

FILED
OCT 25 1994
BY THE CITY COUNCIL
OFFICE OF THE CITY CLERK



APPROVED
BY THE CITY COUNCIL

4.4

OCT 25 1994

OFFICE OF THE
CITY CLERK

DEPARTMENT OF
PLANNING AND DEVELOPMENT

CITY OF SACRAMENTO
CALIFORNIA

1231 I STREET
ROOM 200
SACRAMENTO, CA
95814-2998

October 19, 1994

BUILDING INSPECTIONS
916-449-5716

PLANNING
916-449-5604

City Council
Sacramento, California

Honorable Members In Session:

SUBJECT: Report Back on Proposed Zoning Ordinance Amendment Relating To Council Members Calling-Up Projects Approved by the Planning Commission (M94-045)

LOCATION AND COUNCIL DISTRICT: All Council Districts

RECOMMENDATION:

This report is for the City Council's information only. No Council action is required.

CONTACT PERSONS: Gary Stonehouse, General Manager, Planning & Development 264-5567

Joy Patterson, Zoning Administrator, Planning & Development 264-5607

FOR COUNCIL MEETING OF: October 25, 1994

SUMMARY

The City's Zoning Ordinance currently does not provide, except in limited cases, for the call-up of projects to the City Council which have been approved or conditionally approved by the Planning Commission. This includes Zoning Administrator items which have been heard by the Planning Commission. The City Council has requested that staff prepare an ordinance which would allow individual Council members to call-up Planning Commission items. This Zoning Ordinance amendment is scheduled to be heard by the Planning Commission on October 27, 1994 and will then be scheduled for the City Council agenda.

COMMITTEE/COMMISSION ACTION:

The proposed Zoning Ordinance amendment is scheduled to be heard by the Planning Commission at their October 27, 1994 meeting. After this hearing the item will be scheduled for City Council.

BACKGROUND INFORMATION:

On March 1993 the City Council approved a hearing process for the City Zoning Administrator to conduct public hearings on minor land use entitlements. Any decision of the Zoning Administrator can be appealed to the City Planning Commission. The decision of the Planning Commission is final and any project, whether approved, conditionally approved or denied by the Planning Commission cannot be further appealed. This procedure was put in place by the City Council so that they could concentrate their planning efforts on major projects and land use policy issues, yet still provide for two public hearings for neighborhood oriented projects at a lower level.

On August 15, 1994 the Zoning Administrator held a public hearing on a special permit for a proposed child care center at 4401 A Street (Z94-052). After conducting a three hour public hearing, the Zoning Administrator approved the special permit with conditions to allow the child care center to operate at the site for a one year period. This decision was appealed to the City Planning Commission. On September 8, 1994 the Planning Commission held a two and one-half hour public hearing on the special permit. The Planning Commission approved the special permit with conditions to allow the child care center to operate at the site for a two year time period. As noted above, the item could not be appealed to the City Council. The child care center opened at 4401 A Street on October 3, 1994.

The special permit application for the child care center at 4401 A Street currently cannot be called-up for hearing by the City Council. However, City Planning staff has prepared a Zoning Ordinance amendment which would allow the City Council to call-up the approval or conditional approval of any project by the City Planning Commission. This could include the approval of projects heard by the Zoning Administrator that were appealed to the Planning Commission. This call-up provision is similar to the call-up provisions currently in the Zoning Ordinance for PUD schematic plans and development guidelines and in the City's subdivision regulations (City Code - Chapter 40) for tentative maps. The proposed Zoning Ordinance amendment is scheduled to be heard by the Planning Commission at their next meeting on October 27, 1994. After the Planning Commission hearing this item will be scheduled for City Council.

FINANCIAL CONSIDERATIONS:

The additional public hearing for any project that is called-up from the Planning Commission to the City Council will involve public noticing and hearing costs which will be borne by the City.

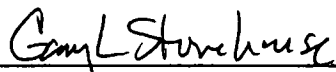
POLICY CONSIDERATIONS:

The City Council has delegated to the Planning Commission the authority to make the final decision on the majority of land use entitlements that come before the City. In taking these final actions, the Planning Commission is following the land use policies adopted by the City Council. The proposed Zoning Ordinance amendment would permit the City Council to review decisions made by the Planning Commission and take an alternative action, if desired.

MBE/WBE:

No impact.

Respectfully submitted,



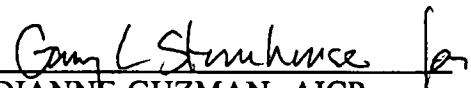
GARY L. STONEHOUSE
General Manager, Development Services

FOR COUNCIL INFORMATION:

APPROVED:



WILLIAM H. EDGAR
CITY MANAGER



DIANNE GUZMAN, AICP
Director, Dept. of Planning & Development

DG:GS:JP:vr
s:\wpf_shar\callup