REPORT TO COUNCIL
City of Sacramento

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Consent
September 12, 2006

Honorable Mayor and
Members of the City Council

Title: Pass for Publication: Swanston Light Rail Station Interim Ordinance (M06-050)

Location/Council District: Area roughly bounded by Erickson Street to the west, El Camino Ave to the north, Business 80 to the east, and Arden Way to the south (See Attachment 2, Exhibit A, page 11). Council Districts 2 and 3.

Recommendation: 1) Review the Interim **Ordinance** Establishing a Special Permit Requirement for Commercial Use or Industrial Use Development within a Segment of the Proposed Swanston Station Transit Village Plan Area; 2) Pass for publication the **Ordinance** title as required by Sacramento City Charter 32c: and 3) continue to September 19, 2006 for consideration.

Contact: Brian Abbanat, Associate Planner, (916) 808-7584; Fedolia "Sparky" Harris, Senior Planner, (916) 808-2996

Presenters: Brian Abbanat

Department: Planning

Division: Long Range Planning

Organization No: 4912

Description/Analysis

Issue: The Swanston Station Transit Village Plan (M04-057) is a pending transit-oriented development specific plan that will guide future development and redevelopment within the area toward transit supportive land uses and provide needed housing, employment opportunities, and neighborhood retail uses.

The project area is dominated by M-1 zoning (light industrial) and, to a lesser extent, OB (Office Building). Many parcels are vacant or underutilized. Additionally, such non-residential uses do not contribute to transit ridership. Upon completion, the Swanston Station Transit Village Plan will propose land use/zoning changes to accomplish that objective and implement the emerging transit village vision.

In 2004, Council adopted the Light Rail Station Ordinance (OR 2004-052) which attempted to regulate by special permit incompatible new development from

occurring within the quarter-mile radius of the thirteen light rail stations analyzed in Regional Transit's report, Transit for Livable Communities. Swanston was among those stations. The Light Rail Station Ordinance excepted by right many non-transit supportive uses within the M-1 and OB zones.

The purpose of the proposed ordinance is to temporarily require a Planning Commission-issued special permit, for all industrial or commercial development within the proposed Swanston Station Transit Village Plan so that projects can be reviewed and evaluated for compatibility with the emerging transit village vision. Staff anticipates bringing the Swanston Station Transit Village Plan to Council for adoption in Summer 2007 at which time a recommendation will be made to repeal the interim ordinance.

Policy Considerations: By authorizing Planning Commission issuance of a special permit for commercial or industrial development within the pending Swanston Station Transit Village Plan, several Council policy objectives will be preserved. These are not limited to:

- Economic development will be enhanced through assessment of infrastructure needs and an urban design/land use plan that encourages redevelopment and revitalization of the project area; and
- Safe and affordable housing will be improved through excellent urban design that emphasizes a mix of housing types with a broad range of affordability; and
- Sustainability and livability will be improved by designing a more compact, walkable village around the light rail stations and by reducing automobile dependence; and
- Improvements in lighting, intersection crossings, and pedestrian/automobile conflict reduction will improve public safety in the project area; and
- City policy to promote alternative modes of transportation will be supported.

Environmental Considerations: Pursuant to CEQA Guidelines Article 5, Section 15061(b)(3), this Ordinance "is covered by the general rule that CEQA applies only to projects, which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA."

Commission/Committee Action: The proposed Ordinance was presented by staff to the Law & Legislation Committee on September 5, 2006. The Committee recommended forwarding the Ordinance to City Council.

Rationale for Recommendation: The City and its partners have invested over $850,000 in the pending Swanston Station Transit Village Plan. Many

incompatible commercial and industrial land uses are currently allowed by right to develop within the project boundary. This ordinance ensures the transit village's future can be realized by enacting a review-and-permit process until the Plan is adopted.

Financial Considerations: None

Emerging Small Business Development (ESBD): Not applicable

Respectfully Submitted by: _____
Steve Peterson, Principal Planner

Approved by: _____
Carol Shearly, Planning Director

Recommendation Approved:

for _____
Ray Kerridge
City Manager

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ATTACHMENT 1
BACKGROUND

The Swanston Station Transit Village Plan will prepare land use plans, traffic/infrastructure studies, environmental analysis, urban design plans, and financing/implementation strategies to implement transit-oriented development around the Swanston Light Rail Station in the City's North Sacramento Community Plan Area. Additionally, the Swanston Station Transit Village Plan will provide land use, parking/circulation, open space and infrastructure goals, policies, and objectives, and implementation measures which will guide land use and development decisions around the station over the next twenty years.

The Swanston Station Transit Village Plan will utilize and advance two previous sets of transit-oriented development (TOD) land use studies. Community design charettes were conducted in 1998 utilizing the INDEX modeling tool to arrive at a "transit village" concept for Swanston Station's future vision. A more comprehensive land use vision was completed as part of the Transit for Livable Communities (TLC) project that utilized the GIS-based PLACE^{3}s modeling tool and was led by Sacramento Regional Transit District in collaboration with the City of Sacramento and area stakeholders. The TLC study developed station area land use plans and recommendations including higher density housing, mix-use and support retail, and other civic and community uses.

Swanston Station is located in the North Sacramento Community Plan Area, south of El Camino Avenue, north of Arden Way and east of the Regional Transit and Union Pacific Rail Lines. The project area encompasses roughly quarter-mile to half-mile radius around the existing Regional Transit Swanston Light Rail Station. The railroad right-of-way area is 320 feet wide and serves commercial rail service as well as Amtrak and Sacramento Light Rail. The Swanston Light Rail Station has a landscaped 3.5-acre park-and-ride lot with capacity for approximately 310 automobiles.

The station area land uses are varied and include heavy industrial, commercial, single-family residential, multi-family residential and vacant parcels. Existing heavy and light rail lines divide the project area into two distinct areas. The area to the east contains two large office complexes and a hotel (USAA Insurance, Hilton Hotel, and Cal Plaza I). The northwest side of the area contains relatively low-density single story buildings in an assortment of land uses with vacant parcels interspersed.

Overall, in addition to vacant lots, many other sites in the area are underutilized. An estimated 21 percent of the parcels within approximately half-mile radius around the station are either underutilized or vacant. General locations in the area are adequate to meet the definition of blight under California Redevelopment Law; the area was included in the North Sacramento Redevelopment Project Area (adopted by SHRA in 1992). Currently, the project area contains approximately 364 dwelling units and 4,017 employees.

Historically, Council has demonstrated strong support for transit-oriented development (TOD) planning through adoption of the General Plan Vision and Guiding Principles, Smart Growth Principles, the Light Rail Station Ordinance, and acceptance of Regional

Transit's Transit for Livable Communities Report. The common theme among these documents is the promotion of mixed land uses, a variety of housing types and affordability, and improving transportation options. These objectives complement the City's mission of creating "The most livable city in America" as well as several of Council's highest priorities, including:

- Improving public safety
- Encourage economic development
- Provide safe and affordable housing
- Improve sustainability and livability
- Foster culture and entertainment

In September 2004, Council adopted the Light Rail Station Ordinance (OR 2004-052), which permitted residential and office uses in the C-4, M-1, M-1(S), M-2, and M-2(S) zones while requiring a special permit for certain commercial uses within a quarter-mile of the thirteen TLC light rail stations, Swanston included. Additionally, certain non-residential non-transit supportive uses are permitted by right without any review or evaluation requirements. The proposed ordinance would require a Planning Commission Special Permit so the City has an opportunity to evaluate projects while the Plan is in progress.

The three parcels representing the Capitol West Planned Unit Development (PUD) (USAA Site) are excluded from the proposed ordinance. The Capitol West PUD already requires a special permit and/or amendment for development inconsistent with its master plan. Inclusion of the Capitol West PUD in the proposed ordinance is considered an unnecessary layer of regulation.

The City has invested substantially in the pending Swanston Station Transit Village Plan with the objective of ensuring transit supportive uses are encouraged within the proposed Plan. The final step will be completion and adoption of the Swanston Station Transit Village Plan to allow for immediate implementation of the Plan's vision. This will not likely occur until Summer 2007. Thus, it is important to ensure the Plan has the opportunity to fully realize its vision by adopting the proposed ordinance to immediately require a Planning Commission Special Permit for new commercial and industrial development within the proposed Plan area while it is in progress.

ATTACHMENT 2

ORDINANCE NO.

Adopted by the Sacramento City Council

AN INTERIM ORDINANCE ESTABLISHING A SPECIAL PERMIT REQUIREMENT FOR COMMERCIAL USE OR INDUSTRIAL USE DEVELOPMENT WITHIN A SEGMENT OF THE PROPOSED SWANSTON STATION TRANSIT VILLAGE PLAN AREA

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

SECTION 1. Findings

The City Council for the City of Sacramento finds as follows:

A. The City is in the process of developing the Swanston Station Transit Village Plan for that area generally bounded on the north by El Camino Avenue, on the east by Business 80, on the west by Erickson Avenue and on the South by Arden Way to implement transit-oriented development around the Swanston Light Rail Station in the City's North Sacramento Community Plan area. A segment of the proposed Swanston Station Transit Village Plan located east of the light rail tracks is designated as a planned unit development. The remainder of the proposed Swanston Station Transit Village Plan area is shown on the maps attached as Exhibits A and B hereto and parcel listing attached as Exhibit C hereto ("Plan Area").

B. The City General Plan identifies part of the Plan Area as an area of opportunity "where changes in land use can be encouraged . . . due to their close proximity to light rail facilities or to where new land uses may be more appropriate than those identified in post 1976 community plans".

C. Council has previously demonstrated support for transit-oriented development planning through adoption of the General Plan Update Vision and Guiding Principles, Smart Growth Principles, and acceptance of Regional Transit's (RT) Transit for Livable Communities report. Additionally, previous planning efforts in the Plan Area as well as informal community supported planning exercises have supported the replanning of the Plan Area to emphasize residential, office, retail and mixed use transit supporting land uses.

D. There is multi-agency interest in developing a new master plan for the Plan Area. Interest has been informally expressed by representatives of RT, Sacramento Housing and Redevelopment Agency (SHRA), Sacramento Area Council of

Governments (SACOG) and Caltrans.

E. Certain funds from Caltrans, SACOG, SHRA, RT and the City are now available to support portions of the master plan effort for the Plan Area.

F. Objectives have been established for the Plan Area including the following:

1. Development of a land use plan that will guide future development and redevelopment within the area towards land uses that will support transit ridership, and provide needed housing, employment opportunities, and neighborhood support retail uses;

2. Preparation of an integrated policy document that addresses the Specific Plan and Transit Village Development requirements of state planning law;

3. Development of recommendations and guidelines for design and development of land use and infrastructure development within the Plan Area;

4. Creation of a policy document that integrates the land use plan, urban design plan, infrastructure analysis, and financing strategy;

5. Incorporation of meaningful community input into every stage of the process: exchanging, sharing ideas and collaborating with interested groups, property owners, individuals, and other agencies active in the Plan Area;

6. Identification of the necessary infrastructure needs, cost estimates, phasing, and implementation programs to realize the vision of the Plan Area;

7. Preparation of necessary environmental clearance requirements and preparation of needed documentation for the project to obtain CEQA clearance;

8. Improvement of the pedestrian, bicycle, and automobile circulation and access of the Plan Area and vicinity;

9. Modification of the City of Sacramento Zoning Code and identification of streamlined approval processes as necessary to implement the proposed Swanston Station Transit Village Plan vision and land use plan in the Plan Area;

10. Development of the Plan Area consistent with the City's Smart Growth Principles, the Regional Transit Master Plan, the Transit for Livable Communities Recommendations, the SACOG Blueprint Study, the North Sacramento Redevelopment Plan, and the goals North Sacramento 2005-2009 Redevelopment Implementation Plan; and

11. Coordination with the City's General Plan Update, which is currently in process.

G. Under the current provisions of the City's Zoning Code, a broad range of commercial and industrial uses are permitted in the Plan Area as a matter of right, without any review by the City. While some of these uses may be compatible with the goals and policies of the proposed Swanston Station Transit Village Plan, there are also a number of commercial and industrial uses which are not.

H. Specific projects would continue to be processed through the special permit procedures during the study period.

SECTION 2.

Notwithstanding the provisions of Title 17 of the City Code, a special permit approved by the Planning Commission shall be required to establish within the Plan Area any new commercial use or any new industrial use for which a building permit, grading permit or any other permit from the City is required. Residential mixed uses shall not be considered either commercial or industrial uses.

SECTION 3.

This Ordinance helps to ensure that certain commercial or industrial uses that may be established by right in the Plan Area and that may not be compatible with the proposed Swanston Station Transit Village Plan are subject to review until such time as staff has the opportunity to promulgate, and the Council has an opportunity to consider and amend land use regulations for the Plan Area.

It is anticipated that the Swanston Station Transit Village Plan and necessary CEQA documentation will be submitted to the Council for consideration by August 31, 2007 and that upon the Council's decision whether to amend the land use regulations for the Plan Area, the special permit requirement set forth in Section 2 of this ordinance will be repealed or superseded, and as appropriate, replaced by the revised land use regulations for the Swanston Station Transit Village Plan.

EXHIBIT A
ORDINANCE MAP: AFFECTED PROPERTIES

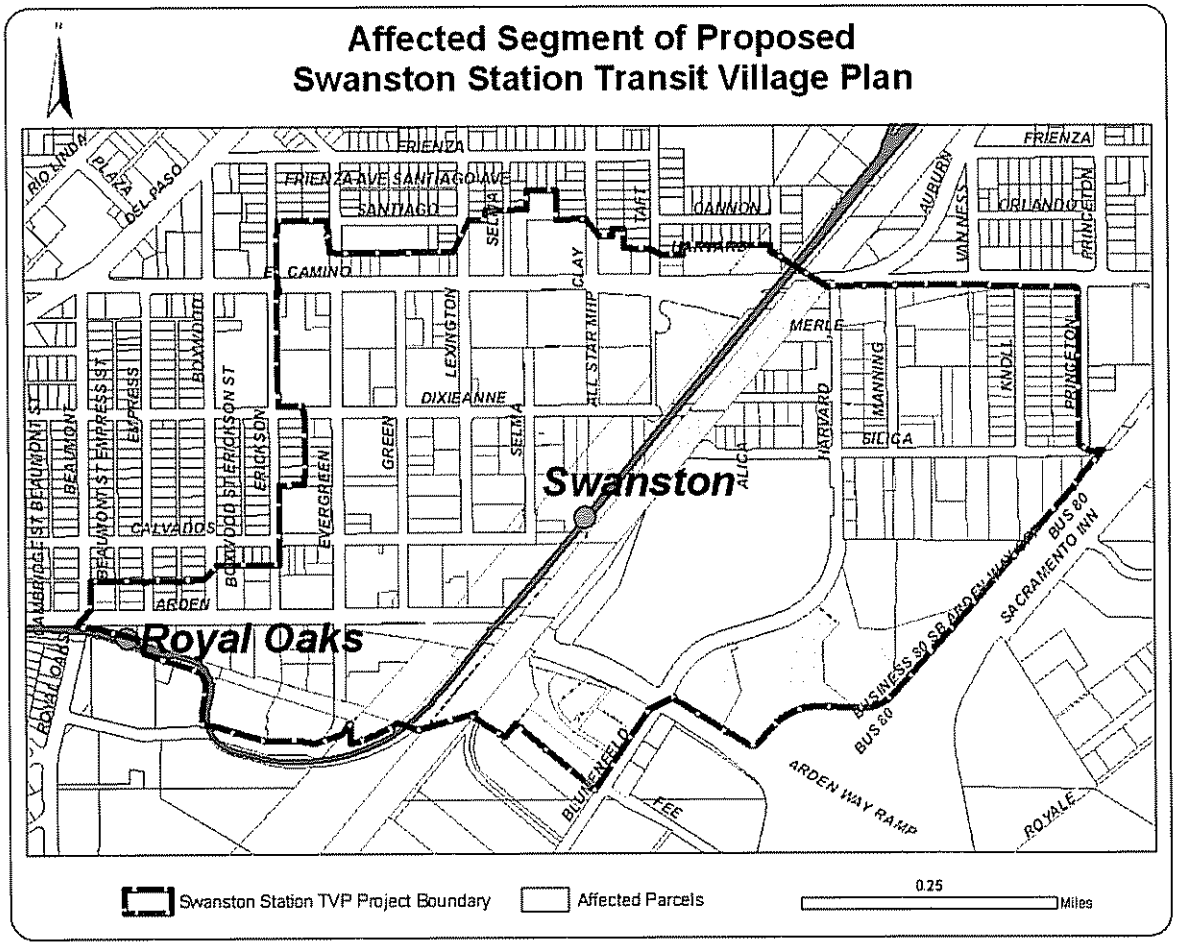

EXHIBIT B
AERIAL MAP: AFFECTED PROPERTIES

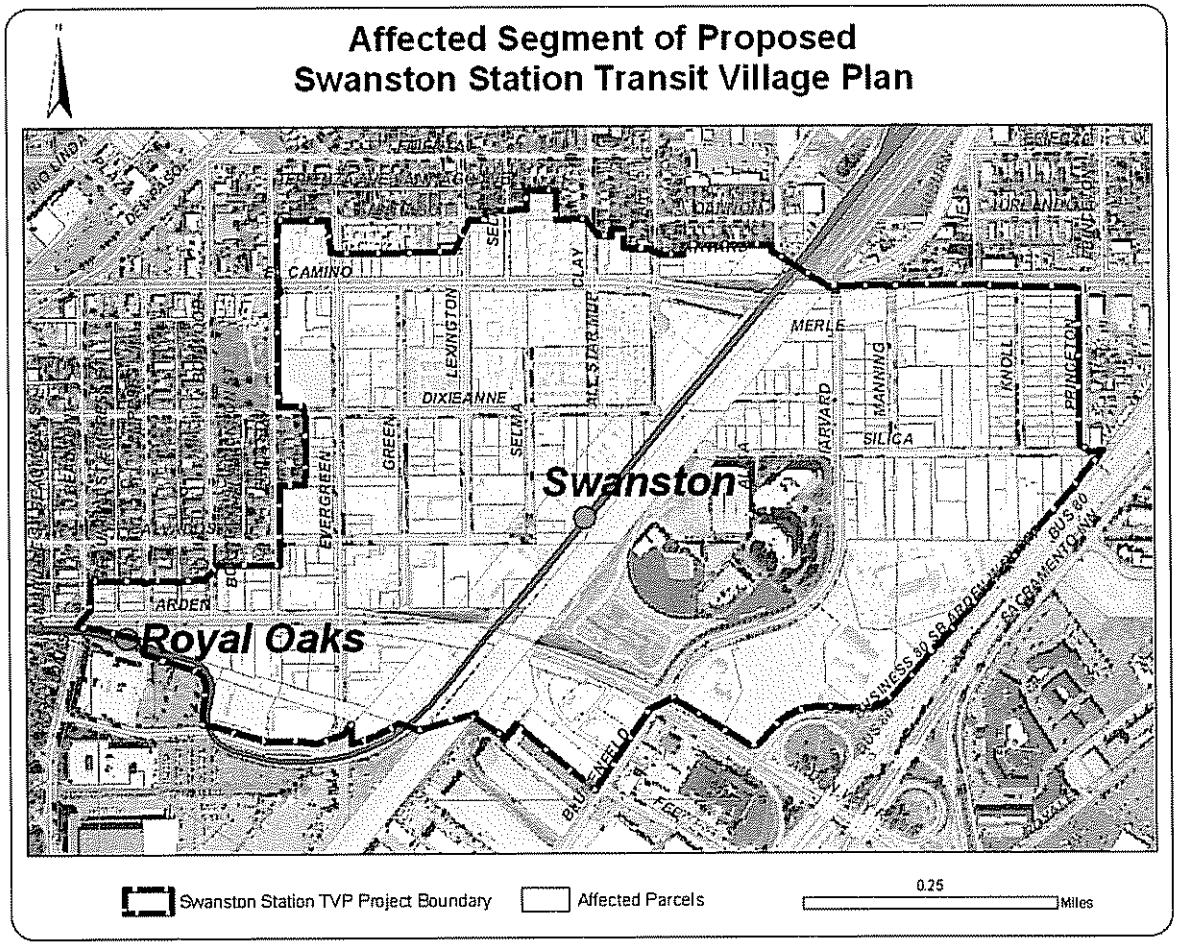

EXHIBIT C
PLAN AREA: AFFECTED PROPERTIES

Assessor's Parcel Numbers for Properties Located within the Plan Area:

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