

ORDINANCE NO. 2006-035

Adopted by the Sacramento City Council

May 30, 2006

**AMENDING SECTIONS 17.24.020, 17.24.030, 17.24.050,
17.28.020, 17.28.030, AND VARIOUS SECTIONS OF
CHAPTER 17.100 OF TITLE 17 OF THE SACRAMENTO
CITY CODE (THE ZONING CODE) RELATING TO THE
RESIDENTIAL MIXED USE ZONE AND THE NORTHGATE
SPECIAL PLANNING DISTRICT (M03-191)**

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

SECTION 1. Section 17.24.020 Residential Land Use Chart of Title 17 of the Sacramento City Code (the Zoning Code) is amended as follows:

A. The matrix for "apartments" set forth in Table 17.24.020 A is amended to read as follows:

Uses Allowed	RE	R-1	R-1A	R-1B	R-2	R-2A	R-2B	R-3	R-3A	R-4	R-5	RMX	RO	OB
Apartments*						75	75	75	75	75	75	69/75	75	

B. Except as specifically amended for the uses indicated, all other provisions of section 17.24.020 and Table 17.24.020 A remain unchanged and in full force and effect.

SECTION 2. Section 17.24.030 Commercial Land Use Chart of Title 17 of the Sacramento City Code (the Zoning Code) is amended as follows:

A. The matrix for "Barber, beauty shop" set forth in Table 17.24.030 A is amended to read as follows:

Uses Allowed	RE	R-1	R-1A	R-1B	R-2	R-2A	R-2B	R-3	R-3A	R-4	R-5	RMX	RO	OB
Barber, beauty shop											7	69		64/18

B. The matrix for "Copy shop" set forth in Table 17.24.030 A is amended to read as follows:

Uses Allowed	RE	R-1	R-1A	R-1B	R-2	R-2A	R-2B	R-3	R-3A	R-4	R-5	RMX	RO	OB

Copy shop												7	69		64/18
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C. The matrix for "Dance, music, voice, martial arts school" set forth in Table 17.24.030 A is amended to read as follows:

Uses Allowed	RE	R-1	R-1A	R-1B	R-2	R-2A	R-2B	R-3	R-3A	R-4	R-5	RMX	RO	OB
Dance, music, voice, martial arts school											7	69		

D. The matrix for "Diet center, tanning center" set forth in Table 17.24.030 A is amended to read as follows:

Uses Allowed	RE	R-1	R-1A	R-1B	R-2	R-2A	R-2B	R-3	R-3A	R-4	R-5	RMX	RO	OB
Diet center, tanning center											7	69		18

E. Except as specifically amended for the uses indicated, all other provisions of section 17.24.030 and Table 17.24.030 A remain unchanged and in full force and effect.

SECTION 3. Section 17.24.050 of Title 17 of the Sacramento City Code (the Zoning Code) is amended as follows;

A. Footnote 8 of section 17.24.050 is amended to read as follows:

8. Alternative Ownership Housing Types.

a. Special Permit Required. A zoning administrator special permit is required for alternative ownership housing projects comprised of four (4) or fewer lots. A planning commission special permit is required for alternative ownership housing projects comprised of five (5) or more lots. The special permit process will include review of setbacks, lot coverage, and the overall design of the project, the unit design, and the design of any accessory structures or features, as defined in subsections (8)(b) and (8)(c) of this section. In approving a special permit, the planning commission and zoning administrator shall have the authority to vary setback and lot coverage requirements.

b. Design. The proposed site development plan must integrate structures, common and private open spaces, pedestrian and vehicular circulation, parking, and other site features so as to produce a development that provides for all

desirable residential features and environmental amenities. Further, the proposed development shall not adversely affect the existing or proposed future development of the surrounding areas.

c. **Accessory Structures.** Accessory structures and uses are those designed and constructed for the exclusive use of the residents of the project, including recreational facilities, such as a playground, swimming pool, or clubhouse, and service facilities, such as garages, carports, parking areas, laundry facilities and other similar accessory features.

d. **Limitation on Use in M-1, M-1(S), M-2, and M-2(S) Zones.** In the M-1, M-1(S), M-2, and M-2(S) zones, this use may be permitted only with a planning commission special permit and only where located on a lot within a quarter-mile radius of a light rail station (measured from the center of the platform, as determined by the planning director, to the edge of the lot closest to the station).

B. Footnote 69 of section 17.24.050 is amended to read as follows:

69. Development in the RMX Zone.

This use is allowed in the RMX zone subject to Chapter 17.28 of this title.

C. Except as specifically amended by the amendment to footnote 8 and 69, all other provisions of section 17.24.050 remain unchanged and in full force and effect.

SECTION 4. Section 17.28.020 of Title 17 of the Sacramento City Code (the Zoning Code) is amended to read as follows:

17.28.020 Use regulations.

A. Except as provided in subsection (B), below, sections 17.24.020, 17.24.030, 17.24.040 and 17.24.050 shall govern the uses in the RMX zone.

B. The following use is allowed subject to a special permit:

1. Restaurant or coffee house greater than six thousand four hundred (6,400) square feet in area.

SECTION 5. Section 17.28.030 of Title 17 of the Sacramento City Code (the Zoning Code) is amended to read as follows:

17.28.030 Development standards.

A. Nonresidential Development Limitations.

1. For new development in the RMX zone on lots greater than three thousand two hundred (3,200) square feet in area, commercial and office uses are limited to the ground floor only and may occupy up to a maximum of fifty (50) percent of the building square footage.

2. For new development in the RMX zone on lots having three thousand two hundred (3,200) square feet or less in area, commercial and office uses are limited to the ground floor only and may occupy up to a maximum of fifty (50) percent of the building square footage; provided, that the percentage of commercial or office use may be increased up to one hundred (100) percent of the building square footage, subject to approval of a zoning administrator's special permit.

3. An architecturally or historically significant structure of any size may be converted entirely to commercial or office uses, subject to approval of a zoning administrator's special permit, in order to ensure preservation and maintenance of the structure. The intent of this provision is to make structural repair and restoration economically viable, and ensure the community's continued benefit from the preservation of the significant structure.

4. The percentage of nonresidential use may be increased up to one hundred (100) percent of the building square footage if the building is occupied by a community or neighborhood-based nonprofit organization, subject to approval of a zoning administrator's special permit.

B. Off-Street Parking Reduction.

Notwithstanding the provisions of Chapter 17.64 of this title related to off-street parking and Chapter 17.184 related to transportation systems management for new nonresidential development, for new mixed-use projects which incorporate both residential and neighborhood-serving commercial retail or service uses, the zoning administrator may reduce or waive up to fifty (50) percent of the required off-street parking requirement for the ground-floor commercial retail or service uses, subject to a zoning administrator's special permit. The special permit may only be granted if a finding can be made that the parking reduction or waiver will not be detrimental to the surrounding neighborhood, and that sufficient on-street parking is available.

C. Noise Standards.

As some sites zoned RMX (or other zones where residential uses are permitted) may be located on heavily-traveled streets or near railroad lines or freeways, certain noise attenuation measures must be incorporated into the building design. Accordingly, the building design of all new residential structures within an area of the city above sixty (60) dB Ldn shall incorporate the following construction standards in order to reduce interior noise levels:

1. All penetrations of exterior walls shall include a one-half inch airspace. This space shall be filled loosely with fiberglass insulation. The space shall then be sealed airtight on both sides of the wall with a resilient, non-hardening caulking or mastic.

2. The roof shall be finished with a minimum seven-sixteenths inch OSB or plywood of equivalent surface weight, minimum thirty (30) lb. felt paper and minimum two hundred forty (240) lb/square foot composition shingles or equivalent.

3. Skylights shall not be used unless they have an STC rating of twenty-nine (29) or better.

4. Windows shall have a minimum STC rating of twenty-eight (28).

5. Windows shall have an air filtration rate of less than or equal to 0.15 CFM/lin. ft. when tested with a twenty-five (25) mile per hour wind per ASTM standards.

6. Sliding glass doors shall have a minimum STC rating of twenty-nine (29).

7. An HVAC system shall be installed which will provide minimum air circulation and fresh air supply requirements as specified in the Uniform Building Code (UBC).

8. Gravity vent openings in attic space shall not exceed code minimum in size and number.

9. Alternative methods and materials may be used to achieve an interior noise level of forty-five (45) dB Ldn or less, subject to the approval by the environmental coordinator.

SECTION 6. Section 17.100.010 of Title 17 of the Sacramento City Code (the Zoning Code) is amended to read as follows:

17.100.010 Purpose and intent.

A. The designation of the Northgate SPD zone recognizes the area as one requiring unique guidance to revitalize commercial areas and protect viable residential sites located to the east. The zone will encourage upgrading and reuse of commercial development along the east side of Northgate Boulevard, while providing for local serving commercial and business opportunities that are compatible with adjacent residential uses. The intent of the zone is to retain and encourage commercial and neighborhood office uses that serve the surrounding area and through traffic to maintain the district's importance to the community. The goals of the Northgate SPD are to:

1. Upgrade and revitalize existing commercial developments on the east and west sides of Northgate Boulevard;

2. Ensure that new commercial and office developments are compatible with adjacent residential uses;

3. Ensure well balanced local serving office and commercial uses in the special planning district zone; and

4. Encourage new commercial and office uses at focused commercial centers located at the intersection of West El Camino Avenue and Northgate Boulevard and the intersection of San Juan Road and Northgate Boulevard, to attract a number of patrons at one time and encourage interaction between the public and the service or product provider.

5. Encourage both vertical and horizontal mixed use development along Northgate Boulevard.

B. Development within the Northgate Special Planning District shall be subject to the special rules and regulations contained in this chapter in addition to the other regulations of this title. In the event of a conflict between the provisions of this chapter and other provisions of this title, the provisions of this chapter shall prevail.

SECTION 7. Section 17.100.020 of Title 17 of the Sacramento City Code (the Zoning Code) is amended to read as follows:

17.100.020 Northgate SPD boundaries.

The Northgate special planning district zone applies to that area of South Natomas located on the east and portions of the west sides of Northgate Boulevard south of Patio Avenue and north of Garden Highway. The zone is depicted on the map in Appendix A, set out at the end of this chapter.

SECTION 8. Section 17.100.030 of Title 17 of the Sacramento City Code (the Zoning Code) is amended to read as follows:

17.100.030 Allowed and prohibited uses.

A. RMX Zone in the Northgate SPD.

1. Except as provided in subsections (A)(2) and (C) of this section, uses permitted in the RMX zone outside of the Northgate SPD shall be permitted in the RMX zone inside of the Northgate SPD. If this title requires the approval of a special permit or other discretionary entitlement(s) or imposes other restrictions or requirements on the establishment of a particular use in the RMX zone outside of the Northgate SPD, approval of the same discretionary entitlements and compliance with the same

restrictions or requirements shall be required to establish the use within the RMX zone inside of the Northgate SPD.

2. On lots greater than three thousand two hundred (3,200) square feet in size, a commercial use allowed in the RMX zone may occupy up to one hundred percent (100%) of the building square footage subject to approval of a planning commission special permit. In granting the special permit for commercial use under this subsection (A)(2) and in addition to the findings required by chapter 17.212, the planning commission shall find the following:

a. The design of the proposed commercial or office development conforms to the commercial corridor design principles adopted under section 17.132.035(C) as they may be amended from time to time. The commercial corridor design principles shall be applied in addition to the design guidelines applicable under chapter 17.132 Design Review. In the event of a conflict, the design guidelines applicable under chapter 17.132 shall take precedence over the commercial corridor design principles.

b. The proposed use supports the surrounding residential mixed-use development and the existing residential neighborhood.

B. C-2 Zone in the Northgate SPD.

Except as provided in subsection (C) of this section, uses permitted in the C-2 zone outside of the Northgate SPD shall be permitted in the C-2 zone inside of the Northgate SPD. If this title requires the approval of a special permit or other discretionary entitlement(s) or imposes other restrictions or requirements on the establishment of a particular use in the C-1 zone outside of the Northgate SPD, approval of the same discretionary entitlements and compliance with the same restrictions or requirements shall be required to establish the use within the C-2 zone inside of the Northgate SPD.

C. Prohibited uses.

Notwithstanding the provisions of subsections (A) and (B) of this section, and in addition to all other uses prohibited in the RMX and C-2 zones under this title, the following uses are prohibited in the RMX zone and the C-2 zone in the Northgate SPD:

1. Drive-through service facility;
2. Mini-storage/locker building;
3. Auto sales (new or used), service, repair, storage, or rental; except that vehicle storage is permitted if incidental to a use that is otherwise permitted;
4. Towing service and vehicle storage yard;

5. RV mobile home sales yard;
6. RV storage (commercial);
7. Check cashing center and check cashing facility;
8. Pawn shops; and
9. Money lenders.

SECTION 9. Section 17.100.040 of Title 17 of the Sacramento City Code (the Zoning Code) is amended to read as follows:

17.100.040 Performance and development standards.

A. Height and area regulations.

Except as specifically set forth in this section, the provisions of this title relating to height, yard, court, lot coverage/building size, and lot area per dwelling unit requirements for the RMX and C-2 zones shall apply in the Northgate SPD.

1. Height - RMX Zone.

a. The height limit in the RMX zone for buildings or portions of buildings located more than one hundred (100) feet from an R-zoned lot is forty-five (45) feet, except if the building has twenty-five (25) percent or more square feet of gross floor area in residential use, the height limit is fifty-five (55) feet.

b. The height limit for buildings or portions of buildings located one hundred (100) feet or less from an R-zoned lot is thirty-five (35) feet.

c. The planning commission has the authority to issue a special permit to allow an increase in the maximum height limit.

2. Minimum yard requirements – RMX and C-2 Zones.

The following yard requirements shall apply in the RMX and C-2 zone in the Northgate SPD.

a. The minimum front yard setback for lots fronting on Northgate Boulevard shall be four (4) feet.

b. The minimum street side yard and interior side yard setback shall be four (4) feet.

3. Density – RMX Zone.

The maximum density in the RMX zone in the Northgate SPD shall be as provided in section 17.60.020(12) and chapter 17.28; provided, that the planning commission shall have the authority to issue a special permit to allow an increase in the maximum density.

B. Open Space.

Residential projects and the residential portion of mixed-use projects shall provide a minimum of fifty (50) square feet of usable private open space for each residential unit. The private open space shall be specifically designed for recreational or passive enjoyment of the outdoors and may be comprised of yards, decks, patios, or balconies. Private usable open space shall be directly accessible from the dwelling unit it serves.

C. Parking and Circulation.

Parking lots shall be placed at the rear of mixed-use developments.

SECTION 10. Section 17.100.050 of Title 17 of the Sacramento City Code (the Zoning Code) is amended to read as follows:

17.100.050 Design standards.

A. Northgate SPD Design Review.

The territory within the Northgate SPD is within the Expanded North Area Design Review District and is subject to the provisions of chapter 17.132 of this title. It is the intent of the design standards for structures in the Northgate SPD to provide residents and passersby with an aesthetically pleasing and functionally efficient commercial strip. This should be achieved through the use of common architectural and development styles, as well as similar building materials, coordinated signage, and landscape treatment.

B. Facade Treatments.

1. Appropriate exterior wall finishing for the Northgate SPD shall be applied to all sides of the building, including trash enclosures and other accessory structures. Appropriate wall finishings include the following:

- a. Decorative masonry;
- b. Finished anodized metal;
- c. Horizontal lap siding;

- d. Board and batten siding; and
 - e. Stucco.
2. Inappropriate wall finishings include the following:
- a. Standard concrete block;
 - b. Grooved plywood sheets, unless used for a board and batten pattern with twelve (12) inch maximum distance between battens;
 - c. Corrugated metal; and
 - d. Reflective glass.

3. The design review authority reviewing a proposed project may authorize the use of materials otherwise considered inappropriate, or additional materials not specified above, based on the following findings:

- a. The material in the particular application proposed will result in a building that will blend in well with the existing and future buildings that use appropriate materials;
- b. Other appropriate materials would not achieve the same desired theme of the proposed use; and,
- c. The overall architectural design and detailing is of such quality as to justify its use.

C. Colors.

One or more major body colors with two or more trim colors shall be included in each building with the major colors chosen from the earth tone ranges. A color scheme shall be identified on the building elevations plan.

D. Roof Projections and Design.

1. All air conditioning units, ventilating equipment, other mechanical equipment and communications equipment shall be completely screened or enclosed with materials compatible with the exterior building material so as not to be visible off-site.

2. Roof projections shall be painted to match the roof or major building color.

E. Public Address Systems.

Public address systems shall not be allowed.

F. Signage.

The following sign criteria will aid in eliminating excessive and confusing sign displays, enhance the appearance of Northgate Boulevard, safeguard and enhance property values, and encourage signage which by good design is integrated with and is harmonious to the buildings and sites that it occupies. These sign regulations are intended to complement chapter 15.148 of this code. In all cases, the more restrictive regulations shall apply.

1. Design Requirements.

Sign designs shall meet the requirements set forth in sections 15.148.125 for the RMX zone and 15.148.160 for the C-2 zone of this code, and the following:

a. All exterior letters on signs exposed to the weather shall be mounted at least three-fourths inch from the building surface to permit dirt and water drainage; and

b. No signmaker's labels or other identification will be permitted on the exposed surface of signs, except those required by ordinance, which shall be located in an inconspicuous location.

2. Location and Size.

a. Detached Signs.

All new detached signs shall be of a monument type and shall conform to the following standards:

i. Sign Area. The monument sign face shall not exceed twenty-five (25) square feet except that one additional square foot of signage is allowed for each three lineal feet of street frontage above the first one hundred (100) lineal feet, and shall not exceed an absolute maximum of fifty (50) square feet.

ii. Location. One monument sign will be allowed per lot located along the Northgate frontage. No monument signs shall be oriented towards, or located along, noncollector side streets. Monument signs shall be located so that the part of the sign located closest to Northgate Boulevard shall be set back as follows:

(A) Clear Zone--Driveways. A monument sign (sign support plus sign face) may not exceed three feet in height above the nearest public right-of-way within the triangular area next to the intersection of the driveway and the ten (10) foot setback. This triangular area is defined as for fences in Section 17.76.010(B)(1) of this title.

(B) Clear Zone--Corner Lots. A monument sign (sign support plus sign face) may not exceed three feet in height above the nearest public right-of-way within the triangular area next to the intersection of two public streets. This triangular area is defined as for fences in Section 17.76.010(B)(1) of this title.

(C) Monument signs located outside of the clear zone must be set back at least five feet from the property line.

iii. Height. Monument signs set back five feet from property lines shall have height limits of five feet above the nearest public right-of-way. An additional one foot height increase for each additional foot setback will be allowed, provided that the maximum height of the monument signs shall not exceed ten (10) feet above the nearest public right-of-way.

iv. Height/Width Proportions. The monument sign face height shall not exceed two times the sign face width for vertically oriented signs, and the sign face height shall be at least one-third the sign face width for horizontally oriented signs.

The monument sign structure height shall not exceed three times the sign structure width for vertically oriented signs, and the sign structure height shall be at least one-half the sign structure width for horizontally oriented signs.

v. Sign Support. The width of the monument sign support shall be at least seventy-five (75) percent the width of the sign face and shall not exceed one hundred twenty-five (125) percent of the sign face. The total height of the support shall not exceed one-half the total height of the monument sign structure. The monument sign support shall not exceed four feet in height as measured from the lowest point of the exposed base.

vi. Landscaping. Two feet of landscaping is required in every direction from the exterior portions of any part of the monument sign. The landscaped area shall be treated pursuant to the requirements in Section 17.100.040(A) of this chapter.

vii. Illumination. Illumination shall meet requirements pursuant to Section 3.87 of the city sign ordinance.

b. Attached Signs.

Attached signs shall comply with the following standards:

i. Sign Area. Attached signs shall be allowed a maximum aggregate area of two square feet of sign area for each front foot of building occupancy provided that the width does not exceed seventy (70) percent of the shops' width.

ii. Height. The maximum height of attached signs shall be thirty (30) inches for signs with letters in a single row, and thirty-four (34) inches for signs containing a double row of letters. The maximum height of logos or insignias shall be thirty-four (34) inches.

iii. Location. Attached signs shall not be erected on top of architectural projections.

iv. Design. All attached signs shall consist of individual letters. Cabinet signs are prohibited.

G. Multifamily Residential Design Principles.

Residential and the residential portion of mixed-use projects shall meet the multi-family residential design principles adopted by City Council Resolution No. 2000-487 and as they may be amended from time to time. The multi-family residential design principles shall be applied in addition to the design guidelines applicable under chapter 17.132 Design Review. In the event of a conflict, the design guidelines applicable under chapter 17.132 shall take precedence over the multi-family residential design principles.

SECTION 11. Chapter 17.100 of Title 17 of the Sacramento City Code (the Zoning Code) is amended by replacing the appendix set forth at the end of the chapter entitled "Appendix A Northgate Blvd. Special Planning District" with the diagram attached as Exhibit A to this ordinance.

Adopted by the City of Sacramento City Council on May 30, 2006 by the following vote:

Ayes: Councilmembers Cohn, Fong, Hammond, McCarty, Pannell Sheedy, Tretheway, Waters, and Mayor Fargo.

Noes: None.

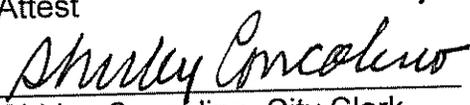
Abstain: None.

Absent: None.



Mayor, Heather Fargo

Attest



Shirley Concolino, City Clerk

Passed for Publication May 23, 2006: Published May 26, 2006

Effective June 30, 2006

Northgate Blvd. Special Planning District

EXHIBIT A

