REPORT TO LAW & LEGISLATION COMMITTEE
City of Sacramento
915 I Street, Sacramento, CA 95814-2671

STAFF REPORT
October 16, 2007

Honorable Members of the
Law and Legislation Committee

Title: Zoning Code Amendment Relating to Temporary Surface Parking Lots in the Central City (M06-055)

Location/Council District: Central City, Council Districts 1, 3 and 4

Recommendation: Staff recommends that the Law and Legislation Committee: 1) recommend approval of the proposed amendment to Title 17 of the Sacramento City Code (The Zoning Code) relating to temporary surface parking lots in the Central City; and 2) recommend approval of the proposed Interim Ordinance for Existing Temporary Surface Parking Lot Permit Program and forward to City Council. (M06-055)

Contact: Chris Dougherty, Assistant Planner, (916) 808-5680; Sandra Yope, Senior Planner, (916) 808-7158

Presenters: Chris Dougherty, Assistant Planner; Howard Chan, Parking Services Manager

Department: Development Services, Department of Transportation

Division: Current Planning, Parking

Organization No: 4885

Description/Analysis:

Issue: Based on Council direction, staff has prepared an amendment to the Zoning Code to allow new temporary stand-alone parking lots under certain conditions in the Central City with a ministerial permit and a companion ordinance to provide a process to legitimize existing surface parking lots that are currently out of compliance with existing City codes.

Two ordinances have been prepared to implement the Central City Interim Surface Parking Lot Policy. The Surface Parking Lot Ordinance amends the current City Code to outline new design standards, eligibility and procedures, while the Temporary Surface Parking Lot Permit Program establishes a policy to bring the existing temporary surface parking lots into compliance with City Codes.

The intent of the Temporary Surface Parking Lot Permit Program is: 1) to provide an opportunity for existing stand-alone surface parking lots within the Central City to comply with current City Codes by implementing minimum improvements; 2) to allow new temporary surface parking lots on properties actively progressing through the City of Sacramento's development process located inside the Merged Downtown Redevelopment Area and exempted by the City Manager to apply for a permit and implement minimum improvements; and 3) to allow new temporary surface parking lots by applying for a permit and implement minimum standards when appropriate outside the Merged Downtown Redevelopment Area and within the high need areas as determined by Parking Services.

Policy Considerations: The proposed zoning code amendment allows new temporary stand-alone parking lots under certain conditions in the Central City with a ministerial permit, and a companion ordinance to provide a process to legitimize existing surface parking lots that are currently out of compliance with existing City code. The Surface Parking Lot Ordinance amends the current City Code to outline new design standards, eligibility and procedures. Temporary surface parking lots can provide a short-term solution for identified parking needs in the Central City. The intent is not to require a major investment because the public and property owner will realize a greater benefit from development of the underlying land.

Additionally, the proposed zoning code amendment and parking permit program are consistent with the City's Strategic Plan Focus Areas of Economic Development, Public Safety and Sustainability and Livability. The proposed ordinance also supports the City's recently adopted Parking Master Plan.

Committee/Commission Action: The proposed City Code amendment was reviewed by Planning Commission on February 22, 2007 and they voted 7 ayes, 0 noes and 2 absent to recommend approval to the City Council. The Planning Commission also expressed their comments and concerns to Parking Services staff regarding administration of the temporary surface parking lot permits. These concerns were noted by staff and will be taken into consideration as they develop the permit program. Additionally, the proposed City Code amendment was reviewed by the Development Oversight Commission on March 5, 2007 who voted to recommend approval to the City Council.

On June 5th, 2007 this item was heard by the Law and Legislation Committee. They directed staff to make some minor modifications to the ordinance, notice the property owners of the impacted lots, and to go back out to the community to address the changes. On August 22nd, 2007 staff held the second community meeting with stakeholders and property owners. On September 18th, 2007 this item was back before by the Law and Legislation Committee again but was continued due to the absence of Councilmember Cohn.

Environmental Considerations: The Environmental Services Manager has reviewed the Ordinance establishing a Temporary Surface Parking Lot Permit Program for the Central City and amending the Sacramento City Code and has determined that the project is exempt from the provisions of the California Environmental Quality Act (CEQA) under Class 1, Section 15301(c) and Class 11, Section 15311(a) of the CEQA Guidelines. Projects exempted under Class 1, Section 15301(c), consist of the operation, repair, or minor alteration of existing highways, streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities involving negligible or no expansion of use. Projects exempted under Class 11, Section 15311(a), consist of the construction or replacement of minor structures accessory to existing commercial, industrial, or institutional facilities, including but not limited to on-premise signs.

Rationale for Recommendation: Creating the Temporary Surface Parking Lot Program can prevent the institutionalization of parking lots on land that can be developed. The City Council directed less onerous development standards for temporary or interim parking lots, but requirements that will create consistency in operations, development, safety and aesthetics. Temporary surface parking lots can provide a short-term solution for identified parking needs in the Central City. The intent is not to require a major investment because the public and property owner will realize a greater benefit from development of the underlying land.

Financial Considerations: None

Emerging Small Business Development (ESBD): No goods or services are being purchased under this report.

Respectfully Submitted by: _____
David Kwong
Planning Manager

Respectfully Submitted by: _____
Howard Chan
Parking Manager

Approved by: _____
William Thomas
Director of Development Services

Approved by: _____
Jerry Way
Director of Transportation

Recommendation Approved:

for Ray Kerridge
City Manager

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Attachment 1

Background

On September 19, 2006 the City Council adopted the Central City Parking Master Plan and Interim Surface Parking Lot policy. Staff was asked to return with an amendment to the Zoning Code to implement the Interim Surface Parking Lot Policy.

Based on Council direction, staff has prepared an amendment to the Zoning Code to allow new temporary stand-alone parking lots under certain conditions in the Central City with a ministerial permit and a companion ordinance to provide a process to legitimize existing surface parking lots that are currently out of compliance with existing City codes.

The impetus for the policy stems from residents who felt that not enough was being done to enforce our Zoning Code at surface lots. They pointed at examples of some lots that were poorly lit, unsafe, poorly maintained creating puddles of standing water and labeled them havens for illegal activity. Some lots had made substantial investments in proper lighting, drainage, accessibility and met code requirements and others had not and code enforcement was intermittent.

Instead of citing all non-compliant lots, the Parking Services staff worked with Development Services staff to look at ways to require fewer improvements for existing and new temporary surface parking lots in the Central City and allow all lots in operation as of January 1, 2006 within the Central City to continue in existence.

Parking Services and Development Services updated a surface parking lot inventory in April 2007. 200 surface parking lots were identified in the central city. Development Services conducted an entitlement search of each surface parking lot to verify the legitimacy of the lots and out of the original 200 parking lots, 133 did not have a permit to operate as off-site parking.

Parking Services conducted a field survey of the lots in question. In this survey, staff recorded the number of stalls and the condition of the lots in regard to the design standards. The results of this survey found that out of the 133 parking lots studied there were a total of 2,725 parking spaces.

Upon the notification of the owners of the affected parking lots, staff realized that many of the lots in question do not fit into our definition of a stand-alone parking lot but rather service a particular building. Staff is working with the owners to document or in some cases get an entitlement to legalize these lots. Staff is estimating that approximately half of the parking lots in the inventory will be affected by this.

A comprehensive land use study was conducted in 1978 in conjunction with the Central City Community Plan Update. This study delineated the land use of each parcel in the

central city. If a parcel was designated as surface parking in this study, staff deemed the lot a legal surface parking lot. There are 53 surface parking lots that meet this requirement but many of these lots do not meet the current development standards. Removing these lots from this study leaves 80 surface parking lots in question.

Two ordinances have been prepared to implement the Central City Interim Surface Parking Lot Policy. One, the Surface Parking Lot Ordinance amends the current City Code to outline new design standards, eligibility and procedures. The second, the Temporary Surface Parking Lot Permit Program establishes an existing temporary surface parking lot permit program. The intent of the Temporary Surface Parking Lot Permit Program is: 1) to provide an opportunity for existing stand- alone surface parking lots within the Central City to comply with current City Codes by implementing minimum requirements; 2) to allow new temporary surface parking lots on properties actively progressing through the City of Sacramento's development process located inside the Merged Downtown Redevelopment Area and exempted by the City Manager to apply for a permit and implement minimum standards; and 3) to allow new temporary surface parking lots by applying for a permit and implement minimum standards when appropriate outside the Merged Downtown Redevelopment Area and within the high need areas as determined by Parking Services.

Eligibility

The three types of lots that are eligible for this program are as follows:

- Existing out-of-compliance surface parking lots within the Central City in continuous operation since January 1, 2006.

- New temporary surface parking lots outside the Merged Downtown Redevelopment Area but in a high need area or "hot spot".

- New temporary surface parking lots inside the Merged Downtown Redevelopment Area if a development application for the properties is actively progressing through the City's development process & exempted by the City Manager.

Procedures for obtaining a permit for surface parking:

1. The applicant will go to Department of Transportation Parking Services and obtain application and verify that the existing lot is eligible for a temporary surface parking lot permit.

2. The applicant will go to Development Services to obtain a building permit and perform necessary improvements to existing parking lot.

3. The applicant will then go back to Department of Transportation Parking Services to complete the parking permit application and be issued a parking permit once the building permit is finaled.

Renewals

Type of surface parking lot application	Length of Time Permit is Valid	Renewable?
1) Existing out-of-compliance lots in operation since 1-1-06.	2 years	Biennially renewable.
2) New temporary surface parking lots outside the MDRA in high need area.	2 years	Biennially renewable.
3) New temporary surface parking lots inside the MDRA (with City Manager exemption.)	1 year	Renewable once a year for two years only.

The program will require fewer improvements of all existing lots in operation as of January 1, 2006, within the Central City. Under the policy, applicants will be asked to make some basic upgrades in signage, surface, lighting, drainage, accessibility and stall dimensions.

Design Standards

All surface parking lots in the Central City will be required to meet a reduced set of Design Standards. Design Standards for the temporary surface parking lots are as follows:

- Provide a 2' X 2' area sign at the lot entrance displaying parking lot permit number and owner information.
- Provide average lighting area (minimum level of 0.2 foot-candle over the area of the parking lot) with appropriate shielding to prevent uplighting.
- Meet with paving and striping, maneuvering area, stall dimension, and vehicle overhang standards as set forth in Section 17.64.030 of the City Code.
- Provide accessible parking per the California Building Code.
- Provide driveways constructed to City Standards and meeting current ADA standards.
- Drainage shall comply with the requirements of the Utilities Department.

Additional Street Front Development Standards for new lots:

- Temporary surface parking lots containing 25 or fewer parking stalls shall provide street frontage screening.
- Screening shall consist either of landscaping and irrigation with a minimum 2 foot planter or up to a 3½ foot high ornamental fence consisting of painted tubular steel along all street frontages.

- Temporary surface parking lots containing 25 or more parking stalls shall provide landscaping and irrigation along the street frontage.

If the Design Standards cannot be met a Zoning Administrator Special Permit will be required to modify or waive any applicable development design standard.

Public/Neighborhood Outreach and Comments

The Department of Transportation, Parking Services and Development Services Department, Current Planning held a community and stakeholder meeting at the City's Convention Center on January 29, 2007 to review the proposed amendments to the Zoning Code. Prior to the meeting staff notified 1,300 people via email and approximately 50 people attended the meeting. Staff made a presentation of the proposed changes and answered questions related to the procedures of the new ordinance, concerns about infrastructure improvement costs, and enforcement of standards. Staff also met with the Midtown Business Association who shared concerns about a reduction in parking in the central city.

Additionally, staff notified the same list of stakeholders about Planning Commission and Development Oversight Commission. There were no speakers at Planning Commission, but several people spoke at the Development Oversight Commission.

On June 5th, 2007 this item was heard by the Law and Legislation Committee. They directed staff to make some minor modifications to the ordinance, notice the property owners of the impacted lots, and to go back out to the community to address the changes. On August 22nd, 2007 staff held the second community meeting with stakeholders and property owners at the Central Valley Train Station. Staff noticed 1,300 stakeholders and all of the property owners. Approximately 50 people attended the meeting. Again, staff gave a presentation and included the background of the temporary surface parking ordinance and how it would affect the property owners. Most of the questions were about individual parcels and the impacts of the proposed ordinance upon them. There was a request to have the inventory of the parking lots posted on the City's web site. Staff has accommodated that request and will keep the content of the web site up to date during the remainder of this process.

Attachment 2

Redlined
ORDINANCE NO.

Adopted by the Sacramento City Council

Date Adopted

AMENDING SECTIONS 17.16.010, 17.24.050, 17.64.010 AND 17.64.030 OF, AND ADDING SECTIONS 17.64.070, 17.64.080, AND APPENDIX A TO CHAPTER 17.64 OF, TITLE 17 OF THE SACRAMENTO CITY CODE (THE ZONING CODE) RELATING TO TEMPORARY SURFACE PARKING LOTS IN THE CENTRAL CITY (M06-055)

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

SECTION 1. Section 17.16.010 of Title 17 of the Sacramento City Code (the Zoning Code) is amended as follows:

A. Section 17.16.010 is amended by adding the definition of "parking lot, garage, or facility" to read as follows:

"Parking lot", parking garage", or "parking facility" means an off-street designated vehicle parking area and includes the following:

1. A parking facility intended to serve a particular building or use to satisfy, in whole or in part, the parking requirements established by this title, which parking facility may be either on-site or off-site as provided in Chapter 17.64 of this title.

2. A parking facility not intended to serve a particular building or use, including temporary surface parking lots; also known as a "stand alone parking facility".

3. A temporary parking facility; also known as a "temporary surface parking lot".

B. Section 17.16.010 is amended by adding the definition of "Merged Downtown Redevelopment Project Area" to read as follows:

"Merged Downtown Redevelopment Project Area" means the Merged Downtown Sacramento Redevelopment Project Area consisting of four constituent redevelopment project areas that were merged in 1986, as depicted on the map in Appendix A, set out at the end of Chapter 17.64 of this title.

C. Except as specifically amended in this Section 1, section 17.16.010 shall remain unchanged and in full force and effect.

SECTION 2. Section 17.24.050 of Title 17 of the Sacramento City Code (the Zoning Code) is amended as follows:

A. Footnote 43 of section 17.24.050 is amended to read as follows:

43. Stand-Alone Parking Facilities. ~~Any new parking facility (parking lot or parking structure) not intended to meet requirements of an associated building by an unrestricted or exclusive use, shall require a special permit. Prior to the approval of the special permit, the planning commission shall consider the potential impact that the additional parking spaces might have on commute patterns (i.e., a shift to single occupancy vehicles).~~ Stand-alone parking facilities are allowed in this zone subject to compliance with the provisions of Chapter 17.64.

B. Except as specifically amended by the amendments to footnote 43, section 17.24.050 shall remain unchanged and in full force and effect.

SECTION 3. Section 17.64.010 of Title 17 of the Sacramento City Code (the Zoning Code) is amended as follows:

A. Subsection C of Section 17.64.010 is amended to read as follows:

C. ~~Development Standards.~~ Reserved.

~~Parking facilities, including on-site, off-site, and stand alone facilities, shall comply with the development standards outlined in Section 17.64.030 of this chapter. A variance pursuant to Chapter 17.216 of this title is required if the proposed parking facility does not comply with any of the required development standards.~~

B. Subsection G of Section 17.64.010 is amended to read as follows:

G. Stand-Alone Parking Facilities.

~~A stand-~~ Stand-alone parking ~~lot or structure not intended to serve an associated building~~facilities shall ~~be required to~~ comply with the ~~applicable land use regulations in Section~~provisions of Sections 17.~~24~~64.030 ~~"parking lot/garage" of this title.~~, 17.64.070, and 17.64.080.

C. Except as specifically amended by the amendments to subsections ~~B~~C and G, section 17.64.010 shall remain unchanged and in full force and effect.

SECTION 4. Section 17.64.030 of Title 17 of the Sacramento City Code (the Zoning Code) is amended as follows:

A. The introductory paragraph of Section 17.64.030 is amended to read as follows:

~~All off-street~~Except as provided in Section 17.64.080 with respect to temporary surface parking lots, all parking facilities shall be developed pursuant to the following standards:

B. Except as specifically amended by the amendments to the introductory paragraph, section 17.64.030 shall remain unchanged and in full force and effect.

SECTION 5. Section 17.64.070 is added to Title 17 of the Sacramento City Code (the Zoning Code) to read as follows:

17.64.070 Stand-alone parking facilities.

A. Stand-alone parking facilities that are not temporary surface parking lots are permitted in the zones indicated in Section 17.24.030 subject to approval of a planning commission special permit. In considering a special permit for a stand-alone parking facility under this subsection (A), the planning commission shall consider the potential impact that the additional parking spaces might have on commute patterns and the use of single-occupancy vehicles.

B. Notwithstanding the provisions of Section 17.24.030 and subsection (A) of this section, stand-alone surface parking facilities that are not temporary surface parking lots are not allowed in the Merged Downtown Redevelopment Project Area.

C. Stand-alone surface parking facilities that are temporary surface parking lots are allowed only in the central city and are subject to section 17.64.080.

SECTION 6. Section 17.64.080 is added to Title 17 of the Sacramento City Code (the Zoning Code) to read as follows:

17.64.080 Temporary surface parking lots-Central city.

A. Purpose and Intent.

As recognized in the Central City Parking Master Plan (adopted by City Council Resolution No. 2006-697 on September 19, 2006), surface parking lots can provide a short-term solution for parking needs in the Central City, but are rarely the best use of valuable Central City property. The livability of the Central City is enhanced by continuous activities along the commercial streets and is harmed by parking lots breaking up the continuity of commercial development. Temporary use of vacant lots for surface parking shall be permitted in the Central City only where there is a demonstrated short-term parking deficiency so that the long-term plan for development of the property for a higher use is promoted.

B. Definitions.

In addition to the definitions in Chapter 17.16 of this title, the following definitions shall apply for purposes of this section:

"Parking high need area" means areas where the on-street parking is occupied at eight-five percent (85%) or greater as determined by the parking manager under subsection (E) of this section.

C. Temporary Surface Parking Lot Permits.

1. Temporary surface parking lots are allowed in the Central City, subject to the issuance and continuing validity of a temporary surface parking lot permit under this subsection (C). Temporary surface parking lot permits may be issued only for locations within a parking high need area, or within the Merged Downtown Redevelopment Project Area subject to subsection (D).

2. Application for a temporary surface parking lot permit shall be submitted to the city parking manager on a form provided by the city and shall include all of the following:

a. Evidence satisfactory to the parking manager that the location of the proposed temporary surface parking lot is either (i) located in an area designated as a parking high need area as determined by the parking manager, or (ii) located in the Merged Downtown Redevelopment Project Area and written findings required under subsection (D)(1) have been certified by the city manager;

b. Improvement plans, specifications, and other information as needed to bring the parcel into conformance with the temporary surface parking lot development standards set forth in subsection (C)(5); and

c. Evidence of a current business license tax certificate for the temporary surface parking lot operation.

3. The parking manager shall issue a temporary surface parking lot permit upon submittal of a complete application, completion of all improvements necessary to comply with the temporary surface parking lot development standards set forth in subsection (C)(5), and, for locations within the Merged Downtown Redevelopment Project Area, written findings required under subsection (D)(1) certified by the city manager.

4. Except as provided in subsection (D)(2) for locations within the Merged Downtown Redevelopment Project Area, a temporary surface parking lot permit shall be valid for two years from date of issuance and shall not be subject to extension or renewal.

5. Temporary surface parking lots shall comply at all times with the following development standards. No other development standards, including the parking lot tree shading standards shall apply. A zoning administrator special permit shall be required to modify or waive compliance with these development standards:

a. A sign with the name and telephone number of the parking lot owner and the temporary surface parking lot permit shall be displayed at the site.

b. Minimum lighting level of 0.2 foot-candle with appropriate shielding to prevent uplighting and unnecessary spillage on adjacent properties shall be provided.

c. The development standards relating to use, functionality, paving and striping, maneuvering area, stall dimension, and vehicle overhang as set forth in Section 17.64.030 shall apply.

d. The development standards relating to curbs and barriers and to surfacing and drainage as set forth in sections 10.44.140 and 10.44.150 of this code shall apply.

e. Temporary surface parking lots containing twenty-five or fewer parking stalls shall provide street frontage screening. Screening shall consist either of landscaping and irrigation within a minimum two foot planter or a three to three and a half foot high ornamental fence consisting of painted tubular steel along all street frontages. Temporary surface parking lots containing more than twenty-five parking stalls shall provide landscaping and irrigation along the street frontage. All temporary surface parking lot screening shall comply with sight distance specifications as required by this code.

f. All applicable construction standards and building permit procedures in Title 15 of this code shall apply.

g. All applicable standards and driveway permit procedures in Chapter 18.08 of this code shall apply.

D. Temporary Surface Parking Lots Permits for Locations Inside of the Merged Downtown Redevelopment Project Area-Findings-Term.

1. A temporary surface parking lot permit for a location in the Merged Downtown Redevelopment Project Area shall not be issued unless and until the city manager reviews the application and makes all of the following findings:

a. That the permit applicant has on file a complete application for development of the site;

b. That the permit applicant has on file evidence of ownership of the site or of intent to lease or buy the site; or, if the applicant is not the owner of the site and has no intent to lease or buy the site, the applicant has provided the city manager (1) a copy of a "due diligence" agreement or equivalent document between the applicant and the owner of the site relating to the timely processing of the development application or (2) a copy of a joint venture agreement between the permit applicant and a development company for development of the site; and

c. That the permit applicant has on file a schedule of performance that details the actions to be taken by and at the direction of the applicant over the ensuing twelve-month period relating to the development of the site.

2. Notwithstanding the provisions of subsection (C), a temporary surface parking lot permit for a location in the Merged Downtown Redevelopment Project Area shall not be limited to parking high need areas, shall be valid for one year from date of issuance, and may be renewed two times for a period of one year each. Application for a renewal shall be made and processed in the same manner as the initial application for a temporary surface parking lot permit under subsections (C) and (D).

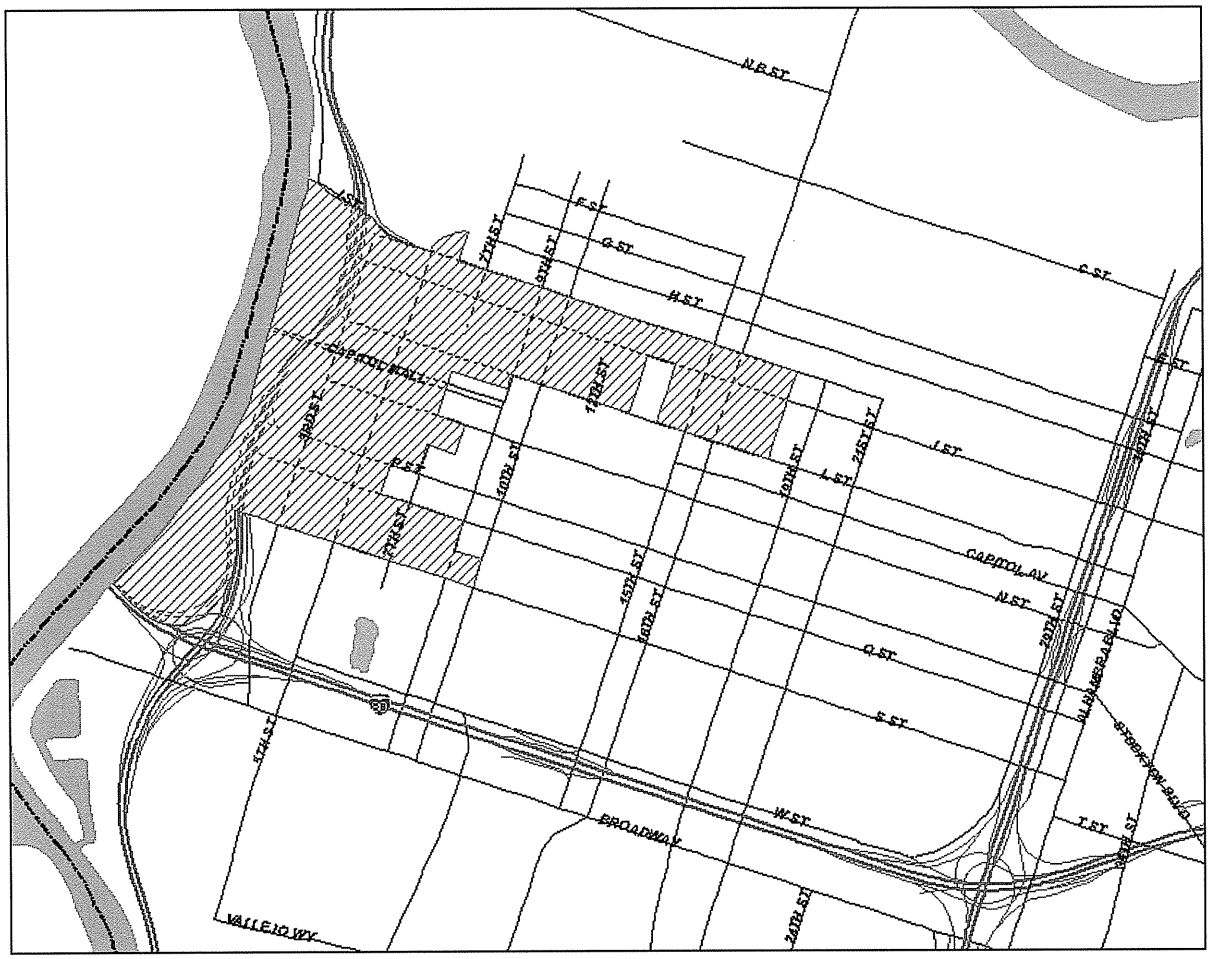
E. The parking manager shall determine and make available for continuous public inspection a map showing those areas of the Central City he or she has determined are high parking need areas.

SECTION 7. Chapter 17.64 of Title 17 of the Sacramento City Code (the Zoning Code) is amended by adding Appendix A: Merged Downtown Redevelopment Project Area to the end of the Chapter, as shown in the attached Exhibit A to this ordinance.

Exhibit A

Appendix A

Merged Downtown Redevelopment Project Area



Attachment 3

ORDINANCE NO.

Adopted by the Sacramento City Council

Date Adopted

AMENDING SECTIONS 17.16.010, 17.24.050, 17.64.010 AND 17.64.030 OF, AND ADDING SECTIONS 17.64.070, 17.64.080, AND APPENDIX A TO CHAPTER 17.64 OF, TITLE 17 OF THE SACRAMENTO CITY CODE (THE ZONING CODE) RELATING TO TEMPORARY SURFACE PARKING LOTS IN THE CENTRAL CITY (M06-055)

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

SECTION 1. Section 17.16.010 of Title 17 of the Sacramento City Code (the Zoning Code) is amended as follows:

A. Section 17.16.010 is amended by adding the definition of "parking lot, garage, or facility" to read as follows:

"Parking lot", parking garage", or "parking facility" means an off-street designated vehicle parking area and includes the following:

1. A parking facility intended to serve a particular building or use to satisfy, in whole or in part, the parking requirements established by this title, which parking facility may be either on-site or off-site as provided in Chapter 17.64 of this title.

2. A parking facility not intended to serve a particular building or use, including temporary surface parking lots; also known as a "stand alone parking facility".

3. A temporary parking facility; also known as a "temporary surface parking lot".

B. Section 17.16.010 is amended by adding the definition of "Merged Downtown Redevelopment Project Area" to read as follows:

"Merged Downtown Redevelopment Project Area" means the Merged Downtown Sacramento Redevelopment Project Area consisting of four constituent redevelopment project areas that were merged in 1986, as depicted on the map in Appendix A, set out at the end of Chapter 17.64 of this title.

C. Except as specifically amended in this Section 1, section 17.16.010 shall remain unchanged and in full force and effect.

SECTION 2. Section 17.24.050 of Title 17 of the Sacramento City Code (the Zoning Code) is amended as follows:

A. Footnote 43 of section 17.24.050 is amended to read as follows:

43. Stand-Alone Parking Facilities. Stand-alone parking facilities are allowed in this zone subject to compliance with the provisions of Chapter 17.64.

B. Except as specifically amended by the amendments to footnote 43, section 17.24.050 shall remain unchanged and in full force and effect.

SECTION 3. Section 17.64.010 of Title 17 of the Sacramento City Code (the Zoning Code) is amended as follows:

A. Subsection C of Section 17.64.010 is amended to read as follows:

C. Reserved.

B. Subsection G of Section 17.64.010 is amended to read as follows:

G. Stand-Alone Parking Facilities.

Stand-alone parking facilities shall comply with the provisions of Sections 17.64.030, 17.64.070, and 17.64.080.

C. Except as specifically amended by the amendments to subsections C and G, section 17.64.010 shall remain unchanged and in full force and effect.

SECTION 4. Section 17.64.030 of Title 17 of the Sacramento City Code (the Zoning Code) is amended as follows:

A. The introductory paragraph of Section 17.64.030 is amended to read as follows:

Except as provided in Section 17.64.080 with respect to temporary surface parking lots, all parking facilities shall be developed pursuant to the following standards:

B. Except as specifically amended by the amendments to the introductory paragraph, section 17.64.030 shall remain unchanged and in full force and effect.

SECTION 5. Section 17.64.070 is added to Title 17 of the Sacramento City Code (the Zoning Code) to read as follows:

17.64.070 Stand-alone parking facilities.

A. Stand-alone parking facilities that are not temporary surface parking lots are permitted in the zones indicated in Section 17.24.030 subject to approval of a

planning commission special permit. In considering a special permit for a stand-alone parking facility under this subsection (A), the planning commission shall consider the potential impact that the additional parking spaces might have on commute patterns and the use of single-occupancy vehicles.

B. Notwithstanding the provisions of Section 17.24.030 and subsection (A) of this section, stand-alone surface parking facilities that are not temporary surface parking lots are not allowed in the Merged Downtown Redevelopment Project Area.

C. Stand-alone surface parking facilities that are temporary surface parking lots are allowed only in the central city and are subject to section 17.64.080.

SECTION 6. Section 17.64.080 is added to Title 17 of the Sacramento City Code (the Zoning Code) to read as follows:

17.64.080 Temporary surface parking lots-Central city.

A. Purpose and Intent.

As recognized in the Central City Parking Master Plan (adopted by City Council Resolution No. 2006-697 on September 19, 2006), surface parking lots can provide a short-term solution for parking needs in the Central City, but are rarely the best use of valuable Central City property. The livability of the Central City is enhanced by continuous activities along the commercial streets and is harmed by parking lots breaking up the continuity of commercial development. Temporary use of vacant lots for surface parking shall be permitted in the Central City only where there is a demonstrated short-term parking deficiency so that the long-term plan for development of the property for a higher use is promoted.

B. Definitions.

In addition to the definitions in Chapter 17.16 of this title, the following definitions shall apply for purposes of this section:

"Parking high need area" means areas where the on-street parking is occupied at eight-five percent (85%) or greater as determined by the parking manager under subsection (F).

C. Temporary Surface Parking Lot Permits.

1. Temporary surface parking lots are allowed in the Central City, subject to the issuance and continuing validity of a temporary surface parking lot permit under this subsection (C). Temporary surface parking lot permits may be issued only for locations within a parking high need area, or within the Merged Downtown Redevelopment Project Area subject to subsection (D).

2. Application for a temporary surface parking lot permit shall be submitted to the city parking manager on a form provided by the city and shall include all of the following:

a. Evidence satisfactory to the parking manager that the location of the proposed temporary surface parking lot is either (i) located in an area designated as a parking high need area as determined by the parking manager, or (ii) located in the Merged Downtown Redevelopment Project Area and written findings required under subsection (D)(1) have been certified by the city manager;

b. Improvement plans, specifications, and other information as needed to bring the parcel into conformance with the temporary surface parking lot development standards set forth in subsection (C)(5); and

c. Evidence of a current business license tax certificate for the temporary surface parking lot operation.

3. The parking manager shall issue a temporary surface parking lot permit upon submittal of a complete application, completion of all improvements necessary to comply with the temporary surface parking lot development standards set forth in subsection (C)(5), and, for locations within the Merged Downtown Redevelopment Project Area, written findings required under subsection (D)(1) certified by the city manager.

4. Except as provided in subsection (D)(2) for locations within the Merged Downtown Redevelopment Project Area, a temporary surface parking lot permit shall be valid for two years from date of issuance and shall not be subject to extension or renewal.

5. Temporary surface parking lots shall comply at all times with the following development standards. No other development standards, including the parking lot tree shading standards shall apply. A zoning administrator special permit shall be required to modify or waive compliance with these development standards:

a. A sign with the name and telephone number of the parking lot owner and the temporary surface parking lot permit shall be displayed at the site.

b. Minimum lighting level of 0.2 foot-candle with appropriate shielding to prevent uplighting and unnecessary spillage on adjacent properties shall be provided.

c. The development standards relating to use, functionality, paving and striping, maneuvering area, stall dimension, and vehicle overhang as set forth in Section 17.64.030 shall apply.

d. The development standards relating to curbs and barriers and to surfacing and drainage as set forth in sections 10.44.140 and 10.44.150 of this code shall apply.

e. Temporary surface parking lots containing twenty-five or fewer parking stalls shall provide street frontage screening. Screening shall consist either of landscaping and irrigation within a minimum two foot planter or a three to three and a half foot high ornamental fence consisting of painted tubular steel along all street frontages. Temporary surface parking lots containing more than twenty-five parking stalls shall provide landscaping and irrigation along the street frontage. All temporary surface parking lot screening shall comply with sight distance specifications as required by this code.

f. All applicable construction standards and building permit procedures in Title 15 of this code shall apply.

g. All applicable standards and driveway permit procedures in Chapter 18.08 of this code shall apply.

D. Temporary Surface Parking Lots Permits for Locations Inside of the Merged Downtown Redevelopment Project Area-Findings-Term.

1. A temporary surface parking lot permit for a location in the Merged Downtown Redevelopment Project Area shall not be issued unless and until the city manager reviews the application and makes all of the following findings:

a. That the permit applicant has on file a complete application for development of the site;

b. That the permit applicant has on file evidence of ownership of the site or of intent to lease or buy the site; or, if the applicant is not the owner of the site and has no intent to lease or buy the site, the applicant has provided the city manager (1) a copy of a "due diligence" agreement or equivalent document between the applicant and the owner of the site relating to the timely processing of the development application or (2) a copy of a joint venture agreement between the permit applicant and a development company for development of the site; and

c. That the permit applicant has on file a schedule of performance that details the actions to be taken by and at the direction of the applicant over the ensuing twelve-month period relating to the development of the site.

2. Notwithstanding the provisions of subsection (C), a temporary surface parking lot permit for a location in the Merged Downtown Redevelopment Project Area shall not be limited to parking high need areas, shall be valid for one year from date of issuance, and may be renewed two times for a period of one year each. Application for a renewal shall be made and processed in the same manner as the initial application for a temporary surface parking lot permit under subsections (C) and (D).

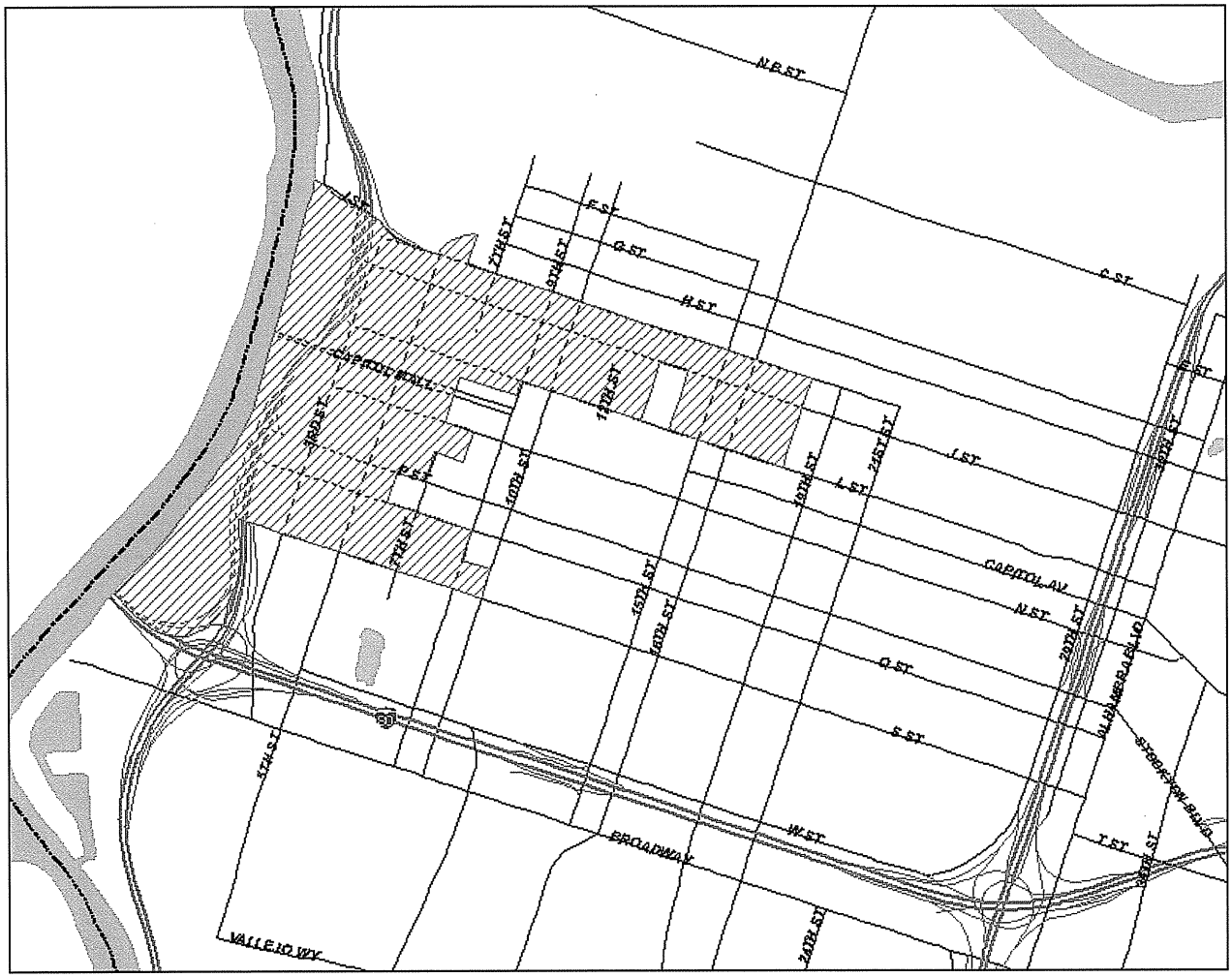
E. The parking manager shall determine and make available for continuous public inspection a map showing those areas of the Central City he or she has determined are high parking need areas.

SECTION 7. Chapter 17.64 of Title 17 of the Sacramento City Code (the Zoning Code) is amended by adding Appendix A: Merged Downtown Redevelopment Project Area to the end of the Chapter, as shown in the attached Exhibit A to this ordinance.

Exhibit A

Appendix A

Merged Downtown Redevelopment Project Area



Attachment 4

ORDINANCE NO.

Adopted by the Sacramento City Council

Date Adopted

ESTABLISHING AN EXISTING TEMPORARY SURFACE PARKING LOT PERMIT PROGRAM FOR THE CENTRAL CITY

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

SECTION 1. The Central City Parking Master Plan is a comprehensive On-Street and Off-Street parking strategy that was adopted on September 19, 2006 by City Council Resolution No. 2006-697.

The specific objectives of the Parking Master Plan are to:

A. Ensure sufficient parking to achieve the City's economic and infill development goals and boost Smart Growth principles;

B. Ensure parking supply and rates support transit, other alternative modes and air quality;

C. Evaluate rate structures supportive of a comprehensive parking strategy;

D. Provide a two-year, five-year and longer term outlook of parking supply versus demand and identify opportunities for meeting that demand;

E. Guide daily operations of the City's on-street and off-street parking facilities; and

F. Incorporate community stakeholders concerns.

As part of the Master Plan, specific recommendations related to Surface Parking Lots were made to address issues surrounding the appropriate use of surface parking lots within the central city. This ordinance will implement those recommendations.

SECTION 2. Notwithstanding the provisions of Title 17 of the Sacramento City Code (the Zoning Code), existing temporary surface parking lots, as defined in this Ordinance, shall be permitted in the Central City subject to issuance of an existing temporary surface parking lot permit under this Ordinance.

A. An existing temporary surface parking lot is a surface parking lot located in the central city that is not operating under a valid special permit and that was in

existence on January 1, 2006 and has been in continuous operation from January 1, 2006 to the effective date of this Ordinance.

B. No person shall operate an existing temporary surface parking lot unless, within six months of the effective date of this Ordinance, the owner or operator of the existing temporary surface parking lot applies for and obtains an existing temporary surface parking lot permit and thereafter maintains in effect a valid existing temporary surface parking lot permit.

C. An application for an existing temporary surface parking lot permit shall be submitted to the parking manager on a form provided by the City and shall include all of the following:

1. Evidence satisfactory to the parking manager that the subject of the application is an existing temporary surface parking lot as defined in this Ordinance;

2. Improvement plans, specifications, and other information as needed to bring the existing temporary surface parking lot into conformance with the existing temporary surface parking lot development standards set forth in subsection (F) of this section; and

3. Evidence of a current business license tax certificate for the temporary surface parking lot operation.

D. The parking manager shall issue an existing temporary surface parking lot permit upon submittal of a complete application and completion of all improvements necessary to bring the existing temporary surface parking lot into conformance with the existing temporary surface parking lot development standards set forth in subsection (F).

E. An existing temporary surface parking lot permit shall be valid for two years from date of issuance and may be renewed biennially. Application for a renewal shall be made and processed in the same manner as the initial application for an existing temporary surface parking lot permit under subsections (C) and (D).

F. Existing temporary surface parking lots shall comply at all times with the following development standards. No other development standards, including the parking lot tree shading standards, shall apply. A zoning administrator special permit shall be required to modify or waive compliance with these development standards:

1. A sign with the name and telephone number of the parking lot owner and the existing temporary surface parking lot permit shall be displayed at the site.

2. Minimum lighting level of 0.2 foot-candle with appropriate shielding to prevent uplighting and unnecessary spillage on adjacent properties shall be provided.

3. The development standards relating to use, functionality, paving and striping, maneuvering area, stall dimension, and vehicle overhang as set forth in Section 17.64.030 of the City Code shall apply.

4. The development standards relating to curbs and barriers and to surfacing and drainage as set forth in Sections 10.44.140 and 10.44.150 of the City Code shall apply.

5. All applicable construction standards and building permit procedures in Title 15 of this code shall apply.

6. All applicable standards and driveway permit procedures in Chapter 18.08 of this code shall apply.

G. Violation of this ordinance shall be subject to the administration and enforcement provisions of Chapter 17.232 of the City Code.