

## **ORDINANCE NO. 2007-070**

Adopted by the Sacramento City Council

August 28, 2007

### **AMENDING CHAPTER 17.120 OF TITLE 17 OF THE CITY CODE (THE ZONING CODE) REGARDING THE RICHARDS BOULEVARD SPECIAL PLANNING DISTRICT (M07-051)**

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

SECTION 1. Section 17.120.020 of the Sacramento City Code is amended to read as follows:

17.120.020 Richards Boulevard special regulations.

Applications for development in the Richards Boulevard SPD shall be subject to the land use objectives, policies, development standards and design guidelines set forth in the Richards Boulevard Area Plan and the following special rules and regulations, in addition to the other regulations of this title. Development within a planned unit development (PUD) within the Richards Boulevard SPD shall also be subject to the requirements and restrictions contained in the PUD schematic plan and development guidelines for the development. Pursuant to Chapter 17.180, PUD development guidelines may modify the height, area, setback, and density standards set forth in this chapter. In addition, and notwithstanding any other provision of this chapter to the contrary, development in a PUD is exempt from design review as provided in Chapter 17.132. In the event of conflict between the provisions of this section and other provisions of this title, the provisions of this section shall prevail

A. Residential Mixed Use (RMX and RMX(PC)) Zone.

1. Uses. Except as otherwise provided herein, (1) uses permitted in the RMX zone outside the Richards Boulevard special planning district by this title shall be permitted in the RMX/RMX(PC) zone in the Richards Boulevard special planning district; and (2) if this title requires the approval of a special permit or other discretionary entitlement(s) to establish a particular use in the RMX zone outside of the Richards Boulevard special planning district, approval of the same discretionary entitlement(s) shall be required to establish the use within the Richards Boulevard special planning district.

a. Conditionally Permitted Uses:

- i. Hotel
- ii. Performing Arts Center

2. Master Plan or Planned Unit Development Requirement. Applications for the development of sites of five acres or more shall concurrently submit a master plan or apply for a planned unit development (PUD) designation which includes a schematic plan and

development guidelines pursuant to the provisions contained in Chapter 17.180 of this title. The master plan or PUD designation, schematic plan and PUD guidelines shall be processed concurrently with the special permit or planning director plan review application, if applicable.

a. The contents of the master plan or PUD schematic plan and development guidelines shall include an overall schematic plan designating acreage proposed for each parcel, location of proposed land uses, general description of the types and intensities of uses, building elevations, heights, square footage, parking, open space and the proposed pedestrian, bicycle and traffic circulation system.

3. Development Standards. Notwithstanding the provisions of this title, the following development standards shall apply:

a. Height.

i. Buildings shall not exceed seventy-five (75) feet in height.

ii. Within the American River parkway corridor (PC) zone, development shall comply with the height limitations of the American River parkway corridor zone.

b. Density.

i. The permitted density range for property less than five acres in size shall be a minimum of fifteen (15) dwelling units per net acre and a maximum of sixty-five (65) dwelling units per net acre.

ii. The permitted density range for property more than five acres in size shall be a minimum of twenty-five (25) dwelling units per net acre and a maximum of sixty-five (65) dwelling units per net acre.

(A) For property more than five acres in size, the density on a portion of the project site may be anywhere within the designated range, as long as the average density per net acre of the whole site is developed at a minimum average density of thirty (30) units per net acre.

iii. Within the American River parkway corridor designation residential development shall not exceed a maximum density of thirty (30) dwelling units per net acre.

c. Setbacks.

i. Street Setbacks. A twenty-five (25) foot landscaped setback shall be provided along North 7th Street. A fourteen (14) foot landscaped setback shall be provided along 12th Street (proposed Gateway Boulevard). A minimum ten (10) foot landscaped setback shall be provided along all other streets. The setback along Riverfront Drive shall not exceed the ten (10) foot setback requirement so as to encourage spatial definition and promote activity along the perimeter of the riverfront corridor.

ii. Rear and Interior Side Yard Setbacks. A minimum fifteen (15) foot rear setback and a minimum ten (10) foot interior side yard setback shall be required, provided that additional setbacks may be required to mitigate the effects of noise, light and glare from adjacent industrial or commercial uses. The setback area shall be landscaped and planted with fifteen (15) gallon trees, twenty-five (25) feet on center.

d. Noise Standards.

i. Interior Standards. Residential projects shall be evaluated in the context of the surrounding industrial uses, and shall comply with the interior noise standards set forth in the noise element of the general plan (Table 1, Section 8).

ii. Exterior Standards. For purposes of Section 8.68.060 of this code, and the exterior noise standard established pursuant thereto, and notwithstanding any provisions in Chapter 8.68 to the contrary, residential developments located within the area of the Richards Boulevard area plan designated "industrial/residential" shall be considered to be industrial and shall be subject to the exterior noise standards for the "industrial, manufacturing, utilities, agricultural" land use categories set forth in the noise element of the general plan (Figure 3, Section 8); provided that the exterior standards set forth in the noise element of the general plan (Table 1, Section 8) shall apply to interior courtyards and rear yard areas for residential developments

e. Hazardous Materials. A hazardous material investigation shall be undertaken as part of the rezone or special permit application. A Phase I site investigation, and, if warranted, a Phase II site assessment and appropriate clean-up, shall be required prior to approval of the rezone or special permit.

f. Wall Requirements.

i. Residential Uses Abutting Nonresidential Uses. A minimum six foot high wall of solid brick, masonry or similar material shall be provided along all property lines abutting a nonresidential use or zone.

ii. Street Frontage. Fences greater than three feet in height shall be prohibited along street frontages.

(A) Exception—Wrought Iron/Open Iron Fencing. A decorative metal wrought iron or open iron fence, painted black or similarly unobtrusive color, not exceeding six feet in height may be placed on the property lines adjacent to street frontages.

iii. Chain link fencing is prohibited.

g. Open Space Requirements.

i. On-site Open Space. Areas specifically designed for outdoor living, recreation or passive enjoyment of the outdoors are required for new residential development.

(A) A minimum of eighty (80) square feet of common usable open space per unit is required. Such areas may include courtyards, gardens, recreational and similar areas.

(B) A minimum of fifty (50) square feet of private usable open space per unit is required. This area is for the exclusive use of the unit. Such areas may include decks, balconies and patios. Private useable open space shall be directly accessible from the associated unit.

ii. Park Land Requirement. Park land shall be provided at a ratio of five acres per one thousand (1,000) residents.

(A) Park land, if not previously dedicated, shall be provided through dedication of land or through the payment of in-lieu fees thereof, at the option of the city for park or recreational purposes according to the standards and formula contained in Chapter 16.64 of this code.

h. Entrances from Alleys. Dwelling unit(s) located on an alley may have its main entrance off of the alley.

i. South Shore of American River. Development along the south shore of the American River shall demonstrate that all required permits have been obtained from all state and federal agencies with jurisdiction along the river.

j. Parking. Off street parking requirements shall be provided as follows:

i. Ground floor commercial, retail or service uses as allowed by Chapter 17.28 of this title.

(A) No parking shall be required for a commercial, retail or service use provided that the use is a component of a residential project and provided that the use does not exceed five thousand (5,000) gross square feet per building. If parking is provided for the commercial, retail or service use the maximum amount of off-street vehicle parking permitted for such use shall be one space per four hundred fifty (450) gross square feet of floor area.

(B) One space per four hundred fifty (450) gross square feet shall be required for a commercial, retail or service use provided that the use is a component of a residential project and provided that the use does not exceed nine thousand six hundred (9,600) gross square feet per building. The maximum amount of off-street vehicle parking permitted shall be one space per four hundred (400) gross square feet of floor area.

(C) One parking space per four hundred (400) gross square feet shall be required for a commercial, retail or service use provided that the use is a component of a residential project and provided that the use exceeds nine thousand six hundred (9,600) gross square feet per building. The maximum amount of off-street vehicle parking permitted shall be one space per two hundred fifty (250) gross square feet of floor area.

ii. Restaurant. One parking space per four hundred fifty (450) gross square feet shall be provided for a restaurant use provided that the use is a component of a residential project. The maximum amount of off-street vehicle parking permitted shall be one space per one hundred (100) gross square feet of floor area.

iii. Other nonresidential uses or nonresidential uses not a component of a residential project shall be required to provide parking as set forth in Chapter 17.64 of this title.

iv. Along the south side of the American River parking areas shall be located no closer than one hundred (100) feet to the toe of the levee.

v. Minimum Bicycle Parking Requirements.

(A) Apartments. One bicycle parking facility is required for every ten (10) units. Fifty (50) percent of the required bicycle parking facilities shall be Class I. The remaining facilities may be Class I, Class II or Class III.

(B) Commercial. One bicycle parking facility is required for every twelve thousand five hundred (12,500) gross square feet of occupied space. Twenty-five (25) percent of the required bicycle parking facilities shall be Class I. The remaining facilities may be Class I, Class II or Class III.

(C) Restaurant. One bicycle parking facility is required for every fifty (50) seats. Twenty-five (25) percent of the required bicycle facilities shall be Class I. The remaining facilities may be Class I, Class II or Class III.

k. Design Review. All development in the RMX zone shall be subject to design review and shall comply with all applicable design guidelines pursuant to Chapter 17.132 of this title.

B. Office Building (OB) Zone.

1. Uses. Except as otherwise provided herein, (1) uses permitted in the OB zone outside of the Richards special planning district by this title shall be permitted in the OB zone

in the Richards special planning district; and (2) if this title requires the approval of a special permit or other discretionary entitlement(s) to establish a particular use in the OB zone outside of the Richards Boulevard special planning district, approval of the same discretionary entitlement(s) shall be required to establish the use within the Richards Boulevard special planning district.

- a. Office Use. Office use shall be permitted subject to the issuance of a special permit.
- b. Additional Uses. The following additional uses shall be permitted in the OB zone in the Richards Boulevard special planning district:
  - i. Cafes, restaurants, delis.
  - ii. Ground floor commercial, retail or service uses as allowed by Chapter 17.28 of this title.
  - iii. Other Conditionally Permitted Uses. The following uses shall be permitted in the OB zone in the Richards Boulevard special planning district, subject to approval of a special permit:
    - (A) Multiple family residential;
    - (B) Hotels/motels.
  - iv. Ground Floor Retail Requirement. Twenty-five (25) percent of the street level frontage of a building along Richards Boulevard and 7th Street shall be occupied by retail or personal service business uses as designated in Table 1 of Section 17.96.070 of this title.

2. Master Plan or Planned Unit Development Requirement. Applications for the development of sites of five acres or more shall concurrently submit a master plan or apply for a planned unit development (PUD) designation which includes a schematic plan and development guidelines pursuant to the provisions contained in Chapter 17.180 of this title. The master plan or PUD designation, schematic plan and PUD guidelines shall be processed concurrently with the special permit or planning director plan review application, if applicable.

a. The contents of the master plan or PUD schematic plan and development guidelines shall include an overall schematic plan designating the acreage proposed for each parcel, location of proposed land uses, general description of the types and intensities of uses, building elevations, heights, square footage, parking, open space and the proposed pedestrian, bicycle and traffic circulation system.

3. Development Standards. Notwithstanding the provisions of this title the following development standards shall apply:

- a. Density and Intensity.
  - i. Minimum Floor Area Ratio (FAR).
    - (A) Office development shall be developed with a minimum net FAR of 1.0;
    - (B) Office development within the 7th Street Loop (one-eighth of a mile from the intermodal terminal) shall be developed with a minimum net FAR of 4.0.
  - ii. Maximum Floor Area Ratio (FAR).
    - (A) Office development shall be developed at a maximum FAR of 3.0;
    - (B) Office development within the 7th Street Loop (one-eighth of a mile from the intermodal terminal) shall be developed with a maximum FAR of 6.0;

iii. Residential Density. The permitted density range shall be a minimum of twenty-five (25) dwelling units per net acre and a maximum of sixty-five (65) dwelling units per net acre.

b. Height.

i. Buildings within the 7th Street Loop (one-eighth of a mile of the intermodal terminal) shall be permitted to a maximum height of four hundred (400) feet.

ii. Buildings outside the 7th Street Loop (one-eighth of a mile of the intermodal terminal) may not exceed eighty-five (85) feet in height, provided that a special permit may be granted to permit buildings of additional height if the project meets the following criteria:

(A) Either the building is located within six hundred sixty (660) feet of an existing or proposed light rail station (the six hundred sixty (660) foot distance shall be measured from the center point of the block designated for a station to the subject site); or the proposed project involves an expansion of an office use that is currently located in the Richards Boulevard area and served by public transportation that complies with RT service standards; and

(B) The project does not exceed the maximum FAR of 3.0; and

(C) Applicant agrees to enter into an owner participation agreement to meet city redevelopment and planning objectives for the area; and

(D) The project contributes to increased massing at important intersections; and

(E) Additional height (over eighty-five (85) feet) is stepped back from the building face so that the forty (40) foot base height is the most predominate portion of the building, similar to the urban design guidelines for the central business district as well as additional change in surface plane to break up long facades, orientation of building to transit facilities, transit enhancing amenities (e.g., colonnades, retail to serve patrons, etc.), and roof top treatments; and

(F) A minimum twenty (20) percent of the required open space is provided on site. The open space shall be incorporated into the building site to break up building mass, to enhance the pedestrian environment and promote arts in public places.

c. Setbacks.

i. Street Setbacks.

(A) No setbacks shall be required along 7th Street, south of Richards Boulevard except, that the tower portion above eighty-five (85) feet shall be set back fifteen (15) feet from the property line.

(B) Development along 7th Street, north of Richards Boulevard shall provide a twenty-five (25) foot landscaped setback.

(C) Setbacks from all other street frontages shall be ten (10) feet.

(D) Buildings which exceed the eighty-five (85) foot height limit shall provide a minimum fifteen (15) foot setback from the property line, except as noted in subsections (B)(3)(c)(i)(A) and (B)(3)(c)(i)(B) of this section. The portion of the tower above eighty-five (85) feet shall be stepped back an additional fifteen (15) feet from the property line as appropriate (e.g., 7th Street, north of Richards Boulevard forty (40) feet; 7th Street, south of Richards Boulevard fifteen (15) feet; all other streets twenty-five (25) feet).

ii. Rear and Interior Side Yard Setbacks. Buildings shall be set back fifteen (15)

feet from the rear and interior side yard property line. The setback area shall be landscaped and planted with minimum fifteen (15) gallon trees planted thirty (30) feet on center.

d. Hazardous Materials. A hazardous material investigation shall be undertaken as part of the rezone or special permit application. A Phase I site investigation, and, if warranted, a Phase II site assessment and appropriate clean-up, shall be required prior to approval of the rezone or special permit.

e. Wall Requirements. Any development which abuts a residential use or zone or a lot zoned M-2, shall provide a minimum six foot high wall of solid brick, masonry or similar material along the property line.

f. Open Space Requirements.

i. Open space shall be provided at a ratio of one square foot of open space per ten (10) square feet of development.

ii. Open space shall be provided on-site; provided that subject to approval of an owners participation agreement (OPA) by the redevelopment agency or a development agreement (DA) or other similar agreement or arrangement by the city, the open space may be provided off-site. Off-site open space provided pursuant to such agreements or arrangements shall be provided as part of the same development proposal, and shall be located within the Richards Boulevard area.

iii. Open space provided on-site shall be in the form of courtyards, public plazas or other spaces as determined by the planning commission.

iv. Office developments of one hundred thousand (100,000) square feet or more shall provide a minimum two thousand five hundred (2,500) square foot on-site courtyard or plaza area.

v. Courtyards and plazas shall be a minimum of two thousand five hundred (2,500) square feet and shall not exceed eighty-five thousand (85,000) square feet. Courtyard and plaza square footage requirement shall not include required landscaped setback areas, except that required landscaped setback areas may be counted towards the open space requirement provided that the landscape areas contribute to the active or passive enjoyment of employees of the office development as determined by the planning commission.

(A) Courtyards and plazas shall be oriented toward pedestrian linkages or located adjacent to people-oriented uses (such as retail or restaurants).

(B) Courtyards and plazas shall incorporate, but not be limited to, one or more of the following features:

1. Landscaping (i.e., turf, trees, flower gardens, etc.);
2. Decorative paving (i.e., tile, cobblestone, colored concrete, etc.);
3. Public art pieces;
4. Water features (i.e., ponds, reflecting pools, etc.);
5. Seating areas;
6. Canopies;
7. Lighting.

(C) Courtyard and plaza features shall be complimentary to the building architecture. Design elements, materials, colors, and lighting should be contextual with the

proposed building or existing adjacent buildings.

g. Parking Requirements.

i. Office.

(A) Minimum Off-Street Parking. The minimum required off-street vehicle parking spaces for office is one space for every six hundred (600) gross square feet of floor area.

(B) Maximum Off-Street Parking. The maximum amount of off-street vehicle parking permitted for office is one space for every five hundred (500) gross square feet of floor area.

(C) Parking Reduction Related to Trip Reduction Measures. Parking may be reduced to a minimum ratio of one parking space for every one thousand (1,000) gross square feet of floor area provided that additional TSM measures, beyond those mandated by the developer TSM ordinance, shall be implemented in order to support the minimum parking requirements. The developer transportation management plan (TMP) must be submitted concurrently with the special permit application to justify the requested parking reduction.

ii. Commercial or Retail.

(A) Vehicle parking shall not be required for a commercial or retail use provided that such use is a component of a residential or office project and provided that such use does not exceed five thousand (5,000) gross square feet per building. If parking is provided for the commercial or retail use the maximum amount of off-street vehicle parking permitted for such use shall be one space per four hundred fifty (450) gross square feet of floor area.

(B) One vehicle parking space per four hundred fifty (450) gross square feet shall be required for a commercial or retail use provided that such use is a component of a residential or office project and provided that such use does not exceed nine thousand six hundred (9,600) square feet per building. The maximum amount of off-street vehicle parking permitted shall be one space per four hundred (400) gross square feet of floor area for the commercial or retail use.

(C) One vehicle parking space per four hundred (400) gross square feet shall be required for a commercial or retail use provided that such use is a component of a residential or office project and provided that such use exceeds nine thousand six hundred (9,600) gross square feet per building. The maximum amount of off-street vehicle parking permitted shall be one space per two hundred fifty (250) gross square feet of floor area for the commercial or retail use.

iii. Restaurant.

(A) Minimum Off-Street Parking. The minimum required off-street vehicle parking spaces for a restaurant use, provided that the use is a component of a residential or office project is one space per four hundred fifty (450) gross square feet of floor area.

(B) Maximum Off-Street Parking. The maximum amount of off-street vehicle parking permitted for a restaurant use, provided that the use is a component of a residential or office project is one space per one hundred (100) gross square feet of floor area.

iv. Other nonresidential uses or nonresidential uses not a component of a residential or office project shall be required to provide parking as set forth in Chapter 17.64 of this title.

v. Minimum Bicycle Parking Requirements.

(A) Office. One bicycle parking facility is required for every six thousand (6,000) gross square feet of building area. Fifty (50) percent of the required bicycle parking facilities shall be Class I. The remaining facilities may be Class I, Class II or Class III.

(B) Commercial. One bicycle parking facility is required for every twelve thousand five hundred (12,500) gross square feet of occupied space. Twenty-five (25) percent of the required bicycle parking facilities shall be Class I. The remaining facilities may be Class I, Class II or Class III.

(C) Restaurant. One bicycle parking facility is required for every fifty (50) seats. Twenty-five (25) percent of the required bicycle facilities shall be Class I. The remaining facilities may be Class I, Class II or Class III.

(D) Apartments. One bicycle parking facility is required for every ten (10) units. Fifty (50) percent of the required bicycle parking facilities shall be Class I. The remaining facilities may be Class I, Class II or Class III.

h. Design Review. All development shall be subject to design review and shall comply with all applicable design requirements pursuant to Chapter 17.132 of this title.

C. Highway Commercial (HC and HC(PC)) Zone.

1. Uses. Except as otherwise provided herein, (1) uses permitted in the HC/HC(PC) zone outside of the Richards Boulevard special planning district by this title shall be permitted in the HC/HC(PC) zone in the Richards Boulevards special planning district; and (2) if this title requires the approval of a special permit or other discretionary entitlement(s) to establish a particular use in the HC/HC(PC) zone outside of the Richards Boulevard special planning district, approval of the same discretionary entitlement(s) shall be required to establish the use within the Richards Boulevard special planning district.

a. Permitted Uses. The following additional uses shall be permitted in the HC/HC(PC) zone in the Richards Boulevard special planning district:

- i. Recreation-oriented retail, such as bicycle rental or fishing and tackle shop;
- ii. Visitor centers;
- iii. Office uses lawfully established and operational prior to July 1, 1994.

b. Additional Uses Allowed by a Zoning Administrator's Special Permit. Zoning administrator special permit may allow other similar recreation or visitor-serving uses which enhance public access and recreational use of the riverfront.

2. Development Standards. Notwithstanding the provisions of this title the following development standards shall apply:

a. Height.

- i. Buildings shall not exceed forty-five (45) feet in height.
- ii. Within the American River parkway corridor (PC) zone, development shall comply with the height limitations of the American River parkway corridor zone.

b. Setbacks. A ten (10) foot landscaped setback shall be provided from all street frontages.

c. Minimum Bicycle Parking Requirements.

- i. Commercial. One bicycle parking facility is required for every twelve thousand five hundred (12,500) gross square feet of occupied space. Twenty-five (25) percent of the

required bicycle parking facilities shall be Class I. The remaining facilities may be Class I, Class II or Class III.

ii. Restaurant. One bicycle parking facility is required for every fifty (50) seats. Twenty-five (25) percent of the required bicycle facilities shall be Class I. The remaining facilities may be Class I, Class II or Class III.

d. Design Review. All development shall be subject to design review and shall comply with all applicable design requirements pursuant to Chapter 17.132 of this title.

D. Heavy Commercial (C-4 and C-4(PC)) Zone.

1. Uses. Except as otherwise provided herein, (1) uses permitted in the C-4/C-4(PC) zone outside of the Richards Boulevard special planning district by the comprehensive zoning ordinance shall be permitted in the C-4/C-4(PC) zone in the Richards Boulevard special planning district; and (2) if the comprehensive zoning ordinance requires the approval of a special permit or other discretionary entitlement(s) to establish a particular use in the C-4/C-4(PC) zone outside of the Richards Boulevard special planning district, approval of the same discretionary entitlement(s) shall be required to establish the use within the Richards Boulevard special planning district.

a. Office Uses. Office uses shall be permitted in the CA zone as follows:

i. Permitted as a Matter of Right. Office use, including medical clinic and medical offices, shall be permitted as a matter of right only if they are related to a commercial/industrial use located in the same building or on the same parcel and do not occupy more than twenty-five thousand (25,000) square feet or twenty-five (25) percent of the gross floor area of the building on the site, whichever is less. Where multiple buildings are located on a single parcel, the maximum amount of space that may be devoted to office use, which shall be related to the commercial/industrial use(s) on that parcel shall be twenty-five (25) percent of the total square foot floor area of all buildings on that parcel or twenty-five thousand (25,000) square feet, whichever is less.

ii. Office Use of Buildings in Existence on January 1, 1997—Special Permit Required. Subject to approval of a special permit by the zoning administrator or planning commission pursuant to the following provisions, buildings existing on January 1, 1997 may be devoted to office space that is unrelated to a commercial/industrial use or exceeds the limitations set forth in subsection (D)(1)(a)(i) of this section.

(A) Zoning Administrator Authority. The zoning administrator shall have the authority to approve a special permit to allow for office use of a building existing on January 1, 1997 where the office use is not related to a commercial/industrial use located in the same building or on the same parcel or where the office use will exceed the twenty-five thousand (25,000) square feet or twenty-five (25) percent limitation set forth in subsection (D)(1)(a) of this section, provided that the maximum amount of office space that the zoning administrator may approve for a single parcel shall be fifty thousand (50,000) square feet; and provided further that the establishment or expansion of office use shall be limited to tenant improvements of buildings existing on January 1, 1997, and shall not involve the addition or expansion of the square footage of such existing buildings or the construction of a new building.

(B) Planning Commission Authority. The planning commission shall have the authority to approve a special permit to allow for office use of a building existing on January 1, 1997 where the office use is not related to a commercial/industrial use located in the same

building or on the same parcel or where the office use will exceed the twenty-five (25) percent or twenty-five thousand (25,000) square feet limitation set forth in subsection (D)(1)(a) of this section, and where the amount of office space exceeds that which the zoning administrator is authorized to approve pursuant to subsection (D)(1)(a)(i) of this section, provided that the maximum amount of office space that the planning commission may approve for a single parcel shall be one hundred thousand (100,000) square feet; and provided further that the establishment or expansion of office use shall be limited to tenant improvements of buildings existing on January 1, 1997, and shall not involve the addition or expansion of the square footage of such existing buildings or the construction of a new building.

b. Conditionally Permitted Uses. The following additional uses shall be permitted in the C-4/C-4(PC) zone in the Richards Boulevard special planning district, subject to approval of a special permit.

i. Single Room Occupancy (SRO) Housing Units. The units shall comply with the standards set forth in Section 17.24.050(50) of this title and other conditions the planning commission may add to ensure that the proposed use satisfies the requirements of Chapter 17.212 of this title.

2. Development Standards. Notwithstanding the provisions of this title, the following development standards shall apply:

a. Density. Residential development shall not exceed a maximum of sixty-five (65) dwelling units per net acre.

b. Setbacks.

i. Along North 12th Street (proposed Gateway Boulevard) a fourteen (14) foot landscaped setback shall be provided.

ii. Residential projects shall provide a minimum ten (10) foot landscaped setback along all street frontages.

iii. Rear and Interior Side Yard Setbacks. Lots which abut a residential use or zone shall provide a ten (10) foot landscaped setback. The setback area shall be landscaped, at a minimum fifteen (15) gallon trees planted twenty-five (25) feet on center.

(A) Residential development shall provide a minimum ten (10) foot setback along the rear and side property lines.

c. Wall Requirements. Lots which abut a residential use or zone, shall provide a minimum six foot high wall of solid brick, masonry or similar material along the property line.

d. Minimum Bicycle Requirements.

i. Commercial. One bicycle parking facility is required for every twelve thousand five hundred (12,500) gross square feet of occupied space. Twenty-five (25) percent of the required bicycle parking facilities shall be Class I. The remaining facilities may be Class I, Class II or Class III.

ii. Restaurant. One bicycle parking facility is required for every fifty (50) seats. Twenty-five (25) percent of the required bicycle facilities shall be Class I. The remaining facilities may be Class I, Class II or Class III.

e. Design Review. All development shall be subject to design review and shall comply with all applicable design requirements pursuant to Chapter 17.132 of this title.

E. Heavy Industrial (M-2) Zone. Within the industrial zone in the Richards

Boulevard special planning district, there shall be four geographic areas (Exhibit A), designated east, north, central and west which establish different development standards. The boundaries of the area are (1) east: east of 16th Street and south of Thornton Avenue, as shown on Exhibit A; (2) north: extending from approximately three hundred seventeen (317) feet west of North 3rd Street on the west to the Dos Rios housing development on the east; American River on the north; and approximately three hundred fifty (350) feet north of Richards Boulevard east of the proposed light rail transit alignment, and Richards Boulevard for property west of the light rail transit alignment on the south, as shown on Exhibit A; (3) central; described as Southern Pacific rail lines on the south, North 10th Street on the east, lots fronting on Richards Boulevard on the north and the water treatment plant and the HC zone on the west, as shown on Exhibit A; and, (4) west: bounded by I-5 on the west, Southern Pacific rail lines on the south, Bannon Street on the north and proposed 5th Street on the east, as shown on Exhibit A.

1. Heavy Industrial (M-2 and M2(PC)) Zone (East).

a. Uses. Except as otherwise provided herein, (1) uses permitted in the M-2/M-2(PC) zone outside of the Richards Boulevard special planning district by this title shall be permitted in the M-2/M-2(PC) zone (east) in the Richards Boulevard special planning district; and (2) if this title requires the approval of a special permit or other discretionary entitlement(s) to establish a particular use in the M-2/M-2(PC) zone outside of the Richards Boulevard special planning district, approval of the same discretionary entitlement(s) shall be required to establish the use within the Richards Boulevard special planning district.

i. Prohibited Uses. The following uses are prohibited in the M-2/M-2(PC) zone (east) in the Richards Boulevard special planning district:

(A) Office use which exceeds twenty-five (25) percent of the gross floor area of the building(s) on the parcel on which they are located.

b. Development Standards. Notwithstanding the provisions of this title, the following development standards shall apply:

i. South Shore of American River. Development along the south shore of the American River shall demonstrate that all required permits have been obtained from all state and federal agencies with jurisdiction along the river.

ii. Minimum Bicycle Parking Requirements.

(A) Industrial. One bicycle parking facility is required for every twenty-five thousand (25,000) gross square feet of building area. Fifty (50) percent of the required bicycle parking facilities shall be Class I. The remaining facilities may be Class I, Class II or Class III.

(B) Commercial. One bicycle parking facility is required for every twelve thousand five hundred (12,500) gross square feet of building area. Twenty-five (25) percent of the required bicycle parking facilities shall be Class I. The remaining facilities may be Class I, Class II or Class III.

(C) Restaurant. One bicycle parking facility is required for every fifty (50) seats. Twenty-five (25) percent of the required bicycle facilities shall be Class I. The remaining facilities may be Class I, Class II or Class III.

c. Design Review. All development shall be subject to design review and shall comply with all applicable design requirements pursuant to Chapter 17.132 of this title.

2. Heavy Industrial (M2 and M2(PC)) Zone (North).

a. Uses. Except as otherwise provided herein, (1) uses permitted in the M-2/M-2(PC) zone outside of the Richards Boulevard special planning district by the comprehensive zoning ordinance shall be permitted in the M-2/M-2(PC) zone (north) in the Richards Boulevard special planning district; and (2) if the comprehensive zoning ordinance requires the approval of a special permit or other discretionary entitlement(s) to establish a particular use in the M-2/M-2(PC) zone outside of the Richards Boulevard special planning district, approval of the same discretionary entitlement(s) shall be required to establish the use within the Richards Boulevard special planning district.

i. Office Uses. Office uses shall be permitted in the M-2/M-2(PC) zone as follows:

(A) Permitted as a Matter of Right. Office use, including medical clinic and medical offices, shall be permitted as a matter of right only if they are related to a commercial/industrial use located in the same building or on the same parcel and do not occupy more than twenty-five thousand (25,000) square feet or twenty-five (25) percent of the gross floor area of the building on the site, whichever is less. Where multiple buildings are located on a single parcel, the maximum amount of space that may be devoted to office use, which shall be related to the commercial/industrial use(s) on that parcel shall be twenty-five percent of the total square foot floor area of all buildings on that parcel or twenty-five thousand (25,000) square feet, whichever is less.

(B) Office Use of Buildings in Existence on January 1, 1997—Special Permit Required. Subject to approval of a special permit by the zoning administrator or planning commission pursuant to the following provisions, buildings existing on January 1, 1997 may be devoted to office space that is unrelated to a commercial/industrial use or exceeds the limitations set forth in subsection (E)(2)(a)(i)(A) of this section.

(1) Zoning Administrator Authority. The zoning administrator shall have the authority to approve a special permit to allow for office use of a building existing on January 1, 1997 where the office use is not related to a commercial/industrial use located in the same building or on the same parcel or where the office use will exceed the twenty-five thousand (25,000) square feet or twenty-five (25) percent limitation set forth in subsection (E)(2)(a)(i)(A) of this section, provided that the maximum amount of office space that the zoning administrator may approve for a single parcel shall be fifty thousand (50,000) square feet; and provided further that the establishment or expansion of office use shall be limited to tenant improvements of buildings existing on January 1, 1997, and shall not involve the addition or expansion of the square footage of such existing buildings or the construction of a new building.

(2) Planning Commission Authority. The planning commission shall have the authority to approve a special permit to allow for office use of a building existing on January 1, 1997 where the office use is not related to a commercial/industrial use located in the same building or on the same parcel or where the office use will exceed the twenty-five (25) percent or twenty-five thousand (25,000) square feet limitation set forth in subsection (E)(2)(a)(i)(A) of this section, and where the amount of office space exceeds that which the zoning administrator is authorized to approve pursuant to subsection (E)(2)(a) of this section, provided that the maximum amount of office space that the planning commission may approve for a single parcel shall be one hundred thousand (100,000) square feet; and provided further that the establishment or expansion of office use shall be limited to tenant improvements of buildings existing on January 1, 1997, and shall not involve the addition or expansion of the square footage of such existing buildings or the construction of a new

building.

ii. Conditionally Permitted Uses. The following additional uses shall be permitted in the M-2/M-2(PC) zone north in the Richards Boulevard special planning district, subject to approval of a special permit:

(A) Multiple family residential;

(B) Single Room Occupancy (SRO) Housing Units. The units shall comply with the standards set forth in Section 17.24.050(50) of this title and other conditions the planning commission may add to ensure that the proposed use satisfies the requirements of Chapter 17.212 of this title;

(C) Hotels and motels;

(D) Live/work units.

iii. Prohibited Uses. The following uses are prohibited in the M-2/M-2(PC) zone (north) in the Richards Boulevard special planning district:

(A) Adult entertainment establishment or activity;

(B) Adult related establishments;

(C) Auto wrecking;

(D) Beverage bottling plant;

(E) Bus and other transit vehicle maintenance and storage;

(F) Boat building;

(G) Cement or clay products manufacturing;

(H) Concrete batch plant;

(I) Dairy products processing;

(J) Food processing, except as lawfully established and operational prior to July 1, 1994;

(K) Fuel yard;

(L) Junk yard;

(M) Lumber yard;

(N) Machine shop, except as lawfully established and operational prior to July 1, 1994;

(O) Material recovery facility/yard waste composting facility (recycling plant);

(P) Monument works—stone;

(Q) Nonprofit organization food storage and distribution, food preparation for off-site consumption, meal service facility, as defined in Chapter 17.16 of this title;

(R) Petroleum storage;

(S) Planing mill;

(T) Public utility yard;

(U) Railroad yard or shop;

(V) Terminal yard, trucking;

(W) Towing service and storage yard;

(X) Truck and tractor repair;

(Y) Other heavy industrial uses, similar to the above uses, which the planning commission determines to inhibit future development consistent with the Richard Boulevard area plan.

iv. Exception—Existing Uses. A use otherwise prohibited by subsection (E)(2)(a)(iii) of this section, but which was lawfully in existence and operational on July 1, 1994 may be continued, and may be altered, modified and expanded on the parcel or parcel(s) on which it was located on July 1, 1994 in the same manner and to the same extent that this title allows for the alteration, modification and expansion of such use in the M-2 zone areas outside of the Richards Boulevard special planning district and other special planning districts; provided that to the extent the use is modified, altered or expanded, such modification, alteration or expansion shall meet the development standards set forth in subsection (E)(2)(b) of this section and shall be subject to design review pursuant to subsection (E)(2)(c) of this section.

v. Residential projects shall be reviewed pursuant to the standards in the Richards Boulevard special planning district RMX zone, subsection A of this section.

b. Development Standards. Notwithstanding the provisions of this title, the following development standards shall apply:

i. Setbacks.

(A) A twenty-five (25) foot landscaped setback shall be provided and maintained along North 7th Street.

(B) A ten (10) foot landscaped setback shall be provided and maintained on all other street frontages.

(C) A fifteen (15) foot setback shall be provided from all interior property lines. The setback area shall be landscaped with mounded turf and/or live ground cover and shrubs and at a minimum fifteen (15) gallon trees planted thirty (30) feet on center.

(D) For existing buildings which have been lawfully constructed with less than the required setback, additions to the building may follow the existing building plane, provided that the addition shall not encroach further into the required setback area.

ii. Wall Requirement. Lots which abut a vacant lot, residential zone or use, shall provide a minimum six foot high wall of solid brick, masonry or other similar material wall along the property line.

iii. South Shore of American River. Development along the south shore of the American River shall demonstrate that all required permits have been obtained from all state and federal agencies with jurisdiction along the river.

iv. Parking shall comply with the requirements in Chapter 17.64 of this title provided that along the south side of the American River parking areas shall be located no closer than one hundred (100) feet to the toe of the levee.

v. Expansion of Existing Buildings. Buildings or structures which are expanded shall comply with the following requirements:

(A) The proposed area of expansion shall conform to all current development standards, except as provided in subsection (E)(2)(b)(i)(D) of this section.

(B) All exterior improvements shall be subject to design review and shall comply

with all applicable design requirements pursuant to Chapter 17.132 of this title,.

(C) Minor improvements to facades fronting on streets shall be required when an expansion occurs. Facade improvements, may include but are not limited to paint and awnings.

(D) Front landscaping shall be required, if determined to be appropriate and required by design review approval.

(E) Site improvements to fencing, signage, and trash enclosures shall be required to improve the appearance of the site which is in view of the public.

vi. Construction on vacant lots shall conform to the current development standards, provided that all uses shall be conducted wholly within a completely enclosed building or within an area enclosed on all sides by a solid fence (i.e., cyclone fence with slats, wood, etc.) or wall (i.e., masonry, brick, etc.) at least six feet in height. No material or supplies shall be stored within any required landscaped setback areas.

c. Design Review. All development shall be subject to design review and shall comply with all applicable design requirements pursuant to Chapter 17.132 of this title.

### 3. Heavy Industrial (M-2) Zone (Central).

a. Uses. Except as otherwise provided herein, (1) uses permitted in the M-2 zone outside of the Richards Boulevard special planning district by the comprehensive zoning ordinance shall be permitted in the M-2 zone (central) in the Richards Boulevard special planning district; and (2) if the comprehensive zoning ordinance requires the approval of a special permit or other discretionary entitlement(s) to establish a particular use in the M-2 zone outside of the Richards Boulevard special planning district, approval of the same discretionary entitlement(s) shall be required to establish the use within the Richards Boulevard special planning district.

i. Office Uses. Office uses shall be permitted in the M-2 zone as follows:

(A) Permitted as a Matter of Right. Office use, including medical clinic and medical offices, shall be permitted as a matter of right only if they are related to a commercial/industrial use located in the same building or on the same parcel and do not occupy more than twenty-five thousand (25,000) square feet or twenty-five (25) percent of the gross floor area of the building on the site, whichever is less. Where multiple buildings are located on a single parcel, the maximum amount of space that may be devoted to office use, which shall be related to the commercial/industrial use(s) on that parcel shall be twenty-five (25) percent of the total square foot floor area of all buildings on that parcel or twenty-five thousand (25,000) square feet, whichever is less.

(B) Office Use of Buildings in Existence on January 1, 1997—Special Permit Required. Subject to approval of a special permit by the zoning administrator or planning commission pursuant to the following provisions, buildings existing on January 1, 1997 may be devoted to office space that is unrelated to a commercial/industrial use or exceeds the limitations set forth in subsection (E)(3)(a)(i)(A) of this section.

(1) Zoning Administrator Authority. The zoning administrator shall have the authority to approve a special permit to allow for office use of a building existing on January 1, 1997 where the office use is not related to a commercial/industrial use located in the same building or on the same parcel or where the office use will exceed the twenty-five thousand (25,000) square feet or twenty-five (25) percent limitation set forth in subsection

(E)(3)(a)(i)(A) of this section, provided that the maximum amount of office space that the zoning administrator may approve for a single parcel shall be fifty thousand (50,000) square feet; and provided further that the establishment or expansion of office use shall be limited to tenant improvements of buildings existing on January 1, 1997, and shall not involve the addition or expansion of the square footage of such existing buildings or the construction of a new building.

(2) Planning Commission Authority. The planning commission shall have the authority to approve a special permit to allow for office use of a building existing on January 1, 1997 where the office use is not related to a commercial/industrial use located in the same building or on the same parcel or where the office use will exceed the twenty-five (25) percent or twenty-five thousand (25,000) square feet limitation set forth in subsection (E)(3)(a)(i)(A) of this section, and where the amount of office space exceeds that which the zoning administrator is authorized to approve pursuant to subsection (E)(3)(a) of this section, provided that the maximum amount of office space that the planning commission may approve for a single parcel shall be one hundred thousand (100,000) square feet; and provided further that the establishment or expansion of office use shall be limited to tenant improvements of buildings existing on January 1, 1997, and shall not involve the addition or expansion of the square footage of such existing buildings or the construction of a new building.

ii. Conditionally Permitted Uses. The following additional uses shall be permitted in the M-2 zone (central) in the Richards Boulevard special planning district, subject to approval of a special permit:

(A) Hotel/motel.

iii. Prohibited Uses. The following uses are prohibited in the M-2/M-2(PC) zone (central) in the Richards Boulevard special planning district:

(A) Auto wrecking;

(B) Beverage bottling plant;

(C) Cement or clay products manufacturing;

(D) Concrete batch plant;

(E) Dairy products processing;

(F) Food processing;

(G) Fuel yard;

(H) Junk yard;

(I) Material recovery facility/yard waste composting facility (recycling plant);

(J) Nonprofit organization food storage and distribution, food preparation for off-site consumption, meal service facility, as defined in Chapter 17.16 of this title;

(K) Petroleum storage;

(L) Railroad yard or shop;

(M) Other heavy industrial uses, similar to the above uses, which the planning commission determines to inhibit future development consistent with the Richard Boulevard area plan.

b. Development Standards. Notwithstanding the provisions of this title the

following development standards shall apply:

i. Setbacks.

(A) All street frontages shall provide a minimum ten (10) foot landscaped setback.

(B) A fifteen (15) foot setback shall be provided from all interior property lines.

(C) For existing buildings which have been lawfully constructed with less than the required setback, additions to the building may follow the existing building plane, provided that the addition shall not encroach further into the required setback area.

ii. Expansion of Existing Buildings. Buildings or structures which are expanded shall comply with the following requirements:

(A) The proposed area of expansion shall conform to all current development standards, except as provided in this section.

(B) All exterior improvements shall be subject to design review and shall comply with all applicable design requirements pursuant to Chapter 17.132 of this title,.

(C) Minor improvements to facades fronting on streets shall be required when an expansion occurs. Facade improvements, may include but are not limited to paint and awnings.

(D) Front landscaping shall be required, if determined to be appropriate and required by the design review approval.

(E) Site improvements to fencing, signage, and trash enclosures shall be required to improve the appearance of the site which are in view of the public.

iii. Construction on vacant lots shall conform to the current development standards, provided that all uses shall be conducted wholly within a completely enclosed building or within an area enclosed on all sides by a solid fence (i.e., cyclone fence with slats, wood, etc.) or wall (i.e., masonry, brick, etc.) at least six feet in height. No material or supplies shall be stored within any required landscaped setback areas.

c. Design Review. All development shall be subject to design review and shall comply with all applicable design requirements pursuant to Chapter 17.132 of this title.

4. Heavy Industrial (M-2) Zone (West).

a. Uses. Except as otherwise provided herein, (1) uses permitted in the M-2 zone outside of the Richards Boulevard special planning district by title shall be permitted in the M-2 zone (west) in the Richards Boulevard special planning district; and (2) if this title requires the approval of a special permit or other discretionary entitlement(s) to establish a particular use in the M-2 zone outside of the Richards Boulevard special planning district, approval of the same discretionary entitlement(s) shall be required to establish the use within the Richards Boulevard special planning district.

b. Development Standards. Notwithstanding the provisions of this title, the following development standards shall apply:

i. Setbacks. As permitted by this title, provided that a ten (10) foot landscaped setback shall be required from all street frontages.

c. Design Review. All development shall be subject to design review and shall comply with all applicable design requirements pursuant to Chapter 17.132 of this title.

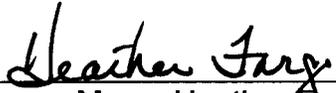
Adopted by the City of Sacramento City Council on August 28, 2007 by the following vote:

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

Noes: None.

Abstain: None.

Absent: None.

  
\_\_\_\_\_  
Mayor Heather Fargo

Attest:

  
for Shirley Concolino, City Clerk

Passed for Publication August 9, 2007  
Published August 21, 2007  
Effective September 27, 2007