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PLANNING AND BUILDING
DEPARTMENT

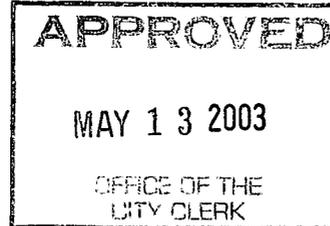
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April 29, 2003



City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: EMERGENCY INTERIM ORDINANCE ESTABLISHING A SPECIAL PERMIT REQUIREMENT FOR CERTAIN RESIDENTIAL AND NON-RESIDENTIAL USES IN THE DESIGNATED NORTHGATE BOULEVARD COMMERCIAL CORRIDOR, (M03-043)

LOCATION AND COUNCIL DISTRICT: General Commercial (C-2) properties located along Northgate Boulevard between Interstate-80 to the north and the Arden-Garden Connector to the south. Council District 1

RECOMMENDATION: Staff recommends that the City Council adopt the attached interim emergency ordinance to require a Planning Commission Special Permit for certain non-residential uses and establishes a Zoning Administrator Special Permit requirement for residential development in the Northgate Boulevard Commercial Corridor. As an emergency ordinance, this item requires at least two-thirds Council approval.

CONTACT PERSONS: Lucinda Willcox, Senior Planner, 264-5052
Stacia Cosgrove, Associate Planner, 264-7110

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

SUMMARY: The proposed emergency interim ordinance is an action item in the Gardenland-Northgate Strategic Neighborhood Plan (SNAP), approved by the City Council in March 2003. Under the current provisions of the City's Zoning Ordinance there are a broad range of non-residential uses permitted in commercial corridors as a matter of right. Some of these non-residential uses raise design and compatibility issues with surrounding residential uses, frustrating commercial corridor and neighborhood revitalization efforts. The proposed interim emergency ordinance would require a Special Permit for certain uses in the C-2 zone within the Northgate Boulevard Commercial Corridor.

The proposed ordinance would also streamline the process of allowing residential uses on Northgate Boulevard in the C-2 zone by requiring a Special Permit issued by the Zoning Administrator instead of the Planning Commission. The interim emergency ordinance amendments would be in effect until Council's decision regarding the recommendations contained in the citywide Commercial Corridor Revitalization Strategy, anticipated to be brought before the Council in August/September 2003.

COMMITTEE/COMMISSION ACTION: None

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. Staff anticipates bringing the Commercial Corridor Revitalization Strategy forward for Council consideration in August/September 2003.

On March 25, 2003, City Council accepted the Gardenland-Northgate Strategic Neighborhood Action Plan (SNAP) and authorized staff to proceed with its implementation, including moving forward with an emergency interim ordinance for Northgate Boulevard, similar to that in place on Marysville and Franklin Boulevards. Northgate Boulevard has a predominance of auto-related commercial uses and the community desires to promote more neighborhood-serving, attractive commercial, and mixed-use developments on the corridor.

The proposed emergency interim ordinance for Northgate Boulevard affects General Commercial (C-2) zoned properties within 500 feet of Northgate Boulevard. 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. Check cashing facility;
6. Tire sales- new or used;
7. Pawn shops; and
8. Towing facilities.

The proposed emergency interim ordinance also seeks to promote mixed-use development in the Northgate Boulevard Commercial Corridor. Streamlining the process for building residential development in commercial zones may serve to revitalize a commercial corridor while being compatible with nearby and adjacent residential uses. This Ordinance seeks to encourage appropriate residential development in the Northgate Boulevard Commercial Corridor by streamlining the entitlement process. The ordinance will require a special permit approved by the Zoning Administrator for residential uses for projects of 100 units or less in the C-2 zone until such time as staff brings forward the amendments contained in the Commercial Corridor Revitalization Strategy in August/September 2003.

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 such as Northgate Boulevard. 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)

The South Natomas Community Plan recognizes the Northgate Boulevard area as, "one requiring unique guidance to revitalize commercial areas and protect viable residential sites." (SNCP, pg.21)

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. This action implements an approved neighborhood plan.

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

Table of Contents

Emergency Ordinance	Page 5
Exhibit 1- Northgate Boulevard Commercial Corridor: Map of Affected Parcels	Page 10
Exhibit 2- List of Affected Properties by Parcel Number	Page 11
Attachment A: Commercial Corridor Revitalization Strategy Overview	Page 12



ORDINANCE NO. 2003-019

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON THE DATE OF _____

AN INTERIM ORDINANCE ESTABLISHING A SPECIAL PERMIT REQUIREMENT FOR SPECIFIED RESIDENTIAL AND NON-RESIDENTIAL DEVELOPMENT WITHIN THE NORTHGATE BOULEVARD COMMERCIAL CORRIDOR, AND DECLARING THE ORDINANCE TO BE AN EMERGENCY MEASURE TO TAKE EFFECT IMMEDIATELY (M03-043)

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

SECTION 1. Findings

The City Council for 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 certain 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 the City Zoning Code and to the review of residential projects in those zones.

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- 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 Ordinance, 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 Northgate Boulevard Commercial Corridor 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.
- G. Under the current provisions of the City's Zoning Ordinance, residential uses in the General Commercial (C-2) zone require a Planning Commission Special Permit. It is consistent with the goals and policies in the General Plan to promote residential infill development that contributes positively to the surrounding area and meets neighborhood goals. It is also consistent with the goals of the Commercial Corridor Revitalization Strategy to promote reinvestment through project approval streamlining.
- H. Pursuant to this Ordinance, residential uses consisting of 100 units or less in the General Commercial (C-2) zone within the Northgate Boulevard Commercial Corridor will require a special permit approved by the Zoning Administrator while zoning ordinance amendments associated with the Commercial Corridor Revitalization Strategy are prepared and considered for adoption.

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ORDINANCE NO.: _____ 6

DATE ADOPTED: _____

SECTION 2.

- A. "Northgate Boulevard Commercial Corridor" means the area consisting of all C-2 zoned parcels that abut, and all C-2 zoned parcels that all, or in part, are located within 500 feet of Northgate Boulevard from Interstate 80 to the north to the Arden-Garden Connector to the south, as shown on the map and parcel listing attached hereto as Exhibits 1 and 2 respectively.

- B. Except as otherwise provided herein, uses permitted in the C-2 zone outside of the Northgate Boulevard Commercial Corridor, shall be permitted in the Northgate Boulevard Commercial Corridor. If this title requires the approval of a special permit or other discretionary entitlement(s) to establish a particular use in the C-2 zone outside of the Northgate Boulevard Commercial Corridor, approval of the same discretionary entitlement(s) shall be required to establish the use within the C-2 zone within the Northgate Boulevard Commercial Corridor.

- C. Notwithstanding any other provisions of this code, to the extent each of the uses listed below is permitted in the C-2 zone outside of the Northgate Boulevard Commercial Corridor a special permit approved by the Planning Commission shall be required to establish that use within the Northgate Boulevard Commercial Corridor:
 - 1. Auto sales--new or used;
 - 2. Auto service, repair, storage or rental;
 - 3. Equipment rental, sales;
 - 4. Gas Station;
 - 5. Check cashing facility;
 - 6. Tire sales--new or used;
 - 7. Pawn shops; and
 - 8. Towing facilities.

- D. Notwithstanding any other provision of this code, residential projects of 100 or fewer units within the Northgate Boulevard Commercial Corridor are permitted, subject to a special permit approved by the Zoning Administrator.

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, permanent regulations for the Northgate Boulevard Commercial Corridor.

This Ordinance seeks to encourage appropriate residential development in the Northgate Boulevard Commercial Corridor by streamlining the entitlement process by requiring a special permit approved by the Zoning Administrator for residential uses for projects of 100 units or less in the C-2 zone until

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ORDINANCE NO.: _____ 7

DATE ADOPTED: _____

such time as staff has the opportunity to promulgate, and the Council has an opportunity to consider, new regulations for the Northgate Boulevard Commercial Corridor.

It is anticipated that the Commercial Corridor Revitalization Strategy zoning ordinance amendments affecting the Northgate Boulevard Commercial Corridor and necessary CEQA documentation will be submitted to the Council for consideration by August 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 zoning ordinance by the Council.

Under the current provisions of the City's Zoning Ordinance, 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.

Streamlining the process for locating housing and mixed use projects within commercial zones in the corridor is consistent with General Plan infill goals and policies, including the City's Smart Growth Principles, and can assist in avoiding the development of potential housing and mixed use sites with commercial uses permitted by right, due to processing times and costs.

It is therefore appropriate to require that a special permit be required for certain non-residential uses and to require a special permit by the Zoning Administrator for specified residential uses within the Northgate Boulevard Commercial Corridor, pending the consideration of the Zoning Ordinance 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.

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.

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ORDINANCE NO.: _____ 8

DATE ADOPTED: _____

DATE ENACTED:

DATE EFFECTIVE:

MAYOR

ATTEST:

CITY CLERK

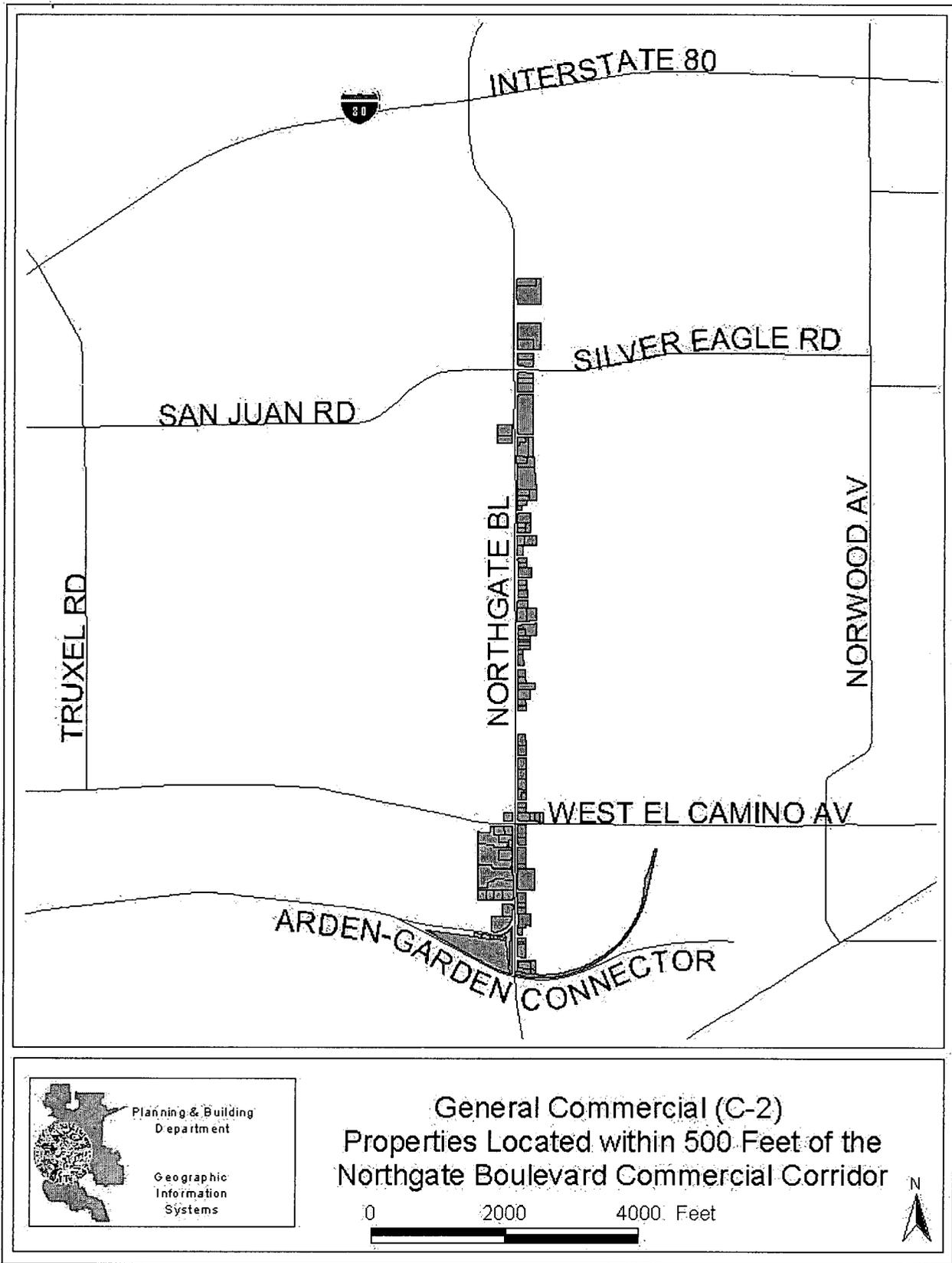
Exhibit 1- Northgate Boulevard Commercial Corridor: Map of Affected Properties
Exhibit 2- List of Affected Properties by Parcel Number

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ORDINANCE NO.: _____ 9

DATE ADOPTED: _____



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ORDINANCE NO.: _____

DATE ADOPTED: _____

NORTHGATE BOULEVARD COMMERCIAL CORRIDOR: AFFECTED PROPERTIES**Assessor's Parcel Numbers for General Commercial (C-2) Zoned Properties Located Within 500 Feet of the Northgate Boulevard Commercial Corridor:**

250-0121-043	262-0102-027	274-0110-040
250-0121-045	262-0103-014	274-0110-043
250-0121-049	262-0103-017	274-0110-044
250-0121-051	262-0121-001	274-0110-045
250-0160-026	262-0121-006	274-0110-046
250-0160-027	262-0121-007	274-0110-052
250-0160-036	262-0121-008	274-0110-053
250-0160-037	262-0121-037	274-0131-029
250-0160-038	262-0121-038	274-0131-030
250-0240-069	262-0122-001	274-0132-001
250-0240-070	262-0122-019	274-0132-002
250-0240-071	262-0122-021	274-0151-025
250-0240-072	262-0171-004	274-0152-001
262-0015-015	262-0171-005	274-0152-002
262-0015-016	262-0171-019	274-0152-003
262-0030-001	262-0211-022	274-0171-005
262-0030-010	262-0211-023	274-0171-026
262-0030-011	262-0212-001	274-0172-001
262-0030-012	262-0212-002	274-0172-002
262-0030-013	262-0243-056	274-0172-044
262-0030-014	262-0251-001	274-0173-029
262-0061-001	262-0251-002	274-0173-033
262-0061-002	262-0251-003	274-0173-034
262-0062-001	262-0252-001	274-0173-041
262-0062-016	262-0252-002	274-0190-001
262-0062-017	262-0252-032	274-0243-006
262-0062-018	262-0252-033	274-0243-007
262-0063-008	262-0252-034	274-0245-004
262-0063-009	262-0252-042	274-0245-005
262-0081-001	274-0110-005	274-0245-007
262-0082-001	274-0110-008	274-0245-012
262-0082-002	274-0110-009	
262-0082-027	274-0110-010	
262-0083-010	274-0110-011	
262-0083-011	274-0110-013	
262-0101-001	274-0110-029	
262-0102-001	274-0110-030	
262-0102-025	274-0110-031	

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DATE ADOPTED: _____

City of Sacramento Planning Division
DRAFT 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 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 all of the City's commercial corridors. Development of a commercial corridor design principles document and subsequent commercial design checklist 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, all neighborhood commercial corridors can immediately benefit from regulations and incentives geared toward revitalizing these corridors. The amendments will impose special permit requirements for certain uses including auto sales and service, auto storage and rental, check cashing, used tire sales, pawn shops, RV sales, and equipment rental. 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 can use in designing projects and by which staff can use to determine commercial design sufficiency, 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 Design Checklist (Phase II)

In the second phase of the commercial corridor revitalization effort, a checklist for commercial projects (subject to building permit only) will be developed to ensure a minimum level of design for all projects proposed in the C-1 and C-2 zones. This checklist would be used by staff to approve commercial projects over the counter. If a project fails to meet the checklist, the applicant may choose to submit a staff-level design review application for the project. The Checklist is anticipated to be completed after adoption of the zoning code amendments and Commercial Corridor Design Principles document.

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.