



REPORT TO LAW & LEGISLATION COMMITTEE City of Sacramento

915 I Street, Sacramento, CA 95814-2671

STAFF REPORT
January 5, 2012

Honorable Members of the
Law and Legislation Committee

Title: Entitlement Extension 2012 (M11-029)

Location/Council District: Citywide/All

Recommendation: Staff recommends that the Law and Legislation Committee review and recommend approval of the proposed ordinance and forward their recommendation to the City Council.

Contact: Sandra Yope, Senior Planner (916) 808-7158; Joy Patterson, Principal Planner (916) 808-5607

Presenters: Sandra Yope, Senior Planner (916) 808-7158

Department: Community Development

Division: Current Planning

Organization No: 21001010

Description/Analysis

Issue: On January 27, 2009, the City Council granted a three year extension to all active planning entitlements, including Design Review and Preservation approvals, due to the economic conditions at the time. There are many projects that will face expiration of their entitlement approvals in the near future. The economic conditions still have not improved. Land development in the City continues to be negatively impacted by the persistent nationwide economic recession.

The proposed ordinance applies citywide and grants a three year extension from the date of adoption of the ordinance to all planning entitlements except subdivision and parcel maps. This will grant a further extension to previously approved entitlements in order to preserve the financial investment expended on proposed projects until economic conditions favor completion.

Policy Considerations: This ordinance is consistent with the City Council focus areas of Economic Development and Sustainability and Livability.

Environmental Considerations:

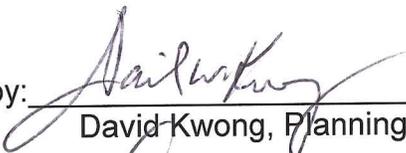
California Environmental Quality Act (CEQA): The proposed ordinance is exempt from the provisions of the California Environmental Quality Act (CEQA) under Section 15061(b) (3).

Sustainability Considerations: This ordinance will extend the life of existing development entitlements. There are no effects or changes to sustainability impacts.

Rationale for Recommendation: Approving an extension of all planning entitlements for three years citywide will be a citywide economic incentive. Adoption of the ordinance preserves development costs already expended by applicants, such as design and engineering work and fees, until a more favorable economy allows completion of a project. Additionally, the extension will allow a shorter time to resume work once conditions change, as previous entitlements will not need to be either extended or resubmitted for a new approval.

Financial Considerations: No additional City funding is required.

Emerging Small Business Development (ESBD): No goods or services are requested for this service.

Respectfully Submitted by: 
David Kwong, Planning Manager

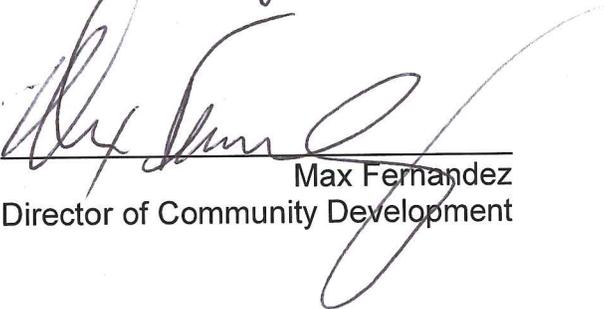
Approved by: 
Max Fernandez
Director of Community Development

Table of Contents:

Pg	1	Report
Pg	3	Attachment

Attachment

Pg	3	1. Ordinance to Extend Entitlements
----	---	-------------------------------------

Attachment 1: Ordinance to Extend Entitlements

ORDINANCE NO.

Adopted by the Sacramento City Council

Date Adopted

**AN ORDINANCE GRANTING A THREE YEAR EXTENSION
OF CERTAIN LAND USE ENTITLEMENTS (M11-029)**

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

SECTION 1.

The City Council finds and declares as follows:

- A. In response to the negative effects of the economic downturn and the constriction of the credit market on land development within the City, the City Council adopted Ordinance No. 2009-008 and Ordinance No. 2011-001 to grant additional time to the term of land use entitlements that were valid and not expired as of the effective date of Ordinance 2009-008, thereby preserving the “shovel-ready” development opportunities created by these entitlements. Ordinance No. 2011-001 shall expire by its own terms on August 26, 2012, three years and six months from the effective date of Ordinance No. 2009-008.
- B. Land development in the City continues to be negatively impacted by the persistent nationwide economic recession. The City Council desires to protect against the potential loss of the “shovel ready” development opportunities were these entitlements to expire, and so adopts this Ordinance to again grant additional time to the term of these entitlements.

SECTION 2.

Notwithstanding the provisions of Title 17 of the Sacramento City Code (the Zoning Code) to the contrary, the period of time within which to obtain a building permit and commence construction, or to establish a use, under sections 17.132.320 (design review), 17.134.340 (preservation certificate of appropriateness), 17.212.100 (special permit), 17.216.050 (variance), and 17.220.060 (plan review) of the Zoning Code, including any extensions thereof, shall not include the period of time from February 24, 2012, to February 23, 2015. This section shall apply only to design review approvals, certificates of appropriateness, special permits, variances, and plan reviews that were valid and not expired as of February 24, 2012.

SECTION 3.

This Ordinance is enacted by the City Council as an interim ordinance, without notice and hearing before the Planning Commission and City Council as otherwise required by Section 17.208.010 of the City's Zoning Code. It is anticipated that the economic conditions that are impacting land development will improve within the three year period from the effective date of this Ordinance. Therefore, this Ordinance shall remain in effect for a three year period ending February 23, 2015, after which time it shall expire and shall be of no further force or effect.

SECTION 4.

Ordinance No. 2011-001 shall be repealed on the effective date of this Ordinance.