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APPROVED
BY THE CITY COUNCIL

JAN 11 1994

OFFICE OF THE
CITY CLERK

DEPARTMENT OF
PLANNING AND DEVELOPMENT

CITY OF SACRAMENTO
CALIFORNIA

1231 I STREET
ROOM 200
SACRAMENTO, CA
95814-2998

January 4, 1994

City Council
Sacramento, California

BUILDING INSPECTIONS
916-449-5716

PLANNING
916-449-5604

Honorable Members In Session:

SUBJECT: Zoning Ordinance Amendment relating to Special Permit and Variance Terms (M93-110)

LOCATION: City-wide

STAFF RECOMMENDATION

The City Planning Commission and Planning Staff recommend the following action by the City Council:

- A. Adopt the attached Ordinance amending Sections 14-D and 15-D-6 of the Zoning Ordinance to extend the Variance and Special Permit Time Extension Period.

CONTACT PERSON: Joy Patterson, Senior Planner
(916) 264-5604

FOR CITY COUNCIL MEETING OF: January 11, 1994

SUMMARY

This is a request to amend the Zoning Ordinance to extend the time extension term for a Special Permit and Variance in Sections 14-D and 15-D-6 of the Zoning Ordinance. Staff recommends that the Zoning Ordinance be amended to increase the time extension period for a Special Permit and Variance for up to three years (for a total of five years). Staff and the City Planning Commission recommend approval of the amendments.

VOTE OF PLANNING COMMISSION

On December 9, 1993, by a vote of 8 ayes, the Planning Commission recommended approval of these amendments.

BACKGROUND INFORMATION:

The current City of Sacramento Zoning Ordinance specifies that the term limit for a Special Permit and a Variance shall expire at the end of two (2) years unless a building permit is obtained. The Ordinance also states that a Special Permit and Variance term may be granted a one year time extension (for a total of three years). The ordinance amendments will increase the time extension period for a Special Permit and Variance for up to three years (for a total of five years).

In some instances, a Special Permit and/or a Variance request go concurrently to the Planning Commission with other entitlements for development (i.e., Tentative Map, Community and/or General Plan Amendments). Many of these entitlements are valid with no expiration date (rezonings, Plan amendments) or for up to a five year period (Tentative Maps) provided that an extension is requested. Staff believes that the Special Permit and Variance time extensions should be in sequence with a Tentative Map time extension period or, if they stand alone, be granted the three year time extension term.

The proposed Zoning Ordinance amendment provides for a maximum of three additional years for Variances and Special Permits. The Planning Commission would retain the discretion to approve these extensions for shorter periods of time especially if policies or circumstances are likely to be modified. An applicant may also request a time extension for less than three years (one or two years).

FINANCIAL CONSIDERATIONS

None.


POLICY CONSIDERATIONS

The proposed ordinance amendments are consistent with the City's Comprehensive Zoning Ordinance and will allow consistency with other entitlements that go concurrently with a Special Permit and/or a Variance.

MBE/WBE EFFORTS

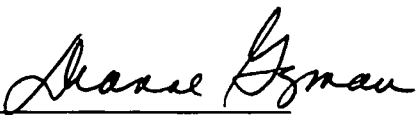
None.

Respectfully submitted,


GARY L. STONEHOUSE
Planning Director

FOR CITY COUNCIL INFORMATION:
WILLIAM H. EDGAR
CITY MANAGER

APPROVED:


DIANNE GUZMAN, AICP
Director, Planning & Development

DG:GS:JP:BW:el
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attachment

JAN 11 1994

OFFICE OF THE
CITY CLERK

ORDINANCE NO. 94-002

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

**AN ORDINANCE AMENDING SECTIONS 14-D AND 15-D-6
OF THE COMPREHENSIVE ZONING ORDINANCE,
ORDINANCE NO.2550, FOURTH SERIES, AS AMENDED
TO EXTEND THE VARIANCE AND SPECIAL PERMIT TIME
EXTENSION PERIOD. (M93-110)**

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

Section 1

Section 14-D of the Comprehensive Zoning Ordinance, No. 2550,
Fourth Series, as amended, to read as follows:

D. Variance Term:

Any Variance involving an action which requires a building permit shall expire at the end of two (2) years unless a building permit is obtained within the Variance term. A Variance term may be extended for up to three (3) additional years upon application in writing a minimum of 30 days prior to expiration. An application for the extension of a Variance shall be subject to Planning Commission approval. A request for an extension of time shall be subject to a filing and investigation fee.

Section 2

Section 15-D-6 of the Comprehensive Zoning Ordinance, No. 2550,
Fourth Series, as amended, to read as follows:

6. Extensions of Special Permit Time Limits:

Upon a show of good cause by the applicant, the Planning Commission may grant an extension of time not to exceed three (3) years in instances arising under paragraphs 4 or 5 of this subsection.

FOR CITY CLERK USE ONLY

ORDINANCE NO.: _____

DATE ADOPTED: _____

An application for the extension shall be subject to Planning Commission approval. A request for an extension of time shall be subject to a filing and investigation fee.

PASSED FOR PUBLICATION:

PASSED:

EFFECTIVE:

MAYOR

ATTEST:

CITY CLERK

M93-110

FOR CITY CLERK USE ONLY

ORDINANCE NO.: _____

DATE ADOPTED: _____

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SACRAMENTO CITY PLANNING COMMISSION VOTING RECORD

Meeting Date December 9, 1993
Item Number 13
Permit Number M93-110

ENTITLEMENTS	
<input type="checkbox"/> GENERAL PLAN AMENDMENT	<input type="checkbox"/> TENTATIVE MAP
<input type="checkbox"/> COMMUNITY PLAN AMENDMENT	<input type="checkbox"/> SUBDIVISION MODIFICATION
<input type="checkbox"/> REZONING	<input type="checkbox"/> LOT LINE ADJUSTMENT
<input type="checkbox"/> SPECIAL PERMIT	<input type="checkbox"/> ENVIRONMENTAL DETERMINATION
<input type="checkbox"/> VARIANCE	<input checked="" type="checkbox"/> OTHER <u>Amend Zoning Ordinance re. Special Permits & Variances</u>

Staff Recommendation	
<input checked="" type="checkbox"/> Recommend Favorable	<input type="checkbox"/> Unfavorable
<input type="checkbox"/> Correspondence	<input type="checkbox"/> Petition

Location:

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NAME	ADDRESS

O
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NAME	ADDRESS

MOTION NUMBER: _____				
	Yes	No	Motion	Second
CHINN	✓			
DONAHUE	✓			
MYERS	✓			
NOTESTINE	✓			
PATTERSON	✓			✓
WALKER	✓		✓	
WEMMER	✓			
REYNA	✓			

MOTION	
<input type="checkbox"/> To approve	<input checked="" type="checkbox"/> To recommend approval & forward to City Council
<input type="checkbox"/> To deny	<input type="checkbox"/> To recommend approval subject to cond. & forward to City Council
<input type="checkbox"/> To approve subject to cond. & based on find. of fact in staff report	<input type="checkbox"/> To ratify negative declaration
<input type="checkbox"/> To approve/deny based on find. of fact in staff report	<input type="checkbox"/> To continue to _____ meeting
<input type="checkbox"/> Intent to approve/deny subject to cond. & based on find. of fact due _____	<input type="checkbox"/> Other _____

M93-110: **Zoning Ordinance Amendment relating to Special Permit and Variance Terms**

LOCATION: **City-wide**

SUMMARY/RECOMMENDATION:

The proposed Zoning Ordinance Amendment extends the time extension term for a Special Permit and Variance in Sections 14-D and 15-D-6 of the Zoning Ordinance. Staff recommends the Planning Commission recommend adoption of the attached Zoning Ordinance Amendment to the City Council.

BACKGROUND INFORMATION:

The current City of Sacramento Zoning Ordinance specifies that the term limit for a Special Permit and a Variance shall expire at the end of two (2) years unless a building permit is obtained. The Ordinance also states that a Special Permit and Variance term may be granted a one year time extension (for a total of three years) provided that an application is filed requesting an extension 30 days prior to expiration. Staff is recommending that Sections 14-D and 15-D-6 of the Zoning Ordinance be amended to increase the time extension period for a Special Permit and Variance for up to three years (for a total of five years).

In some instances, a Special Permit and/or a Variance request will go concurrently to the Planning Commission with other necessary entitlements for development (i.e., Tentative Map, Community and/or General Plan Amendments). Many of these entitlements are valid with no expiration (Plan amendments) or up to a five year period (Tentative Map) provided that an extension is requested. Staff believes that the Special Permit and Variance time extensions should be in sequence with a Tentative Map or if they stand alone, be granted the three year time extension term. An applicant may, however, request a time extension for less than three years (one or two years). The three year time extension term will also allow staff to better track each project when approved with other entitlements that are allowed longer terms and/or extensions.

The term extensions provide for a maximum of three additional years for Variances and Special Permits. The Planning Commission would retain the discretion to approve these extensions for shorter periods of time especially if policies or circumstances are likely to be modified.

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The Zoning Ordinance is proposed to be amended as follows:

Section 14-D of the Comprehensive Zoning Ordinance:

D. Variance Term:

Any Variance involving an action which requires a building permit shall expire at the end of two (2) years unless a building permit is obtained within the Variance term. A Variance term may be extended for ~~one additional year~~ up to three (3) ~~additional years~~ upon application in writing a minimum of 30 days prior to expiration. An application for the extension of a Variance shall be subject to ~~and accompanied by a filing and investigation fee as established in the fee and charge report~~ Planning Commission approval. ~~A request for an extension of time shall be subject to a filing and investigation fee.~~

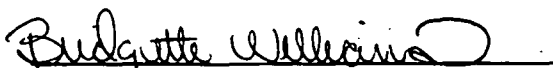
Section 15-D-6 of the Comprehensive Zoning Ordinance:

6. Extensions of Special Permit Time Limits: Upon a show of good cause by the applicant, the Planning Commission may grant an extension of time not to exceed ~~one year~~ three (3) years in instances arising under paragraphs 4 or 5 of this subsection. ~~A public hearing shall not be required, but may, in the discretion of the Planning Commission, be held prior to acting on an application for time extension. A request for an extension of time shall be subject to a filing and investigation fee. An application for the extension shall be subject to Planning Commission approval. A request for an extension of time shall be subject to a filing and investigation fee.~~

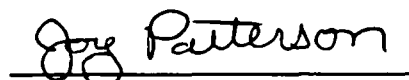
ENVIRONMENTAL DETERMINATION: The proposed Zoning Ordinance Amendment is exempt from environmental review pursuant to State EIR Guidelines (CEQA Section 15061[b](3)).

RECOMMENDATION: Staff recommends the Planning Commission recommend approval of the attached Zoning Ordinance Amendment relating to Special Permit and Variance time extensions and forward to the City Council.

Report Prepared By,


Bridgette Williams,
Associate Planner

Report Reviewed By,


Joy Patterson,
Zoning Administrator

Attachments
Ordinance

**AN ORDINANCE AMENDING SECTIONS 14-D AND 15-D-6 OF THE
COMPREHENSIVE ZONING ORDINANCE, ORDINANCE NO. 2550, FOURTH
SERIES, AS AMENDED TO EXTEND THE VARIANCE AND SPECIAL PERMIT
TIME EXTENSION PERIOD. (M93-110)**

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

Section 1

Section 14-D of the Comprehensive Zoning Ordinance, No. 2550,
Fourth Series, as amended, to read as follows:

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Section 2

Section 15-D-6 of the Comprehensive Zoning Ordinance, No. 2550,
Fourth Series, as amended, to read as follows:

6. Extensions of Special Permit Time Limits:

Upon a show of good cause by the applicant, the Planning Commission may grant an extension of time not to exceed three (3) years in instances arising under paragraphs 4 or 5 of this subsection. An application for the extension shall be subject to Planning Commission approval. A request for an extension of time shall be subject to a filing and investigation fee.

PASSED FOR PUBLICATION:

PASSED:

EFFECTIVE:

MAYOR

ATTEST:

CITY CLERK



PASSED FOR
PUBLICATION
& CONTINUED
TO 1-11-94

1.17
3.2

DEPARTMENT OF
PLANNING AND DEVELOPMENT

CITY OF SACRAMENTO
CALIFORNIA

1231 I STREET
ROOM 200
SACRAMENTO, CA
95814-2998

December 27, 1993

City Council
Sacramento, California

BUILDING INSPECTIONS
916-449-5716

PLANNING
916-449-5604

Honorable Members in Session:

SUBJECT: ZONING ORDINANCE AMENDMENT TO AMEND SECTIONS 14-D AND 15-D-6 OF THE COMPREHENSIVE ZONING ORDINANCE, ORDINANCE NO. 2550, FOURTH SERIES, AS AMENDED TO EXTEND THE VARIANCE AND SPECIAL PERMIT TIME EXTENSION PERIOD (M93-110)

LOCATION AND DISTRICT: ALL COUNCIL DISTRICTS

RECOMMENDATION: It is recommended that the item be passed for publication of title and continued to January 11, 1994.

CONTACT Joy Patterson, Zoning Administrator, 264-5607

FOR COUNCIL MEETING OF: January 4, 1994

SUMMARY

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

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,

Art Gee for

GARY L. STONEHOUSE
Planning Director

FOR CITY COUNCIL INFORMATION:
WILLIAM H. EDGAR
CITY MANAGER

APPROVED:

Art Gee for

DIANNE GUZMAN, AICP
Director of Planning & Development

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attachment

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ORDINANCE NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

AN ORDINANCE AMENDING SECTIONS 14-D AND 15-D-6 OF THE COMPREHENSIVE ZONING ORDINANCE, ORDINANCE NO.2550, FOURTH SERIES, AS AMENDED TO EXTEND THE VARIANCE AND SPECIAL PERMIT TIME EXTENSION PERIOD. (M93-110)

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Section 15-D-6 of the Comprehensive Zoning Ordinance, No. 2550, Fourth Series, as amended, to read as follows:

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Upon a show of good cause by the applicant, the Planning Commission may grant an extension of time not to exceed three (3) years in instances arising under paragraphs 4 or 5 of this subsection.

FOR CITY CLERK USE ONLY

ORDINANCE NO.: _____

DATE ADOPTED: _____

②

An application for the extension shall be subject to Planning Commission approval. A request for an extension of time shall be subject to a filing and investigation fee.

PASSED FOR PUBLICATION:

PASSED:

EFFECTIVE:

MAYOR

ATTEST:

CITY CLERK

M93-110

FOR CITY CLERK USE ONLY

ORDINANCE NO.: _____

DATE ADOPTED: _____