



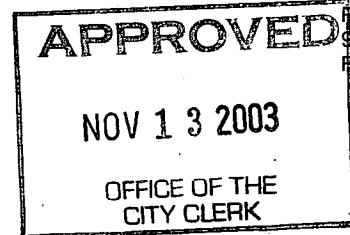
3.10

PLANNING AND BUILDING
DEPARTMENT

CITY OF SACRAMENTO
CALIFORNIA

1231 I STREET
ROOM 300
SACRAMENTO, CA
95814-2998

Planning Division



PLANNING
916-264-5381
FAX 916-264-5328

October 31, 2003

City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: AN INTERIM ORDINANCE ESTABLISHING A SPECIAL PERMIT REQUIREMENT FOR SPECIFIED NON-RESIDENTIAL DEVELOPMENT WITHIN THE C-2 ZONING CLASSIFICATION AND DECLARING THE ORDINANCE TO BE AN EMERGENCY MEASURE TO TAKE EFFECT IMMEDIATELY (M03-211)

LOCATION AND COUNCIL DISTRICT: Citywide. Council District - All

RECOMMENDATION: Staff recommends that the City Council adopt the attached interim ordinance, as an emergency measure, to require a Planning Commission Special Permit for specified non-residential uses. As an emergency measure, this item requires at least two-thirds Council approval.

CONTACT PERSONS: Jim McDonald AICP, Senior Planner, 264-5723

FOR COUNCIL MEETING OF: November 13, 2003 (afternoon)

SUMMARY: Under the current provisions of the City's Zoning Ordinance there is a broad range of non-residential uses permitted in commercial corridors as a matter of right. Some of these non-residential uses have raised design and compatibility issues, which may impact commercial corridor and neighborhood revitalization efforts. The proposed interim emergency ordinance would require a Special Permit for certain uses in the C-2 zone throughout the City.

The interim ordinance amendment would be in effect until Council's decision regarding the recommendations contained in the citywide Commercial Corridor Revitalization Strategy. The Strategy is anticipated to be brought before the Council November 4, 2003, and will go into effect 30 days after adoption.

COMMITTEE/COMMISSION ACTION: None

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BACKGROUND INFORMATION: On October 16, 2001, City Council directed staff to develop an overlay zone for commercial corridors that would be applied to multiple commercial corridors throughout the City to promote revitalization, bypassing the need to establish individual Special Planning Districts (SPD) for every applicable corridor.

In 2002, City Council requested that an emergency interim ordinance be put in place on the Franklin Boulevard and Marysville Boulevard Commercial Corridors to require a Planning Commission Special Permit for certain non-residential uses, until such time as the amendments proposed as a part of the Commercial Corridor Revitalization Strategy could be brought forward for consideration. That emergency interim ordinance was adopted on October 8, 2002.

Staff has since revised its approach toward commercial corridor revitalization, and instead will propose amendments to the City's Limited Commercial (C-1) and General Commercial (C-2) zones.

On October 21, 2003, Council direction was given to staff to proceed with the preparation of an emergency interim ordinance to be applied Citywide, similar to that in place on Marysville and Franklin Boulevards. A number of commercial corridors have a predominance of auto-related commercial uses and communities have the desire to promote more neighborhood-serving, attractive commercial, and mixed use developments the corridors.

The proposed interim ordinance affects General Commercial (C-2) zoned properties throughout the City. The following non-residential uses will require a Planning Commission Special Permit (the majority of the uses are currently allowed without any city review):

1. Auto sales (new or used)
2. Auto service, repair, storage, or rental;
3. Equipment rental & sales yard;
4. Gas/Service Station;
5. Tire sales- new or used;
6. RV sales (Commercial); and
7. RV Storage.

FINANCIAL CONSIDERATIONS: This project has no fiscal considerations.

ENVIRONMENTAL CONSIDERATIONS: The Environmental Services Manager has determined the project, as proposed, is exempt from the requirements of the California Environmental Quality Act under Section 15061(b)(3).


POLICY CONSIDERATIONS: One of the goals of the City of Sacramento General Plan (GP) is to, "Ensure that all areas of the City are adequately served by neighborhood/community shopping districts." (GP 4-16) The General Plan recognizes that City actions, whether direct assistance or permitting more flexible zoning regulations, should be implemented to encourage reuse and revitalization in challenged commercial corridors. The General Plan states, "Special planning districts or other flexible interim zoning mechanisms can be applied to blighted or underutilized commercial districts, where unique problems can not be treated with existing regulatory measures." (GP 4-17)

Smart Growth Principles- City Council adopted a set of Smart Growth Principles in December 2001 in order to promote growth or sustain existing development that is economically sound, environmentally friendly, and supportive of community livability. The proposed emergency ordinance is consistent with the Smart Growth Principles in that it will help to promote distinctive, attractive communities with a strong sense of place and to concentrate new development and target investments within an existing community to allow for efficient use of existing facilities, infill and reuse areas.

Strategic Plan Implementation- The recommended action conforms with the City of Sacramento Strategic Plan, specifically by adhering to the goal to enhance and preserve urban areas by supporting existing development (and supportive infrastructure) within existing developed areas, allowing for efficient use of existing facilities, features and neighborhoods.

ESBD CONSIDERATIONS: No goods or services are being purchased under this report.

Respectfully submitted,


GARY L. STONEHOUSE
Planning Director

RECOMMENDATION APPROVED:

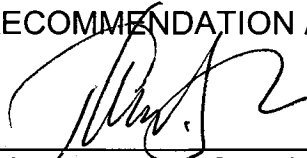
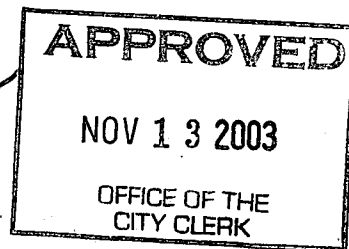

ROBERT P. THOMAS
City Manager

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ORDINANCE NO. 2003-062



ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON THE DATE OF _____

AN INTERIM ORDINANCE ESTABLISHING A SPECIAL PERMIT REQUIREMENT FOR SPECIFIED NON-RESIDENTIAL DEVELOPMENT WITHIN THE C-2 ZONING CLASSIFICATION AND DECLARING THE ORDINANCE TO BE AN EMERGENCY MEASURE TO TAKE EFFECT IMMEDIATELY (M03-211)

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

SECTION 1. Findings

The City Council of the City of Sacramento finds as follows:

- A. The City General Plan establishes policy to "promote the rehabilitation and revitalization of existing commercial centers," and to "identify declining commercial strips and initiate revitalization programs, or where appropriate recommend alternative land uses." The General Plan also recognizes that "interim zoning mechanisms can be applied to blighted or underutilized commercial districts, where unique problems cannot be treated with existing regulatory measures" in order to "maintain and strengthen viable shopping districts throughout the City."
- B. There is multi-agency interest in developing an approach to revitalizing the neighborhood commercial corridors in the City. With the participation of the Sacramento Housing and Redevelopment Agency, the City Planning Division, and the City Economic Development Department this approach continues to develop in the form of a Commercial Corridor Revitalization Strategy that will initiate amendments to the Limited Commercial (C-1) and General Commercial (C-2) zoning designations in Title 17 of the City Code (the Zoning Code) and to the review of residential and non-residential projects in those zones.

FOR CITY CLERK USE ONLY

ORDINANCE NO.: _____

DATE ADOPTED: _____

C. Goals have been established for the Commercial Corridor Revitalization Strategy, which include:

1. Promoting mixed use development in neighborhood commercial revitalization areas through new construction, reuse, and rehabilitation.
2. Promoting the reuse of existing commercial centers.
3. Ensuring quality projects within the revitalization area (streetscape improvements, new development, adaptive reuse and rehabilitation) to enhance the vitality of the commercial corridor.
4. Promoting reinvestment in commercial corridors through project approval streamlining and flexible development standards.
5. Encouraging intensification of land uses on development opportunity sites and in areas appropriate for higher densities and development in certain districts identified in commercial corridor urban design plans.

D. The retention and continued operation of existing industrial and service oriented uses shall be allowed.

E. Under the current provisions of the City's Zoning Code, a broad range of non-residential uses are permitted in commercial corridors as a matter of right, without any review by the City. While some of these uses may be compatible with the goals and policies of the General Plan and the focus of the Commercial Corridor Revitalization Strategy, there are a number of non-residential uses, both commercial and industrial, which may not be compatible due to poor design or incompatibility with adjacent uses.

F. Pursuant to this ordinance, certain non-residential uses in the C-2 zoning classification will require a special permit approved by the Planning Commission while zoning ordinance amendments associated with the Commercial Corridor Revitalization Strategy are prepared and considered for adoption.

SECTION 2.

A. Notwithstanding any other provisions of Title 17 of the City Code, a special permit approved by the Planning Commission shall be required to establish the following uses within the C-2 zone:

1. Auto sales-new or used;
2. Auto service, repair, storage, or rental;
3. Equipment rental, sales;
4. Service station;
5. RV/mobilehome sales yard;
6. RV storage (commercial);
7. Tire shop.

FOR CITY CLERK USE ONLY

ORDINANCE NO.: _____

DATE ADOPTED: _____

SECTION 3

This ordinance helps to ensure that certain non-residential uses that may be established by right and that may not be compatible with commercial corridor revitalization efforts are subject to review until such time that staff has the opportunity to promulgate, and the Council has an opportunity to consider and enact permanent regulations for the C-2 zoning classification.

It is anticipated that the Commercial Corridor Revitalization Strategy zoning ordinance amendments affecting the C-2 zoning classification and necessary CEQA documentation will be submitted to the Council for consideration by December, 2003. Upon the Council's decision to adopt the Commercial Corridor Revitalization Strategy zoning ordinance amendments, the special permit requirements set forth in Section 2 of this ordinance will be repealed and, as appropriate, replaced by the revised land use regulations of the Commercial Corridor Revitalization Strategy.

SECTION 4

This ordinance is declared to be an emergency ordinance, to become effective immediately upon its adoption by the City Council pursuant to Sacramento City Charter Section 32(g)(2). The facts constituting the emergency are as follows: City staff has been directed to, and is currently proceeding with, preparation of a Commercial Corridor Revitalization Strategy for applicable zoning districts throughout the City and necessary CEQA documentation to allow for consideration of amendments to the City's Zoning Code by the Council.

Under the current provisions of the City's Zoning Code, a broad range of non-residential uses is permitted in commercial corridors as a matter of right, without any review by the City. While some of these uses may be compatible with the goals and policies of the General Plan, and the potential focus of the Commercial Corridors Revitalization Strategy, there are also some non-residential uses, both commercial and industrial, which are not. Design or compatibility issues surrounding these uses, if allowed to be established pending completion of the rezoning process, would or could frustrate or interfere with corridor revitalization efforts.

It is therefore appropriate to require that a special permit be required for certain non-residential uses in the C-2 zoning classification, pending the consideration of the Zoning Code amendments associated with the Commercial Corridor Revitalization Strategy. It is also necessary and appropriate that the requirement for a special permit take effect immediately, to ensure that certain new non-residential uses are not established during the thirty-day period that would otherwise pass before this ordinance would take effect.

FOR CITY CLERK USE ONLY

ORDINANCE NO.: _____

DATE ADOPTED: _____

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It is the intent of the council that this ordinance take effect immediately; provided that, it is the further intent of the Council that, in the event of a successful challenge to the enactment of this ordinance as an emergency measure, that this ordinance take effect on the 30th day following its enactment, pursuant to Section 32(f) of the Charter.

DATE PASSED FOR PUBLICATION:

DATE ENACTED:

DATE EFFECTIVE:

MAYOR

ATTEST:

CITY CLERK

FOR CITY CLERK USE ONLY

ORDINANCE NO.: _____

DATE ADOPTED: _____



City of Sacramento Planning Division
COMMERCIAL CORRIDOR REVITALIZATION STRATEGY (M02-008)
• Project Summary •

Background:

On October 16, 2001, the City Council directed Planning staff to proceed with preparing an overlay zone for commercial corridors. The intent was to establish an overlay zone that can be applied to multiple commercial corridors to address revitalization without having to establish a Special Planning District (SPD) for every corridor. Staff has since revised its approach for commercial corridor revitalization strategy in order to achieve more immediate and inclusive benefits for the City's corridors. Instead of pursuing an overlay zone which would help only some corridors, staff is proposing amendments to the City's Limited Commercial (C-1) and General Commercial (C-2) zones, which upon adoption, will immediately help most of the City's commercial corridors. Development of a commercial corridor design principles document and companion users guide is also a part of the revitalization strategy.

Goals for the revised strategy remain the same and include: promoting mixed use development in neighborhood commercial revitalization areas through new construction, reuse, and rehabilitation; ensuring quality projects within revitalization areas to enhance the vitality of commercial corridors; promoting reinvestment in commercial corridors through project approval streamlining and flexible development standards; encouraging intensification of land uses in areas appropriate for higher densities, and promoting development consistent with districts identified in related urban design plans.

Project Components:**1. Zoning Code Amendments**

Most of the City's commercially zoned property is located along neighborhood commercial corridors. By amending the Zoning Code to affect commercial development in the C-1 and C-2 zones citywide, neighborhood commercial corridors can immediately benefit from regulations and incentives that will provide tools to revitalize these corridors. The amendments will include special permit requirements for certain uses including auto sales (new and used), storage, repair and rental; tire shops; RV sales (Commercial); RV Storage; equipment rental and service stations. Also included in the amendments are incentives for mixed use and residential development, reduced parking standards, flexible setback requirements, fencing provisions, and additional development standards. The amendments are intended to affect the base zoning only. Regulations specific to Special Planning Districts, Overlay zones, or Planned Unit Developments shall continue to take precedence over the base zoning, where applicable and appropriate.

2. Commercial Corridor Design Principles

The design principles for commercial development will provide guidelines for which business owners and commercial developers to use in designing projects, and by staff and decision makers to determine commercial design conditions, where applicable. Any non-residential project requiring discretionary entitlement(s) in the C-1 and C-2 zones, including expansions and major modifications, will be subject to consistency with the Commercial Corridor Design Principles document.

3. Commercial Corridor Users Guide

The Commercial Corridor Users Guide is an informational tool that will be provided to developers, designers and the community early in the development process. The users guide provides basic "how to" and process information for development within the City's commercial corridors. It is a supplement to the Neighborhood Commercial Corridor Design Principles document and will outline the challenges and design recommendations for projects developing within the City's commercial corridors.

Contact: For more information, please contact Jim McDonald at jmcdonald@cityofsacramento.org or 264-5723, or Aaron Sussman at asussman@cityofsacramento.org or 264-7931.

(October 1, 2003)



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PLANNING AND BUILDING
DEPARTMENT

CITY OF SACRAMENTO
CALIFORNIA

1231 I STREET
ROOM 300
SACRAMENTO, CA
95814-2998

PLANNING
916-264-5381
FAX 916-264-5328

October 30, 2003

PASSED FOR
PUBLICATION
& CONTINUED
TO 11-13-03

City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: AN INTERIM ORDINANCE ESTABLISHING A SPECIAL PERMIT REQUIREMENT FOR SPECIFIED NON-RESIDENTIAL DEVELOPMENT WITHIN THE C-2 ZONING CLASSIFICATION AND DECLARING THE ORDINANCE TO BE AN EMERGENCY MEASURE TO TAKE EFFECT IMMEDIATELY (M03-211)

LOCATION AND COUNCIL DISTRICT: D-ALL

RECOMMENDATION: It is recommended that the item be passed for publication of title and continued November 13, 2003.

CONTACT PERSON: Jim McDonald, Senior Planner, 264-5723

FOR COUNCIL MEETING OF: November 4, 2003

SUMMARY: This item is presented at this time for approval of publication of title pursuant to City Charter, Section 32.

BACKGROUND INFORMATION: This item is presented at this time for approval of publication of title pursuant to City Charter, Section 32. Prior to publication of an item in a local paper to meet

City Council
October 30, 2003
RE: An Interim Emergency Ordinance for Non-Residential Development (M03-211)
Page 2

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

Respectfully submitted,



GARY L. STONEHOUSE
Planning Director

FOR CITY COUNCIL INFORMATION:

ROBERT P. THOMAS
CITY MANAGER

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Ordinance

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**CITY OF SACRAMENTO
ORDINANCES**

On November 4, 2003, the following ordinance was considered by the Sacramento City Council and will be considered for final adoption at the regular meeting of November 13, 2003. In accordance with Sacramento City Charter Section 32, the titles are herein published:

**AN INTERIM ORDINANCE ESTABLISHING A SPECIAL PERMIT
REQUIREMENT FOR SPECIFIED NON-RESIDENTIAL DEVELOPMENT WITHIN
THE C-2 ZONING CLASSIFICATION AND DECLARING THE ORDINANCE TO
BE AN EMERGENCY MEASURE TO TAKE EFFECT IMMEDIATELY (M03-211)**

Anyone interested in the full text of the above ordinances may contact the Office of the City Clerk, Interim City Hall, 730 "I" Street, Room 211, phone (916) 808-5427.

SACRAMENTO CITY COUNCIL

**BY: VIGINIA K. HENRY
INTERIM CITY CLERK**

**AD NO.: 9813
RUN ONE TIME: 11/07/03
2 PUB PROOFS**

ORDINANCE NO. ____

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON THE DATE OF _____

AN INTERIM ORDINANCE ESTABLISHING A SPECIAL PERMIT REQUIREMENT FOR SPECIFIED NON-RESIDENTIAL DEVELOPMENT WITHIN THE C-2 ZONING CLASSIFICATION AND DECLARING THE ORDINANCE TO BE AN EMERGENCY MEASURE TO TAKE EFFECT IMMEDIATELY (M03-211)

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

SECTION 1. Findings

The City Council of the City of Sacramento finds as follows:

- A. The City General Plan establishes policy to "promote the rehabilitation and revitalization of existing commercial centers," and to "identify declining commercial strips and initiate revitalization programs, or where appropriate recommend alternative land uses." The General Plan also recognizes that "interim zoning mechanisms can be applied to blighted or underutilized commercial districts, where unique problems cannot be treated with existing regulatory measures" in order to "maintain and strengthen viable shopping districts throughout the City."
- B. There is multi-agency interest in developing an approach to revitalizing the neighborhood commercial corridors in the City. With the participation of the Sacramento Housing and Redevelopment Agency, the City Planning Division, and the City Economic Development Department this approach continues to develop in the form of a Commercial Corridor Revitalization Strategy that will initiate amendments to the Limited Commercial (C-1) and General Commercial (C-2) zoning designations in Title 17 of the City Code (the Zoning Code) and to the review of residential and non-residential projects in those zones.

FOR CITY CLERK USE ONLY

ORDINANCE NO.: _____

DATE ADOPTED: _____

- C. Goals have been established for the Commercial Corridor Revitalization Strategy, which include:
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 2. Promoting the reuse of existing commercial centers.
 3. Ensuring quality projects within the revitalization area (streetscape improvements, new development, adaptive reuse and rehabilitation) to enhance the vitality of the commercial corridor.
 4. Promoting reinvestment in commercial corridors through project approval streamlining and flexible development standards.
 5. Encouraging intensification of land uses on development opportunity sites and in areas appropriate for higher densities and development in certain districts identified in commercial corridor urban design plans.
- D. The retention and continued operation of existing industrial and service oriented uses shall be allowed.
- E. Under the current provisions of the City's Zoning Code, a broad range of non-residential uses are permitted in commercial corridors as a matter of right, without any review by the City. While some of these uses may be compatible with the goals and policies of the General Plan and the focus of the Commercial Corridor Revitalization Strategy, there are a number of non-residential uses, both commercial and industrial, which may not be compatible due to poor design or incompatibility with adjacent uses.
- F. Pursuant to this ordinance, certain non-residential uses in the C-2 zoning classification will require a special permit approved by the Planning Commission while zoning ordinance amendments associated with the Commercial Corridor Revitalization Strategy are prepared and considered for adoption.

SECTION 2.

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FOR CITY CLERK USE ONLY

ORDINANCE NO.: _____

DATE ADOPTED: _____

SECTION 3

This ordinance helps to ensure that certain non-residential uses that may be established by right and that may not be compatible with commercial corridor revitalization efforts are subject to review until such time that staff has the opportunity to promulgate, and the Council has an opportunity to consider and enact permanent regulations for the C-2 zoning classification.

It is anticipated that the Commercial Corridor Revitalization Strategy zoning ordinance amendments affecting the C-2 zoning classification and necessary CEQA documentation will be submitted to the Council for consideration by December, 2003. Upon the Council's decision to adopt the Commercial Corridor Revitalization Strategy zoning ordinance amendments, the special permit requirements set forth in Section 2 of this ordinance will be repealed and, as appropriate, replaced by the revised land use regulations of the Commercial Corridor Revitalization Strategy.

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It is therefore appropriate to require that a special permit be required for certain non-residential uses in the C-2 zoning classification, pending the consideration of the Zoning Code amendments associated with the Commercial Corridor Revitalization Strategy. It is also necessary and appropriate that the requirement for a special permit take effect immediately, to ensure that certain new non-residential uses are not established during the thirty-day period that would otherwise pass before this ordinance would take effect.

FOR CITY CLERK USE ONLY

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DATE ADOPTED: _____

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DATE PASSED FOR PUBLICATION:

DATE ENACTED:

DATE EFFECTIVE:

MAYOR

ATTEST:

CITY CLERK

FOR CITY CLERK USE ONLY

ORDINANCE NO.: _____

DATE ADOPTED: _____