

Attachment 6

Chapter 17.120 River District Special Planning District

17.120.010 Purpose and intent.

A. The River District Special Planning District ("SPD") establishes procedures to implement the policies and development standards of the River District Specific Plan. The River District Specific Plan designates the land uses within the boundaries of the River District Specific Plan area and is the primary policy and regulatory document used to guide development of the properties within the River District Specific Plan area.

B. The goals of the River District SPD are as follows:

1. Establish a greater mix of land uses and intensities to attract private investment;
2. Provide the opportunity for reuse and rehabilitation of heavy commercial and industrial uses to take advantage of the light rail facilities in the area and to reduce the number of obsolete and underutilized buildings and sites;
3. Allow for the retention and continued operation of industrial and service oriented uses;
4. Provide for improved circulation, infrastructure, and community facilities that will serve existing and future needs within the area;
5. Provide for the future creation of a significant residential population as industrial uses are replaced or relocated within the River District area to achieve housing objectives of the Central City and provide a jobs/housing balance for future office growth;
6. Provide for the intensification of commercial and office uses within close proximity to the planned and existing light rail stations and Interstate 5;
7. Discourage uses that contribute to visual or economic blight;
8. Ensure that properties with hazardous material contamination within the River District area are remediated to the extent necessary to protect the health and safety of all possible site users and users of adjacent properties, consistent with applicable laws and regulations;
9. Encourage the preservation of historic structures;
10. Promote aesthetic improvements to the area by implementing development standards and design guidelines.

17.120.020 River District SPD boundaries.

River District SPD consists of approximately 748 acres of land within the River District Specific Plan area and is generally bounded by the Sacramento River on the west, the American River on the north, the Sacramento Railyards on the south, and 18th Street on the east. The map in Exhibit A at the end of this chapter shows the boundaries of the River District SPD.

17.120.030 River District special regulations.

Development in the River District SPD shall be subject to the regulations and development standards set forth in this chapter in addition to the regulations of this title and code. If a conflict between the provisions of this chapter and other provisions of this title and code occurs, the provisions of this chapter shall prevail.

17.120.040 Uses and development standards—General.**A. Allowed Uses and Development Standards.**

The allowed uses and specific development standards for each land use zone in the River District SPD are set forth in the sections of this chapter that follow.

B. Notice of Industrial Uses.

Notwithstanding any other provision of this chapter to the contrary, to avoid conflicts and incompatibility between the existing industrial uses and new development, prior to and as a condition to approval of any application for new development, the City may require developers and property owners of new developments to provide written notice of the presence of such existing industrial uses and potential impacts associated with the continued use and operation of such industrial uses, to tenants and occupants of the new development.

C. Design Review and Preservation Review.

The River District SPD is contained within the River District Design Review District and includes the N. 16th Street Historic District. All development in the River District SPD, including without limitation all uses allowed by right as well as the repair and reconstruction of nonconforming buildings and structures under Section 17.120.160, is subject to design review under Chapter 17.132 or preservation review under Chapter 17.134.

17.120.050 Single- and two-family R-1B zone.**A. Allowed Uses.**

Except as provided in section 17.120.040(C), uses permitted in the R-1B zone

under this title outside of the River District SPD shall be allowed in the R-1B zone within the River District SPD. If this title requires the approval of a special permit or other discretionary entitlement, or imposes other restrictions or requirements on the establishment of a particular use in the R-1B zone outside of the River District SPD, approval of the same discretionary entitlement and compliance with the same restrictions or requirements shall be required to establish the use in the R-1B zone within the River District SPD.

B. Development Standards.

Except as provided below, development in the R-1B zone in the River District SPD shall be subject to the same development standards that govern development in the R-1B zone outside of the River District SPD.

1. Height Standards.

The height standards for the R-1B zone in the River District SPD are set out in Exhibit B at the end of this chapter.

17.120.060 Multi family R-3A zone.

A. Allowed Uses.

Except as provided in section 17.120.040(C), uses permitted in the R-3A zone under this title outside of the River District SPD shall be allowed in the R-3A zone within the River District SPD. If this title requires the approval of a special permit or other discretionary entitlement, or imposes other restrictions or requirements on the establishment of a particular use in the R-3A zone outside of the River District SPD, approval of the same discretionary entitlement and compliance with the same restrictions or requirements shall be required to establish the use in the R-3A zone within the River District SPD.

B. Development Standards.

Except as provided below, development in the R-3A zone in the River District SPD shall be subject to the same development standards that govern development in the R-3A zone outside of the River District SPD.

1. Residential Density.

The permitted density in the R-3A zone within the River District SPD shall be the same as the permitted density in the R-3A zone outside of the River District, except that a higher density may be approved upon the issuance of a Planning Commission special permit pursuant to and subject to the findings required by Chapter 17.212 and consistent with the applicable density range established by the City's General Plan.

2. Height Standards.

The height standards for the R-3A zone in the River District SPD are set out in Exhibit B at the end of this chapter.

3. Open Space Requirements.

a. Areas specifically designed for recreation or passive enjoyment of the outdoors are required for new residential development.

b. A minimum of 80 square feet of usable common open space per residential unit is required. Usable common open space may include courtyard, garden, recreational, or similar common areas.

c. A minimum of 50 square feet of usable private open space per residential unit is required. Usable private open space shall be designed for the exclusive use of the associated unit and may include decks, balconies, and patios. Private usable open space shall be directly accessible from the associated unit.

d. Open space requirements shall be satisfied onsite; provided that the planning commission may approve a special permit pursuant to and subject to the findings required by Chapter 17.212 to allow not more than 20% of the total required open space offsite. Required offsite open space shall be located in the River District SPD. In approving the special permit, the planning commission shall specify how the remaining open space to be provided on site shall be allocated between usable common open space and usable private open space.

17.120.070 Multi family R-5 zone.

A. Allowed Uses.

Except as provided in section 17.120.040(C) and in this subsection A, uses permitted in the R-5 zone under this title outside of the River District SPD shall be allowed in the R-5 zone within the River District SPD. If this title requires the approval of a special permit or other discretionary entitlement, or imposes other restrictions or requirements on the establishment of a particular use in the R-3A zone outside of the River District SPD, approval of the same discretionary entitlement and compliance with the same restrictions or requirements shall be required to establish the use in the R-3A zone within the River District SPD.

1. Permitted Uses.

The following uses are permitted in the R-5 zone within the River District SPD:

(A) Offices

(B) Medical Clinic or Office

(C) Retail and Personal Service Uses. The retail and personal service uses specified in Table 1 of Section 17.96.070 of this title shall be permitted uses.

B. Development Standards.

Except as provided below, development in the R-5 zone in the River District SPD shall be subject to the same development standards that govern development in the R-5 zone outside of the River District SPD.

1. Height Standards.

The height standards for the R-5 zone in the River District SPD are set out in Exhibit B at the end of this chapter.

2. Open Space Requirements.

a. Office

i. Open space shall be provided for office development at a ratio of one square foot of open space for every 15 square feet of the total square footage of the development.

ii. Open space shall be in the form of courtyards or public plazas.

iii. Open space requirements shall be satisfied onsite; provided that the planning commission may approve a special permit pursuant to and subject to the findings required by Chapter 17.212 to allow not more than 20% of the required open space off-site. Required off-site open space shall be located within the River District SPD.

b. Residential

i. Areas specifically designed for recreation or passive enjoyment of the outdoors are required for new residential development.

ii. A minimum of 80 square feet of usable common open space per residential unit is required. Usable common open space may include courtyard, garden, recreational, or similar common areas.

iii. A minimum of 50 square feet of usable private open space per residential unit is required. Usable private open space shall be designed for the exclusive use of the associated unit and may include decks, balconies, and patios. Usable private open space shall be directly accessible from the associated unit.

iv. Open space requirements shall be satisfied onsite; provided that the planning commission may approve a special permit pursuant to and subject to the findings required by Chapter 17.212 to allow not more than 20% of the total required open space offsite. Required offsite open space shall be located in the River District SPD. In approving the special permit, the planning commission shall specify how the remaining open space to be provided on site shall be allocated between usable common open space and usable private open space.

3. Parking Requirements.

a. No off-street parking shall be required for commercial retail, commercial service, or restaurant uses that are a component of a residential project, if the nonresidential component of the project does not exceed 20% of the total building square footage for the project or 9,600 square feet, whichever is less.

b. No off-street parking shall be required for outdoor seating located on private property for restaurants and cafes.

17.120.080 Residential mixed use RMX zone.

A. Allowed Uses.

Except as provided in section 17.120.040(C), uses permitted in the RMX zone under this title outside of the River District SPD shall be allowed in the RMX zone within the River District SPD. If this title requires the approval of a special permit or other discretionary entitlement, or imposes other restrictions or requirements on the establishment of a particular use in the RMX zone outside of the River District SPD, approval of the same discretionary entitlement and compliance with the same restrictions or requirements shall be required to establish the use in the RMX zone within the River District SPD.

B. Development Standards.

Except as provided below, development in the RMX zone in the River District SPD shall be subject to the same development standards that govern development in the RMX zone outside of the River District SPD.

1. Height Standards.

The height standards for the RMX zone in the River District SPD are set out in Exhibit B at the end of this chapter.

2. Density

a. Residential Density. The permitted density range shall be a maximum of 100 dwelling units per net acre. A higher density may be approved upon the issuance of

a Planning Commission special permit pursuant to and subject to the findings required by Chapter 17.212 and consistent with the applicable density range established by the City's General Plan.

3. Open Space Requirements.

a. Office

i. Open space shall be provided for office development at a ratio of one square foot of open space 15 square feet of the total square footage of the development.

ii. Open space shall be in the form of courtyards or public plazas.

iii. Open space requirements shall be satisfied onsite; provided that the planning commission may approve a special permit pursuant to and subject to the findings required by Chapter 17.212 to allow not more than 20% of the required open space off-site. Required off-site open space shall be located within the River District SPD.

b. Residential

i. Areas specifically designed for recreation or passive enjoyment of the outdoors are required for new residential development.

ii. A minimum of 80 square feet of usable common open space per residential unit is required. Usable common open space may include courtyard, garden, recreational, or similar areas.

iii. A minimum of 50 square feet of usable private open space per residential unit is required. Usable private open space shall be designed for the exclusive use of the associated unit and may include decks, balconies, and patios. Private usable open space shall be directly accessible from the associated unit.

iv. Open space requirements shall be satisfied onsite; provided that the planning commission may approve a special permit pursuant to and subject to the findings required by Chapter 17.212 to allow not more than 20% of the total required open space offsite. Required offsite open space shall be located in the River District SPD. In approving the special permit, the planning commission shall specify how the remaining open space to be provided on site shall be allocated between usable common open space and usable private open space.

4. Parking Requirements.

a. No off-street parking shall be required for commercial retail, service, or restaurant used that are a component of a residential project if the nonresidential

component for the project does not exceed 20% of the total building square footage for the project or 9,600 square feet, whichever is less.

b. No off street parking shall be required for outdoor seating located on private property for restaurants and cafes.

17.120.090 Office Building OB Zone.

A. Allowed Uses.

Except as provided in section 17.120.040(C) and in this subsection A, uses permitted in the OB zone under this title outside of the River District SPD shall be allowed in the OB zone within the River District SPD. If this title requires the approval of a special permit or other discretionary entitlement, or imposes other restrictions or requirements on the establishment of a particular use in the OB zone outside of the River District SPD, approval of the same discretionary entitlement and compliance with the same restrictions or requirements shall be required to establish the use in the OB zone within the River District SPD.

1. Permitted Uses.

The following uses are permitted in the OB zone within the River District SPD:

(A) Offices

(B) Medical Offices

2. Uses Allowed with Discretionary Entitlement.

The following uses are allowed in the OB zone in the River District SPD subject to the restrictions and requirements as stated:

a. Vocational schools, dance/music/art/martial art schools, and athletic clubs, subject to the granting of a Planning Director Plan Review pursuant to and subject to the findings required by Chapter 17.220.

b. Apartments, subject to footnote (75) of Section 17.24.050.

c. Alternative Ownership Housing, subject to footnote (8) of Section 17.24.050.

d. Retail uses exceeding 20% of the total square footage of the building, subject to a zoning administrator special permit pursuant to and subject to the findings required by Chapter 17.212.

e. New nonresidential development, including additions to or expansions of

existing buildings, that exceeds forty thousand (40,000) square feet, subject to a planning commission special permit pursuant to and subject to the findings required by Chapter 17.212.

f. New nonresidential development, including additions to or expansions of existing buildings, that exceeds ten thousand (10,000) square feet but that does not exceed forty thousand (40,000) square feet, subject to a zoning administrator special permit pursuant to and subject to the findings required by Chapter 17.212.

B. Development Standards.

Except as provided below, development in the OB zone in the River District SPD shall be subject to the same development standards that govern development in the OB zone outside of the River District SPD.

1. Density

a. Residential Density. The permitted density range shall be a maximum of 100 dwelling units per net acre. A higher density may be approved upon the issuance of a Planning Commission special permit pursuant to and subject to the findings required by Chapter 17.212 and consistent with the applicable density range established by the City's General Plan.

2. Height and Setback Standards.

a. Front Setback. No minimum setback shall be required along Richards Boulevard except as required through the design review or preservation process as necessary to preserve light and air and to be compatible with surrounding land uses.

b. The height standards for the OB zone in the River District SPD are set out in Exhibit B at the end of this chapter.

3. Open Space Requirements.

a. Office

i. Open space shall be provided for office development at a ratio of one square foot of open space per 15 square feet of the total square footage of the development.

ii. Open space shall be in the form of courtyards or public plazas.

iii. Open space requirements shall be satisfied onsite; provided that the planning commission may approve a special permit pursuant to and subject to the findings required by Chapter 17.212 to allow not more than 20% of the required open space off-site. Required off-site open space shall be located within the River District

SPD.

b. Residential

i. Areas specifically designed for recreation or passive enjoyment of the outdoors are required for new residential development.

ii. A minimum of 80 square feet of usable common open space per residential unit is required. Usable common open space may include courtyard, garden, recreational, or similar common areas.

iii. A minimum of 50 square feet of usable private open space per residential unit is required. Usable private open space shall be designed for the exclusive use of the associated unit and may include decks, balconies, and patios. Usable private open space shall be directly accessible from the associated unit.

iv. Open space requirements shall be satisfied onsite; provided that the planning commission may approve a special permit pursuant to and subject to the findings required by Chapter 17.212 to allow not more than 20% of the total required open space offsite. Required offsite open space shall be located in the River District SPD. In approving the special permit, the planning commission shall specify how the remaining open space to be provided on site shall be allocated between usable common open space and usable private open space.

4. Parking Requirements.

a. Surface parking shall be located at the rear or interior side of the site, away from street frontages to the extent feasible.

b. No off-street vehicle parking shall be required for a commercial retail, commercial service, or restaurant use that are a component of an office or residential project if the commercial or retail use does not exceed 20% of the total building square footage for the project or 9,600 square feet whichever is less.

c. No off-street vehicle parking shall be required for outdoor seating located on private property for restaurants and cafes.

5. Entrances.

Development with frontage along Richards Boulevard shall provide an entrance facing the public street.

17.120.100 Limited Commercial C-1 Zone.

A. Allowed Uses.

Except as provided in section 17.120.040(C) and in this subsection A, uses permitted in the C-1 zone under this title outside of the River District SPD shall be allowed in the C-1 zone within the River District SPD. If this title requires the approval of a special permit or other discretionary entitlement, or imposes other restrictions or requirements on the establishment of a particular use in the C-1 zone outside of the River District SPD, approval of the same discretionary entitlement and compliance with the same restrictions or requirements shall be required to establish the use in the C-1 zone within the River District SPD.

1. Prohibited Uses.

The following uses are prohibited in the C-1 zone within the River District SPD:

Appliance repair shop;

Unattended uses, such as self-serve Laundromats;

Hardware Store.

B. Development Standards.

Except as provided below, development in the C-1 zone in the River District SPD shall be subject to the same development standards that govern development in the C-1 zone outside of the River District SPD.

1. Density

a. Residential Density. The permitted density range shall be a maximum of 29 dwelling units per net acre. A higher density may be approved upon the issuance of a Planning Commission special permit pursuant to and subject to the findings required by Chapter 17.212 and consistent with the applicable density range established by the City's General Plan.

2. Height Standards.

The height standards for the C-1 zone in the River District SPD are set out in Exhibit B at the end of this chapter.

3. Open Space Requirements.

a. Office

i. Open space shall be provided for office development at a ratio of one square foot of open space per 15 square feet of the total square footage of the development.

ii. Open space shall be in the form of courtyards or public plazas.

iii. Open space requirements shall be satisfied onsite; provided that the planning commission may approve a special permit pursuant to and subject to the findings required by Chapter 17.212 to allow not more than 20% of the required open space off-site. Required off-site open space shall be located within the River District SPD.

b. Residential

i. Areas specifically designed for recreation or passive enjoyment of the outdoors are required for new residential development.

ii. A minimum of 80 square feet of usable common open space per residential unit is required. Usable common open space may include courtyard, garden, recreational, or similar common areas.

iii. A minimum of 50 square feet of usable private open space per residential unit is required. Usable private open space shall be designed for the exclusive use of the associated unit and may include decks, balconies, and patios. Usable private open space shall be directly accessible from the associated unit.

iv. Open space requirements shall be satisfied onsite; provided that the planning commission may approve a special permit pursuant to and subject to the findings required by Chapter 17.212 to allow not more than 20% of the total required open space offsite. Required offsite open space shall be located in the River District SPD. In approving the special permit, the planning commission shall specify how the remaining open space to be provided on site shall be allocated between usable common open space and usable private open space.

4. Parking Requirements.

a. Surface parking shall be located at the rear or interior side of the site, away from street frontages to the extent feasible.

b. No off-street vehicle parking shall be required for a commercial retail, commercial service, or restaurant use if the commercial, retail, or restaurant use does not exceed 9,600 square feet.

c. No off-street vehicle parking shall be required for outdoor seating located on private property for restaurants and cafes.

17.120.110 General Commercial C-2 Zone.

A. Allowed Uses.

Except as provided in section 17.120.040(C) and in this subsection A, uses permitted in the C-2 zone under this title outside of the River District SPD shall be allowed in the C-2 zone within the River District SPD. If this title requires the approval of a special permit or other discretionary entitlement, or imposes other restrictions or requirements on the establishment of a particular use in the C-2 zone outside of the River District SPD, approval of the same discretionary entitlement and compliance with the same restrictions or requirements shall be required to establish the use in the C-2 zone within the River District SPD.

1. Uses Allowed with Discretionary Entitlement.

a. New nonresidential development, including additions to or expansions of existing buildings, that exceeds forty thousand (40,000) square feet, subject to a planning commission special permit pursuant to and subject to the findings required by Chapter 17.212.

b. New nonresidential development, including additions to or expansions of existing buildings, that exceeds ten thousand (10,000) square feet but that does not exceed forty thousand (40,000) square feet, subject to a zoning administrator special permit pursuant to and subject to the findings required by Chapter 17.212.

B. Development Standards.

Except as provided below, development in the C-2 zone in the River District SPD shall be subject to the same development standards that govern development in the C-2 zone outside of the River District SPD.

1. Density

a. Residential Density. The permitted density range shall be a maximum of 100 dwelling units per net acre. A higher density may be approved upon the issuance of a Planning Commission special permit pursuant to and subject to the findings required by Chapter 17.212 and consistent with the applicable density range established by the City's General Plan.

2. Height Standards.

The height standards for the C-2 zone in the River District SPD are set out in Exhibit B at the end of this chapter.

3. Open Space Requirements.

a. Office

i. Open space shall be provided for office development at a ratio of one square foot of open space 15 square feet of the total square footage of the

development.

ii. Open space shall be in the form of courtyards or public plazas.

iii. Open space requirements shall be satisfied onsite; provided the planning commission may approve a special permit pursuant to and subject to the findings required by Chapter 17.212 to allow not more than 20% of the required open space off-site. Required off-site open space shall be located within the River District SPD.

b. Residential

i. Areas specifically designed for recreation or passive enjoyment of the outdoors are required for new residential development.

ii. A minimum of 80 square feet of usable common open space per residential unit is required. Usable common open space may include courtyard, garden, recreational, or similar common areas.

iii. A minimum of 50 square feet of usable private open space per residential unit is required. Usable private open space shall be designed for the exclusive use of the associated unit and may include decks, balconies, and patios. Usable private open space shall be directly accessible from the associated unit.

iv. Open space requirements shall be satisfied onsite; provided that the planning commission may approve a special permit pursuant to and subject to the findings required by Chapter 17.212 to allow not more than 20% of the total required open space offsite. Required offsite open space shall be located in the River District SPD. In approving the special permit, the planning commission shall specify how the remaining open space to be provided on site shall be allocated between usable common open space and usable private open space.

4. Parking

a. Surface parking shall be located at the rear or interior side of the site, away from street frontages to the extent feasible.

b. No off-street vehicle parking shall be required for outdoor seating located on private property for restaurants and cafes.

17.120.120 Heavy Commercial C-4 Zone.

A. Allowed Uses.

Except as provided in section 17.120.040(C) and in this subsection A, uses permitted in the C-4 zone under this title outside of the River District SPD shall be allowed in the C-4 zone within the River District SPD. If this title requires the approval of

a special permit or other discretionary entitlement, or imposes other restrictions or requirements on the establishment of a particular use in the C-4 zone outside of the River District SPD, approval of the same discretionary entitlement and compliance with the same restrictions or requirements shall be required to establish the use in the C-4 zone within the River District SPD.

1. Uses Allowed with Discretionary Entitlement.

a. Apartments, subject to footnote (75) of Section 17.24.050.

b. New nonresidential development, including additions to or expansions of existing buildings, that exceeds forty thousand (40,000) square feet, subject to a planning commission special permit pursuant to and subject to the findings required by Chapter 17.212.

c. New nonresidential development, including additions to or expansions of existing buildings, that exceeds ten thousand (10,000) square feet but that does not exceed forty thousand (40,000) square feet, subject to a zoning administrator special permit pursuant to and subject to the findings required by Chapter 17.212.

B. Development Standards.

Except as provided below, development in the C-4 zone in the River District SPD shall be subject to the same development standards that govern development in the C-4 zone outside of the River District SPD.

1. Height Standards.

The height standards for the C-4 zone in the River District SPD are set out in Exhibit B at the end of this chapter.

2. Open Space Requirements.

a. Office

i. Open space shall be provided for office development at a ratio of one square foot of open space per 15 square feet of the total square footage of the development.

ii. Open space shall be in the form of courtyards or public plazas.

iii. Open space requirements shall be satisfied onsite; provided that the planning commission may approve a special permit pursuant to and subject to the findings required by Chapter 17.212 to allow not more than twenty 20% of the required open space off-site. Required off-site open space shall be located within the River District SPD.

b. Residential

i. Areas specifically designed for recreation or passive enjoyment of the outdoors are required for new residential development.

ii. A minimum of 80 square feet of usable common open space per residential unit is required. Usable common open space may include courtyard, garden, recreational, or similar common areas.

iii. A minimum 50 square feet of usable private open space per residential unit is required. Usable private open space shall be designed for the exclusive use of the associated unit and may include decks, balconies, and patios. Usable private open space shall be directly accessible from the associated unit.

iv. Open space requirements shall be satisfied onsite; provided that the planning commission may approve a special permit pursuant to and subject to the findings required by Chapter 17.212 to allow not more than 20% of the total required open space offsite. Required offsite open space shall be located in the River District SPD. In approving the special permit, the planning commission shall specify how the remaining open space to be provided on site shall be allocated between usable common open space and usable private open space.

3. Parking Requirements.

a. No off-street vehicle parking shall be required for a commercial retail, commercial service, or restaurant use if the use is a component of a residential project and does not exceed 20% of the total building square footage for the project or 9,600 square feet, whichever is less.

b. Surface parking shall be located at the rear or interior side of the site, away from street frontages to the extent feasible.

c. No off-street vehicle parking shall be required for outdoor seating located on private property for restaurants and cafes.

4. Outdoor Storage. All storage for appliance repair, cabinet shops, contractor storage yards, building contractor shop, equipment rental yards, furniture refinishing, lumber yards, truck or tractor repair, and warehouse shall be inside an enclosed building or, if located outdoors, shall be completely screened from street views with landscaping and/or solid fencing.

17.120.140 Public Access to the Rivers and Trail.

Commercial and mixed use projects abutting the Sacramento or American River shall be designed to include a public pedestrian access from a public street through the

property to the river. The access shall be made available for public use between dawn and dusk.

17.120.150 Modification of Height, Yard, and Stepback Standards.

The design review or preservation review conducted on a development project in the River District SPD under Chapter 17.132 or Chapter 17.134 of this title may address and modify the required height, yard, and stepback standards to achieve the intent and purposes of the River District Design Guidelines, to ensure that an adequate and appropriate street tree canopy is created and maintained, and to mitigate visual impacts on listed historic resources; provided, that the design or preservation review is performed at the director or commission level.

17.120.160 Parking

For a change of use to an existing building that is not being expanded or demolished and rebuilt, the change of use shall not trigger any additional parking. For a change of use to an existing building that is being expanded, only the additional square footage of the expansion shall be required to meet the current parking requirements.

17.120.170 Nonconforming use regulations.

A. General.

Except as provided below, the nonconforming use regulations set forth in Chapter 17.88 of this title shall apply to nonconforming uses and to the use of nonconforming buildings, structures, and lots within the River District SPD.

B. Discontinuance of Nonconforming Uses.

1. Notwithstanding the provisions of Section 17.88.030(10)), if a lot, building or structure in which a nonconforming use has operated becomes vacant and remains unoccupied for a continuous period of four years, the prior nonconforming use may not be resumed, and any future use of the lot, building or structure shall conform to the use regulations of the zone in which it is located.

2. **Extension of Time to Resume a Nonconforming Use.** The zoning administrator may approve a single extension of time of not more than two years to resume the operation of a nonconforming use upon a showing of good cause and a determination that the applicant has made reasonable and diligent efforts to resume the nonconforming use. The application for an extension of time to resume the operation of a nonconforming use shall be filed not less than 30 days prior to the expiration of the time period within which the nonconforming use may be resumed by right. The application for extension of time shall be noticed and heard, and shall be subject to appeal, in the same manner as an application for a zoning administrator special permit.

C. Repair and Reconstruction of Damaged or Destroyed Buildings.

1. Subject to the restrictions set forth in this subsection (C), and notwithstanding the provisions of Section 17.88.030(3) and (4)), a nonconforming building or structure, or a building or structure lawfully used for a nonconforming use, that is damaged or destroyed by disaster, in whole or in part, may be repaired or reconstructed, and any occupation or use of the building or structure that lawfully existed at the time of damage or destruction may be resumed.

2. The repair or reconstruction work shall commence within two years following the date of damage or destruction and shall be diligently prosecuted to completion. Commencement shall be deemed to occur when a building permit is obtained and construction physically commenced. All repair or reconstruction work shall be in accordance with the regulations of the building code existing at the time the building permit application for the work is filed.

3. Any nonconforming occupation or use of the building or structure that lawfully existed at the time of damage or destruction may be resumed no later than six months following issuance of a certificate of occupancy or approval of final inspection of the repair or reconstruction work. If the nonconforming use is not resumed within six months, any future use of the building or structure shall conform to the use regulations of the zone in which it is located.

4. The repaired or reconstructed building or structure shall not exceed the square footage of the original building or structure, but may differ in height, lot coverage, design or other features if it complies with the development standards for new development in the River District SPD.

5. The zoning administrator may approve a single extension of time of not more than two years to commence the repair or reconstruction of a damaged or destroyed building or structure upon a showing of good cause and a determination that the applicant has made reasonable and diligent efforts to commence the repair or reconstruction of the building or structure. The application for extension of time to commence the repair or reconstruction of the building or structure shall be filed not less than 30 days prior to expiration of the one year period for commencement of work under this subsection (C). The application for extension of time shall be noticed and heard, and shall be subject to appeal, in the same manner as an application for a zoning administrator special permit.

D. Allowed Expansion of Nonconforming Uses.

Notwithstanding the provisions of Section 17.88.030(2)(b), a nonconforming use within an existing building may be expanded to occupy up to an additional twenty-five percent (25%) of its gross square footage within the building upon the approval of a zoning administrator special permit pursuant to and subject to the findings required by Chapter 17.212.

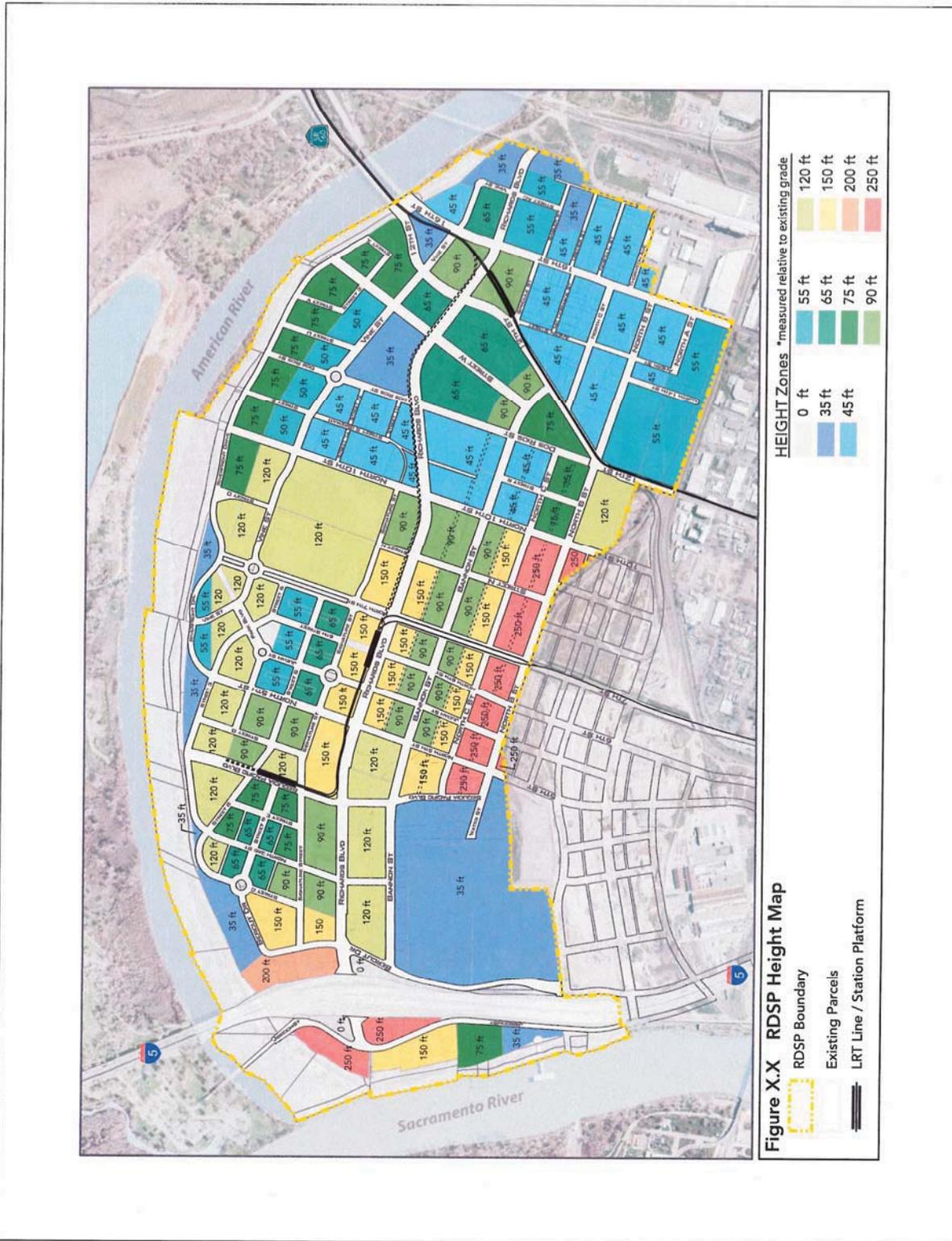
E. Change from a Nonconforming Use to Another Nonconforming Use.

Notwithstanding the provisions of Section 17.88.030(9), the zoning administrator may approve a special permit pursuant to Chapter 17.212 of this title to allow a nonconforming use to be changed to another nonconforming use.

Exhibit A: River District Specific Plan Boundary



Exhibit B: Maximum Allowed Height



Preservation Commission (August 4, 2010)

- Concern that the Jibboom Street area building heights could dominate the PG&E/Powerhouse Science Center historic site and Robert Matsui Park. Also require the future highrise tower buildings to be spaced properly to ensure views are maintained from the elevated highway and to avoid a "Miami Beach" walled effect.
- Requests staff revisit the proposal to not nominate the State Printing Plant as a City Landmark since the proposed street grid overlaps the existing building and explore possible alternative alignment of Bannon Street.
- Consider a transition zone adjacent to the proposed historic district.

Parks and Recreation Commission (August 5, 2010)

- Add a section to the report to identify the recreation facilities that will be needed in the River District parks in order to meet the City's goals
- Add a table to the Specific Plan to show parkland need.
- Ensure all heritage trees on public land are mapped and preserved.
- Discourage planting any invasive species near rivers.
- If Sutter's Landing Park is to help provide community serving acres and amenities, improved access other than 28th Street needs to be provided.
- Use Quimby fees to buy land to expand Sutter's Landing Park westward.
- Consider "special park fees" in lieu of Quimby/PIF to ensure 100% of the acquisition and development inside the Specific Plan area is financed by new development.
- Small parks do not allow active uses. Promote bicycle use by emphasizing connections to Downtown, making more connections between Class I, II and III bike trails / lanes, and mentioning bike sharing stations in the Specific Plan.
- Encourage parkland dedication over payment of in lieu fees.

Planning Commission (August 12, 2010)

- The Planning Commission formed a subcommittee to review the documents. The members of the subcommittee provided staff with feedback regarding clarifying policy language, the layout and formatting of the Specific Plan, and improving text transitions within the document.

Design Commission (August 18, 2010)

- Requested a transition zone around the historic district.
- Questioned whether the projected residential density can be achieved.
- Appreciated smaller blocks and questioned whether 400 foot blocks is too large.