



City of Sacramento City Council

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915 I Street, Sacramento, CA, 95814
www.CityofSacramento.org

Meeting Date: 7/19/2011

Report Type: Consent

Title: Ordinance Amendment: Pedestrian Malls (Passed for publication on 7-12-11, Published on 7-15-11)

Report ID: 2011-00594

Location: K Street between 8th Street and 12th Street, District 1

Recommendation: Adopt an Ordinance Amending the Sacramento City Code Sections 12.44.020, 12.44.060 and 12.44.260 of Chapter 12.44 relating to Pedestrian Malls

Contact: Denise Malvetti, Sr. Project Manager, (916) 808-7064, Economic Development Department

Presenter: None

Department: Economic Development Dept / Department of Transportation

Division: Downtown Development

Dept ID: 18001021

Attachments:

- 1-Description/Analysis
- 2-Attachment 1_PFP 7 19 11
- 3-Ordinance-Redline
- 4-Ordinance

City Attorney Review

Approved as to Form
Jerry Hicks
7/6/2011 9:06:08 AM

City Treasurer Review

Prior Council Financial Policy Approval or
Outside City Treasurer Scope
Russell Fehr
6/29/2011 5:18:44 PM

Approvals/Acknowledgements

Department Director or Designee: Jim Rinehart - 7/5/2011 11:09:16 AM

Assistant City Manager: John Dangberg - 7/6/2011 8:26:47 AM



Description/Analysis

Issue: K Street was once the bustling core of downtown. Since cars were prohibited in the late 1960s, that vibrancy has diminished. Recently, there have been successes on K Street and the City of Sacramento is interested in building on those successes and recreating K Street as a vibrant part of downtown. The reintroduction of vehicular traffic is one technique that may generate additional economic development and change perceptions of the corridor. The project purpose is to increase access and visibility to businesses, promote a safe environment, stimulate additional economic activity, and improve circulation.

On November 4, 2010, the City Council approved the Cars on K Project and the preliminary design. In order to implement the project, Chapter 12.44 of the City Code must be amended to remove K Street between 8th to 12th streets from the definition of “Pedestrian Mall.” Once this portion of K Street is removed from the K Street Pedestrian Mall, it will become a City street.

In addition to removing the portion of K Street between 8th and 12th streets from the definition of “Pedestrian Mall,” two other revisions to the City Code are proposed. The first revision is to remove Exception P of section 12.44.060 that allows cars on a portion of K Street in the 13th Street right of way. This exception is no longer necessary as 13th Street has been re-opened to traffic and Convention Center loading and unloading takes place at the loading docks located on K Street between 14th and 15th streets. The last revision is to remove the reference to the Thursday Night Markets in section 12.44.260 since the markets concluded more than ten years ago making this provision no longer necessary. This section would continue to pertain to all special events for which a permit has been issued.

The construction for the Cars on K Street is scheduled to start in August 2011 and conclude in November 2011.

Should this Ordinance become effective prior to completion of construction, then the portion of K Street affected by this Ordinance will be marked as a road closure until the construction is complete.

As required by the Sacramento City Charter (32c) this Ordinance title was passed for publication on July 12, 2011.

Policy Considerations: The reintroduction of cars to K Street is consistent with the City’s Strategic Plan goals of improving and expanding economic vitality throughout the City and the 2009-2014 Merged Downtown Implementation Plan goal of stimulating economic growth. The pending change in K Street operations is also consistent with the Central City Urban Design Guidelines, adopted by City Council in May 2009, which recommended the addition of vehicular traffic to K Street from 9th to 12th streets. In 2009, City Council adopted an ordinance allowing bicycles on K Street creating a multi-modal street.

On September 23, 2010, the Downtown Sacramento Partnership Strategic Development Task Force unanimously approved and forwarded to their full Board the recommendation of supporting the preliminary design and reintroducing vehicles to K Street from 8th to 12th streets.

The Downtown Sacramento Partnership Board reviewed the preliminary plans on October 20, 2010. Furthermore, the addition of cars to K Street was cited in the Partnership's 2010 Action Plan and recommended in their Retail Activation Strategy that was adopted earlier last year.

On March 18, 2010, the Sacramento Convention and Visitors Bureau also voted in support of the reintroduction of cars to K Street.

Environmental Considerations: The City of Sacramento prepared a Mitigated Negative Declaration (MND) for the Cars on K Street project. In accordance with the California Environmental Quality Act (CEQA), the MND was submitted to a 30-day public review period which ended on October 4, 2010. The comment period was also advertised in a newspaper of general circulation and a notice of availability (NOA) was sent to stakeholders in the project area. Four letters were received during the comment period. All comments received were considered and analyzed by City Environmental Planning Services. None of the comments received raise substantial issues as to the adequacy of the environmental document under CEQA. Rather comments received seek or provide clarification but do not change the findings and conclusions of the report or introduce new impacts or mitigation measures. The MND was approved by City Council on November 4, 2010.

Sustainability: The objective of reintroducing vehicular traffic to K Street is to revitalize the area and improve circulation. The revitalization and multi-modal traffic including light rail, cars, bicycles and pedestrians on K Street is consistent with the City's sustainability goals.

Commission/Committee Action: The Law and Legislation Committee reviewed the Ordinance on April 21, 2011 and voted unanimously to forward the Ordinance to City Council for approval.

Rationale for Recommendation: The reintroduction of cars to K Street has been cited as a catalyst to stimulate business on the K Street. Several other cities have converted their pedestrian malls to vehicular and transit ways with great success. Additionally, evaluation of the reintroduction of cars to K Street indicates there are circulation benefits to adding two-way traffic from 8th to 12th streets in a predominantly one-way traffic portion of Downtown. In order to allow for the reintroduction of cars to K Street the City Code must be amended to remove K Street from 8th to 12th from the definition as a Pedestrian Mall returning it to a street designation.

Financial Considerations: There are no financial considerations associated with the proposed action in this report. Previously, on April 22, 2010, City Council approved an approximately \$2.7M budget (T15095300) for the K Street Mall Traffic Study and its implementation.

Emerging Small Business Development (ESBD): None

Background

Past Council Actions

At the October 14, 2008 City Council meeting, Council requested a report back on reintroducing vehicular traffic to the K Street Mall. Following this request, staff from both the Economic Development Department and the Department of Transportation met to discuss the subject. Staff reported back to City Council on March 24, 2009 that the reintroduction was feasible, but recommended seeking a consultant to conduct a more thorough evaluation because of the numerous complexities of K Street including the light rail tracks, station platforms, lack of curbing, street furniture and signalization.

On June 2, 2009 City Council approved a Professional Services Agreement with DKS Associates to conduct a feasibility evaluation of reintroducing vehicular traffic to K Street. The evaluation included an assessment of impacts to light rail operations, alternate mode circulation, accessibility, parking, traffic impacts to other streets, and outreach to the community and stakeholders. The Study concluded that the reintroduction of vehicular traffic is not only possible, but may actually provide operational benefits for circulation on 9th and 10th streets, and I, J and L streets, especially if all four blocks from 8th to 12th streets are re-opened. The study identified certain measures that would minimize the impact of vehicular traffic on transit and enhance pedestrian safety. These include signal improvements, signage, striping, and edge treatments to protect the pedestrian sidewalk area. As part of the study a community input process was conducted to get feedback from stakeholders and the community. At the conclusion of their work, DKS Associates provided a Technical Memorandum that stated that cars could be added to K Street and the addition of cars provided benefits to circulation.

On April 22, 2010, City Council approved an approximately \$2.7M budget (T15095300) for the K Street Mall Traffic Study and its implementation. It also authorized a supplemental agreement with DKS to prepare preliminary plans and estimate as well as a Mitigated Negative Declaration. As part of the planning process there was a significant amount of community outreach. Staff has worked with the consultant team to create plans that include the following design components:

- 4 Block project from 8th to 12th Street
- Two-way traffic
- Passenger Drop-offs (no parking)
- New signalized crossing at 11th and K streets
- Addition of edge treatments (possibly bollards, planters or street furniture) to fill large gaps
- ADA improvements at intersections

One November 4, 2010, the Mitigated Negative Declaration and Mitigation Reporting Program were approved by City Council. At the same Council Meeting, Council

approved the Cars on K project and the preliminary project design. Council also approved a contract with DKS associates to complete the final design.

ORDINANCE NO. 2011-XXX

Adopted by the Sacramento City Council

___, 2011

**AN ORDINANCE AMENDING SECTIONS 12.44.020, 12.44.060
AND 12.44.260 OF CHAPTER 12.44 OF THE SACRAMENTO
CITY CODE, RELATING TO PEDESTRIAN MALLS**

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

SECTION 1.

A. Subsection A of section 12.44.020 of the Sacramento City Code is amended to read as follows:

12.44.020 Scope

A. K Street Mall. K Street from the easterly right-of-way line of 6th Street to the westerly right-of-way line of 8th Street, and from the easterly right-of-way line of 12th Street to the westerly ~~easterly~~ right-of-way line of 13th Street and 11th Street from the southerly right-of-way line of J-K alley to the northerly right-of-way line of L Street. Such mall shall include all lands lying within the right-of-way lines of the portions of streets described herein except the lands which are situated within the right-of-way lines of 7th, 8th, 9th, 10th and 12th Streets.

B. Except as specifically amended by the amendment above to subsection (A), the remainder of Section 12.44.020 shall remain unchanged and in full force and effect.

SECTION 2.

A. Section 12.44.060 of the Sacramento City Code is amended by repealing subsection P.

12.44.060 Vehicles prohibited—Exceptions.

~~P. Pending completion of the convention center expansion project, motor vehicles associated with loading and unloading activities at the convention center, in the~~

~~area of 13th Street between the north right-of-way line of K Street and the south right-of-way line of K Street.~~

B. Except as specifically amended by the amendment above to subsection (P), the remainder of Section 12.44.060 shall remain unchanged and in full force and effect.

SECTION 3.

A. Subsection B of section 12.44.260 of the Sacramento City Code is amended to read as follows:

12.44.260 Presence of horses, dogs, etc.

B. Subsection A of this section notwithstanding, no person shall lead a leashed dog upon, or bring a leashed dog onto, the K Street Mall ~~between the hours of five p.m. and nine p.m. on those Thursdays on which the Thursday night market or another~~ when a special event for which a permit has been issued pursuant to this chapter, is conducted on the K Street Mall. This subsection shall not apply to any guide dog, signal dog, or service dog, as defined by Civil Code Section 54.1, accompanied by a totally or partially blind person, deaf person, person whose hearing is impaired, or handicapped person, or dogs accompanied by persons licensed to train guide dogs for the blind pursuant to Chapter 9.5 of Division 3 of the Business and Professions Code (commencing with Section 7200), or to any law enforcement canine unit.

B. Except as specifically amended by the amendment above to subsection (B), the remainder of Section 12.44.260 shall remain unchanged and in full force and effect.

Adopted by the City of Sacramento City Council on __, 2011 by the following vote:

ORDINANCE NO. 2011-XXX

Adopted by the Sacramento City Council

___, 2011

**AN ORDINANCE AMENDING SECTIONS 12.44.020, 12.44.060
AND 12.44.260 OF CHAPTER 12.44 OF THE SACRAMENTO
CITY CODE, RELATING TO PEDESTRIAN MALLS**

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

SECTION 1.

A. Subsection A of section 12.44.020 of the Sacramento City Code is amended to read as follows:

12.44.020 Scope

A. K Street Mall. K Street from the easterly right-of-way line of 6th Street to the westerly right-of-way line of 8th Street, and from the easterly right-of-way line of 12th Street to the westerly right-of-way line of 13th Street and 11th Street from the southerly right-of-way line of J-K alley to the northerly right-of-way line of L Street. Such mall shall include all lands lying within the right-of-way lines of the portions of streets described herein except the lands which are situated within the right-of-way lines of 7th Street.

B. Except as specifically amended by the amendment above to subsection (A), the remainder of Section 12.44.020 shall remain unchanged and in full force and effect.

SECTION 2.

A. Section 12.44.060 of the Sacramento City Code is amended by repealing subsection P .

12.44.060 Vehicles prohibited—Exceptions.

B. Except as specifically amended by the amendment above to subsection (P), the remainder of Section 12.44.060 shall remain unchanged and in full force and effect.

SECTION 3.

A. Subsection B of section 12.44.260 of the Sacramento City Code is amended to read as follows:

12.44.260 Presence of horses, dogs, etc.

B. Subsection A of this section notwithstanding, no person shall lead a leashed dog upon, or bring a leashed dog onto, the K Street Mall when a special event for which a permit has been issued pursuant to this chapter, is conducted on the K Street Mall. This subsection shall not apply to any guide dog, signal dog, or service dog, as defined by Civil Code Section 54.1, accompanied by a totally or partially blind person, deaf person, person whose hearing is impaired, or handicapped person, or dogs accompanied by persons licensed to train guide dogs for the blind pursuant to Chapter 9.5 of Division 3 of the Business and Professions Code (commencing with Section 7200), or to any law enforcement canine unit.

B. Except as specifically amended by the amendment above to subsection (B), the remainder of Section 12.44.260 shall remain unchanged and in full force and effect.

Adopted by the City of Sacramento City Council on __, 2011 by the following vote:

Ayes:

Noes:

Abstain:

Absent:

Mayor Kevin Johnson

Attest: