

APPROVED
BY THE CITY COUNCIL

JUL 29 1997

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CITY CLERK



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DEPARTMENT OF
PLANNING AND DEVELOPMENT

CITY OF SACRAMENTO
CALIFORNIA

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PLANNING SERVICES
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July 2, 1997

City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: M96-029 GATED DEVELOPMENT POLICY

LOCATION/COUNCIL DISTRICT: Citywide (All Districts)

RECOMMENDATION:

Staff recommends that the City Council approve the Gated Development Policy and direct staff to prepare implementing documents for Planning Commission recommendation and City Council approval.

CONTACT PERSON: Barbara Wendt, Senior Planner, 264-5935

FOR COUNCIL MEETING OF: July 29, 1997 (evening session)

SUMMARY:

The proposed policy regulates 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 entrances to residential developments of two or more dwelling units and all commercial and industrial developments. Gated projects that are initiated by the City Council or a City Agency/ Department would be exempt from these requirements.

COMMITTEE/COMMISSION ACTION:

On June 26, 1997, the City Planning Commission moved to put the item on the consent calendar and unanimously voted to approve the Policy.

On July 8, 1997, the Bicycle Advisory Committee voted to oppose the Draft policy because of their objection to gated development.

BACKGROUND:

Because of the recent controversy over requests for gated developments, the City Council has directed staff to prepare a Gated Development Policy. Following this direction, staff contacted other jurisdictions and interested parties to identify issues and gather ideas for policy approach options. The following sections summarize the information compiled and the resulting recommended Policy.

A. Community/Business Outreach:

Written notification was sent to 450 neighborhood and business organizations indicating the City was in the process of developing a Gated Development Policy. Staff received 35 responses which included comments about the pros and cons of "gating." In general, neighborhood organizations had concerns about creating barriers within communities. Developers and home builders support gated residential developments because they offer a unique, often "upscale" housing type and because gated developments are in demand by many home buyers (See "Issues" section below for more information). Notices of the scheduled public hearing were sent to everyone who provided comments. A list of persons and organizations who commented is included as Attachment A.

B. City Department Coordination:

The Gated Development Policy was developed in cooperation with Staff from Planning and Development, Neighborhood Services, Police, Fire, Public Works and Utilities. The Policy as proposed, is supported by all City Departments listed above.

C. Issues:

As applications for gated development have increased, controversy has grown. The issues related to gating fall into two general categories that are described below.

Arguments against gated development center around the idea that walls create physical and social barriers in communities. These barriers are viewed as a disruption to the physical and social flow between neighborhoods and result in small isolated subdivisions that are not part of the

surrounding community. Gates block access to public amenities such as parks, schools and waterways and discourage pedestrian and bicycle access. Gated developments can also pose access problems for service providers, delivery personnel and emergency vehicles.

Those in favor argue that gated residential development represents an important product in the housing market and that Sacramento will lose a share of this market to surrounding areas if gated developments are discouraged. Well-designed homes within gates are considered to be a valued housing opportunity for residents in the City. Developers indicate that housing within gated developments sell faster and have a higher sales value than houses that are not. Some also argue that within gated communities, there is a sense of cohesiveness.

D. Policies in other Jurisdictions:

Prior to developing a Draft Gated Development Policy, staff conducted research to identify other jurisdictions that have policies related to gating. The majority of jurisdictions contacted indicated that gating was a topic of debate, but because of the difficulty formulating a specific policy, projects are reviewed on a case-by-case basis. Attachment B provides examples of Gated Development policies in other jurisdictions.

E. Draft Policy:

After consideration of issues, policies from other jurisdictions and comments from interested parties, staff developed a Draft Gated Development Policy for consideration by the Planning Commission, the City Council and the public. The Policy approach is built on the recommendation that all future gated development projects should be analyzed on a case-by-case basis to ensure compatibility with the surrounding community. The elements of the proposed policy are listed below.

1. All new gated entrances for residential development with more than two dwelling units and all commercial and industrial developments will require a Special Permit from the City Planning Commission. Existing developments requesting gates would also be subject to the Special Permit requirement. (The Special Permit fee will not be charged if other entitlements are required for the project that cover the time and cost of processing the project application.)
2. Gated projects would be required to meet specific Design Standards and Guidelines to ensure that they are well designed and efficiently operated. These are listed in Attachment C.

Some existing City requirements may also apply to gated developments. Attachment D lists the most applicable policies and regulations. Complete information about these existing requirements is provided in the following documents:

1. City Zoning Ordinance, Section 3.1 Wall regulations, and Section 3-D-7 Wall and Fence regulations;
 2. Private Streets Policy (Reso. No. 93-110); and
 3. Sacramento River Parkway Plan.
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.
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. For projects along the Sacramento River: Are adequate public access opportunities available in the vicinity of the proposed gated project?
 - c. Will existing or proposed automobile traffic circulation systems or patterns be modified by the proposed gated project?
 - d. Will existing or proposed bicycle or pedestrian circulation systems or patterns be modified by the proposed gated project?
 - e. Is there a concentration of gated developments in the vicinity of the proposed project?

F. Existing Regulations Related to Gating:

Currently, the placement of gates themselves does not require discretionary City approval. However, the formation of a private street subdivision requires City Planning Commission or City Council approval of a street abandonment, tentative map and/or subdivision modification.

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The City's Private Streets Policy establishes design standards, guidelines and owner responsibility for maintaining private streets and utilities. Although these regulations allow review of the majority of gated projects, the focus is not on design and compatibility within communities and some projects are not reviewed at all.

FINANCIAL CONSIDERATIONS:

None

ENVIRONMENTAL CONSIDERATIONS:

The proposed Policy is exempt from environmental review pursuant to State CEQA Guidelines (CEQA Section 15061(b)(3)).

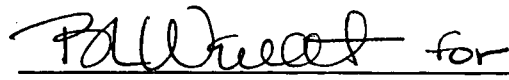
POLICY CONSIDERATIONS:

The proposed policy would add discretionary review authority to projects with gates. The policy is described in the "Background" section.

MBE/WBE EFFORTS:

None

Respectfully submitted,



GARY STONEHOUSE, PLANNING DIRECTOR

FOR CITY COUNCIL INFORMATION
WILLIAM H. EDGAR
CITY MANAGER

RECOMMENDATION APPROVED:



JACK CRIST, DEPUTY CITY MANAGER
PLANNING & DEVELOPMENT
DEPARTMENT

ATTACHMENT A

LIST OF PERSONS/ORGANIZATIONS PROVIDING COMMENTS M96-029

AGENCIES

Elk Grove Unified School District
Marcia Perry Park, 686-7711
9510 Elk Grove-Florin
Elk Grove, CA 95624

Reclamation Board
I-Ming Cheng
1416 Ninth Street, Room 1148
Sacramento, CA 95814

Regional Transit
Nancy Tronas, 321-2871
P.O. Box 2110
Sacramento, CA 95810

Sacramento Municipal Utilities District
John Hughes, 732-5334
P.O. Box 15830
Sacramento, CA 95852

Transportation, District 3 (Department of)
Jeffery Pullverman
P.O. Box 942874
Sacramento, CA 94274-0001

BUSINESS ORGANIZATIONS

BIA-Superior California
Bob Shattuck
3800 Watt Avenue, Suite 140
Sacramento, CA 95821

CHMD Architects
Rudy Calpo, 446-7741
2150 Capital Avenue, Suite 200
Sacramento, CA 95816

LPA
Lynn Pomeroy
1215 G Street
Sacramento, CA 95814

Murray Smith & Associates
Edward Gillum
3110 Gold Canal Drive
Rancho Cordova, CA 95670

Pacific Bell
Rick Fraga, 453-7315
P.O. Box 15038
3675 T Street, Room 205
Sacramento, CA 95851

Pacific Gas & Electric
Lou Norton
343 Sacramento Street
Auburn, CA 95603

Parker Development Company
Kirk Bone
8144 Pocket Road
Sacramento, CA 95831

Presley Homes
Jim Bayliss, 635-8787

Winncrest Homes
Mike Winn
9985 Folsom Boulevard
Sacramento, CA 95827

Melissa Berman
4501 45th Street
Sacramento CA 95820

NEIGHBORHOOD ORGANIZATIONS

**Campus Commons (Park) East Ranch
Homeowners Association (Corporation)**
Alan Kolster / George Andersen, 925-5679
150 East Ranch Road
Sacramento, CA 95825

Central City Alliance of Neighborhoods
Dale Kooyman, 443-5543
801 21st Street
Sacramento, CA 95814

Del Paso Heights Residents Working Together
Carolyn Moore, 646-3809
P.O. Box 386684
Sacramento, CA 95838

East Sacramento Improvements Association
Cynthia Scanlin, 739-6070
P.O. Box 19147
Sacramento, CA 95819

Natomas Community Association
James Bacchini
P.O. Box 340451
Sacramento, CA 95834

Riverlake Community Association
Marion Cravens/Laurie Moren, 395-7462
799 Lake Front Drive
Sacramento, CA 95831

Rosa Del Rio Homeowner's Association
Ed White, 391-6288
1121 Rosa Del Rio Way
Sacramento, CA 95831

Sacramento River Parkway Advocates
Aimee Rutledge
446 Mariner Point Way
Sacramento, CA 95831

Tahoe Park Neighborhood Association
Helen Maggie O'Mara, 654-5741
P.O. Box 162492
Sacramento, CA 95816

Winn Park Neighborhood Association
Karen Jacques, 452-2631
P.O. Box 162555
Sacramento, CA 95816-2555

ATTACHMENT B

EXAMPLES OF GATED DEVELOPMENT POLICIES IN OTHER JURISDICTIONS

1. City of Chico: The City of Chico has adopted General Plan policies governing the development of new residential neighborhoods. The Community Design element states: "Mark major entries to neighborhoods, but discourage the use of high walls and gated entries which isolate areas from one another and create an unfriendly appearance." This policy also states that neighborhood entries "should appear to be welcoming in nature and not convey the image of an exclusive district, set apart and isolated from other parts of town." The policy also encourages connections, not walls, between neighborhoods.
2. City of Danville: The City of Danville's General Plan discourages private roads and enclave communities. However, a developer or homeowners group may apply for a Development Plan for installation of a gate.
3. City of Fairfield: The City of Fairfield has a policy that discourages gated developments but states that the Planning Commission will review such projects on a case-by-case basis.
5. City of Pleasanton: The City of Pleasanton's General Plan discourages gated subdivisions. The General Plan states that gated subdivisions "inhibit the sense of community and make provision of services difficult." Pleasanton has denied proposals for gated subdivisions.
6. City of San Antonio, Texas: The City of San Antonio's policy allows gated communities subject to private street rules and regulations. The Policy requires approval of a Planned Unit Development and/or a Tentative Map.
7. City of San Diego: The City of San Diego's policy allows gated communities subject to administrative (Planning Director) approval. However, the City does require Council approval of Street Abandonments and Tentative Maps. The developments are typically commercial with no mixed-use developments.

ATTACHMENT C

DRAFT DESIGN STANDARDS AND GUIDELINES FOR GATED DEVELOPMENTS

STANDARDS. The following standards shall be used by the City Planning Commission in analyzing the adequacy of the design of gates placed at entrances to development projects. Noncompliance with these standards will require a Variance from the Planning Commission.

1. A minimum on-site stacking distance of 25 feet shall be provided in front of each gated entrance, on the public street side.
2. Gates shall be designed to provide 24-hour access by authorized maintenance and service providers (Public Works, Utilities, Mail and parcel delivery, Cable, etc.).
3. Gate designs shall include emergency hardware to ensure proper emergency access to the satisfaction of the City Fire and Police Departments.
4. One pedestrian access gate shall be provided at each gated driveway entrance.
5. "Anti-Directional" devices (i.e., metal spikes that can cause tire damage) are prohibited at entrances and exists.
6. A homeowners association and Covenants, Codes and Restrictions (CC&Rs), shall be established and recorded for the gated development. The CC& R's shall identify the responsibilities for maintaining the gates and associated features.

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.

1. 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.
2. Adequate stacking room should be provided between the gated entrance and the gate controller to avoid vehicular stacking across sidewalks, bike paths, etc.
3. Gates should be constructed of decorative, ornamental-iron.
4. The style and color of gates and other enclosures should be coordinated with nearby structures.
5. Swing-gates are encouraged. Gate hinges may be located on one or both sides of the driveway.
6. Sliding-gates are discouraged.

ATTACHMENT D

EXISTING CITY REQUIREMENTS RELATED TO GATED DEVELOPMENT

The following is a summary of some of the Existing City Policies that relate to Gated Developments within the City of Sacramento. Complete information about these existing requirements is provided in the following documents:

1. City Zoning Ordinance, Section 3.1 Wall regulations, and Section 3-D-7 Wall and Fence regulations;
2. Private Streets Policy (Reso. No. 93-110); and
3. Sacramento River Parkway Plan.

ZONING ORDINANCE REQUIREMENTS

1. Walls shall be constructed using brick, concrete, or masonry material.
2. The walls appearance shall be in character, scale and style of the surrounding neighborhood. The wall surface shall be easily maintainable. The wall design and appearance shall be reviewed and approved by the Planning Director. The applicant may appeal any decision of the Planning Director within 10 days as set forth in Section 17-K.
3. Walls shall be set back a minimum of 25 feet from the public right of way if possible.
4. Setback areas shall be landscaped with groundcover, shrubs, vines, mounds and trees. An automatic irrigation system shall be installed in the landscaped setback area. The landscaped setback area shall be approved by the City Director of Parks and Community Services.
5. Wall shall have a minimum height of 6'0" above the adjacent finished grade. In computing the minimum height where the finished grades differ on each side of the wall (the wall is also used as a soil retaining structure), the wall height shall be measured from the higher adjacent finished grade.
6. Walls shall have a maximum height of 8'0" above the adjacent finished grade. In computing the maximum height locations where the finished grades differ on each side of the wall (the wall is used as a soil retaining structure), the wall height shall be measured from the lower adjacent finished grade.
7. Walls shall be designed in accordance with the applicable sections of the current Uniform Building Code (including, but not limited to, wind or seismic, and soil loadings), with the following requirements:

- a. The permit exemption specified in Section 301(b)2 of the Uniform Building Code is amended to read: Fences not over 5' 11" high;
 - b. Walls shall have a minimum 12" deep x 18" wide portland cement concrete continuous footing or grade beam provided that nothing will prevent the city from requiring a wider footing based on the design;
 - c. Walls shall have a minimum thickness of 6";
 - d. Precast panel walls shall utilize a minimum panel height of 4'0" for each wall section; and
 - e. Wood frame walls shall not be utilized.
8. Walls may be designed to meet CalTrans soundwall design criteria which meet or exceed the base stated standards and are acceptable as an alternative soundwall type.

PRIVATE STREETS POLICY REQUIREMENTS

1. Entrances to private streets with locking gates shall allow vehicles to turnaround on-site without backing on to public streets.
2. Median islands in private streets shall be located behind public right of way (a minimum of 20' is preferred).
3. Entrances to private streets must provide adequate stopping sight distance along the public street.

SACRAMENTO RIVER PARKWAY PLAN REQUIREMENTS

1. Access points to the Sacramento River Parkway shall be at ½-mile intervals, where feasible.

APPROVED
BY THE CITY COUNCIL

JUL 29 1997

OFFICE OF THE
CITY CLERK

RESOLUTION NO. 97-438

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

RESOLUTION DIRECTING STAFF TO PREPARE THE NECESSARY DOCUMENTS TO IMPLEMENT A GATED DEVELOPMENT POLICY

WHEREAS:

1. The City council directed Planning and Development Department staff to prepare a Gated Development Policy; and
2. Staff have prepared a Draft Policy for review by the City Council, the City Planning Commission and interested parties; and
3. As set forth in the staff report, the City Planning Commission received and provided direction to staff on the Gated Development Policy.

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO THAT:

1. The Gated Development Policy as setforth in the staff report is approved, and staff is directed to prepare and process for consideration the necessary documents to implement the policy.

MAYOR

ATTEST:

CITY CLERK

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

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