

ORDINANCE NO. 2004-005

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF FEB 10 2004

AN ORDINANCE AMENDING SECTION 17.20.010 OF CHAPTER 17.20, SECTIONS 17.96.010, 17.96.070 AND ATTACHMENT 9 OF CHAPTER 17.96, AND SECTION 17.16.010 OF CHAPTER 17.16 OF THE SACRAMENTO CITY CODE RELATING TO THE GROUND FLOOR RETAIL REQUIREMENT IN THE CENTRAL BUSINESS DISTRICT AND TO ADD DEFINITIONS FOR CHECK CASHING CENTER, FAST FOOD AND TAKEOUT FOOD ESTABLISHMENT, INTERNET SERVICES EXCHANGE, AND MONEY LENDER.

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

Section 1:

A. Section 17.20.010 of Chapter 17.20 of Title 17 of the Sacramento City Code (the Zoning Code) is amended by amending the paragraph describing the C-3 Zone to read as follows:

C-3--Central Business District Zone--Special Planning District. The central business district (CBD or C-3 zone) applies to an approximately seventy (70) block portion of the central city. The CBD or C-3 zone is that area so designated on the map in Chapter 17.96 of this title. The area is sometimes referred to in this section as the C-3 or CBD zone. The CBD or C-3 zone is intended for the most intense retail, commercial and office developments in the city. See Chapter 17.96 of this title for more details.

B. Except as specifically amended for the C-3 zone as indicated, all other provisions of section 17.20.010 remain unchanged and in full force and effect.

Section 2.

Section 17.96.010 of the Sacramento City Code is amended to read as follows:

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17.96.010 Purpose and Intent.

The central business district (CBD or C-3 zone) applies to an approximately seventy (70) block portion of the central city. The CBD or C-3 zone is that area so designated on the map at the end of this chapter. The area is sometimes referred to in this section as the C-3 or CBD zone. The CBD or C-3 zone is the only classification that has no height limit and is intended for the most intense retail, commercial and office developments in the city. The goals of the CBD-SPD are as follows:

- A. Accelerate the economic revitalization process by creating a marketplace attractive to private investment;
- B. Achieve a plan for long-term economic growth through private sector incentive measures;
- C. Enhance the character of Sacramento's downtown and ensure the development of well-designed new projects by adopting architectural design guidelines;
- D. Provide for a pleasant, rich and diverse pedestrian experience by implementing streetscape design guidelines;
- E. Provide for the humanization of the downtown through promotion of the arts, program of special events and activities, and overall excellence of design.

Section 3.

Section 17.96.070 of the Sacramento City Code is amended to read as follows:

17.96.070 Ground floor retail requirement.

A. Purpose. The purpose and intent of the ground floor retail requirement contained in this section is to preserve, enhance and ensure establishment of retail commercial, personal service, and pedestrian-oriented uses within at least that portion of the street level of buildings that abut a public street.

B. Retail Blocks and Use Restrictions Established.

1. The map at the end of this chapter identifies retail blocks in the CBD-SPD that are subject to the provisions of this section and designates ground floor retail requirements of either seventy-five percent (75%) or fifty percent (50%) for each individual block-face, as shown.

2. The uses listed in "Table 1: Retail, Pedestrian Oriented, and Personal Service Classifications" at the end of this section may occupy any portion of the street-frontage floor area of a building on a retail block, subject to all otherwise applicable provisions of this title.

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3. The uses listed in "Table 2: Non-Retail, Non-Pedestrian Oriented, Non-Personal Service Classifications" at the end of this section may occupy street-frontage floor area of a building on a retail block, subject to all otherwise applicable provisions of this title; provided, that if the gross square footage of street-frontage floor area of the proposed Table 2 use, when combined with the gross square footage of street-frontage floor area of all other uses on the same block face that are not listed on Table 1, exceeds twenty-five percent (25%) of the total street-frontage floor area of the block-face of a 75% retail block, or exceeds fifty percent (50%) of the total street-frontage floor area of the block-face of a 50% retail block, then a zoning administrator's special permit under Chapter 17.212 shall be required in addition to all otherwise applicable requirements of this title. The zoning administrator's approval may be for a limited period of time, depending upon present economic conditions, existing physical conditions, or any special circumstance related to that particular location.

4. The total gross square footage of street-frontage floor area of all uses that are not listed on either Table 1 or Table 2 shall not exceed twenty-five percent (25%) of the total street-frontage floor area of the block-face of a 75% retail block, or fifty percent (50%) of the total street-frontage floor area of the block-face of a 50% retail block.

C. New construction or conversions affecting ground floor areas in buildings on designated retail streets must provide retail space within said buildings with a minimum interior space depth of sixty (60) feet measured from inside wall abutting the front property line; or space modules containing a minimum area of one thousand (1,000) square feet along building frontage abutting designated retail streets, whichever is less.

D. As used in this section, "street-frontage floor area" means the interior floor area within a structure that has the same elevation as the public street providing principal access to the area (commonly referred to as the first or ground floor of the building) and that measures sixty (60) feet in depth from the inside wall abutting the street side property line.

E. As used in this section, a "block-face" means a contiguous row of buildings or spaces located on a city block bordered on each side by a public street or public alley.

F. Major Projects--New Construction, Rehabilitation or Conversion. A bank, savings and loan, or similar financial institution and any use listed in Table 2 of this section shall not occupy more than fifty (50) percent of the total ground floor area of a major project. A major project is one that will construct, rehabilitate or convert more than seventy-five thousand (75,000) square feet of space within a building or buildings on a block face.

G. Notwithstanding any other provision of this section or section 17.212.100 G, any special permit for a use listed in Table 2 located within a building's street frontage

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floor area that is voluntarily or involuntarily interrupted for a continuous period of one (1) year or more shall be deemed automatically revoked.

Table 1

RETAIL, PEDESTRIAN ORIENTED,
AND PERSONAL SERVICE
CLASSIFICATIONS

Retail Goods

Apparel store
Appliance store
Book and stationery store
Camera store
Camping equipment store
Department store
Fabric store
Furniture store
Gift shop
Luggage & leather goods store
Paint store
Pet store
Plant store
Record, stereo store
Shoe store
Sporting goods store

Pedestrian/Consumer* Oriented Establishments

Art gallery
Bowling alley
Museum

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Theater

Convenience Goods

Bakery shop

Bar

Candy store

Delicatessen

Florist shop

Grocery store

Hardware store

Hobby and crafts store

Restaurant, except fast food and takeout food establishment

Personal/Consumer* Services Establishments

Appliance repair

Bank, credit union, savings and loan**

Barber shop

Beauty shop

Bicycle shop

Copy shop

Dry cleaner

Laundromat

Photographic studio

Shoe repair

Tailor shop

Travel agency

* Establishments that primarily serve walk-in customers without an appointment.

** Financial institutions such as banks, savings and loan, credit unions and uses listed in Table 2, cannot occupy more than fifty (50) percent of the ground floor area of a major project as defined in this section.

The zoning administrator shall have the authority to determine that a use not listed

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above is substantially similar to a use listed above and is therefore governed by Table 1. The procedure followed shall be that used for the granting of a special permit under Chapter 17.212 of this title.

Table 2

NON-RETAIL, NONPEDESTRIAN/CONSUMER-ORIENTED,
NON-PERSONAL SERVICE
CLASSIFICATIONS

Offices

Accountant
Architect
Attorney
Bail bondsmen
Counseling services
Consultants--General
Internet services exchange
Employment agency
Escrow agent
Government offices/services
Insurance broker
Laboratory
Landscape architect
Medical office/Clinic
Mortgage broker
Optometrist
Real estate agent, appraiser, broker, developer, etc.
Security company

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Stock broker
Tax accountant, preparer
Title company
Trust company
Utility company

Other/Miscellaneous

Amusement arcade
Athletic club
Automotive sales
Automotive service and repair
Bus and other transit terminals, depots and passenger stations, public and private
Check cashing center
Convenience market/store
Drug store
Fast food and take out food establishment
Liquor store
Manufacturing
Money lender/Pawn shop
Mortuary
Secondhand store
Service station
Schools, trade, etc.
Social hall, club
Storage lot
Variety/merchandise store

The zoning administrator shall have the authority to determine that a use not listed

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above is substantially similar to a use listed above and is therefore governed by Table 2. The procedure followed shall be that used for the granting of a zoning administrator's special permit under Chapter 17.212 of this title.

Section 4:

Attachment 9 to Chapter 17.96 of the Sacramento City Code is amended as follows:

Attachment 9 to Chapter 17.96 of Title 17 of the Sacramento City Code is replaced with the Attachment 9 attached to this ordinance.

Section 5:

Section 17.16.010 of the Sacramento City Code is amended to include the following:

“Check cashing center” means an establishment that for compensation engages in the business of cashing checks, warrants, drafts, money orders, or other commercial paper serving a similar purpose. This classification does not include a state or federally chartered bank, savings association, credit union, or similar financial institution. This classification does not include establishments selling consumer goods, including consumables, where the cashing of checks or money orders is incidental to the main purpose of the business.

“Fast food and takeout food establishment” means an establishment where the primary serving of food is for take out in disposable or nonreturnable containers and is of a convenience nature; provided, that the establishment may provide table and seating areas for patrons to consume the food on the premises.

“Internet services exchange” means a location primarily devoted to any of the following uses (excluding any commercial wireless telecommunications transmitting, receiving or relay facility): switching equipment (whether wired or wireless) that enables customers or subscribers to transmit data, voice or video signals to each other; one or more computer systems and related equipment used to build, maintain or process data, voice or video signals and provide other data processing services; or a group of network servers.

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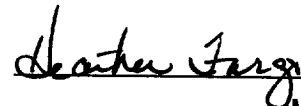
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"Money lender" means any establishment primarily devoted to the business of loaning money upon the security of personal property, commercial paper, evidence of debt, assignment of salary, salary warrants, salary demands, or other evidence of salaries due or to become due, or who purchases for himself or for any other person commercial paper, evidence of debts, assignment of salary, salary warrants, salary demands, or other evidence of salaries due or to become due. The term "money lender" does not include the holder of a bond broker's license or a state or federally chartered bank, savings association, credit union, or similar financial institution. "Money lender" includes pawnbroker.

DATE PASSED FOR PUBLICATION: **FEB 03 2004**

DATE ENACTED: **FEB 10 2004**

DATE EFFECTIVE: **MAR 12 2004**


MAYOR

ATTEST:


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REQUIRED RETAIL FRONTAGE

