City of Sacramento
City Council

915 I Street, Sacramento, CA, 95814
www.CityofSacramento.org

Meeting Date: **1/17/2012** **Report Type:** Public Hearing

Title: Florin Road Corridor Rezone Correction (Passed for Publication on 1-10-12, Published on 1-13-12)

Report ID: 2012-00005

Location: 0 Luther Drive behind 3801 Florin Road; District 5

Recommendation: Conduct a public hearing and adopt 1) an Ordinance rezoning two parcels (APN 041-0112-024-0000 and 041-0112-021-0000) located on Luther Drive behind 3801 Florin Road from RMX (Residential Mixed Use) back to C-2 (General Commercial) and 2) a Resolution exempting the project from environmental review.

Contact: Desmond Parrington, Program Specialist, (916) 808-5044, Community Development Department

Presenter: Desmond Parrington, Program Specialist, (916) 808-5044, Community Development Department

Department: Community Development Dept

Division: Long Range Planning

Dept ID: 21001222

Attachments:

1-Description/Analysis
2-Attachment 1-Aerial Sites for Proposed Rezoning
3-Attachment 2-Existing Zoning
4-Attachment 3-Environmental Resolution
5-Attachment 4 Ordinance Amending Title 17
6-Exhibit A_Map of Rezone Sites
7-Exhibit B-List of Rezone Properties

City Attorney Review
Approved as to Form
Sheryl N. Patterson
1/3/2012 1:22:55 PM

City Treasurer Review
Reviewed for Impact on Cash and Debt
Russell Fehr
12/19/2011 1:14:07 PM

Approvals/Acknowledgements

Department Director or Designee: Max Fernandez - 12/27/2011 9:02:41 AM

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Description/Analysis

Issue: On October 19, 2010, City Council approved the rezone of 56 properties along Florin Road as part of the implementation of the Florin Road Corridor Plan, a joint City and County planning effort for the corridor. There were two parcels (APN # 041-0112-024-0000 and 041-0112-021-0000) located at the rear of 3801 Florin Road that were incorrectly rezoned from C-2 (General Commercial) to RMX (Residential Mixed-Use). While staff worked closely with the property owner's representative, neither staff nor the property owner realized that there was an existing structure that spanned across the primary parcel, zoned C-2, and the parcel that was rezoned to RMX. This creates a problem for the reuse of this building, which is a service area for automobiles, since the north side of the building has one set of requirements and the south side has a different set. As a result, this creates an economic disincentive for the reuse of this property.

Therefore, staff is recommending that the parcel (APN 041-0112-021-0000) be rezoned back to C-2 to ensure consistent zoning across the structure. Furthermore, staff is also recommending rezoning the parcel (APN 041-0112-024-0000) north of that parcel back to C-2 since without a rezone this would remain the only parcel zoned RMX and would be sandwiched between a light industrial park to the north zoned M-1S and the commercial area to the south zoned C-2. It is unlikely that this parcel would develop as residential mixed-use given the zoning for the properties to the north and south. The C-2 zoning designation for both parcels is consistent with their General Plan land use designation which is Urban Center Low.

Staff has worked with the property owner to remedy this discrepancy, and we have provided notices to property owners and businesses within 500 feet of the parcels.

Policy Considerations: The rezoning of these sites to promote the reuse and redevelopment of this area is consistent with the General Plan goals and policies, particularly Goal LU 6.1 which promotes the development of major circulation corridors.

Environmental Considerations: The project would rezone parcels to provide consistent zoning for parcels on which a structure is located. No physical changes would occur, and the rezoning would result in only minor changes to the land use limitations that apply to the property. The project is categorically exempt under CEQA guidelines section 15305 Minor Alternations in Land Use Limitations.

Sustainability: The zoning change is consistent with the General Plan's land use and economic development goals to encourage the reuse and redevelopment of properties in existing commercial corridors.

Commission/Committee Action: Planning Commission conducted a public hearing on December 8, 2011 and at the conclusion of that hearing unanimously forwarded a recommendation of approval to Council.

Rationale for Recommendation: This rezoning is designed to correct a zoning inconsistency and to support redevelopment and revitalization of the northeast corner of Luther Drive and Florin Road.

Financial Considerations: None.

Emerging Small Business Development (ESBD): Not applicable.

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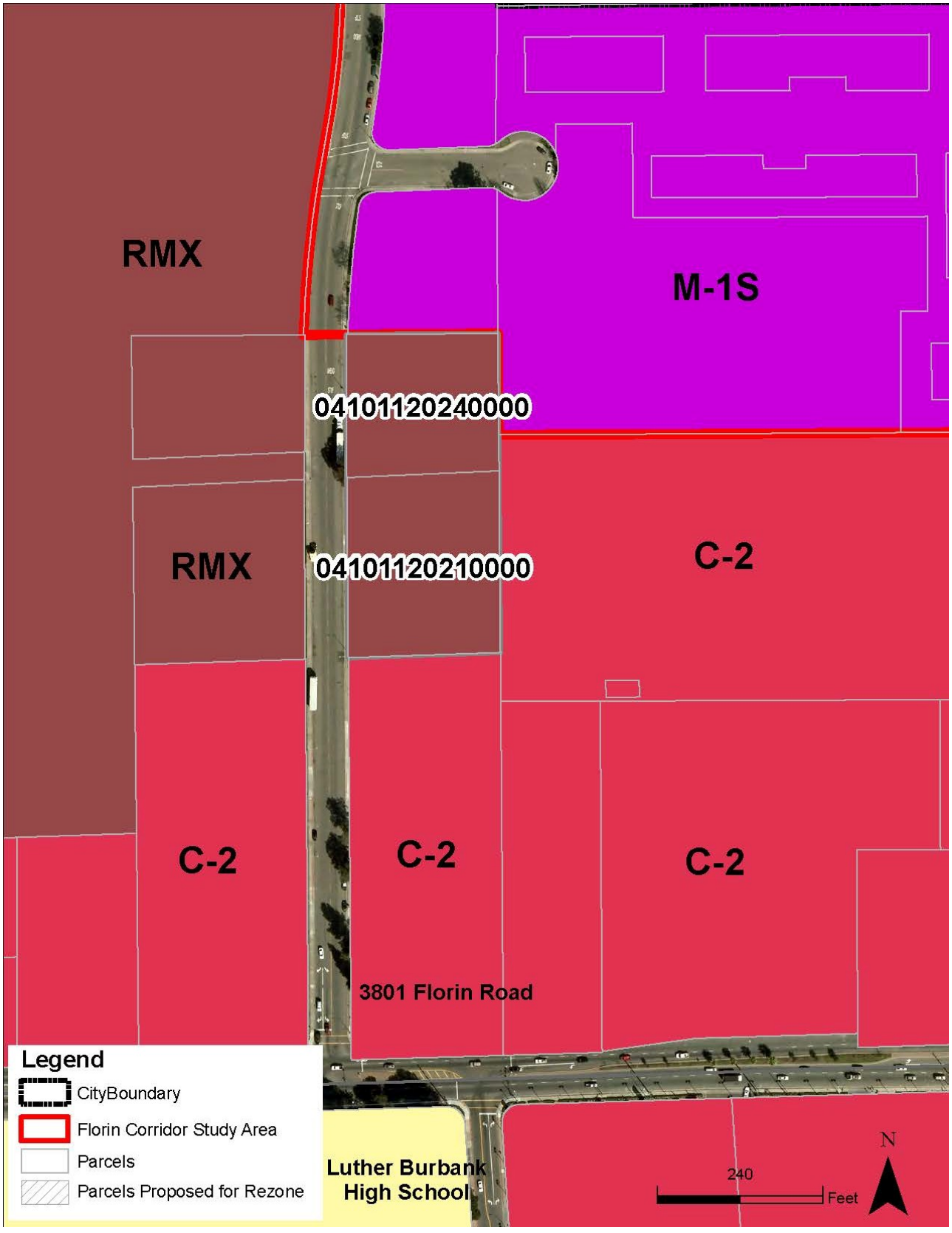
Attachment 1

Aerial of Sites for Proposed Rezoning

Attachment 2

Existing Zoning



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Attachment 3

RESOLUTION NO. 2012-

Adopted by the Sacramento City Council

DETERMINING PROJECT EXEMPT FROM REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (LR11-007)

BACKGROUND

A. On December 8, 2011, the City Planning Commission conducted a public hearing on, and forwarded to the City Council a recommendation to approve the Florin Road Corridor Plan – Rezone Correction.

B. On January 17, 2012, the City Council conducted a public hearing, for which notice was given pursuant Sacramento City Code Section 17.200.010(C)(2)(a) and (c) (publication and mail (500')), and received and considered evidence concerning the Florin Road Corridor Plan – Rezone Correction.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

Section 1. Based on the determination and recommendation of the City's Environmental Planning Services Manager and the oral and documentary evidence received at the hearing on the Project, the City Council finds that the Project is exempt from review under Section 15305 - Minor Alterations in Land Use Limitations of the California Environmental Quality Act Guidelines as follows:

- The rezoning corrects an inconsistency in the zoning that splits an existing structure into two different zones;
- The rezone reverts the property to its original zoning designation that was in place prior to October 19, 2010; and
- During that time there has been no development on the site or any other physical changes to the property.

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Attachment 4

ORDINANCE NO.

Adopted by the Sacramento City Council

AMENDING TITLE 17 OF THE SACRAMENTO CITY CODE (THE ZONING CODE) BY REZONING CERTAIN REAL PROPERTY FROM RESIDENTIAL MIXED-USE (RMX) TO GENERAL COMERCIAL (C-2) (PARCELS LOCATED BEHIND 3801 FLORIN ROAD) (041-0112-021-0000 AND 041-0112-024-0000)

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

Section 1. Title 17 of the Sacramento City Code (the Zoning Code) is amended by rezoning the properties depicted in Exhibit A and identified by APN and address in the attached Exhibit B, from Residential Mixed-Use (RMX) to General Commercial (C-2). The attached Exhibits A and B are incorporated herein by reference.

Section 2. Rezoning of the property shown in the attached Exhibit A, by the adoption of this Ordinance, will be considered to be in compliance with the requirements for the rezoning of property described in the Zoning Code, as amended, as those procedures have been affected by recent court decisions.

Section 3. The City Clerk of the City of Sacramento is directed to amend the official zoning maps, which are part of the Zoning Code, to conform to the provisions of this Ordinance.

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Exhibit A – Map of Rezone Sites

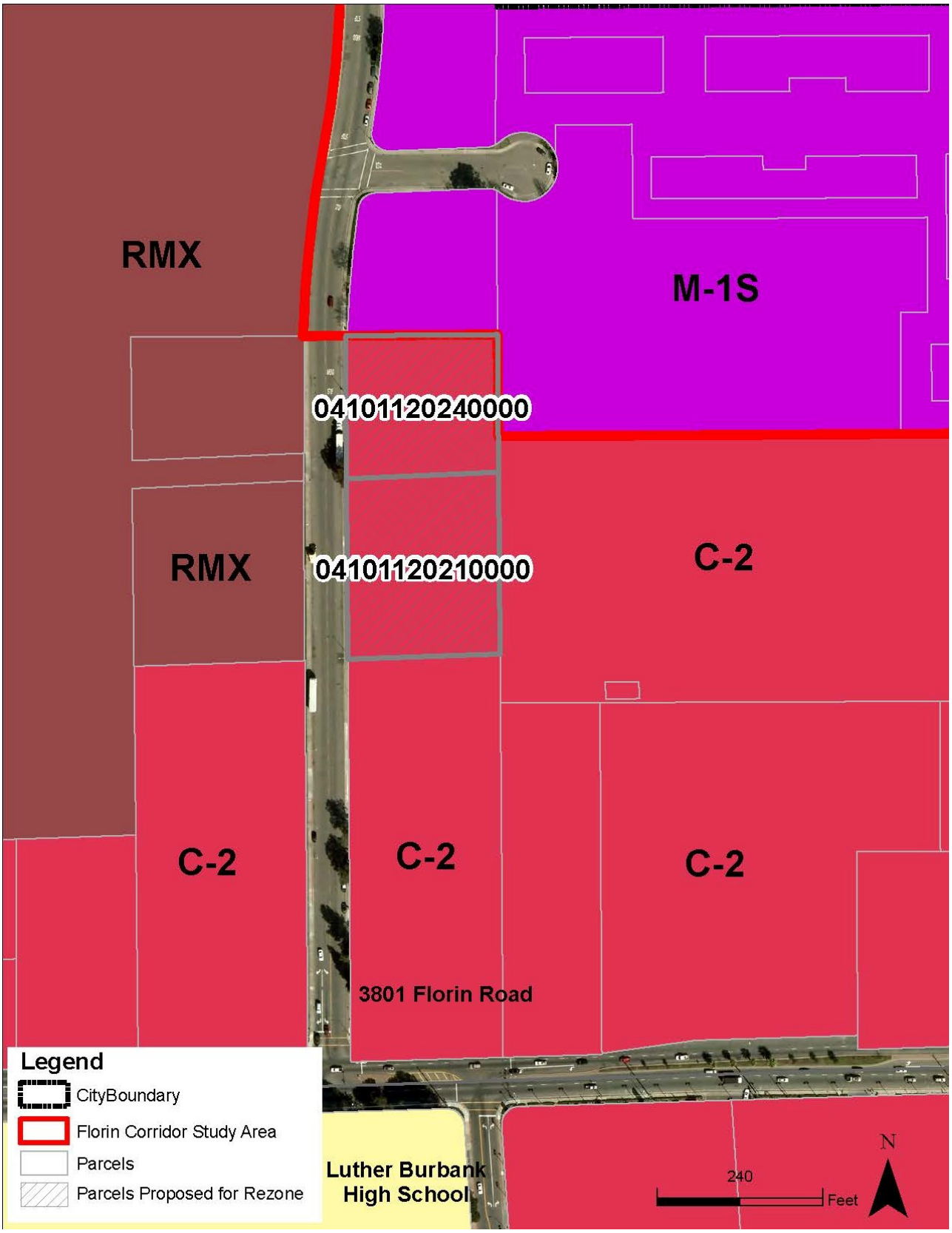

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Exhibit B – List of Rezone Properties

APN	NUMBER	STREET	EXISTING ZONE	PROPOSED ZONE
04101120210000	0	LUTHER DR	RMX	C-2
04101120240000	0	LUTHER DR	RMX	C-2