban Design Plan until two (2) million square feet of additional office space is under construction in the C-3 Zone or for a period of three (3) years, whichever occurs first.

The staff recommends adoption of the attached Redevelopment Agency of the City of Sacramento (RACS) resolution, and the City Ordinance to implement these requirements as part of the Downtown Urban Design Plan.

BACKGROUND

On February 18, 1987, the City Council adopted the Proposed Downtown Urban Design Plan by Resolution 87-116 and City Ordinance 87-013. However, Sections 2 and 3 of the Ordinance were omitted and substituted by the draft language, attached as Exhibit I. The substituted language pertained primarily to the Major Projects Ordinance and height

standards. The Council directed staff to prepare necessary language consistent with Exhibit I for consideration.

The revised recommendations propose that all major projects (exceeding 75,000 square feet), outside the C-3 zone but within the Merged Downtown Sacramento Redevelopment Plan, enter into an Owner Participation Agreement (OPA) or a Disposition and Development Agreement (DDA). The main terms of the Agreement will require the following: 1) the project be submitted to the City Planning Commission for environmental review and project review; 2) a grant shall be paid to the CBD support program, equal to 1.25% of the total project costs, for activities to enhance the CBD; 3) pay pro-rata share of traffic and transportation mitigation; 4) be consistent with the urban design and building massing guidelines; and 5) compliance with specific mitigation measures identified in any applicable environmental determination.

In addition, the RACS resolution will expire in three years from adoption, or when two million square feet of additional office space is under construction in the C-3 zone. Exemptions are permitted for rehabilitation of existing structures into office uses, and any new major projects submitted prior to February 18, 1987; however, they will be subject to contribution to the CBD support program and compliance with various environmental, traffic/transportation measures, and the urban design and building massing guidelines.

The proposed City Ordinance recommends no special permits be issued for office projects exceeding 75,000 square feet within the Old City, but outside the C-3 zone. However, medical offices and projects within 660 feet of light rail stations are exempted. Additionally, no variances or special permits to exceed the height standards shall be issued for any structure outside the C-3 zone, however, it will not apply to projects within 660 feet of light rail stations. The proposed ordinance will remain in effect until two million square feet of additional office space is under construction in the C-3 zone, or for a period of three (3) years, whichever occurs first. These provisions would be monitored and evaluated annually, with progress reports to the City Council.

The staff has reviewed and discussed these provisions with affected property owners and developers.

FINANCIAL DATA

Approval of these recommendations could possibly provide funds for improvements and land acquisition to the CBD area. However, no existing funds would be required to implement the Urban Design Plan. The recommendations are consistent with the City Council's directions of February 18, 1987.

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ENVIRONMENTAL IMPACTS

A Negative Declaration was prepared on the overall Urban Design Plan documents, however, staff realized that there exists a potential for environmental impacts as a result of implementation programs and activities. Thus, further environmental assessments may be done pursuant to subsequent program and project proposals.

RECOMMENDATION

The staff recommends adoption of the RACS resolution requiring all major projects to enter into Agreements with the RACS, and the City Ordinance relating to major projects and height limits be consistent with the Urban Design Plan for a period of three (3) years (from date of Council adoption) or when two (2) million square feet of new office space is under construction within the CBD.

Respectfully submitted,

Marty Van Duyn
Planning Director City of Sacramento

William H. Edgar
Executive Director
Sacramento Housing and
Redevelopment Agency

TRANSMITTAL TO COUNCIL:

For: WALTER J. SLIPE
CITY MANAGER

MVD:AG:tc
attachments

May 21, 1987
District No.

M85-069

EXHIBIT I

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MOTION BY CITY COUNCIL

RE: URBAN DESIGN PLAN

A. Ratify the Negative Declaration.

B. Approve the Urban Design Plan documents and implementing ordinances as amended.

C. Approve the Urban Design Plan development strategy related to the Major Projects Ordinance (Sec. 2) and height standards (Sec. 3) with the following proviso:

1. Projects submitted prior to February 18, 1987 shall be exempt from the provisions of Section 2 and Section 3. Projects submitted prior to February 18, 1987 but have not received approval of planning entitlements must include the following conditions:

   a) The applicant shall develop housing within the C-4 portion of Redevelopment Project Area #4 or provide funds for housing. The applicant shall work with SHRA staff to determine location, number of units, or fees. The Housing Plan shall be subject to the review and approval of the City Council.

   b) The applicant shall agree to contribute its pro-rata share of a light rail loop system to be funded in concert with other new developments within the C-4 portion of Redevelopment Project Area #4 which will connect the R St. Redevelopment Area with the K Street Mall.

2. New developments exceeding 25,000 sq. ft. submitted after February 18, 1987 in the C-4 portion of Redevelopment Project Area #4 shall prepare an implementation and funding plan which shall address the following:

   a) Development and funding of the light rail loop system and shuttle service connecting the C-4 portion of Redevelopment Project Area #4 (R St. Corridor) with the K Street Mall by new developments within the C-4 portion of Redevelopment Project Area #4.

   b) Housing development within the C-4 portion of Redevelopment Project Area #4 or housing fund contribution.

   c) Child care facilities.

   d) Open space amenities and pedestrian linkages.

   e) Limited service commercial uses.

[illegible]

[illegible]

[illegible]

f) Urban Design and Building Massing within the C-4 portion of Redevelopment Project Area #4.

g) This plan shall be submitted to the SHRA and shall be subject to the review and approval of the City Council prior to submittal of specific development plans in the subject area.

3. The Ordinance related to major projects (Section 2) and Height Standards (Section 3) shall remain in effect until two million square feet of office space is under construction in the C-3 zone, or for a period of five (5) years, whichever occurs first. This program shall be reviewed annually by the City Council from the effective date of this ordinance. Factors to be monitored shall include the following:

a) Square footage of development in the C-3 zone, Redevelopment Project Area #4, and other designated subareas to be determined by staff.

b) Location and rate of Public Agency leasing.

c) Vacancy rates in subareas identified in (a) above.

d) Changes in retail sales in the C-3 zone.

e) Quality and number of new retail businesses in the C-3 zone.

f) Level of light rail patronage.

g) Parking and traffic circulation assessment.

4. Projects which are not consistent with Section 2 and Section 3 of the CBD-SPD and paragraphs 2 and 3 above shall not be accepted or processed by the City until the City Council amends this provision at its annual review.

5. Parties which have submitted office development projects in both the C-3 zone and C-4 portion of Redevelopment Project Area #4 must first begin development of a project within the C-3 zone prior to development of a project in the C-4 portion of Redevelopment Project Area #4.

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ORDINANCE NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

ORDINANCE AMENDING SECTION 3-C-10 OF THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SACRAMENTO AND ADDING SECTION J TO SECTION 14 OF SAID ORDINANCE RELATING TO SPECIAL PERMITS FOR OFFICE PROJECTS IN THE OLD CITY AND HEIGHT VARIANCES

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

SECTION 1.

The Comprehensive Zoning Ordinance of the City of Sacramento (Ordinance No. 2550, Fourth Series as amended) is hereby amended by amending Section 3-C-10 to read as follows:

10. Within the Old City, the maximum lot coverage shall be the same as that specified outside the Old City; provided, however, that a Special Permit shall be required for any building to be constructed or expanded to exceed 75,000 square feet of gross floor area, except that a Special Permit shall not be required for any building for which the Redevelopment Agency has entered into a contract with the developer which governs the requirements for development of the building and the parcel or parcels upon which it is located. Notwithstanding the foregoing, no Special Permit shall be issued for office projects exceeding 75,000 square feet of gross floor area within the Old City but outside of the C-3 zone (shown on Appendix A, attached hereto and incorporated herein by reference) for a period of three (3) years or until two million square feet of additional office space within the aforementioned area has been built, whichever occurs first.

(a) The foregoing prohibition on the issuance of Special Permits shall not apply for medical offices and projects within 660 feet of a light rail station. The 660-foot distance shall be measured from the center point of the block designated for a station to the subject site. Such developments must be consistent with existing zoning and standards established in the City's Transportation Management Plan and Parking Reduction Ordinance.

(b) The success and impact of the foregoing prohibition on the issuance of Special Permits shall be evaluated at the end of said three-year period or upon the construction of two million square feet of additional office space. The program shall be monitored and annual progress reports shall be made in writing to the City Council. The criteria to be monitored shall include but not be limited to vacancy factors for retail commercial and office space, growth in annual retail sales and the CBD-SPD, and expansion of

ORDINANCE AMENDING SECTION 3-C-10 OF THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SACRAMENTO AND ADDING SECTION 1 TO SECTION 14 OF SAID ORDINANCE RELATING TO SPECIAL PERMITS FOR OFFICE PROJECTS IN THE OLD CITY AND DIGNITY VARIANCES

SECTION 1.

retail activities and quality of development, and traffic and parking impacts.

SECTION 2

The Comprehensive Zoning Ordinance of the City of Sacramento (Ordinance No. 2550, Fourth Series as amended) is hereby amended by adding thereto Subsection J to Section 14, to read as follows:

J. Notwithstanding any other provision of this ordinance to the contrary, no variance from height standards shall be issued for any structure outside of the C-3 zone (shown on Appendix A, attached hereto and incorporated herein by reference) for a period of three (3) years or until the construction of two million square feet of additional office space within said area, whichever occurs first. This prohibition shall not apply to:

1. variances of ten percent or less of the height standard which is applicable where such variance is requested to accommodate the top floor of a building or a penthouse;

2. any building for which the Redevelopment Agency has entered into a contract with the developer which governs the requirements for development of the building and the parcel or parcels on which it is located;

3. projects within 660 feet radius of a light rail station which are consistent with existing zoning and standards established in the City's Transportation Management Plan and Parking Reduction Ordinance; and

4. projects which have received a variance, planned unit development special permit, or any other discretionary land use entitlement allowing a building height exceeding height standards of the Zoning Ordinance, prior to the effective date of this ordinance, including but not limited to projects subject to litigation in Natomas Community Association, et al., v. City Council, et al., Sacramento Superior Court Case No. 337704.

PASSED FOR PUBLICATION:

ENACTED:

EFFECTIVE:

_____
MAYOR

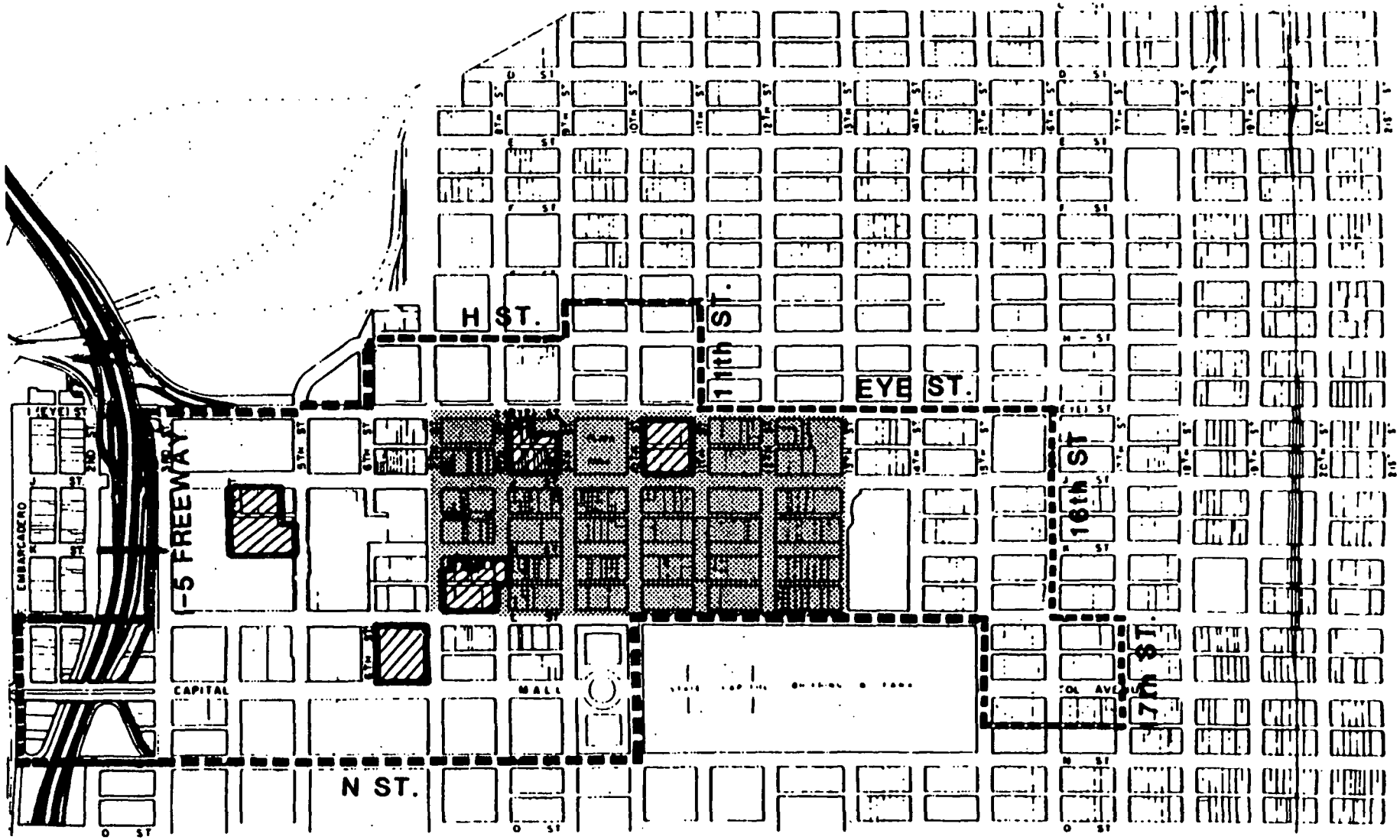
ATTEST:

_____
CITY CLERK

SECTION 2

MAYOR

CITY CLERK



SACRAMENTO URBAN DESIGN PLAN

Sacramento Housing & Redevelopment Agency
Sacramento Department of City Planning

CBD with Incentive Zone and Catalyst Sites

INCENTIVE ZONE

CATALYST SITES

CENTRAL BUSINESS DISTRICT (C-3 ZONE)

APPENDIX A

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ORDINANCE NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

ORDINANCE AMENDING SECTION 3-C-10 OF THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SACRAMENTO AND ADDING SUBSECTION J TO SECTION 14 OF SAID ORDINANCE RELATING TO SPECIAL PERMITS FOR OFFICE PROJECTS IN THE OLD CITY AND HEIGHT VARIANCES

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

SECTION 1.

The Comprehensive Zoning Ordinance of the City of Sacramento (Ordinance No. 2550, Fourth Series as amended) is hereby amended by amending Section 3-C-10 to read as follows:

10. Within the Old City, the maximum lot coverage shall be the same as that specified outside the Old City; provided, however, that a Special Permit shall be required for any building to be constructed or expanded to exceed 75,000 square feet of gross floor area, except that ~~A~~ a Special Permit shall not be required for any building for which the Redevelopment Agency has entered into a contract with the developer which governs the requirements for development of the building and the parcel or parcels upon which it is located. Notwithstanding the foregoing, no Special Permit shall be issued for office projects exceeding 75,000 square feet of gross floor area within the Old City but outside of the C-3 zone (shown on Appendix A, attached hereto and incorporated herein by reference) for a period of three (3) years or until two million square feet of additional office space within the aforementioned area has been built, whichever occurs first.

(a) The foregoing prohibition on the issuance of Special Permits shall not apply for medical offices and projects within 660 feet of a light rail station. The 660-foot distance shall be measured from the center point of the block designated for a station to the subject site. Such developments must be consistent with existing zoning and standards established in the City's Transportation Management Plan and Parking Reduction Ordinance.

(b) The success and impact of the foregoing prohibition on the issuance of Special Permits shall be evaluated at the end of said three-year period or upon the construction of two million square feet of additional office space. The program shall be monitored and annual progress reports shall be made in writing to the City Council. The criteria to be monitored shall include but not be limited to vacancy factors for retail commercial and office space, growth in annual retail sales and the CBD-SPD, and expansion of

ORDINANCE AMENDING SECTION 1-C-10 OF THE COMPREHENSIVE
ZONING ORDINANCE OF THE CITY OF SACRAMENTO AND ADDING
SUBSECTION 1 TO SECTION 17 OF ARTICLE 2 OF THE CITY
CODE TO SPECIAL PERMITS FOR CHECK PROCESS IN THE CTD CITY
AND REGIONAL AVENUE

SECTION 1.

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retail activities and quality of development, and traffic and parking impacts.

SECTION 2

The Comprehensive Zoning Ordinance of the City of Sacramento (Ordinance No. 2550, Fourth Series as amended) is hereby amended by adding thereto Subsection J to Section 14, to read as follows:

J. Notwithstanding any other provision of this ordinance to the contrary, no variance from height standards shall be issued for any structure outside of the C-3 zone (shown on Appendix A, attached hereto and incorporated herein by reference) for a period of three (3) years or until the construction of two million square feet of additional office space within said area, whichever occurs first. This prohibition shall not apply to:

1. variances of ten percent or less of the height standard which is applicable where such variance is requested to accommodate the top floor of a building or a penthouse;

2. any building for which the Redevelopment Agency has entered into a contract with the developer which governs the requirements for development of the building and the parcel or parcels on which it is located;

3. projects within 660 feet radius of a light rail station which are consistent with existing zoning and standards established in the City's Transportation Management Plan and Parking Reduction Ordinance; and

4. projects which have received a variance, planned unit development special permit, or any other discretionary land use entitlement allowing a building height exceeding height standards of the Zoning Ordinance, prior to the effective date of this ordinance, including but not limited to projects subject to litigation in Natomas Community Association, et al. v. City Council, et al., Sacramento Superior Court Case No. 337704.

PASSED FOR PUBLICATION:

ENACTED:

EFFECTIVE:

MAYOR

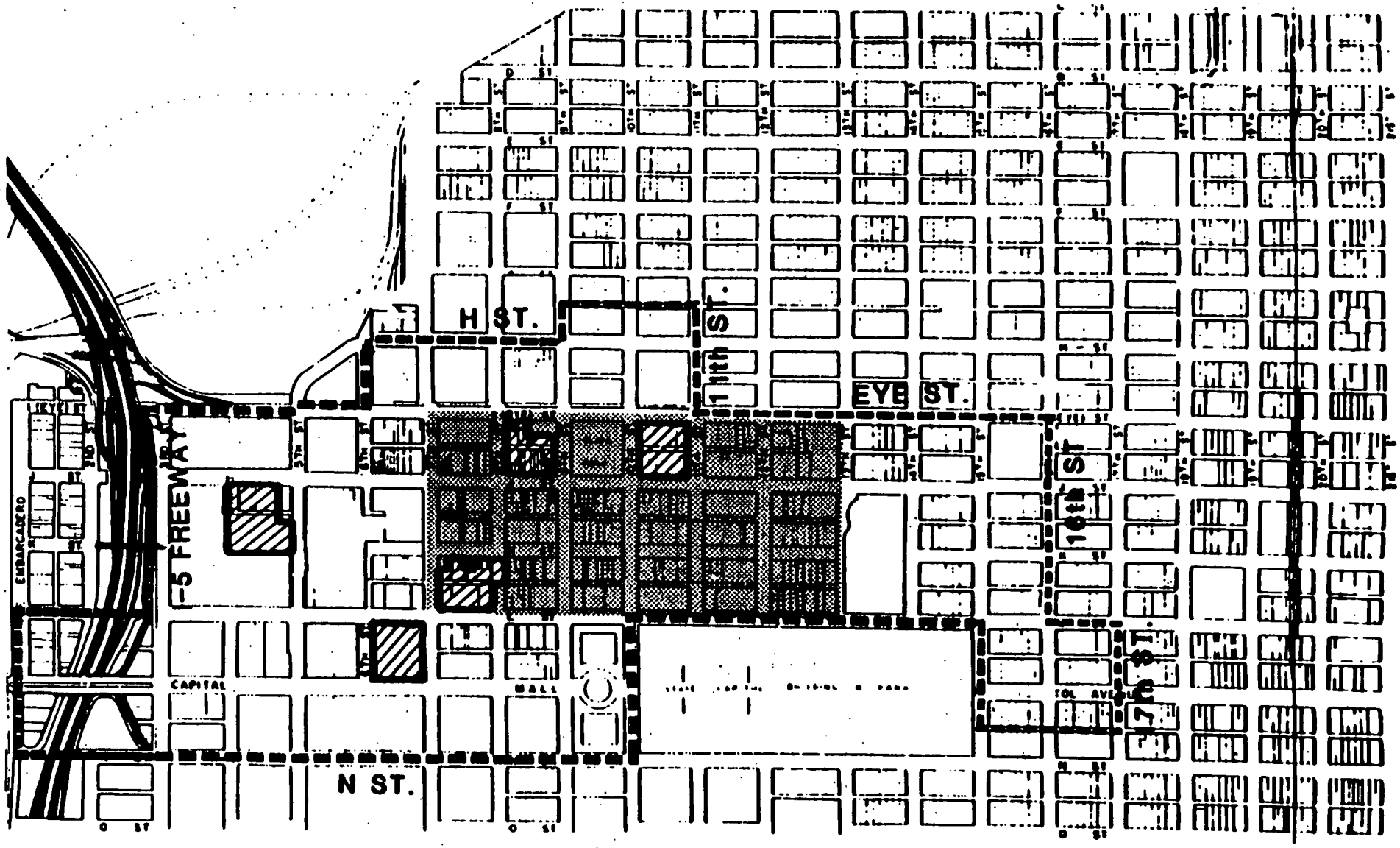
ATTEST:

CITY CLERK

CITY CLERK

MAYOR

SECTION 5



SACRAMENTO URBAN DESIGN PLAN

Sacramento Housing & Redevelopment Agency
Sacramento Department of City Planning

CBD with Incentive Zone and Catalyst Sites

INCENTIVE ZONE

CATA[illegible]T SITES

CENTRAL BUSINESS DIS[illegible]T
(C-3 ZONE)

RESOLUTION NO.

ADOPTED BY THE REDEVELOPMENT AGENCY OF THE CITY OF SACRAMENTO

ON DATE OF

May 26, 1987

REQUIREMENTS FOR OWNER PARTICIPATION AGREEMENTS AND DISPOSITION FOR OFFICE AND COMMERCIAL PROJECTS EXCEEDING 75,000 SQUARE FEET

BE IT RESOLVED BY THE REDEVELOPMENT AGENCY OF THE CITY OF SACRAMENTO:

Section 1. Whenever the Agency is a party to an Owner Participation Agreement (OPA) or a Disposition and Development Agreement (DDA), as appropriate, for a private commercial and/or office project of more than 75,000 square feet within the Merged Downtown Sacramento Redevelopment Project but outside the C-3 Central Business District Zone, the terms to such an agreement with the Agency shall require the property owner or the redeveloper to do the following:

A. Submit the proposed project to the City of Sacramento Planning Commission for an environmental determination and project review.

B. Before the issuance of a building permit for the project, pay to the Agency an amount which equals 1.25% of the valuation of the building or buildings in the project as determined by the City of Sacramento Building Department. Such payment shall be used by the Agency for:

1. Acquisition costs of land within the Merged Downtown Sacramento Redevelopment Project.

2. Loans and grants to redevelopers pursuant to agreements for redevelopment projects within the Merged Downtown Sacramento Redevelopment Project.

3. Costs relating to the construction of public improvements within the Merged Downtown Sacramento Redevelopment Project.

C. Pay pro-rata share of the costs of traffic mitigation measures including the extension of the light rail system.

D. Pay pro-rata share for the extension and related costs for the operation of the K Street Mall bus shuttle program.

E. Provide open space amenities and pedestrian linkages, as defined in the adopted Merged Downtown Sacramento Redevelopment Project.

F. Consider child care facilities as part of the project.

G. Restrict commercial uses to limited service retail, as defined in Exhibit "A" attached hereto.

H. Provide residential units as part of the project if the project is within a mixed-use area of the Merged Downtown Sacramento Redevelopment Project.

I. Comply with the urban design and building massing provisions as specified in the adopted City of Sacramento Central Business District - Special Planning District Architectural Design Guidelines.

J. Comply with specific mitigation measures identified in the environmental determination which are in addition to the above requirements of this resolution.

Section 2. Projects submitted to the City of Sacramento Planning Commission before February 18, 1987 shall comply only with the requirements of A, B, C and D of Section 1 of this resolution.

Section 3. Rehabilitation projects within the scope of this resolution shall comply only with the requirements of A, C and D of Section 1 of this resolution.

Section 4. The provisions of this resolution shall terminate three years from the date of this resolution or when the amount of additional office space within the Central Business District exceeds two million square feet, whichever first occurs.

CHAIR

SECRETARY

1548J
TVL:jann
05/11/87

EXHIBIT A

LIMITED SERVICE RETAIL CLASSIFICATIONS FOR USE IN ADMINISTERING AGENCY AGREEMENTS

Retail Goods

Apparel Store
Book and Stationary Store
Camera Store
Camping Equipment Store
Fabric Store
Gift Shop
Luggage & Leather Goods Store
Pet Stores
Plant Stores
Record, Stereo Store
Secondhand Store
Shoe Store
Variety/Merchandise Store

Pedestrian/Consumer Oriented Establishments

Arcades
Art Galleries
Museums

Convenience Goods

Bakery Shop
Bars
Candy Store
Delicatessen
Drug Store
Florist Shop
Grocery Store
Hobby and Crafts Store
Restaurant

Personal/Consumer Services

Banks
Barber Shop
Beauty Shop
Bicycle Shops
Credit Unions
Dry Cleaners
Gas Station
Laundromat
Printing
Photographic Studio
Savings and Loan
Shoe Repair
Tailor Shop
Travel Agency

RESOLUTION NO.

ADOPTED BY THE REDEVELOPMENT AGENCY OF THE CITY OF SACRAMENTO

ON DATE OF

REQUIREMENTS FOR OWNER PARTICIPATION AGREEMENTS AND DISPOSITION FOR OFFICE AND COMMERCIAL PROJECTS EXCEEDING 75,000 SQUARE FEET

BE IT RESOLVED BY THE REDEVELOPMENT AGENCY OF THE CITY OF SACRAMENTO:

Section 1. Whenever the Agency is a party to an Owner Participation Agreement (OPA) or a Disposition and Development Agreement (DDA), as appropriate, for a private commercial and/or office project of more than 75,000 square feet within the Merged Downtown Sacramento Redevelopment Project but outside the C-3 Central Business District Zone, the terms to such an agreement with the Agency shall require the property owner or the redeveloper to do the following:

A. Submit the proposed project to the City of Sacramento Planning Commission for an environmental determination and project review.

B. Before the issuance of a building permit for the project, pay to the Agency an amount which equals 1.25% of the valuation of the building or buildings in the project as determined by the City of Sacramento Building Department. Such payment shall be used by the Agency in the Central Business District (C-3 zone) for:

   1. Acquisition costs of land.

   2. Loans and grants to redevelopers pursuant to agreements for redevelopment projects.

   3. Costs relating to the construction of public improvements.

C. Pay pro-rata share of the costs of traffic mitigation measures including the extension of the light rail system.

EXHIBIT A

D. Pay pro-rata share for the extension and related costs for the operation of the K Street Mall bus shuttle program.

E. Provide open space amenities and pedestrian linkages, as defined in the adopted Merged Downtown Sacramento Redevelopment Plan.

F. Consider child care facilities as part of the project.

G. Restrict commercial uses to limited service retail, as defined in Exhibit "A" attached hereto.

H. Provide residential units as part of the project if the project is within a designated mixed-use area of the Merged Downtown Sacramento Redevelopment Project and consistent with the underlying zone.

I. Comply with the urban design and building massing provisions as specified in the adopted City of Sacramento Central Business District - Special Planning District Architectural Design Guidelines.

J. Comply with specific mitigation measures identified in the environmental determination which are in addition to the above requirements of this resolution.

Section 2. Projects submitted to the City of Sacramento Planning Commission before February 18, 1987 shall comply only with the requirements of A, B, C and D of Section 1 of this resolution.

Section 3. Rehabilitation projects within the scope of this resolution shall comply only with the requirements of A, B, C and D of Section 1 of this resolution.

Section 4. The provisions of this resolution with the exception of Sections I and J of Section 1 shall terminate three years from the date of this resolution or when the amount of additional office space within the Central Business District exceeds two million square feet, whichever first occurs.

Section 5. A cumulative Environmental Impact Report will be prepared for all proposed developments in the area bounded by 3rd, 10th and Q and S Streets. In addition, a plan for housing programs will be prepared for the same subject area.

CHAIR

SECRETARY

1548J/WPP67(L)
TVL:jann
06/15/87

LAW OFFICES OF
DE LA VERGNE & McMURTRY
A PROFESSIONAL CORPORATION
1730 I STREET, SUITE 260
SACRAMENTO, CALIFORNIA 95814-3017
TELEPHONE (916) 441-1978

PLEASE REFER TO
OUR FILE NO. 87-2569

June 16, 1987

Honorable City Council and
Redevelopment Agency
CITY OF SACRAMENTO
915 I Street
Sacramento, California 95814

Re: Proposed Downtown Urban Design Plan (M85-069)
Ordinance and Resolution

Members In Session:

In our letter of June 4, 1987, we included proposed language for inclusion in the proposed Downtown Urban Design Plan Resolution which is before you for consideration.

Since that date it has been suggested that the credit proposed in our letter of June 4, 1987, should expire if not used within a reasonable period of time. We have revised the proposed language to reflect that suggestion and the revised language is attached.

Respectfully Submitted,

Law Offices of
de la VERGNE & McMURTRY
A Professional Corporation

By: David W. McMurtry
DAVID W. McMURTRY

DWM:plc

cc: JB Company
RJB Interests
Walter J. Slipe
William Edgar
Marty Van Duyn

Enclosures

Revised Addition to Proposed Resolution

Section 7: Any property owner or redeveloper who is a party to an OPA or DDA described in Section 1 of this Resolution shall receive a credit to be applied against the payment required by Subsection B of Section 1 of this Resolution for projects constructed by the property owner or redeveloper after February 18, 1987, in the Old City (as defined by the City Comprehensive Zoning Ordinance) and within the C-3 Zone. The credit shall be equal to 1.25% of the cost of constructing said project as determined by the City of Sacramento Building Department before the issuance of the building permit for the project. The credit shall be valid for a period of five years from the date of the issuance of said building permit. A project which is under construction and for which substantial work has been completed shall qualify for the credit.

Section 8: The Agency shall appoint an advisory committee to review and make recommendations to it concerning the feasibility of the mitigation measures described in Subsection C of Section 1 of this Resolution to the extent that those measures are recommended by Agency staff for inclusion in any OPA or DDA described in Section 1. The committee shall consist of seven members and shall include members having experience or expertise in the following areas:

(a) Mortgage lending for major urban projects.

(b) Commercial leasing of major urban projects.

(c) Architectural design of major urban projects.

[illegible]

(d) Development of major urban projects.

(e) Development of multi-family residential projects in the Old City.

(f) Construction of major urban projects.

A representative of the owner or redeveloper for the proposed project shall be an ex offico member of the committee.

The feasibility of the mitigation measures recommended for each project shall be examined in light of the *pro forma* for the proposed project provided to the committee by owner or redeveloper of that project.

The members of the committee, other than the ex officio member, shall be nominated by the Chairman of the Agency and shall serve at the pleasure of the Agency.

LAW OFFICES OF
HYDE, MILLER & SAVAGE
428 J STREET, SUITE 400
SACRAMENTO, CALIFORNIA 95814
(916) 447-7933

TIMOTHY E. AINSWORTH
RICHARD H. HYDE*
NANCY C. MILLER
LEE SAVAGE
*A PROFESSIONAL CORPORATION

June 4, 1987

Redevelopment Agency of the
City of Sacramento

City Council of the
City of Sacramento

Re: Proposed Downtown Urban Design Plan
Ordinance and Resolution

Honorable Members:

This office represents Standard Realty and Development Company ("Standard") in connection with the above-referenced matter. Standard owns the two blocks bounded by 3rd, 5th, Q and R Streets, and is planning to develop more than one hundred million dollar in improvements on these blocks. This development will be predominantly high quality office buildings, and may include a major luxury hotel and some support retail. This development will annually generate more than $1,000,000.00 in additional tax revenue to the Sacramento Redevelopment Agency. Standard also owns portions of two additional blocks in this area, which it intends to develop in the future.

At your February 18, 1987 meeting, you considered adopting an Ordinance which would have imposed a moritorium on the development of any major project in the Central City, including the Standard project. At that meeting, you instead adopted a Resolution which permits the development of major projects within the combined Downtown Redevelopment Project Area subject to specified conditions. You instructed your staff to prepare an Ordinance and Resolution to implement this Resolution.

We have been working with your staff to develop this Ordinance and Resolution. Enclosed is a copy of my February 27, 1987 memorandum, which sets forth my thoughts on the approach which should be used. While your staff has incorporated some of these thoughts into the Ordinance and Resolution it is proposing, a number of important elements have been omitted. Accordingly, I am enclosing an alternative Ordinance and Resolution for your consideration. This alternative Ordinance and Resolution incorporates some of the elements omitted in the staff Ordinance and Resolution.

Finally, I am also enclosing a chart listing the differences between the form of Ordinance and Resolution proposed by the staff and the form proposed by Standard. This chart explains the reasons for our proposed changes.

I will be present at your June 9, 1987 meeting to answer questions regarding the proposed revisions to the form of Ordinance and Resolution proposed by your staff.

Thank you for your consideration of our proposed revisions.

Very truly yours,

HYDE, MILLER AND SAVAGE

By: Richard H. Hyde

Richard H. Hyde

RHH:cr

cc: William Ditz, President of
Standard Realty & Development Co.
Joe Gray
Maurice Read
David McMurtry
Marty Van Duyn
Andy Plescia

MARKED TO SHOW CHANGES
FROM STAFF FORM

ORDINANCE NO. _____

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

_____

ORDINANCE AMENDING SECTION 3-C-10 OF THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SACRAMENTO AND ADDING SECTION J TO SECTION 14 OF SAID ORDINANCE RELATING TO SPECIAL PERMITS FOR OFFICE PROJECTS IN THE OLD CITY AND HEIGHT VARIANCES

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

SECTION 1.

The Comprehensive Zoning Ordinance of the City of Sacramento (Ordinance No. 2550), Fourth Series as amended) is hereby amended by amending Section 3-C-10 to read as follows:

> 10. Within the Old City, the maximum lot coverage shall be the same as that specified outside the Old City; provided, however, that a Special Permit shall be required for any building to be constructed or expanded to exceed 75,000 square feet of gross floor area, except that a Special Permit shall not be required for any building for which the Redevelopment Agency has entered into a contract with the developer which governs the requirements for development of the building and the parcel or parcels upon which it is located. Notwithstanding the foregoing, no Special Permit shall be issued for office projects exceeding 75,000 square feet of gross floor area within the Old City but outside of the C-3 zone (shown on Appendix A, attached hereto and incorporated herein by reference) prior to the earlier of (1) February 18, 1990, and (2) the date on which building permits have been issued (after February 18, 1987) for construction of a total of two million square feet of office space within the CBD-SPD.

E:RH

(a) The foregoing prohibition on the issuance of Special Permits shall not apply for medical offices and projects within 660 feet of a light rail station. The 660 foot distance shall be measured from the center point of the block designated for a station to the subject site. Such developments must be consistent with existing zoning and standards established in the City's Transportation Management Plan and Parking Reduction Ordinance.

(b) The success and impact of the foregoing prohibition on the issuance of Special Permits shall be evaluated, and annual progress reports shall be made in writing to the City Council. The criteria to be monitored shall include but not be limited to vacancy factors for retail commercial and office space, growth in annual retail sales and the CBD-SPD, and expansion of retail activities and quality of development and traffic and parking impacts.

SECTION 2.

The Comprehensive Zoning Ordinance of the City of Sacramento (Ordinance No. 2550, Fourth Series as amended) is hereby amended by adding thereto Subsection J to Section 14, to read as follows:

J. Notwithstanding any other provision of this ordinance to the contrary, no variance from height standards shall be issued for any structure outside of the C-3 zone (shown on Appendix A, attached hereto and incorporated herein by reference) prior to the earlier of (1) February 18, 1990, and (2) the date on which building permits have been issued (after February 18, 1987) for construction of a total of two million square feet of office space within the CBD-SPD. This prohibition shall not apply to variances of ten percent or less of the height standard which is applicable where such variance is requested to accommodate the top floor of a building or a penthouse. This prohibition shall not apply to (1) projects within 660 feet radius of a light rail station which are consistent with existing zoning and standards established in the City's Transportation Management Plan and Parking Reduction Ordinance, (2) projects which have received a variance, planned unit development special permit, or any other discretionary land use entitlement allowing a building height exceeding height standards of the Zoning Ordinance, prior to the effective date of this ordinance,

E:RH

including but not limited to projects subject to litigation in Natomas Community Association, et al. v. City Council et al., Sacramento Superior Court Case No. 337704; and (3) projects for which the Redevelopment Agency has entered into a contract with the developer which governs the requirements for the development of that project.

SECTION 3

Projects for which the Redevelopment Agency has entered into a contract with the developer which governs the requirements for the development of that project and projects within the C-3 zone shall be expeditiously processed by the City. Such projects shall receive priority review by the City Planning Department and the City Building Department.

PASSED FOR PUBLICATION:

ENACTED:

EFFECTIVE:

MAYOR

ATTEST:

CITY CLERK

E:RH

MARKED TO SHOW CHANGES
FROM STAFF FORM

RESOLUTION NO. _____

ADOPTED BY THE REDEVELOPMENT AGENCY

OF THE CITY OF SACRAMENTO

ON THE DATE OF

_____

REQUIREMENTS FOR OWNER PARTICIPATION AGREEMENTS AND DISPOSITION FOR OFFICE AND COMMERCIAL PROJECTS EXCEEDING 75,000 SQUARE FEET

BE IT RESOLVED BY THE REDEVELOPMENT AGENCY OF THE CITY OF SACRAMENTO:

Section 1. Whenever the Agency is a party to an Owner Participation Agreement (OPA) or a Disposition and Development Agreement (DDA), as appropriate, for a private commercial and/or office project of more than 75,000 square feet within the Merged Downtown Sacramento Redevelopment Project but outside the C-3 Central Business District Zone, the terms to such an agreement with the Agency shall require the property owner or the redeveloper to do the following:

A. Submit the proposed project to the City of Sacramento Planning Commission for project review.

B. Pay to the Agency an amount which equals 1.25% of the cost of constructing building or buildings in the project as determined by the City of Sacramento Building Department before the issuance of a building permit for the project. The Agreement shall specify the terms of repayment, if any, by the Agency. Such payment shall be used by the Agency for:

1. Acquisition costs of land within the Merged Downtown Sacramento Redevelopment Project.

E:RH

2. Loans and grants to redevelopers pursuant to agreements for redevelopment projects within the Merged Downtown Sacramento Redevelopment Project.

3. Costs relating to the construction of public improvements within the Merged Downtown Sacramento Redevelopment Project.

C. To the extent determined appropriate by the Agency:

1. Pay pro-rata share of the costs of traffic mitigation measures including the extension of the light rail system.

2. Pay pro-rata share for the extension and related costs for the operation of the K Street Mall bus shuttle program.

3. Provide open space amenities and pedestrian linkages, as defined in the adopted Merged Downtown Sacramento Redevelopment Project.

4. Provide child care facilities as part of the project.

5. Restrict commercial uses to limited service retail, as defined in Exhibit A attached hereto.

6. Provide residential units as part of the project if the project is within a mixed-use area of the Merged Downtown Sacramento Redevelopment Project.

7. Comply with the urban design and building massing provisions as specified in the adopted City of Sacramento Central Business District - Special Planning District Architectural Design Guidelines.

8. Comply with specific mitigation measures identified in the environmental determination which are in addition to the above requirements of this resolution.

Section 2. Projects submitted to the City of Sacramento Planning commission before February 18, 1987, shall comply only with the requirements of A, B, C(1) and C(2) of Section 1 of this resolution.

Section 3. Rehabilitation projects within the scope of this resolution shall comply only with the requirements of A, B, C(1) and C(2) of Section 1 of this resolution.

E:RH

Section 4. Projects described in Section 1 of this resolution shall be expeditiously processed by the Agency. A Master EIR shall be prepared by the Agency for all such projects in the area bounded by 3rd, 10th, Q and S Streets.

Section 5. The provisions of this resolution shall terminate on the earlier of (1) February 18, 1990 and (2) the date on which building permits have been issued (after February 18, 1987) for construction of a total of two million square feet of office space within the CBD-SPD.

CHAIR

SECRETARY

E:RH

SUBSTANTIVE DIFFERENCES BETWEEN STAFF DOCUMENTS AND ATTACHED DOCUMENTS

	Subject	Staff Document	Standard Document	Reason for Change
	Ordinance:			
1.	Date for Start of Three Year Moritorium (Orinance: Section 1, 1st Paragraph of Section 10 and Section 2, 1st Sentence of Section J)	June 9, 1987	February 18, 1987	February 18, 1987 was date of adoption of "Serna Resolution". This resolution effectively created a moratorium. This moratorium should not be extended because of a delay in adopting the Ordinance and Resolution implementing your Feburary 18th action.
2.	Time of Construction of 2,000,000 Square Feet of New Office Space (Ordinance: Section 1, 1st Paragraph of Section 10 and Section 2, 1st Sentence of Section J)	Under Construction	Issuance of a Building Permit	Once a building permit has been issued, there is no longer a need for the moratorium. Because there is often a delay between issuance of a building permit and commencement of construction, the Standard form will result in the earlier development of these projects. In addition, it is not always clear when a project is "under construction".

E:RH

	Subject	Staff Document	Standard Document	Reason for Change
3.	Periodic Reports and Evaluation (Ordinance: Section 1, Section 10(b))	Reports annually and Evaluation at end of 3 year moratorium.	Report and Evaluation annually	If a report is prepared annually, the program should be evaluated annually.
4.	Height Variances for Projects in Redevelopment Area (Orindance: Section 2, Last Sentence)	Prohibited	Permitted	Purpose of Ordinance and Resolution is to allow major development. This prohibition will effectively preclude the development of the Standard Project. This prohibition is apparently a staff oversite.
5.	Fast Tracking (Ordinance: Section 3)	Normal Processing	Fast Track Processing	Projects in the Redevelopment Area will produce income to the Agency to be used to assist Core Area developments. ments. Accordingly, it is important to have these projects move forward as quickly as possible.

E:RH

	Subject	Staff Document	Standard Document	Reason for Change
	Resolution:			
6.	Environmental Review (Resolution: Section 1A)	Planning Commission to Make Environmental Determination.	Silent	CEQA requires Agency to make this determination.
7.	Repayment terms (Resolution: Section 1B, 1st Paragraph)	Silent	Owner's Participation Agreement ("OPA") must specify repayment terms, if any.	The OPA is the appropriate document to specify these terms.
8.	Scope of Exactions (Resolution: Section 1C)	Specifies Exactions.	Defines Scope of Exactions to be Considered.	Specific exactions should not be determined but at the time the scope of project is approved and environmental reviews are completed.
9.	Fast-Tracking (Resolution: Section 4)	Normal Processing	Fast-Track Processing	(See No. 5 Above)
10.	Duration of Moratorium (Resolution: Section 5)	3 Years from June 9, 1987	3 Years from February 18, 1987	Moratorium has been in effect since February 18, 1987. (See No. 1 above)

E:RH

LAW OFFICES OF
DE LA VERGNE & McMURTRY
A PROFESSIONAL CORPORATION
1730 I STREET, SUITE 260
SACRAMENTO, CALIFORNIA 95814-3017
TELEPHONE (916) 441-1978

PLEASE REFER TO
OUR FILE NO. 87-2569

June 4, 1987

Honorable City Council and
Redevelopment Agency
CITY OF SACRAMENTO
915 I Street
Sacramento, CA 95814

Re: Proposed Downtown Urban Design Plan (M85-069)
Ordinance and Resolution

Members In Session:

As you know, this firm represent the JB Company and RJB Interests, two of the major developers in the Central City.

Our clients are the developers of the proposed Renaissance Tower at 8th and K Street, a 28-story office and parking structure which is scheduled for construction commencing early this summer.

Our clients also have made application to the City Planning Department for the land use entitlements required to construct a second major office structure at 7th and Q Streets within the R Street Redevelopment Corridor.

We are writing to indicate that our clients strongly oppose certain provisions contained within the Urban Design Plan ordinance and resolution which was forwarded to you by the Department of Planning and Development in its Staff Report of May 13, 1987. We understand that this matter will be considered by the City Council and Agency on June 9, 1987.

Those provisions and the basis of our opposition to those provisions is described in the letter which you received from Hyde, Miller & Savage, dated June 4, 1987. We have worked with Dick Hyde of that firm in drafting the revised ordinance and revised resolution which accompanied his letter and we urge that they receive favorable consideration from the Council and Agency.

Our clients are proposing to construct a major tax-generating office project in the Incentive Zone without public financial assistance. Accordingly, they believe that the Agency should recognize the substantial direct and indirect benefits that Renaissance Tower will provide to the revitalization of the Central Business District. The direct benefits include tax-increment revenues which are estimated to exceed $400,000.00 each year for the life of the project. Indirect benefits to the City are those which will logically flow from the construction of a catalyst project of this nature in the heart of the Incentive Zone.

Both the resolution of the City staff and the revised version of that ordinance recommended by Mr. Hyde require developers in the R Street Corridor to pay the Agency a fee of 1.25% of the valuation of their projects prior to the issuance of building permits for the projects. Those fees would be used to stimulate development in the Merged Downtown Sacramento Redevelopment Project.

Our clients strongly believe that any future developer in the R Street Corridor should receive a credit for other projects constructed by that developer in the Incentive Zone on or after February 18, 1987. They believe that the credit for new construction in the Incentive Zone should be computed on the same basis as the proposed mitigation fee for construction in the R Street Corridor. Thus, a $40 million project in the Incentive Zone would create a credit of $500,000 ($40 million x 1.25%) which could be applied against the proposed mitigation fee for construction in the R Street Corridor.

A credit of this nature would both stimulate development in the Incentive Zone and would provide an equitable manner of recognizing the direct and indirect benefits to the City and Agency which will flow from the developers' investment in the Incentive Zone.

Our clients also strongly believe that the feasibility of the mitigation measures recommended in the resolutions for new projects in the R Street Corridor should be closely examined by an independent body of experts before they are recommended by Agency staff for inclusion in an Owner Participation Agreement or a Disposition and Development Agreement.

The cost of extensive mitigation measures, when coupled with new City and School District fees, can seriously imbalance the financial feasibility of new projects in the R Street Corridor

LAW OFFICES OF
DE LA VERGNE & McMURTRY
A PROFESSIONAL CORPORATION

(or any other area of the Central Business District). Accordingly, our clients propose that a seven-member independent advisory committee be appointed by the Agency to examine the financial implication of proposed mitigation measures, when coupled with new City and School District fees, on proposed projects in the R Street Corridor.

On behalf of our clients, we have prepared two additional sections which may be added to either the staff resolution or Mr. Hyde's draft resolution to provide for both the credit and the independent advisory committee described above. A copy of those sections are attached for your consideration.

We request that these sections be favorably considered by the Council and the Agency. We will be present at the meeting to answer your questions concerning these proposed revisions to the resolution.

Respectfully Submitted,

Law Offices of
de la VERGNE & McMURTRY
A Professional Corporation

By: _____
DAVID W. McMURTRY

DWM:plc

cc: JB Company
RJB Interests
Walter J. Slipe
William Edgar
Marty Van Duyn

Enclosures

Addition to Proposed Resolution

Section 7: Any property owner or redeveloper who is a party to an OPA or DDA described in Section 1 of this Resolution shall receive a credit to be applied against the payment required by Subsection B of Section 1 of this Resolution for projects constructed by the property owner or redeveloper after February 18, 1987, in the Old City (as defined by the City Comprehensive Zoning Ordinance) and within the C-3 Zone. The credit shall be equal to 1.25% of the cost of constructing said project as determined by the City of Sacramento Building Department before the issuance of the building permit for the project. A project which is under construction and for which substantial work has been completed shall qualify for the credit.

Section 8: The Agency shall appoint an advisory committee to review and make recommendations to it concerning the feasibility of the mitigation measures described in Subsection C of Section 1 of this Resolution to the extent that those measures are recommended by Agency staff for inclusion in any OPA or DDA described in Section 1. The committee shall consist of seven members and shall include members having experience or expertise in the following areas:

(a) Mortgage lending for major urban projects.

(b) Commercial leasing of major urban projects.

(c) Architectural design of major urban projects.

(d) Development of major urban projects.

(e) Development of multi-family residential projects in the Old City.

(f) Construction of major urban projects.

A representative of the owner or redeveloper for the proposed project shall be an ex offico member of the committee.

The feasibility of the mitigation measures recommended for each project shall be examined in light of the *pro forma* for the proposed project provided to the committee by owner or redeveloper of that project.

The members of the committee, other than the ex officio member, shall be nominated by the Chairman of the Agency and shall serve at the pleasure of the Agency.

27

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

June 16, 1987

Redevelopment Agency of the
City of Sacramento

City Council of the City of
Sacramento, California 95814

Honorable Members in Session:

SUBJECT: Proposed Downtown Urban Design Plan (M85-069) Ordinance and Resolution relating to Major Projects

SUMMARY

This is a report back regarding the development strategy proposed in the downtown Urban Design Plan relating to Major projects (exceeding 75,000 square feet) outside of the CBD (C-3) zone. In general terms, projects outside the C-3 zone will be limited to a maximum size of 75,000 square feet (with exceptions) for a period of three years (reduced from five years) or until two million square feet of office space is under construction in the C-3 zone, whichever occurs first. The purpose of this provision is to generate major mixed use projects within the C-3 zone in close proximity to the K Street Mall to accelerate the revitalization of downtown retail activities.

Two sections of the Zoning Ordinance are proposed to be amended. Section One pertaining to the size of projects and Section Two relating to building heights. Within the Redevelopment portion of the R Street Corridor (I-5 to 10th, Q to S Streets), a development may exceed the 75,000 square foot standard and/or 75 foot height standard by executing an Owner Participation Agreement (OPA) or Disposition/Development Agreement (DDA) with the Redevelopment Agency. A major element of the OPA/DDA is the advance payment of property taxes equal to 1.25 percent of total project costs (land and improvements) to the CBD Trust Fund. These funds, in turn, will be utilized by the Agency for land write-downs, financial assistance and public improvements within the C-3 zone.

The staff recommends adoption of the attached Redevelopment Agency of Sacramento (RACS) Resolution and City Ordinance to implement the development strategy of the Downtown Urban Design Plan.

BACKGROUND

On February 18, 1987, the City Council adopted the Proposed Downtown Urban Design Plan by Resolution 87-116 and City Ordinance 87-013. However, Sections 2 and 3

of the Ordinance were omitted and substituted by the draft language, attached as Exhibit D. The substituted language pertained primarily to the Major Projects Ordinance and height standards. The Council directed staff to prepare necessary language consistent with Exhibit D for consideration.

The revised recommendations propose that all major projects (exceeding 75,000 square feet), outside the C-3 zone but within the Merged Downtown Sacramento Redevelopment Plan, enter into an Owner Participation Agreement (OPA) or a Disposition and Development Agreement (DDA). The main terms of the Agreement will require the following: 1) the project be submitted to the City Planning Commission for environmental review and project review; 2) a grant shall be paid to the CBD support program, equal to 1.25% of the total project costs, for activities to enhance the CBD; 3) pay pro-rata share of traffic and transportation mitigation; 4) be consistent with the urban design and building massing guidelines; and 5) compliance with specific mitigation measures identified in any applicable environmental determination.

In addition, the RACS resolution will expire in three years from adoption, or when two million square feet of additional office space is under construction in the C-3 zone. Exemptions are permitted for rehabilitation of existing structures into office uses, and any new major projects submitted prior to February 18, 1987; however, they will be subject to contribution to the CBD support program and compliance with various environmental, traffic/transportation measures, and the urban design and building massing guidelines.

The proposed City Ordinance recommends no special permits be issued for office projects exceeding 75,000 square feet within the Old City, but outside the C-3 zone. However, medical offices and projects within 660 feet of light rail stations are exempted. The proposed ordinance will remain in effect until two million square feet of additional office space is under construction in the C-3 zone, or for a period of three (3) years, whichever occurs first. These provisions would be monitored and evaluated annually, with progress reports to the City Council.

Adherence to the building height standards for each zone city wide outside the C-3 zone is also recommended for the three years duration of the Downtown Support Program. Exemptions are provided for projects within 660 feet of light rail stations; projects approved prior to February 18, 1987; projects approved but under litigation in Natomas Community Association, et al., vs. City Council, et.al (Superior Court Case #337704); and height standards established under a Planned Unit Development (PUD) designation.

The staff has reviewed and discussed these provisions with affected property owners and developers.

MASTER EIR AND HOUSING STUDY

Two of the developers in the R Street Corridor with major project proposals (Benvenuti Partnership and Standard Realty/Union Pacific) intend to prepare a Master EIR on the cumulative development in the subject area and have offered to fund a housing study to determine feasibility of housing development in the R

Street Corridor. The Housing Study could occur in concert with the Master EIR for the R Street Corridor or separately.

PROJECT REVIEW PROCESS

A diagram indicating how projects will be processed under a OPA/DDA arrangement is attached as Exhibit C.

FINANCIAL DATA

Approval of these recommendations could possibly provide funds for improvements and land acquisition to the CBD area. However, no existing funds would be required to implement the Urban Design Plan. The recommendations are consistent with the City Council's directions of February 18, 1987.

ENVIRONMENTAL IMPACTS

A Negative Declaration was prepared on the overall Urban Design Plan documents, however, staff realized that there exists a potential for environmental impacts as a result of implementation programs and activities. Thus, further environmental assessments may be done pursuant to subsequent program and project proposals.

RECOMMENDATION

The staff recommends adoption of the RACS resolution requiring all major projects to enter into Agreements with the RACS, and the City Ordinance relating to major projects and height limits be consistent with the Urban Design Plan for a period of three (3) years (from date of Council adoption) or when two (2) million square feet of new office space is under construction within the CBD.

Respectfully submitted,

Marty Van Duyn
Planning Director City of Sacramento

For:
William H Edgar by GM
William H. Edgar
Executive Director
Sacramento Housing and
Redevelopment Agency

TRANSMITTAL TO COUNCIL:

Solon Wickham, Jr.
for WALTER J. SLIPE
CITY MANAGER

MVD:AG:tc
attachments

June 16, 1987
District No. 1

M85-069

EXHIBIT A

LIMITED SERVICE RETAIL CLASSIFICATIONS FOR USE IN ADMINISTERING AGENCY AGREEMENTS

Retail Goods

Apparel Store
Book and Stationary Store
Camera Store
Camping Equipment Store
Fabric Store
Gift Shop
Luggage & Leather Goods Store
Pet Stores
Plant Stores
Record, Stereo Store
Secondhand Store
Shoe Store
Variety/Merchandise Store

Pedestrian/Consumer Oriented Establishments

Arcades
Art Galleries
Museums

Convenience Goods

Bakery Shop
Bars
Candy Store
Delicatessen
Drug Store
Florist Shop
Grocery Store
Hobby and Crafts Store
Restaurant

Personal/Consumer Services

Banks
Barber Shop
Beauty Shop
Bicycle Shops
Credit Unions
Dry Cleaners
Gas Station
Laundromat
Printing
Photographic Studio
Savings and Loan
Shoe Repair
Tailor Shop
Travel Agency

ORDINANCE NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

ORDINANCE AMENDING SECTION 3-C-10 OF THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SACRAMENTO AND ADDING SECTION J TO SECTION 14 OF SAID ORDINANCE RELATING TO SPECIAL PERMITS FOR OFFICE PROJECTS IN THE OLD CITY AND HEIGHT VARIANCES

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

SECTION 1.

The Comprehensive Zoning Ordinance of the City of Sacramento (Ordinance No. 2550, Fourth Series as amended) is hereby amended by amending Section 3-C-10 to read as follows:

10. Within the Old City, the maximum lot coverage shall be the same as that specified outside the Old City; provided, however, that a Special Permit shall be required for any building to be constructed or expanded to exceed 75,000 square feet of gross floor area, except that a Special Permit shall not be required for any building for which the Redevelopment Agency has entered into a contract with the developer which governs the requirements for development of the building and the parcel or parcels upon which it is located. Notwithstanding the foregoing, no Special Permit shall be issued for office projects exceeding 75,000 square feet of gross floor area within the Old City but outside of the C-3 zone (shown on Appendix A, attached hereto and incorporated herein by reference) for a period of three (3) years or until two million square feet of additional office space within the aforementioned area is under construction, whichever occurs first.

(a) The foregoing prohibition on the issuance of Special Permits shall not apply for medical offices and projects within 660 feet of a light rail station. The 660-foot distance shall be measured from the center point of the block designated for a station to the subject site. Such developments must be consistent with existing zoning and standards established in the City's Transportation Management Plan and Parking Reduction Ordinance.

(b) The success and impact of the foregoing prohibition on the issuance of Special Permits shall be evaluated at the end of said three-year period or upon the construction of two million square feet of additional office space. The program shall be monitored and annual progress reports shall be made in writing to the City Council. The criteria to be monitored shall include but not be limited to vacancy factors for retail commercial and office space, growth in annual retail sales in the CBD-SPD, and expansion of

EXHIBIT B

retail activities and quality of development, and traffic and parking impacts.

SECTION 2

The Comprehensive Zoning Ordinance of the City of Sacramento (Ordinance No. 2550, Fourth Series as amended) is hereby amended by adding thereto Subsection J to Section 14, to read as follows:

J. Notwithstanding any other provision of this ordinance to the contrary, no variance from height standards shall be issued for any structure outside of the C-3 zone (shown on Appendix A, attached hereto and incorporated herein by reference) for a period of three (3) years or until the construction of two million square feet of additional office space within said area, whichever occurs first. This prohibition shall not apply to:

1. variances of ten percent or less of the height standard which is applicable where such variance is requested to accommodate the top floor of a building or a penthouse;

2. any building for which the Redevelopment Agency has entered into a contract with the developer which governs the requirements for development of the building and the parcel or parcels on which it is located;

3. projects within 660 feet radius of a light rail station which are consistent with existing zoning and standards established in the City's Transportation Management Plan and Parking Reduction Ordinance; and

4. projects which have received a variance, planned unit development special permit, or any other discretionary land use entitlement allowing a building height exceeding height standards of the Zoning Ordinance, prior to the effective date of this ordinance, including but not limited to projects subject to litigation in Natomas Community Association, et al., v. City Council, et al., Sacramento Superior Court Case No. 337704.

PASSED FOR PUBLICATION:

ENACTED:

EFFECTIVE:

_____
MAYOR

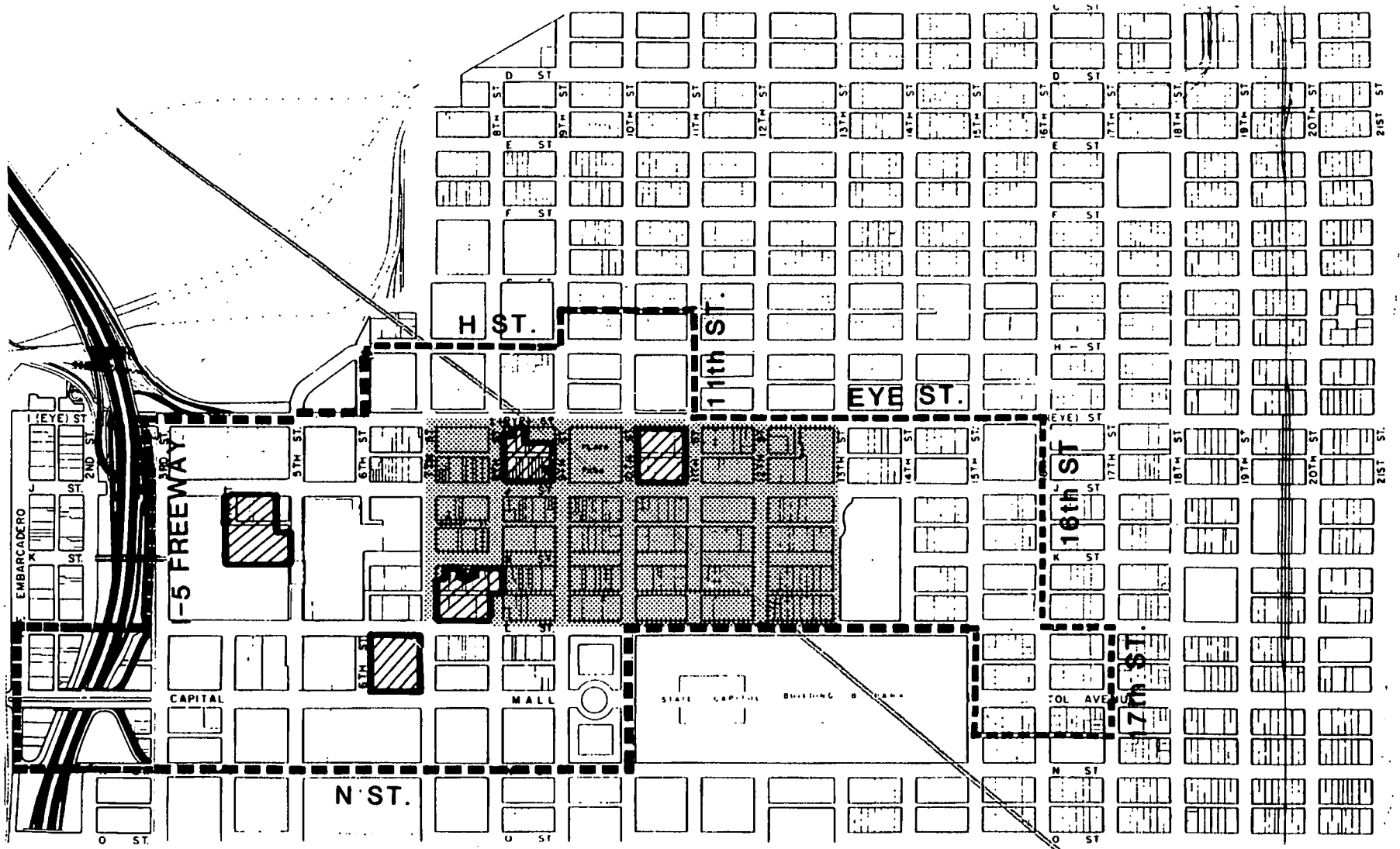
ATTEST:

_____
CITY CLERK

SECTION 2

MAYOR

CITY CLERK



SACRAMENTO URBAN DESIGN PLAN

Sacramento Housing & Redevelopment Agency
Sacramento Department of City Planning

CBD with Incentive Zone and Catalyst Sites

INCENTIVE ZONE

CATALYST SITES

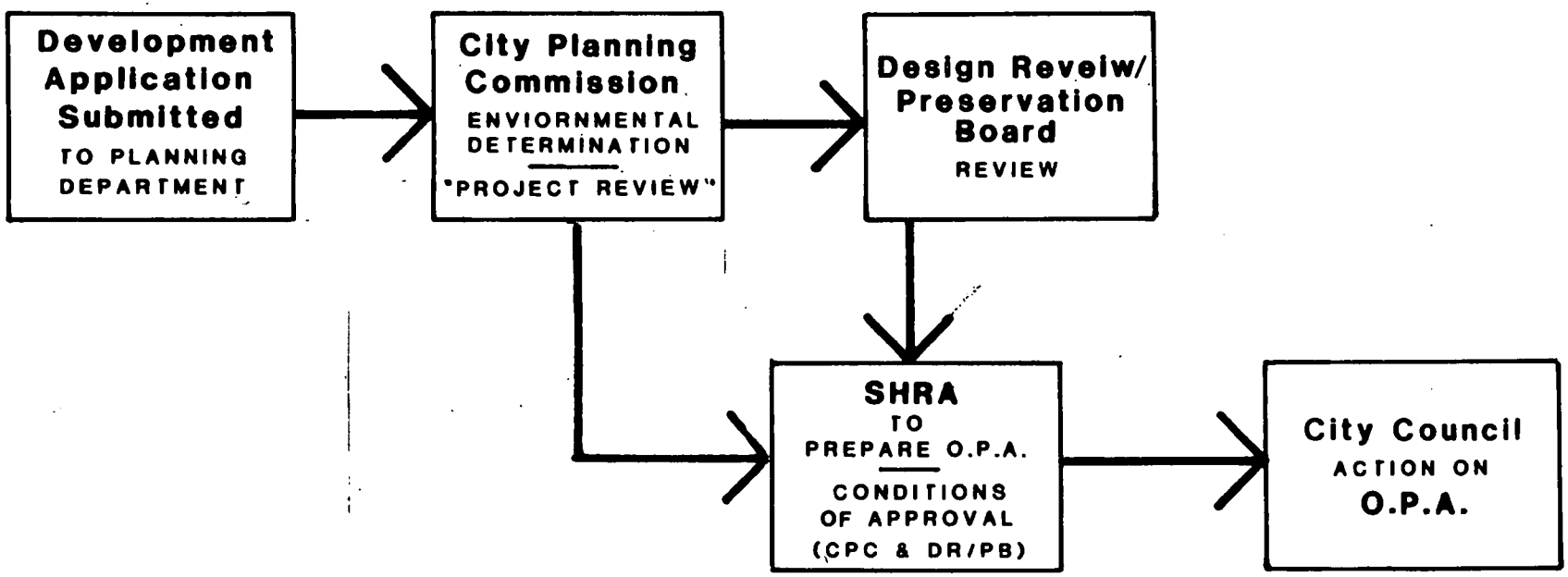
CENTRAL BUSINESS DISTRICT (C-3 ZONE)

NOV. 14, 1986

APPENDIX A

(8)

Approval Process for R Street Projects pursuant to OWNER PARTICIPATION AGREEMENTS



(9)

EXHIBIT C

27

MOTION BY CITY COUNCIL

RE: URBAN DESIGN PLAN

A. Ratify the Negative Declaration.

B. Approve the Urban Design Plan documents and implementing ordinances as amended.

C. Approve the Urban Design Plan development strategy related to the Major Projects Ordinance (Sec. 2) and height standards (Sec. 3) with the following proviso:

1. Projects submitted prior to February 18, 1987 shall be exempt from the provisions of Section 2 and Section 3. Projects submitted prior to February 18, 1987 but have not received approval of planning entitlements must include the following conditions:

   a) The applicant shall develop housing within the C-4 portion of Redevelopment Project Area #4 or provide funds for housing. The applicant shall work with SHRA staff to determine location, number of units, or fees. The Housing Plan shall be subject to the review and approval of the City Council.

   b) The applicant shall agree to contribute its pro-rata share of a light rail loop system to be funded in concert with other new developments within the C-4 portion of Redevelopment Project Area #4 which will connect the R St. Redevelopment Area with the K Street Mall.

2. New developments exceeding 25,000 sq. ft. submitted after February 18, 1987 in the C-4 portion of Redevelopment Project Area #4 shall prepare an implementation and funding plan which shall address the following:

   a) Development and funding of the light rail loop system and shuttle service connecting the C-4 portion of Redevelopment Project Area #4 (R St. Corridor) with the K Street Mall by new developments within the C-4 portion of Redevelopment Project Area #4.

   b) Housing development within the C-4 portion of Redevelopment Project Area #4 or housing fund contribution.

   c) Child care facilities.

   d) Open space amenities and pedestrian linkages.

   e) Limited service commercial uses.

EXHIBIT D

f) Urban Design and Building Massing within the C-4 portion of Redevelopment Project Area #4.

g) This plan shall be submitted to the SHRA and shall be subject to the review and approval of the City Council prior to submittal of specific development plans in the subject area.

3. The Ordinance related to major projects (Section 2) and Height Standards (Section 3) shall remain in effect until two million square feet of office space is under construction in the C-3 zone, or for a period of five (5) years, whichever occurs first. This program shall be reviewed annually by the City Council from the effective date of this ordinance. Factors to be monitored shall include the following:

a) Square footage of development in the C-3 zone, Redevelopment Project Area #4, and other designated subareas to be determined by staff.

b) Location and rate of Public Agency leasing.

c) Vacancy rates in subareas identified in (a) above.

d) Changes in retail sales in the C-3 zone.

e) Quality and number of new retail businesses in the C-3 zone.

f) Level of light rail patronage.

g) Parking and traffic circulation assessment.

4. Projects which are not consistent with Section 2 and Section 3 of the CBD-SPD and paragraphs 2 and 3 above shall not be accepted or processed by the City until the City Council amends this provision at its annual review.

5. Parties which have submitted office development projects in both the C-3 zone and C-4 portion of Redevelopment Project Area #4 must first begin development of a project within the C-3 zone prior to development of a project in the C-4 portion of Redevelopment Project Area #4.

ORDINANCE NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

ORDINANCE AMENDING SECTION 3-C-10 OF THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SACRAMENTO AND ADDING SUBSECTION J TO SECTION 14 OF SAID ORDINANCE RELATING TO SPECIAL PERMITS FOR OFFICE PROJECTS IN THE OLD CITY AND HEIGHT VARIANCES

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

SECTION 1.

The Comprehensive Zoning Ordinance of the City of Sacramento (Ordinance No. 2550, Fourth Series as amended) is hereby amended by amending Section 3-C-10 to read as follows:

10. Within the Old City, the maximum lot coverage shall be the same as that specified outside the Old City; provided, however, that a Special Permit shall be required for any building to be constructed or expanded to exceed 75,000 square feet of gross floor area, except that ~~A~~ a Special Permit shall not be required for any building for which the Redevelopment Agency has entered into a contract with the developer which governs the requirements for development of the building and the parcel or parcels upon which it is located. Notwithstanding the foregoing, no Special Permit shall be issued for office projects exceeding 75,000 square feet of gross floor area within the Old City but outside of the C-3 zone (shown on Appendix A, attached hereto and incorporated herein by reference) for a period of three (3) years or until two million square feet of additional office space within the aforementioned area has been built, whichever occurs first.

(a) The foregoing prohibition on the issuance of Special Permits shall not apply for medical offices and projects within 660 feet of a light rail station. The 660-foot distance shall be measured from the center point of the block designated for a station to the subject site. Such developments must be consistent with existing zoning and standards established in the City's Transportation Management Plan and Parking Reduction Ordinance.

(b) The success and impact of the foregoing prohibition on the issuance of Special Permits shall be evaluated at the end of said three-year period or upon the construction of two million square feet of additional office space. The program shall be monitored and annual progress reports shall be made in writing to the City Council. The criteria to be monitored shall include but not be limited to vacancy factors for retail commercial and office space, growth in annual retail sales and the CBD-SPD, and expansion of

retail activities and quality of development, and traffic and parking impacts.

SECTION 2

The Comprehensive Zoning Ordinance of the City of Sacramento (Ordinance No. 2550, Fourth Series as amended) is hereby amended by adding thereto Subsection J to Section 14, to read as follows:

J. Notwithstanding any other provision of this ordinance to the contrary, no variance from height standards shall be issued for any structure outside of the C-3 zone (shown on Appendix A, attached hereto and incorporated herein by reference) for a period of three (3) years or until the construction of two million square feet of additional office space within said area, whichever occurs first. This prohibition shall not apply to:

1. variances of ten percent or less of the height standard which is applicable where such variance is requested to accommodate the top floor of a building or a penthouse;

2. any building for which the Redevelopment Agency has entered into a contract with the developer which governs the requirements for development of the building and the parcel or parcels on which it is located;

3. projects within 660 feet radius of a light rail station which are consistent with existing zoning and standards established in the City's Transportation Management Plan and Parking Reduction Ordinance; and

4. projects which have received a variance, planned unit development special permit, or any other discretionary land use entitlement allowing a building height exceeding height standards of the Zoning Ordinance, prior to the effective date of this ordinance, including but not limited to projects subject to litigation in Natomas Community Association, et al. v. City Council, et al., Sacramento Superior Court Case No. 337704.

PASSED FOR PUBLICATION:

ENACTED:

EFFECTIVE:

MAYOR

ATTEST:

CITY CLERK

SACRAMENTO HOUSING AND REDEVELOPMENT AGENCY

20
27

May 12, 1987

PASSED FOR PUBLICATION & CONTINUED TO 5-26-87

CONTINUED TO 6-16-87

City Council of the
City of Sacramento
Sacramento, CA

Honorable Members in Session:

SUBJECT: Ordinance Amending Section 3-C-10 of the Comprehensive Zoning Ordinance of the City of Sacramento and Adding Section J to Section 14 of Said Ordinance Relating to Special Permits for Office Projects in the Old City and Height Variances

SUMMARY AND BACKGROUND

This item is presented at this time for approval of publication of title pursuant to City Charter, Section 38. This Ordinance will amend the Comprehensive Zoning Ordiance as it relates to special permits for office projects and height variances in the Old City area.

RECOMMENDATION

It is recommended that this item be passed for publication of title and continued to May 21, 1987.

Respectfully submitted,

William H Edgar

WILLIAM H. EDGAR
Executive Director

TRANSMITTAL TO COUNCIL:

Walter J Slipe

WALTER J. SLIPE
City Manager

Attachment

MAILING ADDRESS: P.O. BOX 1834, Sacramento, CA 95809
OFFICE LOCATION: 630 I Street, Sacramento, CA 95814 (916) 444-9210

2

ORDINANCE NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

ORDINANCE AMENDING SECTION 3-C-10 OF THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SACRAMENTO AND ADDING SECTION J TO SECTION 14 OF SAID ORDINANCE RELATING TO SPECIAL PERMITS FOR OFFICE PROJECTS IN THE OLD CITY AND HEIGHT VARIANCES

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

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(a) The foregoing prohibition on the issuance of Special Permits shall not apply for medical offices and projects within 660 feet of a light rail station. The 660-foot distance shall be measured from the center point of the block designated for a station to the subject site. Such developments must be consistent with existing zoning and standards established in the City's Transportation Management Plan and Parking Reduction Ordinance.

(b) The success and impact of the foregoing prohibition on the issuance of Special Permits shall be evaluated at the end of said three-year period or upon the construction of two million square feet of additional office space. The program shall be monitored and annual progress reports shall be made in writing to the City Council. The criteria to be monitored shall include but not be limited to vacancy factors for retail commercial and office space, growth in

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PASSED FOR PUBLICATION:

ENACTED:

EFFECTIVE:

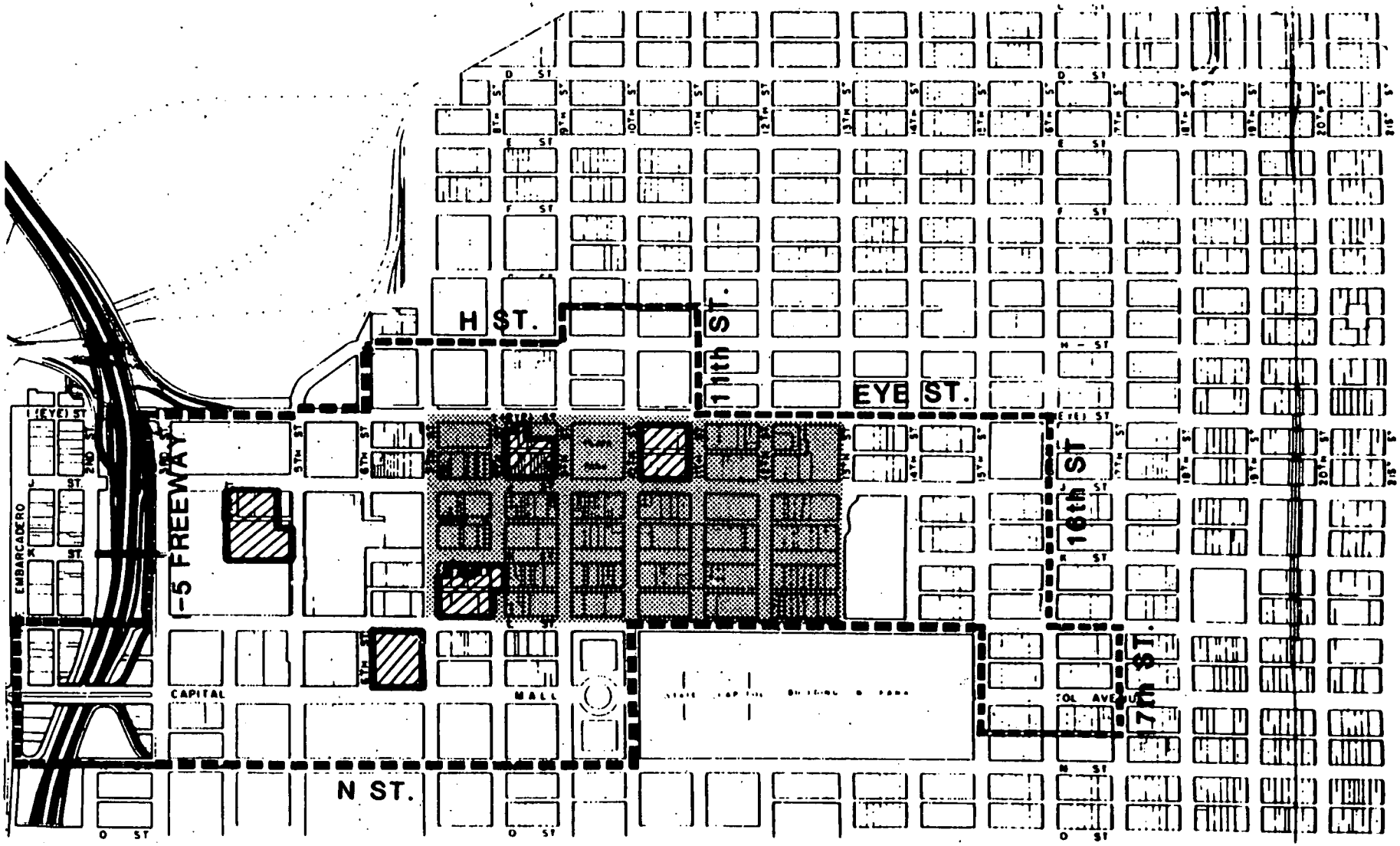
_____

MAYOR

ATTEST:

_____

CITY CLERK



SACRAMENTO URBAN DESIGN PLAN

Sacramento Housing & Redevelopment Agency
Sacramento Department of City Planning

CBD with Incentive Zone and Catalyst Sites

INCENTIVE ZONE

CATALYST SITES

CENTRAL BUSINESS DISTRICT (C-3 ZONE)

APPENDIX A

2

2

SACRAMENTO HOUSING AND REDEVELOPMENT AGENCY

May 1, 1987

RECEIVED
CITY CLERK'S OFFICE
CITY OF SACRAMENTO
~~APR 24~~ MAY 1 11 59 AM '87

TO: Janice Beaman, Deputy City Clerk

FROM: Andrew J. Plescia, Deputy Executive Director

SUBJECT: Proposed Downtown Urban Design Plan

We hereby request that you set for hearing on the May 21, 1987 City Council and Redevelopment Agency Agenda the following items:

Various matters re Urban Design

A. Ordinance amendment Sections 2 and 3 of the Zoning Ordinance No. 2550, Fourth Series, relating to major projects and building heights pursuant to the Downtown Urban Design Plan development strategy (M-85069)

B. Agency resolution approving requirements for Owner Participation Agreements (OPA) and Disposition/Development Agreements (DDA) for office and commercial projects exceeding 75,000 square feet

It is our understanding that the ordinance indicated above would appear on the May 12, 1987 City Council agenda as Pass for Publication (PFP) and continue to May 21, 1987.

A mailing list for noticing for this project will be sent to you directly by the City Planning staff.

Please contact me at 440-1333 should you have any questions or need additional information.

ANDREW J. PLESCIA

AJP/drn
cc: Joan Roberts

05540

#27

SACRAMENTO
BOARD OF REALTORS
2003 HOWE AVENUE
P.O. BOX 160446
SACRAMENTO, CA 95816
PHONE 916/922-7711

June 16, 1987

Honorable Members in Session
Sacramento City Council
City Hall
915 I Street
Sacramento, CA 95814

The Sacramento Board of REALTORS supports the City Planning and Housing & Redevelopment staff recommendation for the R Street Corridor compromise in the Downtown Urban Design Plan. We feel that if R Street corridor projects wish to develop before the three year sunset date, or the two million square feet of construction is underway in the core area, that meeting the conditions of the Owner Participation Agreement or a Disposition and Development Agreement, as presented in the staff report, will adequately address the needs of both the core area and R Street development.

We also believe that the housing needs in this area need to be addressed. We feel the proposed housing study will answer the questions of how much and of what type housing belongs in the area.

We urge support of the strategy as developed by your staff.

From David Mogavero
SDCA #27
Submitted
6-16-87

AMENDMENTS TO STAFF PROPOSALS

AMENDMENT NO. 1: HOUSING

A. In the Resolution delete Section 1.H. and substitute:

"Provide residential units as part of the project as follows:

1) 50% of all square footage (excluding parking) exceeding 75,000 sq.ft. shall be developed for housing use;

2) the housing square footage as specified in (1) above shall be constructed at the same time as the office area and within the R Street Corridor;

3) satisfaction of parking requirements for 80% of the housing as specified in (1) above may be through a permanent agreement for access to the parking provided for the office space."

B. In the Resolution amend Section 4 to include Section H of Section 1.

C. In the Ordinance Section 1.(a) add the following paragraph:

"All Developments within 660 feet of the 23rd Street and 16th Street light rail stations shall include residential units as follows:

1) 50% of all square footage (excluding parking) exceeding 75,000 sq.ft. shall be developed for housing use;

2) the housing square footage as specified in (1) above shall be constructed at the same time as the office area and within the R Street Corridor;

3) satisfaction of parking requirements for 80% of the housing as specified in (1) above may be through a permanent agreement for access to the parking provided for the office space."

AMENDMENT NO. 2: RETAIL USES IN R STREET CORRIDOR

In the Resolution add to section 1.G. the following sentence:

"retail uses shall be limited further to a maximum of 15% of the total non-parking square footage."

AMENDMENT NO. 3: USE OF FEES

In the Resolution add to Section 1., item B the following:

4. subsidy of retail leases in the incentive zone.

AMENDMENT NO. 4: HEIGHT LIMITATIONS

A. In the Resolution add the following:

Section 5. No component of this resolution shall be construed as allowing any project to exceed 75 feet in height as prescribed by the zoning ordinance for C-4 zones.

B. In the Ordinance delete Section 2, items J.1, J.2, J.3.

ORDINANCE NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

new one 27 coming

ORDINANCE AMENDING SECTION 3-C-10 OF THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SACRAMENTO AND ADDING SECTION J TO SECTION 14 OF SAID ORDINANCE RELATING TO SPECIAL PERMITS FOR OFFICE PROJECTS IN THE OLD CITY AND HEIGHT VARIANCES

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

SECTION 1.

The Comprehensive Zoning Ordinance of the City of Sacramento (Ordinance No. 2550, Fourth Series as amended) is hereby amended by amending Section 3-C-10 to read as follows:

10. Within the Old City, the maximum lot coverage shall be the same as that specified outside the Old City; provided, however, that a Special Permit shall be required for any building to be constructed or expanded to exceed 75,000 square feet of gross floor area. A Special Permit shall not be required for any building for which the Redevelopment Agency has entered into a contract with the developer which governs the requirements for development of the building and the parcel or parcels upon which it is located. Notwithstanding the foregoing, no Special Permit shall be issued for office projects exceeding 75,000 square feet of gross floor area within the Old City but outside of the C-3 zone (shown on Appendix A, attached hereto and incorporated herein by reference) for a period of three (3) years or until two million square feet of additional office space within the aforementioned area has been built, whichever occurs first.

(a) The foregoing prohibition on the issuance of Special Permits shall not apply for medical offices and projects within 660 feet of a light rail station. The 660-foot distance shall be measured from the center point of the block designated for a station to the subject site. Such developments must be consistent with existing zoning and standards established in the City's Transportation Management Plan and Parking Reduction Ordinance.

(b) The success and impact of the foregoing prohibition on the issuance of Special Permits shall be evaluated at the end of said three-year period or upon the construction of two million square feet of additional office space. The program shall be monitored and annual progress reports shall be made in writing to the City Council. The criteria to be monitored shall include but not be limited to vacancy factors for retail commercial and office space, growth in

annual retail sales and the CBD-SPD, and expansion of retail activities and quality of development, and traffic and parking impacts.

SECTION 2

The Comprehensive Zoning Ordinance of the City of Sacramento (Ordinance No. 2550, Fourth Series as amended) is hereby amended by adding thereto Subsection J to Section 14, to read as follows:

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PASSED FOR PUBLICATION:

ENACTED:

EFFECTIVE:

MAYOR

ATTEST:

CITY CLERK

RESOLUTION NO.

ADOPTED BY THE REDEVELOPMENT AGENCY OF THE CITY OF SACRAMENTO

ON DATE OF

REQUIREMENTS FOR OWNER PARTICIPATION AGREEMENTS
AND DISPOSITION FOR OFFICE AND COMMERCIAL PROJECTS
EXCEEDING 75,000 SQUARE FEET

BE IT RESOLVED BY THE REDEVELOPMENT AGENCY OF THE CITY OF SACRAMENTO:

Section 1: Whenever the Agency is a party to an Owner Participation Agreement (OPA) or a Disposition and Development Agreement (DDA), as appropriate, for a private commercial and/or office project of more than 75,000 square feet within the Merged Downtown Redevelopment Area but outside the C-3 Central Business District Zone, the terms to such an agreement with the Agency shall require the property owner or the redeveloper to do the following:

A. Submit the proposed project to the City of Sacramento Planning Commission for an environmental determination and project review.

B. Before the issuance of a building permit for the project, pay to the Agency an amount which equals 1.25% of the valuation of the building or buildings in the project as determined by the City of Sacramento Building Department. Such payment shall be used by the Agency for:

1. Acquisition costs of land within the Merged Downtown Redevelopment Area.

2. Loans and grants to redevelopers pursuant to agreements for redevelopment projects within the Merged Downtown Redevelopment Area.

3. Costs relating to the construction of public improvements within the Merged Downtown Redevelopment Area.

C. Pay pro-rata share of the costs of traffic mitigation measures including the extension of the light rail system.

D. Pay pro-rata share for the extension and related costs for the operation of the K Street Mall bus shuttle program.

E. Provide open space amenities and pedestrian linkages, as defined in the adopted Merged Downtown Redevelopment Plan.

F. Consider child care facilities as part of the project.

G. Restrict commercial uses to limited service retail, as defined in Exhibit "A" attached hereto.

H. Comply with the urban design and building massing provisions as specified in the adopted City of Sacramento Central Business District - Special Planning District Architectural Design Guidelines.

I. Comply with specific mitigation measures identified in the environmental determination which are in addition to the above requirements of this resolution.

Section 2: Projects submitted to the City of Sacramento Planning Commission before February 18, 1987 shall comply only with the requirements of A,B,C and D of Section 1 of this resolution.

Section 3: Rehabilitation projects within the scope of this resolution shall comply only with the requirements of A,B,C and D of Section 1 of this resolution.

Section 4. The provisions of this resolution shall terminate three years from the date of this resolution or when the amount of additional office space within the Central Business District exceeds two million square feet, whichever first occurs.

_____
CHAIR

_____
SECRETARY

WPP39(L)

ORDINANCE NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

ORDINANCE AMENDING SECTION 3-C-10 OF THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SACRAMENTO AND ADDING SUBSECTION J TO SECTION 14 OF SAID ORDINANCE RELATING TO SPECIAL PERMITS FOR OFFICE PROJECTS IN THE OLD CITY AND HEIGHT VARIANCES

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PASSED FOR PUBLICATION:

ENACTED:

EFFECTIVE:

MAYOR

ATTEST:

CITY CLERK

June 22, 1987

To All Interested Parties:

On June 16, 1987, the Sacramento City Council took the following action(s) for the proposed Downtown Urban Design Plan:

> Adopted Ord. 87-071 amending Section 3-C-10 of the Comprehensive Zoning Ordinance of the City of Sacramento and adding Section J to Section 14 of said ordinance relating to special permits for office projects in the Old City and height variances and adopted Agency Res. 87-040 as amended approving requirements for Owner Participation Agreements (OPAS) and Disposition for office and commercial projects exceeding 75,000 square feet. (M-85069)

Copies of these documents may be purchased for 25¢ a page at the Office of the City Clerk, 915 I Street, Room 203, Sacramento, CA, 95814.

Sincerely,

Lorraine Magana
City Clerk

LM/lmh/#27

Enclosure

cc: Planning Department