



APPROVED
BY THE CITY COUNCIL

JUN 30 1998

OFFICE OF THE
CITY CLERK

3.2

NEIGHBORHOODS, PLANNING AND
DEVELOPMENT SERVICES
DEPARTMENT

CITY OF SACRAMENTO
CALIFORNIA

1231 I STREET
ROOM 300
SACRAMENTO, CA
95814-2904

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

June 22, 1998

City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: M96-029 GATED DEVELOPMENT ORDINANCE

LOCATION/COUNCIL DISTRICT: Citywide (All Districts)

RECOMMENDATION: Planning Staff and the City Planning Commission recommend that the City Council adopt the attached Ordinance amending Section 3-D-10 of the Comprehensive Zoning Ordinance, related to Gated Developments.

CONTACT PERSON: Dawn Holm, Associate Planner, 264-5851,
Barbara Wendt, Senior Planner, 264-5935

FOR COUNCIL MEETING OF: June 30, 1998 (afternoon session)

SUMMARY: The Gated Development Ordinance implements the policy approach that was previously approved by the City Planning Commission and the City Council. The Ordinance adds a provision to the City Zoning Ordinance that will regulate gated development by requiring a Special Permit from the Planning Commission and by establishing: 1) Design Standards and Requirements; 2) Prohibitions on gating under some circumstances; and 3) Evaluation criteria. A Special Permit would be required for placement of new gates at vehicular entrances to residential developments of three or more dwelling units and commercial and industrial developments that will restrict public access during business hours. Gated projects that are initiated by the City Council or a City Agency/ Department are exempt from these requirements.

COMMITTEE/COMMISSION ACTION: On March 12, 1998, the City Planning Commission moved to put the item on the consent calendar and unanimously voted to approve the Ordinance.

BACKGROUND: Because of the recent controversy over requests for gated developments, the City Council directed staff to prepare a Gated Development Policy. Following this direction, staff conducted research, consulted interested parties and then prepared a Draft Gated Development Policy. In 1997, the City Planning Commission and the City Council unanimously approved the Policy.

The Gated Development Ordinance implements the Policy that was approved by City Council. The Ordinance is designed to require a case-by-case review of future gated development projects to ensure compatibility with the surrounding community. The main features of the Ordinance are listed below.

1. All new gated entrances for residential development with three or more dwelling units and commercial and industrial developments that will restrict vehicular public access during business hours will require a Special Permit from the City Planning Commission. Existing developments requesting gates will also be subject to the Special Permit requirement. (The Special Permit fee will not be charged if other entitlements are required that cover the time and cost of processing the project application.);
2. Gated projects will be required to meet specific Design Standards and Guidelines to ensure that they are well designed and efficiently operated. These Standards and Guidelines are contained in the attached Draft Ordinance;
3. Gates will be prohibited in locations that block access to public resources (such as parks or waterways) or interfere with existing or proposed transportation/circulation plans; and
4. The following evaluation criteria will be used by the Planning Commission in analyzing gated projects:
 - a. Will the proposed gate block public access to any existing or proposed park, waterway, school, community center or any other public facility?
 - b. Will existing or proposed automobile traffic circulation systems or patterns be modified by the proposed gated project?
 - c. Will the proposed gate block public access to any existing or proposed public bike trails or pedestrian pathways?

Gated Development Policy - M96-029
June 22, 1998

- d. Is there a concentration of gated developments in the vicinity of the proposed project?
- e. For projects along the Sacramento River: What is the distance from an existing public access to the River?


FINANCIAL CONSIDERATIONS: None

ENVIRONMENTAL CONSIDERATIONS: The proposed Policy is exempt from environmental review in accordance with State CEQA Guidelines (CEQA Section 15061(b)(3)).

POLICY CONSIDERATIONS: The proposed Ordinance adds discretionary review authority to projects with gates. The details of the review authority are outlined in the attached Ordinance.

MBE/WBE EFFORTS: None

Respectfully submitted,



GARY STONEHOUSE, PLANNING DIRECTOR

RECOMMENDATION APPROVED:

FOR CITY COUNCIL INFORMATION
WILLIAM H. EDGAR
CITY MANAGER



JACK CRIST, DEPUTY CITY MANAGER
PLANNING & DEVELOPMENT
DEPARTMENT

APPROVED
BY THE CITY COUNCIL

JUN 30 1998

OFFICE OF THE
CITY CLERK

ORDINANCE NO. 98-025

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

AN ORDINANCE ADDING SECTION 3-D-10 TO THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SACRAMENTO, ORDINANCE NO. 2550, FOURTH SERIES, AS AMENDED, RELATING TO REVIEW PROCEDURES, STANDARDS AND GUIDELINES TO ALLOW THE ESTABLISHMENT OF GATED DEVELOPMENTS. (M96-029)

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO

Section 1.

The Comprehensive Zoning Ordinance of the City of Sacramento (Ordinance No. 2550, Fourth Series, as amended) is hereby amended by adding thereto Section 3-D-10 to read as follows:

10. **Gated Developments:** These regulations establish a supplemental review and approval procedure for placing gates at vehicular entrances to residential and non-residential developments. The regulations established under this section shall not supersede the provisions of Section 3-D-7 (Wall and Fence Regulations).
 - a. **Residential Developments - One and Two Family Dwelling Units:** One and two family dwelling units located on one parcel, are permitted to construct gates across driveways provided that the gates are located a minimum of twenty feet (20) behind the public right-of-way, will not swing into a public or private street or alley and are constructed consistent with Section 38.13 of the Sacramento City Code, relating to streets and sidewalks.
 - b. **Residential Developments - Three or More Dwelling Units:** Except as provided under "Exceptions" below, a Special Permit shall be required to establish gates at private vehicular entrances.

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DATE ADOPTED: _____

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- c. **Non-Residential Developments:** Except as provided under "Exceptions" below, all non-residential developments, shall obtain a Special Permit in order to establish gate(s) at private vehicular entrances that will be closed during business hours, will result in a fully enclosed development (i.e., gates and fencing around the perimeter of the development), or will close off access to public streets.
- d. **Exceptions:**
- (1) No Special Permit shall be required to establish gates on a Sacramento Housing and Redevelopment Agency (SHRA) project, or on projects where the requirement for gates is initiated by the City Council or a City Department and approved by the City Council.
 - (2) Non-residential developments are permitted to construct gates, posts and cable or other equipment across driveways to prevent vehicular access provided the entire property is not enclosed by fencing. To meet this exception, the following standards shall be complied with:
 - (a) Gate designs shall include emergency hardware to ensure proper emergency access to the satisfaction of the City Fire and Police Departments.
 - (b) "Anti-Directional" devices (i.e., metal spikes that can cause tire damage) at entrances and exits are prohibited.
 - (c) Driveways shall not be blocked by gates, cables or other devices during business hours.
- e. **Special Permit:** A Planning Commission Special Permit shall be required to establish gated development projects as described above. Planning staff and the Planning Commission shall use the following information in reviewing all gated development requests:
- (1) **Findings:** A Special Permit to establish gates shall not be approved unless the Planning Commission finds that:
 - (a) The project will not impede public access to a public resource or interfere with existing or planned traffic circulation patterns.

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- (b) The project is consistent with City regulations and guidelines relating to the establishment of gated developments.
 - (c) The project is consistent with the objectives of the General Plan, Community Plan, or other local plan for the area in which the project is to be located.
 - (d) The project will not be detrimental to the public health, safety, or welfare, or result in the creation of a nuisance.
- (2) **Standards:** The following standards shall be used by the Planning Commission in analyzing the design of gated developments. Deviation from these standards shall require a Variance in addition to the Special Permit.
- (a) Design and location of gates shall be consistent with Chapter 38.13 of the Sacramento City Code, relating to streets and sidewalks.
 - (b) Gated entrances shall be designed to allow vehicles to turn around within the driveway, without backing into the adjacent street (except on minor local streets).
 - (c) Gates shall be designed to provide 24-hour access by authorized maintenance and service providers (such as: Public Works, Utilities, Mail and parcel delivery and Cable).
 - (d) Gate designs shall include emergency hardware to ensure proper emergency access to the satisfaction of the City Fire, Police, Public Works and Utilities Departments.
 - (e) One pedestrian access gate shall be provided at each gated driveway entrance.
 - (f) "Anti-Directional" devices (i.e., metal spikes that can cause tire damage) at entrances and exits are prohibited.
 - (g) Covenants, Conditions and Restrictions (CC&Rs), shall be established and recorded for the gated development. The CC&R's shall identify, and at all times keep in effect, a legal entity responsible for maintaining the gates and associated features.

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- (3) **Guidelines.** The following guidelines shall be used by the Planning Department in analyzing the adequacy of the design of gates placed at entrances to development projects. Noncompliance with these standards will not require a Variance. However, noncompliance may be grounds to require redesign of the project.
- (a) Entrances must meet the following width requirements unless otherwise approved by the Fire Department. Dual gates should be at least 16' wide on each side; single gates should be at least 20' wide.
 - (b) Adequate stacking room should be provided between the gated entrance and the gate controller to avoid vehicular stacking across sidewalks, streets, bike paths and similar facilities.
 - (c) Gates should be constructed of decorative, ornamental iron.
 - (d) The style and color of gates and other enclosures should be coordinated with nearby structures.
 - (e) Swing-gates are encouraged. Gate hinges may be located on one or both sides of the driveway.
 - (f) Sliding-gates are discouraged.

DATE PASSED FOR PUBLICATION:
DATE ENACTED:
DATE EFFECTIVE:

MAYOR

ATTEST:

CITY CLERK

(M96-029)

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CALIFORNIA

1231 I STREET
ROOM 300
SACRAMENTO, CA
95814-2904

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

June 15, 1998

City Council
Sacramento, California

PASSED FOR
PUBLICATION
& CONTINUED
TO 06-30-98

Honorable Members in Session:

SUBJECT: AN ORDINANCE ADDING SECTION 3-D-10 TO THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SACRAMENTO, ORDINANCE NO. 2550, FOURTH SERIES, AS AMENDED, RELATING TO REVIEW PROCEDURES, STANDARDS AND GUIDELINES TO ALLOW THE ESTABLISHMENT OF GATED DEVELOPMENTS (M96-029)

LOCATION AND DISTRICT: Citywide

RECOMMENDATION:

It is recommended that the item be passed for publication of title and continued to June 30, 1998.

CONTACT PERSON: Dawn Holm, Associate Planner, 264-5851

FOR COUNCIL MEETING OF: June 23, 1998

SUMMARY:

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

Gated Developments - M96-029
June 15, 1998

BACKGROUND INFORMATION:

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


Respectfully submitted,



GARY L. STONEHOUSE
PLANNING DIRECTOR

FOR CITY COUNCIL INFORMATION:
WILLIAM H. EDGAR
CITY MANAGER

APPROVED:



JACK CRIST, DEPUTY CITY MANAGER
NEIGHBORHOODS, PLANNING AND
DEVELOPMENT SERVICES
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ORDINANCE NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

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- c. **Non-Residential Developments:** Except as provided under "Exceptions" below, all non-residential developments, shall obtain a Special Permit in order to establish gate(s) at private vehicular entrances that will be closed during business hours, will result in a fully enclosed development (i.e., gates and fencing around the perimeter of the development), or will close off access to public streets.
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- (b) The project is consistent with City regulations and guidelines relating to the establishment of gated developments.
 - (c) The project is consistent with the objectives of the General Plan, Community Plan, or other local plan for the area in which the project is to be located.
 - (d) The project will not be detrimental to the public health, safety or welfare, or result in the creation of a nuisance.
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(M96-029)

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