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PLANNING AND BUILDING  
DEPARTMENT

Planning Division

**CITY OF SACRAMENTO**  
CALIFORNIA

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SACRAMENTO, CA  
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December 17, 2002

Law and Legislation Committee  
Sacramento, California

Honorable Members in Session:

**SUBJECT:** MULTIFAMILY STREAMLINING ORDINANCE (M00-069)

**LOCATION AND COUNCIL DISTRICTS:** All Districts

**RECOMMENDATION:**

For approval by the Law and Legislation Committee and forward the ordinance to the City Council.

**CONTACT PERSONS:** Steve Peterson, Principal Planner, 264-5981  
Julie Sontag, Assistant Planner, 264-5691

**FOR LAW AND LEGISLATION  
COMMITTEE MEETING OF:** December 17, 2002 (afternoon)

**SUMMARY:**

The Multifamily Streamlining Ordinance would streamline the review process for eligible new multifamily projects that are consistent with General and Community Plans, zoning, Multifamily Residential Design Principles, and other applicable requirements. The ordinance would also establish minimum maintenance and management standards for multifamily projects requiring a plan review or a special permit.

**COMMISSION ACTION:**

The Planning Commission unanimously recommended approval of the ordinance on October 24, 2002.

## **BACKGROUND:**

### **The Main Goals of the Ordinance Are To:**

- Save time: Staff-level reviews average ninety days, whereas Planning Commission Special Permits generally take at least six months.
- Help ensure that multifamily projects remain good neighbors: The ordinance establishes basic maintenance and management standards for all new multifamily projects subject to plan review or special permit. These standards require on-site management, ongoing inspection and maintenance of facilities and landscaping, and enforcement of handicap parking rules. Enforcement of these conditions would be carried out through the City's rental inspection program, which is expected to go before the City Council early next year.
- Implement Goal 4 of the City's 2002 Housing Element Update, which calls for a streamlined multifamily review process. While single-family development is often allowed by right or approved at the staff level, multifamily projects generally require more time and a higher level of review. Depending on a multifamily project's zoning and location, it requires a Special Permit, Plan Review, Planning Director's Special Permit, or Design Review and Preservation Board approval.
- Encourage the development of smaller apartment projects: The average size of all sixteen approved multifamily projects in the City from January of 1999 through August of 2002 was 300 units. The ordinance would encourage the development of smaller projects by reducing the time and therefore cost of the approval process.

### **The Proposed Ordinance:**

The Multifamily Streamlining Ordinance will allow proposed multifamily projects of 100 or fewer units that are not in Planned Unit Developments (PUDs) and projects of 200 or fewer units that are in PUDs to receive a Planning Director's Plan Review (PDPR). To be eligible for this streamlined, staff-level review, a project must be consistent with the site's zoning, General and Community Plan designations, City Zoning Code, and PUD guidelines and design review guidelines where applicable. The standards for the PDPR review process will be the same as for larger projects subject to Planning Commission approval: they will be based on the Multifamily Residential Design Principles, the City Zoning Code, PUD guidelines for projects in PUDs, and design review guidelines for those in design review districts.

Neighborhood groups will continue to receive early project notification when project information is routed to interested departments and agencies, and property owners within 500 feet will be notified of the Planning Director's decision and of their right to appeal a decision to the Planning Commission. The Planning Commission's decision cannot be

appealed to the City Council. However, Councilmembers will be able to call up all projects. To ensure that nearby property owners are kept informed, those within 500 feet and not 100 as is typical for staff-level review, will receive notification.

Staff recommends streamlining the review process for projects of 100 or fewer units that are not in PUDs and 200 or fewer units for projects that are in PUDs. Projects of 100 or fewer units tend to be located in infill areas, are more in scale with existing neighborhoods, and have fewer impacts. Staff recommends streamlining the review process for projects of 200 or fewer units that are in PUDs to encourage smaller developments that are consistent with adopted community plan policies (e.g. North Natomas and South Natomas), zoning regulations, the Multifamily Residential Design Principles, and any applicable design review guidelines. Projects in PUDs will have to comply with PUD guidelines and established design standards to ensure their compatibility with their surroundings.

A relatively small percentage of multifamily-zoned parcels in the City will be eligible for the streamlined process. Assuming a density of twenty units per acre, parcels of ten or fewer acres would be eligible for the Planning Director's Plan Review (PDPR). As of 2001, there were twelve multifamily-zoned parcels of 2-5 acres and twenty-one such parcels of 5-10 acres in the City.

#### **COMMUNITY MEETINGS:**

Planning staff has held or will hold the following meetings regarding the Multifamily Streamlining Ordinance:

North Natomas Working Group	September 25, 2002
Planning Commission Workshop	October 3, 2002
Planning Commission Hearing	October 24, 2002
Community meeting	October 30, 2002
Development Oversight Commission	November 13, 2002
Sacramento County Alliance of Neighborhoods	November 20, 2002
Area 4 Leadership meeting	December 9, 2002
Community meeting	December 17, 2002

Attachment D on page 15 lists the comments received at these meetings.

The Planning Commissioners recommended approval of the ordinance. They raised questions about its enforceability and the need for objective standards for security and other project conditions.

Industry representatives also supported the ordinance. They have asked for clarification about the maintenance program as required by condition 4, which requires the owner/operator to establish and conduct a regular program of routine property maintenance (see Attachment A, the Multifamily Streamlining Ordinance on page 6). Affordable housing representatives expressed concern that the ordinance does not reduce

the uncertainty of the development process because the Planning Director or Planning Commission can alter or add new conditions.

Community members also expressed concerns that streamlining the review process could reduce opportunities for public input. Planning Commissioners, community members, and industry representatives wondered how the conditions would be enforced and if adjacent multifamily complexes could receive PDPRs. Community members worried that the end result would be adjacent complexes of 200 units that are virtually the same. Such projects would need to be broken up through the use of varied architectural styles and exterior materials and the separation of buildings, as called for in the North and South Natomas Community Plans.

#### **STAFF REVISIONS:**

In response to comments received at meetings, staff made the following changes to the ordinance (The conditions can be found in Attachment A on page 6):

- Condition 2, requiring 24-hour access to maintenance and management staff: Added a requirement that the contact information be posted on-site in a visible location.
- The former condition 4, which read: "Owner/Operator shall repaint all painted areas at least once every 8 years," was deleted. The former condition 5, which is now condition 4, was changed. This condition requires a regular program of routine property maintenance. The condition was reworded to include repainting with other maintenance.
- Footnote 75 of section 17.24 of the City Zoning Code, which requires all development in Residential-Office (RO) and multifamily zones to undergo a Planning Commission or Zoning Administrator plan review, has been amended. It currently applies to artist live/work spaces, dormitories, duplexes, mobilehomes, manufactured homes, and rooming and boarding houses. Footnote 75 would now apply only to apartments.
- Staff had originally proposed that projects of 200 and fewer units within PUDs receive Planning Director's Special Permits. To simplify the process, all projects eligible for streamlining will receive a Planning Director's Plan Review.

#### **FINANCIAL CONSIDERATIONS:**

This report has no fiscal implications.

#### **ENVIRONMENTAL CONSIDERATIONS:**

The City has determined that the proposed City Code change to the Zoning Ordinance (Title 17, Section 17.24.020) amending Table 17.24.020A and adding footnote 79 for

apartments is a project under CEQA. The CEQA guidelines (section 15378) provide a definition for what constitutes a project under CEQA and states that amendments to zoning ordinances are subject to CEQA analysis. This project is exempt under CEQA guidelines section 15061(b)(3), as the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Adoption of this Zoning Ordinance amendment will have no effect on the environment. All potential development activities covered by this Zoning Ordinance Amendment will be subject to future, site-specific CEQA analysis or are already allowed "by right" in the currently enacted/adopted version of the City's Zoning Ordinance.

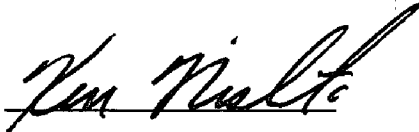
#### **POLICY CONSIDERATIONS:**

- City of Sacramento Strategic Plan: The Multifamily Streamlining Ordinance will support the City's Strategic Plan goal of enhancing and preserving neighborhoods by promoting the development of the fullest range of housing choices in every community in the City.
- Smart Growth Principles: The ordinance will promote community livability as called for in the City's Smart Growth Principles by encouraging the development of smaller multifamily projects that complement their surroundings and have fewer impacts than larger ones. By facilitating the development of smaller, infill parcels, the ordinance will encourage new development and infrastructure investments within already developed areas, as called for in the Smart Growth Principles.
- General Plan: Goal 4 of the 2002 Housing Element Update states that the City will "(m)itigate governmental and nongovernmental constraints in the development and assistance of housing." Program 4.9 of the Element is intended to implement this goal by establishing a Planning Director's Plan Review process for multifamily development. The Multifamily Streamlining Ordinance would implement Program 4.9.

#### **ESBD CONSIDERATIONS:**

No goods or services are being purchased under this report.

#### **RECOMMENDATION APPROVED:**



ROBERT P. THOMAS  
City Manager

#### **Respectfully submitted:**



GARY L. STONEHOUSE  
Planning Director

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# ORDINANCE NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF \_\_\_\_\_

AN ORDINANCE AMENDING TABLE 17.24.020A OF SECTION 17.24.030 OF TITLE 17 OF THE CITY CODE, FOOTNOTE 75 TO SECTION 17.24.050 OF TITLE 17 OF THE CITY CODE AND SECTION 17.180.060 OF THE CITY CODE, PERTAINING TO RESIDENTIAL DEVELOPMENT IN MULTI-FAMILY ZONES AND TO THE PROCESSING OF PLAN REVIEW FOR APARTMENTS

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

## SECTION 1

Section 17.24.020 of Title 17 of the City Code is amended as follows:

- a. The matrix for "Apartments" set forth in Table 17.24.020A is amended to read as follows:

Table 17.24.020A

														O B
Apartments						1/75	1/75	1/75	1/75	1/75	1/75	1/69	1/75	

- b. The matrix for "Artist's Live/Work" set forth in Table 17.24.020A is amended to read as follows:

Table 17.24.020A

												R M		O B
--	--	--	--	--	--	--	--	--	--	--	--	--------	--	--------

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DATE ADOPTED: \_\_\_\_\_

												X		
Artist=s Live/Work	49	49	49	49	49	49	49	49	49	49	49	49/69	49	49/18

- c. The matrix for "Dormitory" set forth in Table 17.24.020A is amended to read as follows:

Table 17.24.020A

	R E	R 1	R 1 A	R 1 B	R 2	R 2 A	R 2 B	R 3	R 3 A	R 4	R 5	R M X	R O	O B
Dormitory		47		47	47	47	47	47	47	47	47	47/69	47	

- d. The matrix for "Duplex" set forth in Table 17.24.020A is amended to read as follows:

Table 17.24.020A

	R E	R 1	R 1 A	R 1 B	R 2	R 2 A	R 2 B	R 3	R 3 A	R 4	R 5	R M X	R O	O B
Duplex		37	37	27	1	1	1	1	1	1	1	1/69	1	

- e. The matrix for "Mobilehome/Manufactured" set forth in Table 17.24.020A is amended to read as follows:

Table 17.24.020A

	R E	R 1	R 1 A	R 1 B	R 2	R 2 A	R 2 B	R 3	R 3 A	R 4	R 5	R M X	R O	O B
Mobilehome/Manufactured Home	26	26	17	26	26	26	26	26	26	26	26	26/69	26	

- f. The matrix for "Rooming & Boarding" set forth in Table 17.24.020A is amended to read as follows:

Table 17.24.020A

	R	R	R 1	R 1	R	R 2	R 2	R	R 3	R	R	R M	R	O
--	---	---	--------	--------	---	--------	--------	---	--------	---	---	--------	---	---

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DATE ADOPTED: \_\_\_\_\_



	E	1	A	B	2	A	B	3	A	4	5	X	O	B
Rooming & Boarding		2	2	2	2	5	5	5	5			5/69		

- g. The matrix for "Single-Family Dwelling" set forth in Table 17.24.020A is amended to read as follows:

Table 17.24.020A

	R E	R 1	R 1 A	R 1 B	R 2	R 2 A	R 2 B	R 3	R 3 A	R 4	R 5	R M X	R O	O B
Single-Family Dwelling	26	26	17	26	26	26	26	26	26	26	5	26/69	26	

## SECTION 2

Section 17.24.050 of Title 17 of the City Code is amended by adding Footnote 75 thereto to read as follows:

### 75. Apartments:

- A. General Rule: Apartments are a permitted use in this zone, subject to plan review by either the Planning Director or Planning Commission, as specified below.

Exception: A plan review shall not be required for an apartment project for which a special permit is required; provided that where a special permit would otherwise be required only because the apartment project is located within a PUD, the project shall be subject to plan review, and no special permit shall be required.

- B. Plan Review by the Planning Director or Planning Commission: Apartment projects of 200 units or less within a PUD and of 100 units or less not within a PUD subject to plan review shall be reviewed by the Planning Director, pursuant to Chapter 17.220. The decision of the Planning Director or the Planning Commission shall be subject to appeal in the manner specified in Chapter 17.200 of this Title. Apartment projects of more than 200 units within a PUD and projects of more than 100 units not within a PUD subject to plan review shall be reviewed by the Planning Commission pursuant to Chapter 17.220.

1. Required Application Information and Materials: The application for plan review of an apartment project shall, in addition to the information and materials required for plan review, include the information and materials

required under Section 17.132.060 for an application for design review.

2. Projects of More than 100 units within design review districts: Design Review and Preservation Board review and recommendation: Notwithstanding Chapter 17.132 of this Title, prior to the hearing before the Planning Commission, the design of an apartment project of more than 100 units that is located within a design review district for which design review guidelines have been adopted shall be reviewed by the Design Review and Preservation Board, and the Board shall make a recommendation to the Planning Commission on the project design. The hearing before the Design Review and Preservation Board shall be noticed in the manner specified in Section 17.132.060-B.
3. Projects of 100 units or less within design review districts: Design review staff review and recommendation: Notwithstanding Chapter 17.132, prior to the consideration by the Planning Director, the design of an apartment project of 100 or less units that is located within a design review district for which design review guidelines have been adopted shall be reviewed by design review staff, and the staff shall make a recommendation on the project design. No hearing shall be required for review and recommendation by design review staff.

C. Findings: In addition to the findings required by Chapter 17.220, no apartment project shall be approved unless the Planning Director or Planning Commission finds that the project is consistent with the Multi-Family Residential Design Principles (Resolution No. 2000-487), as they may be amended from time to time; provided that, where the project is located within a design review district for which design guidelines have been adopted, the design guidelines shall apply, and the Planning Director or Planning Commission shall not approve a project unless, in addition to the findings required by Chapter 17.220, the Planning Director or Planning Commission finds that the project is consistent with the applicable design guidelines. Upon approval of a plan review of an apartment project by the Planning Director or Planning Commission, no further design review shall be required.

D. Management and Maintenance Requirements:

1. General Rule: All development standards and conditions of approval of plan review or a special permit for an apartment project shall be continuously met by that project. Buildings and premises, including paint, siding, roofs, windows, fences, parking lots and landscaping shall be kept in good repair. Premises shall be kept free of junk, debris and abandoned vehicles.

2. Conditions of Approval: The following conditions shall apply to apartment projects subject to plan review or a special permit; provided that the Planning Director or Planning Commission shall have the authority to waive or modify the conditions; and provided further, that nothing in this section shall alter, modify or restrict the authority of the Planning Director or Planning Commission to condition the project pursuant to Chapter 17.220 of this Code.

1. For projects of fifteen (15) or more dwelling units, the project shall have a manager that resides on-site .
2. Owner/Operator shall post and maintain signage on the premises that provides the phone number to contact maintenance and management staff. Signage shall be subject to approval by the Planning Director.
3. Owner/Operator shall conduct periodic inspections, not less than monthly, of the exterior of all buildings, trash enclosures and recreation facilities.
4. Owner/Operator shall establish and conduct a regular program of routine maintenance for the property. Such a program shall common areas and scheduled repainting, replanting and other similar activities that typically require attention at periodic intervals but not necessarily continuously. Owner/Operator shall repaint or retreat all painted or treated areas at least once every 8 years; provided that the Planning Director may approve less frequent repainting or retreatment upon a determination that less frequent treatment is appropriate, given the nature of the materials used or other factors. The program shall be subject to review and approval by the Planning Director.
5. Owner/Operator shall maintain landscaping and irrigation in a healthy and serviceable condition.
6. Owner/Operator shall indicate and maintain all locations of parking stalls for handicapped/disabled access and strictly enforce rules related thereto.

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SECTION 3

Section 17.180.060 of Title 17 of the City Code is amended as follows:

Subsection B is amended to read:

- a. B. Special Permit. Except as provided in subsections C and D of this section, a special permit from the planning commission in accordance with Chapter 17.212 of this title shall be required for development within an area designated for a PUD.
2. Subsection D is added to read as follows:  
D. Apartment projects in a PUD shall be subject to plan review, pursuant to Chapter 17.220 of this title. Apartment projects shall be subject to plan review by either the Planning Director or the Planning Commission in the manner specified by footnote 75 of Section 17.24.050, and shall be subject to the management and maintenance requirements specified in Subsection D of footnote 75.

Except as so amended by paragraphs "a" and "b" above, the provisions of Section 17.180.060 shall remain unchanged and in full force and effect.

DATE PASSED FOR PUBLICATION:  
DATE ENACTED:  
DATE EFFECTIVE:

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

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ORDINANCE NO. \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

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## Attachment B: Apartment Size Survey

### Proposed, Approved, Under Construction, or Occupied Apartment Projects, January 1999 through August 2002

File Number	Project Name	Number Units
P01-014	Alleghany #1	384
P98-042 and P99-085	Arena Commons	328
P02-035	Atrium	224
P02-076	Buchman Circle	302
P00-118	California Traditions	200
P00-005 and Z02-019	Carefree	500
P01-115	Creekside	450
P01-115	Homecoming	450
P99-082	Fairfield	440
P98-071	Gateway West	280
P02-084	The Lofts	188
P99-033	Meadowview Apartments	170
P01-100	Natomas Park	212
P01-016	Northpointe Park	152
P99-082	Parkway Plaza	440
P99-142	Terracina Gold	280
P01-050	Terracina Meadows	148
P99-059	Villagio	272
P01-053	Westlake Villas	285
<b>Total Units</b>		<b>5,705</b>
<b>Average Number Units per Project</b>		<b>300</b>

Source: City of Sacramento Planning Division, September 2002

**Attachment C: Multifamily Size Policies from the North  
and South Natomas Community Plans**

**North Natomas Community Plan, adopted by City Council in 1994:**

The maximum size of an apartment complex is 200 units and 8 acres. High density residential projects in excess of 200 units and 8 acres must create multiple apartment complexes separated by a local street or other linkage. Apartment complex developers shall promote architectural variety and the use of varied exterior construction materials on adjacent complexes. Also, the height of apartment complexes shall be compatible when adjacent to single-family residences. Promote the placement of one-/two-story multifamily units along streets and other linkages as a visual break (1994 North Natomas Community Plan, page 16).

**South Natomas Community Plan, adopted by City Council in 1988:**

Implementing Policy E. Limit the size of multifamily clusters to 200 units separated from other multifamily clusters by at least one thoroughfare. Promote architectural variety and varied exterior construction materials on adjacent clusters and the placement of one-story multifamily units adjacent to single family development and as a visual break along streets (1988 South Natomas Community Plan, page 6).

## **Attachment C: Comments Received at Meetings**

### **North Natomas Working Group**

September 25, 2002

- Larger projects are needed to pay for amenities.
- Will the processing of fee reductions for inclusionary housing keep pace with the streamlined development?
- Is the Building Division enacting a similar streamlining measure?
- Not many projects in the north area are under 200 units.

### **Planning Commission Workshop**

October 3, 2002

#### **Speakers:**

- Affordable housing projects should not be conditioned differently from market rate ones.
- None of the proposed conditions is a problem, though affordable housing developers would prefer instead to be able to show that their projects do not need additional conditions.
- The ordinance will reduce the time and cost of development.
- The ordinance allows additional conditions to be placed on projects. This doesn't address the uncertainties of the approval process. Some affordable housing developers are concerned that a condition for providing 24-hour, on-site security could be placed on their project. This would be onerous.

#### **Planning Commissioners:**

- 200 units may be too high of a threshold for projects in PUDs; 150 may be more reasonable. 100 units for projects not in PUDs is reasonable.
- There should be fines for condition violations.
- There need to be objective standards for conditions such as a requirement for 24-hour on-site security.

### **Planning Commission Hearing**

October 24, 2002

#### **Speakers:**

- James Wiley, referring to his October 21, 2002, letter regarding the ordinance:
  - How will the requirement that all conditions be continually met (section D1) be enforced, and by what standards?
  - Former condition 4, now deleted, would require repainting of surfaces at least every eight years. This is impractical because not all surfaces are the same. More flexibility is needed.

- There should be a provision for appealing disagreements over the routine maintenance program as called for in the former condition 5, now condition 4, to the Planning Commission.

#### Planning Commissioners:

- How will Code Enforcement add a rental inspection program, given its current workload?
- There should be more flexibility in the former condition 4, which would have required the repainted of all painted years at least every eight years.

#### Community Meeting

October 30, 2002

- This would circumvent citizen input.
- In North Natomas, the 200-unit limit leads to nearly identical complexes separated by a street.
- SHRA encourages developers *not* to make affordable housing more attractive because it adds to the cost.
- Would the conditions apply to additions and renovations of existing projects?
- Can renters be notified the same as property owners?
- The Multifamily Residential Design Principles should help improve multifamily developments.
- The ordinance sounds good. It will set standards and make sure that projects will have to fit in with their neighborhoods.
- Condition 1, requiring on-site manager: SHRA does *not* allow on-site managers.
- Condition 2, requiring 24-hour access to management and maintenance staff: The contact information should be required to be visibly posted on the site.
- Condition 3, requiring the owner or operator to make periodic inspections: How will this be verified?
- Condition 3, requiring periodic facility inspections: The interiors of units should be inspected as well.
- Former and revised condition 4, requiring repainting every eight years/as needed: won't adequately address graffiti problems.

#### Development Oversight Commission

November 13, 2002

- How will the conditions be enforced? They should be tied to the property deed, because otherwise they will be forgotten.
- The ordinance will save time in the development process.
- Former condition 4, requiring painted areas to be repainted at least every eight years: Not needed because former condition 5 (now condition 4), which requires a maintenance program, covers it.



- Former condition 5, now condition 4, requiring a maintenance program: What exactly will be required should be made clear.

**Sacramento County Alliance of Neighborhoods (SCAN) Meeting**  
November 20, 2002

- This should apply to single-family development on multifamily-zoned infill lots.
- The City should notify property owners within 1,000 feet. The current requirement of 500 feet hasn't worked because sometimes there are undeveloped parcels right next to proposed development. Homeowners next to the undeveloped parcels, even if they're more than 500 feet away, should be notified.
- How will these conditions be enforced?
- The ordinance should be temporary so that its effectiveness can later be evaluated.
- Condition 2, requiring 24-access to management and maintenance staff: All calls and responses to them should be logged.

TAYLOR, HOOPER & WILEY

A PROFESSIONAL CORPORATION

ATTORNEYS

2870 GATEWAY OAKS DR., SUITE 200

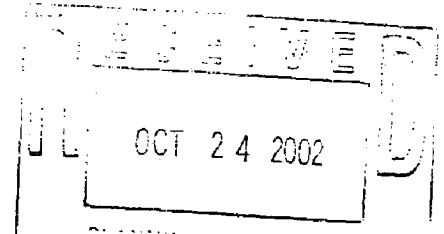
SACRAMENTO, CALIFORNIA 95833

TELEPHONE: (916) 929-5545

TELEFAX: (916) 929-0283

October 21, 2002

JOHN M. TAYLOR  
B. DEMAR HOOPER  
JAMES B. WILEY  
KATHLEEN R. MAKEL  
THADDEUS M. JOHNSON  
JESSE J. YANG  
DEREK P. COLE



Via Facsimile and US Mail

Julie Sontag  
City of Sacramento  
Planning Department  
1321 I Street, Room 300  
Sacramento, California 95814

Re: Comments Regarding Proposed Multifamily Streamlining  
Ordinance (M00-069).

Dear Ms. Sontag:

On behalf of Meer Capital Partners, we are submitting these comments regarding the proposed Multifamily Streamlining Ordinance scheduled for the October 24, 2002, Planning Commission agenda. Meer Capital Partners is a multifamily project developer and owner. Our comments address the proposed Management and Maintenance requirements component of the ordinance and address issues involving the practical implementation of the proposed ordinance. The comments follow in bullet form for convenience:

- Under Section D 1, General Rule, it is not clear how this provision will be enforced. What standards of review will be used and what is the penalty for violation? Is there a period of time for cure? These provisions should be included so that enforcement is not arbitrary.
- Under Section D 2, Conditions of Approval, condition 4, not all painted surfaces are the same. For instance, wood surfaces require painting more often than stucco. Some new stucco surfaces, with appropriate maintenance, are designed to not require repainting for up to 20 years. Metal surfaces with appropriate treatment do not require painting as often as well. This condition should not be a hard and fast rule that all painted surfaces require painting every 8 years. An architect should be able to provide valuable input on this matter.
- Under Section D 2, Conditions of Approval, condition 5, there should be a provision that allows the "program of routine maintenance" approved by the Planning Director to be appealed to the Planning Commission in the event that there is disagreement between the project applicant and the Planning Director.

Julie Sontag  
October 21, 2002  
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We hope that these comments are helpful. Please call if you have any questions.

Very truly yours,



James B. Wiley

cc: City Planning Commission  
Steve Peterson

# Legislation Log

Number	Subject Matter	Ordinance Sponsor/Staff (Date Requested)	Anticipated Law & Legislation hearing Date	Status	Controversial or Significant Policy Issues	Anticipated Attorney Drafting Time for Completion 2	City Departments Possibly Affected
ORDINANCE & REPORTS - DATE PENDING							
1.1	Chain Link Fencing Regulations	CM Dave Jones/ Joy Patterson	New Date Pending (Summer 2002)	Staff is working with other City departments to gather additional information. City Council directed that this item be forwarded to the Code Ad Hoc Committee for discussion. Code Ad Hoc Committee has referred this item to the NSD directors for further research.	Yes	Significant	Planning/ NSD (Code)
1.2	Sign Regulations	Full Council/ Joy Patterson	New Date Pending (Late Summer 2002)	A major section revision. Staff is currently reviewing revising language. Staff anticipates going out to community and scheduling a series of public hearings on item in late Summer 2002.	Yes	Significant	Planning/ Economic Development
1.5	Freeport Reorganization (annexation) Overlay Zone	Planning/Rebecca Bitter	New Date Pending (October 2002)	City/Comm. Est. dev. Standards & permitted/ prohibited uses for maintaining the historic Delta River Town theme to prevent intrusion of inappropriate land uses.	Yes (see status box)	Significant	Planning
1.6	Entertainment Permit	NSD/ Max Fernandez	Spring 2003 (Fall 2002)	Originally scheduled for L&L in December. Staff has held several stakeholders meetings regarding input and comments.	Yes	Significant	Police/ Finance/ CC&L
1.9	Ord. Regulating Gun Shows in City Facilities	CM Dave Jones/ Finance	New Date Pending (Nov 7, 2002)	Working with staff to formulate details of ordinance.	Yes	Significant	CC&L/ Planning/ Police
1.11	Mobile Food Vendor Ordinance	CM Trethaway/Bill Spencer	Spring 2003	Staff working on changes with report back to Law and Legislation Committee.	Potentially Yes	Moderate	Finance/Planning
3.1	Access to Healthcare Ord.	CM Steve Cohn/Aaron Chong	No Date Set	City Attorney's Office researching and reviewing details of ordinance.	Yes	Significant	SPD/Planning/ NSD
3.2	Amend to Title 10 re: Taxi Zones	Revenue	No Date Set	Working with staff to formulate details or ordinance. No. L&L date set. Taxi Cab parking issue was addressed separately.	Potentially Yes	Moderate	Public Works
3.3	New Code Enforcement Initiatives	CM Bonnie Pannell	Spring 2003	The Code Ad Hoc Committee will be discussing this item at its next meeting. Item will be forwarded to Law and Legislation for discussion in early Spring 2003.	Yes	Significant	NSD/ Planning
3.5	Parking Lot Shade Ordinance M99-066	Planning/ Scott Aaron	Spring 2003	Working with staff to formulate details of ordinance. No L&L date set	No	Moderate	Planning

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2 Limited =<10 hrs, Moderate =10-40 hrs, Sig. => 40 hrs

## Legislation Log

Number	Subject Matter	Ordinance Sponsor/Staff (Date Requested)	Anticipated Law & Legislation hearing Date 1	Status	Controversial or Significant Policy Issues	Anticipated Attorney Drafting Time for Completion 2	City Departments Possibly Affected
3.6	Social Services	Full Council/ Planning	No Date Set	Reviewing existing City Code provisions that may require updating	Yes	Significant	NSD/ Planning
4.1	Interim Commercial Corridor Overlay Zone	CM Lauren Hammond/CM Sandy Sheedy/Planning	Date Pending	Staff has completed drafting the proposed ordinance and is working with Ordinance Sponsors on whether item can go directly to City Council for discussion.	To Be Determined	To Be Determined	Planning
4.2	Vicious Dog Ordinance	CM Sandy Sheedy/Hector Cazares	Date Pending	Staff is working with Public Works Department to gather additional information. This item will be heard by the Code Enforcement Ah Hoc Committee.	To Be Determined	To Be Determined	Public Works
5.2	Maintenance of Parking Lots at Strip Malls	CM Bonnie Pannell/Max Fernandez	Date Pending	Council Member Pannell requested a report back from Neighborhood Services on problems with parking lots located at various strip malls throughout the City. NSD will be providing a report back to the Committee.	Yes	To Be Determined	Neighborhood Services
4.9	Parking of Trailers, Auto Coaches, etc in Residential Areas	Code Enforcement/Max Fernandez	Date Pending	Item was heard by L&L on 11/7/02. The Commercial Vehicles component of the ordinance was approved and forwarded to City Council. The ordinance changes relative to parking of trailers, auto coaches, etc in residential areas has been referred to the Code Ad Hoc Committee for further discussion.	Potentially yes	Moderate	Planning/NSD (Code)
11.02.1	Report Back on Adding Addtl Vehicle Types to Commercial Vehicle Ordinance	Code Enforcement/Max Fernandez	Date Pending	Report back requested 11/07/02 regarding adding taxicabs, dump trucks, buses and tow trucks to Commercial Vehicles Parked on Residential Properties Ordinance	Yes	To Be Determined	Planning/NSD (Code)
11.02.2	Report Back on Proposition 47 Funding	Parks and Recreation/Bob Overstreet (11/02)	Date Pending	Report back requested 11/07/02 regarding joint use funding and possible projects	To Be Determined	N/A	Parks and Recreation
ORDINANCES/REPORTS BACK TO COUNCIL							

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# Legislation Log

Number	Subject Matter	Ordinance Sponsor/Staff (Date Requested)	Anticipated Law & Legislation hearing Date 1	Status	Controversial or Significant Policy Issues	Anticipated Attorney Drafting Time for Completion 2	City Departments Possibly Affected
1.7	Commercial Vehicles Parked on Residential Properties	Code Enforcement/ Max Fernandez	City Council	Item was heard by L&L on 11/7/02. The Commercial Vehicles component of the ordinance was approved and forwarded to City Council. The ordinance changes relative to parking of trailers, auto coaches, etc in residential areas has been referred to the Code Ad Hoc Committee for further discussion (see item 4.9)	Potentially Yes	Moderate	Planning/ NSD (Code)
2.2	Lobbyist Registration & Regulation	Full Council/ Budget	City Council	Item heard by City Council on 4/16/02. Staff directed to develop a lobbyist registration from and final draft ordinance for Council consideration. Staff is meeting with stakeholders on October 23, 2002. Report anticipated in early 2003.	Yes	Significant	City Clerk
2.4	Public Finance & Campaign Spending Limits	Full Council/ Budget	City Council	Issue heard by City Council on 4/16/02. Staff directed to research the suggestion of providing a "trigger mechanism" for Council to consider future funding of the public financing program. Staff is to provide report back to Council after both State budget is finalized and the Revenue Reduction measure is decided by city voters.	Yes	Significant	City Clerk
2.6	Code 8.68.200 Noise Ordinance and CD Players	CM Steve Cohn/Max Fernandez	City Council	To City Council. Staff and City Attorney's office working on changes regarding hours and sections C & F. Department is working to schedule a date before Council.	No	Moderate	NSD
2.7	Pet Spay/Neuter Penalty	Public Works (Animal Care)	City Council	Staff report heard at September 3, 2002 L&L meeting. To City Council	No	Limited	Public Works

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