REPORT TO COUNCIL
City of Sacramento

915 I Street, Sacramento, CA 95814-2604
www. CityofSacramento.org

CONSENT
October 24, 2006

Honorable Mayor and
Members of the City Council

Title: Interim Ordinance for Alternative Development Standards (M06-035)

Location/Council District: Portion of the East Sacramento Community Plan Area (District 3)

Recommendation: 1) Review a **Resolution** approving the Environmental Exemption per the California Environmental Quality Act Section 15301; 2) review an **Ordinance** indicating that Ordinance No. 2006-037 shall not apply to the East Sacramento area until April 1, 2007 and repealing Ordinance No. 2006-045; and Pass for Publication the **Ordinance** title as required by the Sacramento City Charter 32c to be adopted October 31, 2006.

Contact: Joy Patterson, Zoning Administrator, (916) 808-5607; William Crouch, Urban Design Manager, (916) 808-8013; David Kwong, Planning Manager, (916) 808-2691

Presenters: Not Applicable

Department: Development Services

Division: Current Planning

Organization No: 4881

Description/Analysis

Issue: On June 27, 2006 the Sacramento City Council approved an interim Ordinance that implemented alternative development standards for single-family and two-family homes in the East Sacramento and North Sacramento Community Plan areas (City Council Ordinance 2006-037). The Ordinance was effective July 27, 2006. Individuals and community groups in the East Sacramento area contacted Councilmember Cohn and requested that the effective date of the Ordinance for the East Sacramento area be delayed so additional community outreach and input could be obtained. On August 1, 2006 the City Council adopted Ordinance 2006-045, delaying the effective date of Ordinance 2006-037 to November 1, 2006 in the East Sacramento area.

Community meetings on the proposed development standards were held on July

20, 2006 and September 13, 2006. The consensus is that, due to the wide variety of architectural styles and lot sizes in East Sacramento, the proposed standards in the interim Ordinance do not fit the East Sacramento community and that a different approach is needed than the one used in the North Sacramento area. Staff is recommending that the implementation of the interim ordinance be deferred until April 1, 2007. During November and December, Development Services staff will work with the local chapter of the American Institute of Architects to consider an approach that would look at the development envelope of a site to make sure a site is not overbuilt (known as a volumetric approach). Staff would also come up with appropriate standards to address neighborhood context. Criteria in a checklist format would be developed and if a proposed project could not meet the criteria, then the proposal would be subject to staff level design review. The revised Ordinance would be reviewed by neighborhood and community groups in the East Sacramento area in January and early February. Staff would then return to the Council at the end of February for adoption of a revised ordinance that would be effective at the end of March. The adoption of the Ordinance in East Sacramento would be the first step in creating a pilot program for the entire City.

Policy Considerations: The proposed Ordinance is consistent with the City's Strategic Plan three-year goal to achieve sustainability and livability in the city of Sacramento.

As staff proceeds with community outreach, the question arises as to whether other neighborhoods of the city will desire to have similar policies and/or procedures in place for design review. Staff does not have the resources to study the entire city at this time; however, should a councilmember desire to nominate a neighborhood in his/her district for staff to review during the time frame discussed above, staff recommends that they notify staff by November 15th. The Ben Ali and Hagginwood neighborhoods were inadvertently left out of the North Sacramento area when the interim ordinance was adopted on June 27, 2006. Staff will include these two neighborhoods in the development of the revised ordinance.

Committee/Commission Action: None

Environmental Considerations: The proposed ordinance is exempt under California Environmental Quality Act (CEQA) Section 15061(b) (3).

Rationale for Recommendation: Concerns from the East Sacramento community have been expressed at both community meetings held by Councilmember Cohn in July and September of 2006. As a result of these meetings it has been determined that: (1) the majority of the concerned residents are in agreement delayed implementation of the interim Ordinance so that revisions to the Ordinance can be made; and (2) additional outreach is needed

to review revisions to the Ordinance before returning to City Council.

Financial Considerations: There are no financial considerations associated with this report.

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

Respectfully Submitted by: _____
DAVID KWONG
Planning Manager, Development Services

Approved by: _____
WILLIAM THOMAS
Director of Development Services

Recommendation Approved:

_____
for RAY KERRIDGE
City Manager

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Attachment 1 – Resolution

RESOLUTION NO. 2006-

Adopted by the Sacramento City Council

DETERMINING PROJECT EXEMPT FROM REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (M06-035)

BACKGROUND

A. The City of Sacramento's Environmental Planning Services has reviewed the interim Ordinance establishing specific regulations pertaining to lot coverage, massing and scale for the East Sacramento neighborhood and has determined the proposal is exempt from review under the California Environmental Quality Act as follows:

1. The proposal is exempt under the following provisions of the California Environmental Quality Act Section (CEQA)15061 (b) (3);
2. The factual basis for the finding of exemption is as follows: Exemption 15061(b) (3) consists of an activity 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. However, specific projects requiring entitlement approval will be brought back to the Design Review/Preservation Board for authorization to proceed with actual construction/development plans of the proposed project. At the time of final action, appropriate CEQA environmental review documentation will also be completed for each specific project and brought forward to the Design Review/Preservation Board.

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

Section 1. The City Council has reviewed and considered the Environmental Planning Services determination of exemption and the comments received at the hearing on the Project and determines that the Project is exempt from review under the California Environmental Quality Act for the reasons stated above.

Attachment 2 – Ordinance

ORDINANCE NO.

Adopted by the Sacramento City Council

RELATING TO THE APPLICABILITY OF ORDINANCE NO. 2006-037, AN INTERIM ORDINANCE ESTABLISHING SPECIFIC REGULATIONS PERTAINING TO LOT COVERAGE, MASSING, AND SCALE FOR SPECIFIED RESIDENTIAL NEIGHBORHOODS IN THE CITY OF SACRAMENTO, TO THE EAST SACRAMENTO NEIGHBORHOOD AND REPEALING ORDINANCE NO. 2006-045 (M06-035)

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

SECTION 1. Ordinance No. 2006-037, adopted by the City Council on June 27, 2006 and effective July 27, 2006, shall not apply to the geographical area within the City of Sacramento known as East Sacramento as depicted on the attached Exhibit A during that period of time beginning on the effective date of this Ordinance and ending at midnight on March 31, 2007.

SECTION 2. On and after April 1, 2007, Ordinance No. 2006-037 shall again apply to the geographical area within the City of Sacramento known as East Sacramento as depicted on the attached Exhibit A pursuant to the terms of Ordinance No. 2006-037 as originally enacted.

SECTION 3. Ordinance No. 2006-045 is repealed.

Table of Contents:
Exhibit A – East Sacramento Area Affected by Ordinance

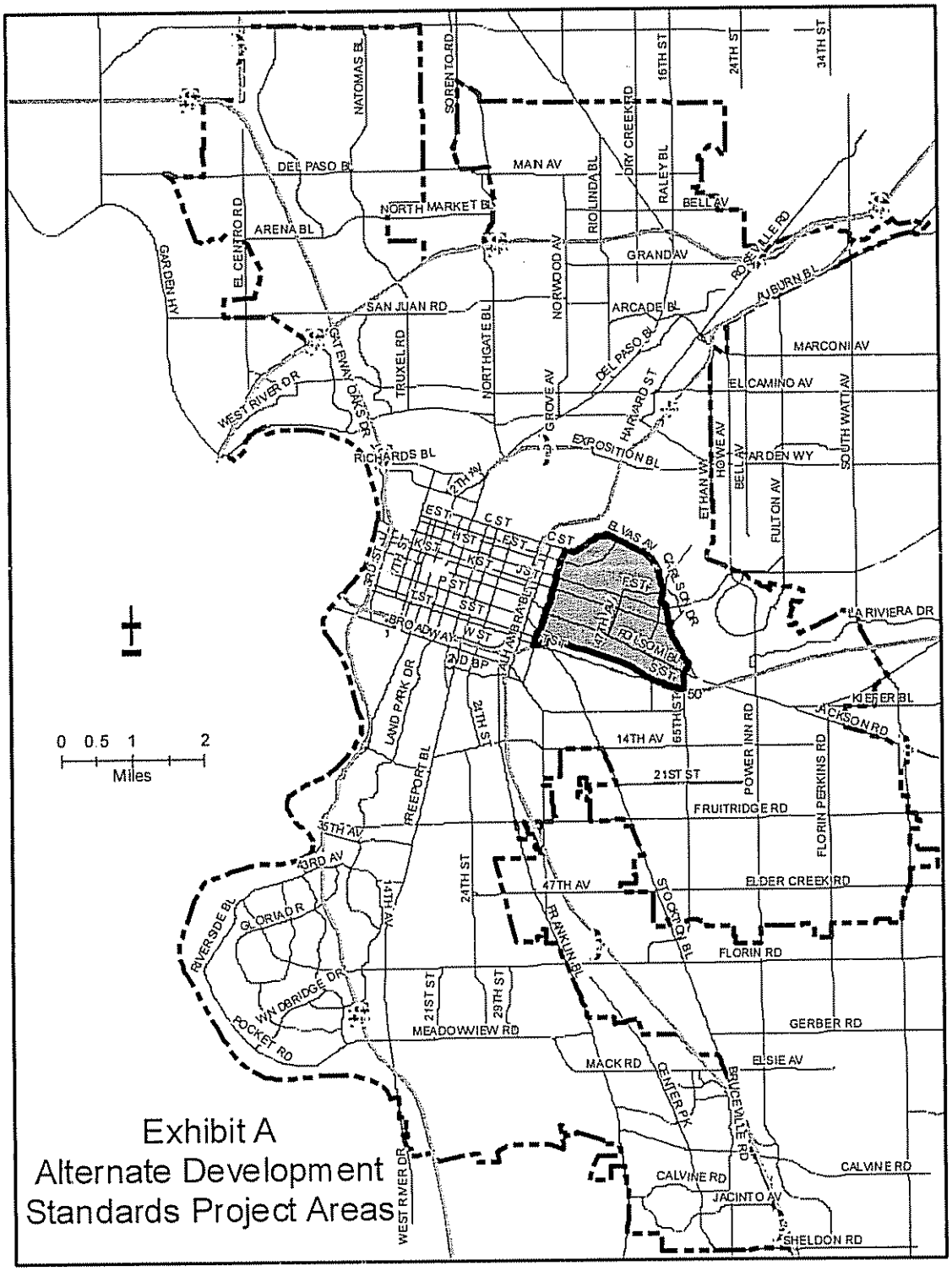
Exhibit A
Alternate Development
Standards Project Areas
0 0.5 1 2
Miles
NATOMAS BL
SORENTO RD
DRY CREEK RD
16TH ST
24TH ST
34TH ST
DEL PASO BL
MAIN AV
NORTH MARKET BL
RIO LINDA BL
RALEY BL
BELL AV
ARENA BL
EL CENTRO RD
GRAND AV
ROSEVILLE RD
AUBURN BL
GARDEN HY
SAN JUAN RD
NORWOOD AV
ARCADE BL
DEL PASO BL
MARCONI AV
TRUXEL RD
NORTHGATE BL
GROVE AV
HARVARD ST
EL CAMINO AV
WEST RIVER DR
GATEWAY OAKS DR
EXPOSITION BL
HOWE AV
ARDEN WY
SOUTH WATT AV
RICHARDS BL
ETHAN WY
BELL AV
FULTON AV
BLVAS AV
CARSON DR
LA RIVIERA DR
BROADWAY
RUTSON BL
KIEFER BL
JACKSON RD
LAND PARK DR
14TH AV
65TH ST
POWER INN RD
21ST ST
FREEPORT BL
FRUITRIDGE RD
FLORIN PERKINS RD
35TH AV
33RD AV
47TH AV
ELDER CREEK RD
RIVERSIDE BL
QUINTO DR
STOCKTON BL
FRANKLIN BL
FLORIN RD
WINDBRIDGE DR
29TH ST
MEADOWVIEW RD
GERBER RD
POCKET RD
MACK RD
ELSIE AV
CENTER PK
BRUCEVILLE RD
CALVINE RD
JACINTO AV
SHELDON RD