

Amend Section 3-(c) of Central City Interim Ordinance to add:
; provided, that if the hearing on the special permit
under this ordinance is to be held concurrently with a hearing
on another land use entitlement for which a fee for equivalent
noticing has been or will have been paid, the fee required by
this section shall be waived.

Browning:

Amend Section 2-b-ii (4th line)

the City Council, the City Planning
Commission, the Architectural
Review Board or the

31



CITY OF SACRAMENTO

CITY MANAGER'S OFFICE
RECEIVED
JAN 18 1980

CITY PLANNING DEPARTMENT

915 "I" STREET
CITY HALL - ROOM 308

SACRAMENTO, CALIF. 95814
TELEPHONE (916) 449-5604

ETHAN BROWNING, JR.
PLANNING DIRECTOR

January 17, 1980

City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: Interim Special Permit Review in the Central City

SUMMARY

Attached is a copy of the January 8, 1980 Planning staff report to the City Council regarding interim procedures to be applied in the Central City pending completion of the draft plan (Exhibit 2). Interim procedures were deemed necessary due to the possible approval of proposed developments which would be inconsistent with the zoning recommendations of the draft plan. The report discusses two approaches to this concern, a limited moratorium approach and a special permit review approach. The report indicated that the Planning Commission and Planning staff favored the special permit review approach. The ordinance to establish the interim special permit review is attached (Exhibit 1).

Proposed projects which are in conformance with the zoning recommendations of the draft Central City Plan would not be affected by the review ordinance. However, projects that are determined to be inconsistent by the Planning Director would be subject to approval of a special permit by the City. The ordinance exempts projects which have obtained certain City approvals as specified in Section 2(b) (iii).

Special permits that are granted under this ordinance must be established within one year from the date of issuance. This is shorter than the normal two year period allowed by the Zoning Ordinance to establish the permit. The established filing fee for a special permit or less than one acre is \$253. The filing fee for a special permit pursuant to this ordinance is \$50. This amount is to only cover City expense for public notices, mailing and legal advertisement.

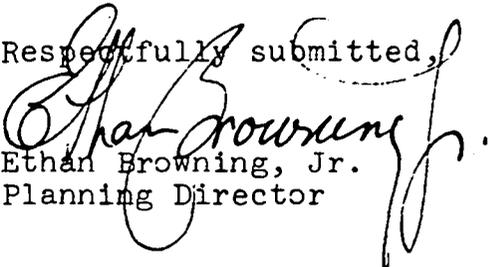
FILED *Cont 40*
BY THE CITY COUNCIL
JAN 22 1980 *2-5-80*

OFFICE OF THE
CITY CLERK

RECOMMENDATION

The Planning Commission and staff recommend the City Council adopt the attached ordinance to establish an interim special permit review in the Central City.

Respectfully submitted,


Ethan Browning, Jr.
Planning Director

FOR TRANSMITTAL TO COUNCIL:


Walter J. Slipe
City Manager

EBj:AG:lc
Attachments

January 22, 1980
District No. 1, 3, 4

SACRAMENTO CITY PLANNING COMMISSION

MEETING DATE JANUARY 9, 1980

ITEM NO. 1 FILE NO. P-
M-432

REZONING TENTATIVE MAP
 SPECIAL PERMIT EIR DETERMINATION
 VARIANCE EXT. OF PERMIT
 SUBD. MOD. OTHER
TEMPORARY REVIEW

LOCATION: CENTRAL CITY

Recommendation:

Favorable Petition Correspondence
 Unfavorable

PROPOSENTS		
NAME		ADDRESS

OPPOSENTS		
NAME		ADDRESS
* Motion: Chris Hunter: The proposed ordinance would be to require a special permit when the Planning Director determines that projects are inconsistent with the Central City Plan as recommended to the City Council on January 17 by the Planning Commission.		
Fred Silva: For the word plan, would you say zoning map so we don't get into the panubras and all that.		
Chris Hunter: Yes, that is the motion.		

MOTION NO. _____

	YES	NO	MOTION	2ND
Augusta	✓			
Flores		✓		
Fong	✓			
Goodin	ABSENT			
Hunter	✓		✓	
Muraki		✓		
Simpson P	✓			✓
Simpson S	ABSENT			
Silva	✓			

MOTION:

- TO APPROVE
- TO DENY
- TO APPROVE SUBJECT TO COND. & BASED ON FINDINGS OF FACT IN STAFF REPORT
- INTENT TO APPROVE SUBJ. TO COND. & BASED ON FINDINGS OF FACT DUE _____
- TO RECOMMEND APPROVAL _____ & FORWARD TO CITY COUNCIL
- TO RATIFY NEGATIVE DECLARATION
- TO CONTINUE TO _____ MEETING
- OTHER : SEE ABOVE

- EXHIBITS: A. Site Plan
 B. Floor Plan
 C. Elevation
 D. Landscaping

ORDINANCE NO.

FOURTH SERIES

AN ORDINANCE ESTABLISHING AN INTERIM
SPECIAL PERMIT REVIEW ON ALL DEVELOPMENT
ENTITLEMENTS IN THE CENTRAL CITY AND
DECLARING SAID ORDINANCE TO BE AN
EMERGENCY MEASURE TO TAKE EFFECT IMMEDIATELY

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

SECTION 1.

The City Council hereby finds and determines that it is necessary to establish an interim special permit review procedure on all development in the Central City while the Sacramento Central City Comprehensive Plan and its proposed policies and rezoning are under consideration for adoption by the City Council. The purpose of the interim review procedure is to insure, pending the completion of the updating of the community plan for the Sacramento Central City, that development that is permitted to proceed will be in substantial compliance with the policies and intent of the plan which is adopted by the City Council.

SECTION 2.

(a) Except as otherwise provided in this section, applications during the interim specified herein for any entitlement for development, including but not limited to tentative subdivision maps, special permits, variances, rezonings, general plan and community plan amendments, site plan review, architectural review, Preservation Board review, and building permits for property located in the Central City shall require, in addition to all other requirements of the City, special permit approval by the City Planning Commission as provided in this ordinance.

(b) This ordinance shall not apply to:

(i) Building permits for the demolition of or minor alterations to buildings or structures, or for improvements required by law;

(ii) Any development for which approval of a tentative subdivision map, special permit, variance, rezoning, general plan or community plan amendment, site plan review, or Preservation Board review by the City Council, the City Planning Commission, or the Preservation Board has been granted and was effective after January 1, 1979 and prior to the effective date of this ordinance;

(iii) Any development which is consistent with the zoning recommendations of the Sacramento Central City Comprehensive Plan, as determined by the Planning Director.

SECTION 3.

The special permit review and approval required by this ordinance shall be governed by the provisions of Section 15 of the Comprehensive Zoning Ordinance of the City of Sacramento, Ordinance No. 2550, Fourth Series, except as otherwise provided in this section:

(a) In lieu of the provisions of Sections 15-A-1, A-2, and A-3, the following guidelines shall be observed in considering applications for special permits required under this ordinance:

(i) The special permit shall be granted upon sound principles of land use;

(ii) The special permit shall not be granted if it will be detrimental to the public health, safety, or welfare, or if it would result in the creation of a nuisance;

(iii) The special permit use must be found by the Planning Commission to be in substantial compliance with the zoning and policy recommendations of the Sacramento Central City Comprehensive Plan. For purposes of this paragraph, a proposed use which does not strictly comply with density, area and setback requirements, or which proposes an industrial use in an area proposed for commercial uses may be found to be in substantial compliance with the zoning and policy recommendations of the Plan if the Planning Commission finds that the proposed project, as a whole, is compatible with the surrounding neighborhood and does not detract from or severely interfere with the attainment of the policies and intent of the Plan. The Planning Commission shall not find a project for a commercial or industrial use in an area proposed for residential use to be in substantial compliance with the Plan.

(b) In approving a special permit under this ordinance, the Planning Commission may attach such conditions on approval as it deems necessary to insure the proposed use will be in substantial compliance with the zoning and policy recommendations of the Sacramento Central City Comprehensive Plan, including but not limited to reducing density, increasing setback requirements, and requiring landscaping of the site.

(c) In lieu of the provisions of Section 15-C-2, an application for a special permit pursuant to this ordinance shall be accompanied by a filing fee of \$50.00.

(d) In lieu of the provisions of Section 15-D-4-a, a use for which a special permit is granted under this ordinance must be established within one year after the permit is issued. If the use is not so established the special permit shall be deemed to have expired and shall be null and void.

SECTION 4. Definitions.

For purposes of this ordinance, the following definitions shall apply:

(a) Central City shall mean that area within the City of Sacramento bounded by the Sacramento River on the west, the Southern

Pacific Railroad tracks on the north, Alhambra Boulevard on the east, including properties fronting the east side of Alhambra Boulevard, and Broadway on the south, including properties fronting the south side of Broadway.

(b) Sacramento Central City Comprehensive Plan shall mean that document so titled which has been recommended to the City Council for adoption by the City Planning Commission on January 21, 1980.

SECTION 5.

Notwithstanding any other provision of law, adoption of the Sacramento Central City Comprehensive Plan and the rezonings proposed therein by the City Council shall not invalidate or otherwise affect the validity of a special permit issued pursuant to this ordinance.

SECTION 6. Term.

This ordinance shall be effective for a period of six (6) months following the date of its enactment or until the Sacramento Central City Comprehensive Plan and proposed rezonings are adopted and in effect, whichever occurs first.

SECTION 7. Emergency.

This ordinance is hereby declared to be an emergency measure to take effect immediately. The facts constituting the emergency are that numerous development proposals in the Central City are in the process of being prepared and submitted to the City for evaluation and approval; that the City is currently updating the community plan and formulating new development policies for the Central City on a comprehensive basis; that the development proposals in the process of being prepared may be in conflict with the proposed community plan and policies; and that it is in the interests of the public health, safety and welfare to insure that no further development will be permitted in the Central City that is not in substantial compliance with the community plan update.

ENACTED:

EFFECTIVE:

MAYOR

ATTEST:

CITY CLERK



CITY OF SACRAMENTO

 CITY MANAGER'S OFFICE
RECEIVED

JAN 8 1980

CITY PLANNING DEPARTMENT

915 "I" STREET
CITY HALL - ROOM 308SACRAMENTO, CALIF. 95814
TELEPHONE (916) 449-5604ETHAN BROWNING, JR.
PLANNING DIRECTOR

January 8, 1980

 City Council
 Sacramento, California

Honorable Members in Session:

SUBJECT: Moratorium on Central City

SUMMARY

The City Planning Commission, on January 3, 1980, reviewed a draft ordinance which provides for a limited moratorium on developments proposed in selected portions of the Central City. An alternative approach was also presented by staff. This approach would use the Special Permit review procedures as a method of reviewing developments which may be inconsistent with the zoning recommended in the draft Central City Plan. The Commission approved a motion to recommend to the City Council the use of the review procedure rather than a limited moratorium. The motion further recommended the procedure be enacted after the Commission has acted on the draft plan.

BACKGROUND

The Planning staff previously expressed a concern regarding the possible approval of proposed developments which would be inconsistent with the draft Central City Plan. On December 11, 1979, the City Council expressed similar concerns. A Limited Moratorium Ordinance was prepared by staff and transmitted to the Planning Commission for review (attached). This draft ordinance would provide that a project which is consistent with the draft Central City Plan may proceed with development. A proposed development which is inconsistent with the zoning recommendations in the draft Central City Plan would be delayed for six (6) months, until adoption of the plan, or whichever came first. The ordinance also contains a provision which exempts any developments which are inconsistent but which have obtained certain specified entitlements from the City after January 1, 1979 and prior to the effective date of this ordinance. This draft ordinance was presented at the January 3, 1980 meeting of the Planning Commission.

Staff also presented an alternative of a Special Permit review requirement. Under this procedure, projects consistent with the zoning recommendations of the draft Central City Plan may proceed with development. Projects which are inconsistent would be required to submit for review and approval by the City. This is similar to the Major Projects Review Ordinance. Substantial public testimony was taken on both alternatives. After discussion of the matter, the Commission approved a motion

to recommend the use of the Special Permit review procedures to review projects which are inconsistent. The Commission further recommended that the procedure be implemented after the Commission has made their recommendation on the draft Central City Plan to the Council. The Commission is scheduled to complete their hearings on the plan on January 17, 1980. A draft ordinance representing the Commission's recommendation is currently being prepared by the City Attorney and Planning staff.

VOTE OF THE COMMISSION

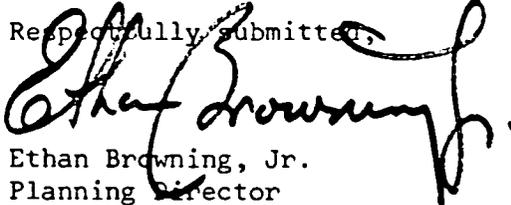
The motion carried by a vote of 5 ayes, 2 noes and 1 absent.

RECOMMENDATION

The Planning Commission and staff recommends the City Council:

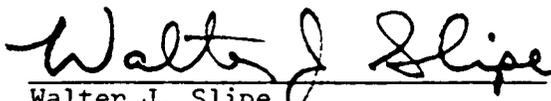
1. Implement a required Special Permit review procedure for developments that are inconsistent with the zoning recommendations of the draft Central City Plan.
2. The review procedure should start after the Commission has made their recommendation on the draft plan to the City Council.
3. This matter be set for City Council hearing on January 23, 1980.

Respectfully submitted,



Ethan Browning, Jr.
Planning Director

RECOMMENDATION APPROVED:



Walter J. Slipe
City Manager

ldc

January 8, 1980
Districts 1, 3 & 4



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DEC 21 1979

CITY PLANNING DEPARTMENT

915 "I" STREET

CITY HALL - ROOM 308

SACRAMENTO, CALIF. 95814

TELEPHONE (916) 449-5604

ETHAN BROWNING, JR.

PLANNING DIRECTOR

December 21, 1979

City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: Moritorium on Central City

SUMMARY

The City Planning Commission on December 20, 1979, reviewed the attached draft ordinance which provides for a limited moritorium on developments proposed in the Central City. This ordinance would affect developments which are inconsistent with the draft Central City Plan. The Planning Commission set the matter for hearing on January 3, 1980. They expressed great interest in considering the ordinance prior to Council action on the matter.

BACKGROUND

The Planning staff previously expressed concern regarding the possible approval of proposed developments which would be inconsistent with the draft Central City Plan. On December 11, 1979, the City Council expressed similar concerns. I indicated my intent to discuss a moritorium ordinance with the Planning Commission at their meeting of December 20, 1979. The City Council directed staff to return on December 26, 1979 with a report on this matter.

The attached draft ordinance provides that any project proposed within the Central City which is consistent with the proposed zoning map of the draft Central City Plan may be processed and building permits may be issued. Should a proposed project be inconsistent with the zoning map of the draft Central City Plan, applications may not be accepted or processed and building permits may not be issued. The exception is that any project which has received an entitlement from the City Planning Commission, Architectural Review Board, or City Council between the effective date of this ordinance and January 1, 1979, may proceed and building permits may be issued. A project for

which entitlements have been granted prior to January 1, 1979, are not exempt from this ordinance. Finally, the ordinance provides that this moratorium shall be in effect until the adoption of the Central City Plan or six months from the effective date of this ordinance, whichever comes first.

The Planning Commission discussed the matter on December 20, 1979. The Commission set the matter for hearing at their special meeting of January 3, 1980. Several of the Commissioners commented that the ordinance should be more restrictive. The Commission is seriously concerned with the possible approval of developments which may be inconsistent with the plan. They expressed concern that such an ordinance be considered by the City Planning Commission prior to City Council consideration of the matter.

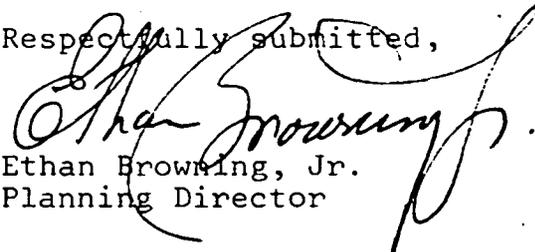
VOTE OF COMMISSION

At their special meeting of December 20, 1979, the City Planning Commission by a vote of eight ayes, one absent, recommended this draft moratorium ordinance be continued to the special meeting of January 3, 1980.

RECOMMENDATION

The staff and Planning Commission recommend that the Council continue this matter to their January 8, 1980 meeting.

Respectfully submitted,


Ethan Browning, Jr.
Planning Director

FOR TRANSMITTAL TO COUNCIL:

 for:
Walter J. Slipe, City Manager

EBj:jm
Attachment

December 26, 1979
District No. 1, 3, 4

AN ORDINANCE ESTABLISHING A SIX (6) MONTH MORATORIUM
ON DEVELOPMENT ENTITLEMENTS IN PORTIONS OF THE
CENTRAL CITY AND DECLARING SAID ORDINANCE TO BE AN
EMERGENCY MEASURE TO TAKE EFFECT IMMEDIATELY

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

SECTION 1.

The City Council hereby finds and determines that it is necessary to establish a moratorium on the approval of all development, and on the issuance of building permits for development, in those portions of the Central City which are being or may be considered for rezoning in conjunction with adoption of the Sacramento Central City Comprehensive Plan, as shown on the attached map of the Central City marked Exhibit A and incorporated herein by reference. The purpose of the moratorium is to insure, pending the completion of the updating of the community plan for the Sacramento Central City, that no development be permitted to proceed which may be inconsistent with the provisions of such plan upon adoption.

SECTION 2. Imposition of Moratorium.

(a) No applications for development entitlements, including but not limited to applications for tentative subdivision maps, special permits, variances, rezonings, general plan and community plan amendments, site plan review, architectural review, Preservation Board review, and building permits for the property located in the Central City indicated on the attached Exhibit A shall be accepted for filing, processed, approved or issued by the City Council, the City Planning Commission, or any department, officer, employee, board or commission of the City of Sacramento unless the proposed development is consistent with the zoning map of the Sacramento Central City Comprehensive Plan currently under consideration by the City.

(b) This ordinance shall not apply to any development for which approval of a tentative subdivision map, special permit, variance, rezoning, general plan or community plan amendment, site plan review, architectural review, or Preservation Board review by the City Council, the City Planning Commission, the Architectural Review Board, or the Preservation Board has been granted and was effective after January 1, 1979 and prior to the effective date of this ordinance.

SECTION 3. Definitions.

For purposes of this ordinance the following definitions shall apply:

(a) Central City shall mean that area within the City of Sacramento bounded by the Sacramento River on the west, the Southern Pacific Railroad tracks on the north, Alhambra Boulevard on the east, including properties fronting the east side of Alhambra Boulevard, and Broadway on the south, including properties fronting the south side of Broadway.

(b) Sacramento Central City Comprehensive Plan shall mean that document so titled and dated August, 1979, which is currently being considered for adoption by the City of Sacramento; and any amendments thereto now or hereafter recommended for adoption by the City Planning Commission or City Council.

SECTION 4. Term.

This ordinance shall be effective for a period of six (6) months following the date of its enactment or until the Sacramento Central City Comprehensive Plan and proposed rezonings are adopted and in effect, whichever occurs first.

SECTION 5. Emergency.

This ordinance is hereby declared to be an emergency measure to take effect immediately. The facts constituting the emergency are that numerous development proposals in the Central City are in the process of being prepared and submitted to the City for evaluation and approval; that the City is currently updating the community plan and formulating new development policies for the Central City on a comprehensive basis; that the development proposals in the process of being prepared may be in conflict with the proposed community plan and policies; and that it is in the interests of the public health, safety and welfare to insure that no further development will be approved in the Central City until the community plan update has been completed.

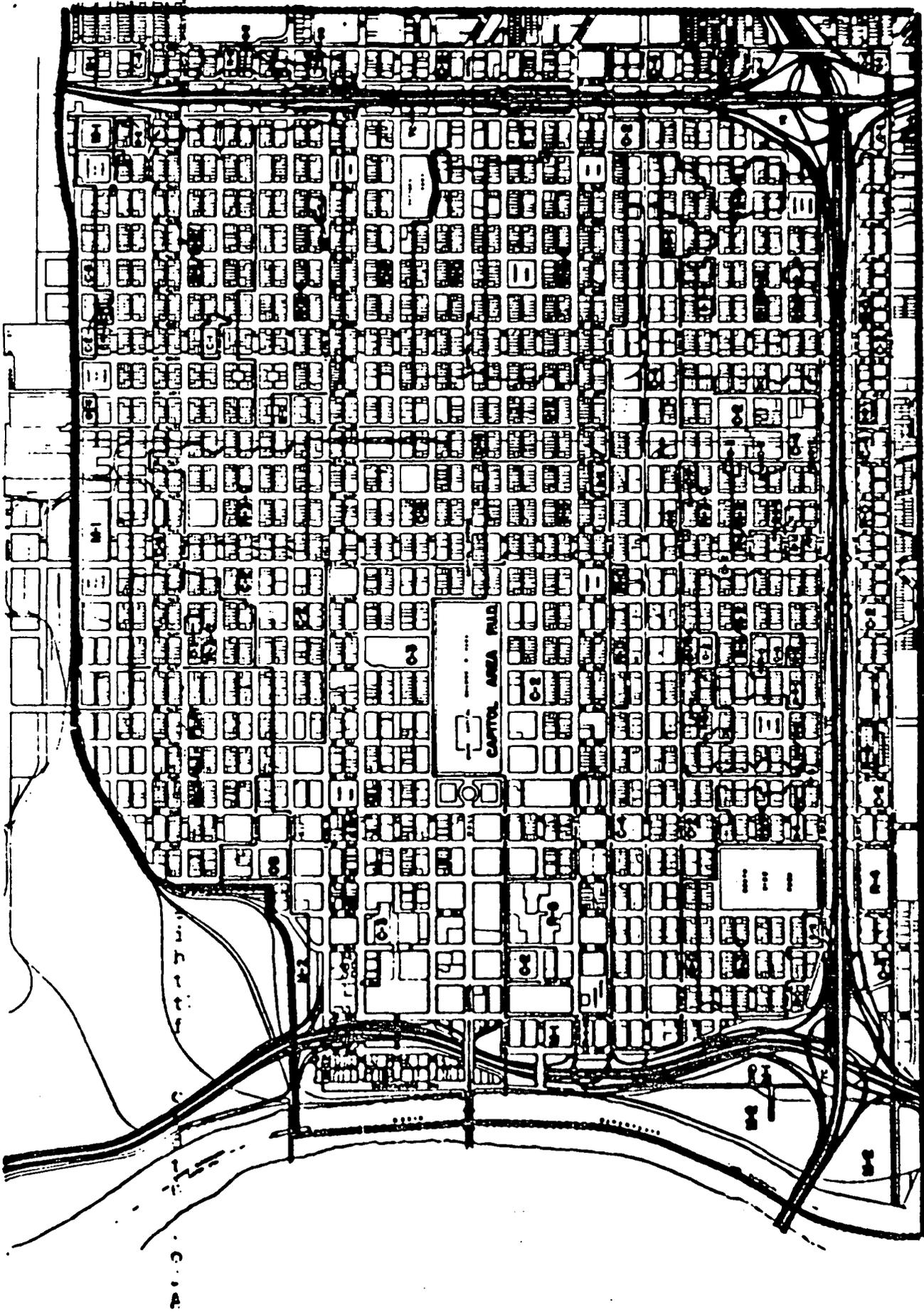
ENACTED:

EFFECTIVE:

ATTEST:

MAYOR

CITY CLERK



Scale in Feet
 1" = 100'

- Legend**
- 1-10 URBAN PROPOSED ZONING
 - 1-10a SMALL FAMILY OR TWO FAMILY
 - 1-10b LIGHT DENSITY MULTIFAMILY
 - 1-10c MEDIUM DENSITY MULTIFAMILY
 - 1-10d HEAVY DENSITY MULTIFAMILY
 - 1-10e RESIDENTIAL - OFFICE
 - 1-10f OFFICE BLDG USE
 - 2-10 LIMITED COMMERCIAL
 - 3-10 GENERAL COMMERCIAL
 - 4-10 CENTRAL BUSINESS DISTRICT
 - 5-10 LIGHT BUSINESS BLDG
 - 6-10 LIGHT INDUSTRIAL
 - 7-10 HEAVY INDUSTRIAL
 - 8-10 TRANSPORTATION CORRIDOR

**Central City
 Study**

CITY OF SACRAMENTO

INTER-OFFICE ROUTING

- | | | |
|---|--|--|
| <p>To:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Mayor / City Council Office <input type="checkbox"/> City Manager <input type="checkbox"/> Asst. City Manager <input type="checkbox"/> Asst. City Manager, Community Development <input type="checkbox"/> Asst. to City Manager <input type="checkbox"/> Public Information <input type="checkbox"/> City Clerk <input type="checkbox"/> Finance Administration <ul style="list-style-type: none"> <input type="checkbox"/> Revenues & Collections <input type="checkbox"/> Purchasing <input type="checkbox"/> Central Stores <input type="checkbox"/> Accounting <input type="checkbox"/> Utility Billing <input type="checkbox"/> Data Processing <input type="checkbox"/> City Treasurer <input type="checkbox"/> City Attorney <input type="checkbox"/> Planning Department <input type="checkbox"/> Personnel Administration <ul style="list-style-type: none"> <input type="checkbox"/> Employee Relations <input type="checkbox"/> Employee Services <input type="checkbox"/> Management Services <input type="checkbox"/> Personnel Selections <input type="checkbox"/> Training <input type="checkbox"/> Police Department | <p>To:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Fire Department <ul style="list-style-type: none"> <input type="checkbox"/> Fire Prevention <input type="checkbox"/> Weed Abatement <input type="checkbox"/> Emergency Planning <input type="checkbox"/> City Engineer <ul style="list-style-type: none"> <input type="checkbox"/> Asst. City Engr. Administration <input type="checkbox"/> Animal Control <input type="checkbox"/> Real Estate & Street Assessment <input type="checkbox"/> Facility Maintenance <input type="checkbox"/> Street Maintenance <input type="checkbox"/> Traffic - Parking <input type="checkbox"/> Water & Sewer <input type="checkbox"/> Building Inspection <input type="checkbox"/> Electrical Inspection <input type="checkbox"/> Plumbing Inspection <input type="checkbox"/> Community Improvement <input type="checkbox"/> Waste Removal <input type="checkbox"/> Equipment Maintenance | <p>To:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Museum & History Commission <input type="checkbox"/> Recreation & Parks Administration <ul style="list-style-type: none"> <input type="checkbox"/> Recreation <input type="checkbox"/> Parks <input type="checkbox"/> Golf <input type="checkbox"/> Zoo <input type="checkbox"/> Crocker Art Gallery <input type="checkbox"/> Library Administration <input type="checkbox"/> Housing and Redevelopment <input type="checkbox"/> Community Center <input type="checkbox"/> _____ <p>Note:</p> <ul style="list-style-type: none"> <input type="checkbox"/> For Your Information <input type="checkbox"/> Return with Recommendations <input type="checkbox"/> Please Comment <input type="checkbox"/> Prepare Draft and Return <input type="checkbox"/> Prepare Letter <input type="checkbox"/> Take Necessary Action <input type="checkbox"/> Investigate and Report <input type="checkbox"/> Per Your Request <input type="checkbox"/> Reply, Send Copy To: <ul style="list-style-type: none"> <input type="checkbox"/> _____ <input type="checkbox"/> _____ <input type="checkbox"/> _____ |
|---|--|--|

To: PLANNING DIRECTOR REFERRAL OF AGENDA ITEM, MEETING OF 1-22-80

Comments ITEM NO. 31: Moratorium on Central City:
A. Ordinances continued to 2-2-80.
B. Planning Director to return 2-5-80 with time schedule for
Central City Plan for Council hearing.

cc: City Attorney

Signature  Title or Dept. CITY CLERK Date 1-24-80
(1976)