

ORDINANCE NO. 2007-099

Adopted by the Sacramento City Council

December 11, 2007

ADDING SECTION 17.128.035 TO, AND AMENDING SECTIONS 17.128.030 AND 17.128.040 OF CHAPTER 17.128 OF TITLE 17 OF THE SACRAMENTO CITY CODE (THE ZONING CODE) RELATING TO THE R STREET CORRIDOR SPECIAL PLANNING DISTRICT (M05-048)

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

SECTION 1. Section 17.128.030 of Chapter 17.128 of Title 17 of the Sacramento City Code (the Zoning Code) is amended to read as follows:

17.128.030 Land use zones and development standards.

A. General.

This section sets forth the boundaries, allowed uses and development standards for each zoning district in the R Street corridor special planning district.

1. Zoning Map.

The land use zones applicable in the R Street corridor special planning district are set forth in the zoning map set out at the end of this chapter as Exhibit 1.

2. Relationship Between Zoning and Land Use Designations.

The relationship between the community plan land use designations and the implementing SPD zone classifications are listed below:

Community Plan Land Use Designation	SPD Zone
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INT-MU	Intensive Mixed Use	OB-SPD(W)
GC-MU	General Commercial Mixed Use	OB-SPD(C)
GC	General Commercial	C-2-SPD
HC	Heavy Commercial	C-4-SPD
MF	Multiple Family	R-3A-SPD
RES-MU	Residential Mixed Use	RMX-SPD

3. Allowed Uses.

The uses allowed (“allowed uses”) within the R Street corridor special planning district vary for each zoning district. Allowed uses are either permitted uses or conditionally permitted uses, as described below:

a. Permitted Uses.

Permitted uses are uses permitted as a matter of right in the specified zone, subject to compliance with the development standards and other requirements of this chapter.

b. Conditionally Permitted Uses.

Conditionally permitted uses are uses permitted as a matter of discretion, and require approval of a special permit by the planning director, zoning administrator, or planning commission pursuant to Chapter 17.212.

B. Boundaries, Allowed Uses and Development Standards.

The boundaries, allowed uses and specific development standards for each land use zone in the R Street corridor special planning district are set forth below.

1. Office Building (OB) Zone.

Within the office building (OB) zone in the R Street corridor special planning district, there are two geographic areas, designated West (W) and Central (C). The boundaries of these two areas, shown on Exhibit 1, set out at the end of this chapter, are as follows: (1) West is the area bounded generally by 2nd and 8th Streets between Q and R Streets, excluding the half-blocks on the north side of R Street between 6th Street and 8th Street; and (2) Central is the area located between 16th and 17th Streets from the half-block north of R Street to S Street. The development standards differ slightly for the two areas. The West OB zone is intended to encourage more intensive mixed uses within the west end of the corridor, while the Central OB zone is intended to encourage moderately intensive mixed uses adjacent to the 16th Street light rail station.

a. Allowed Uses.

Except as otherwise provided in subsections (i) and (ii), below, (1) uses permitted by this title in the OB zone outside of the R Street corridor special planning district but within the central city shall be permitted in the OB zone in the R Street corridor special planning district; and (2) if this title requires approval of a special permit or other discretionary approval or entitlement(s) to establish a particular entitlement in the OB zone outside of the R Street corridor special planning district but within the central city, approval of the same discretionary entitlements shall be required to establish the use within the R Street corridor special planning district.

i. Permitted Uses.

The following additional uses are permitted uses in the OB zone in the R Street corridor planning district:

(A) Retail and Personal Service Uses. The retail and personal service uses specified in Table 1 of Section 17.96.070 of this title shall be permitted uses.

(B) Apartments. Apartments shall be a permitted use subject to footnote (75) of Section 17.24.050.

ii. Conditionally Permitted Uses.

The following uses are conditionally permitted uses in the OB zone:

(A) Office Use. Office use is permitted in the OB zone subject to approval of a special permit by the planning commission.

(B) Residential Use. Alternative ownership housing is permitted subject to footnote (8) of Section 17.24.050.

b. Special Permit Required—Larger Development Projects.

Notwithstanding subsection (B)(1)(a) of this section, a special permit approved by either the planning commission or zoning administrator shall be required for the projects specified below. Due to the size of these projects and their potential for impacts on the surrounding neighborhoods, it is necessary to provide an opportunity to assess, and if appropriate, to impose reasonable conditions to mitigate, the impacts of such projects. Nothing in this subparagraph is intended to allow for a use or development without a special permit or other discretionary entitlement if otherwise required by this title.

i. Nonresidential Development Exceeding 40,000 Square Feet.

A special permit approved by the planning commission pursuant to Chapter 17.212 of this title shall be required for new nonresidential development, including additions to or expansions of existing buildings, that exceeds forty thousand (40,000) square feet.

ii. Nonresidential Development Exceeding 10,000 Square Feet.

A special permit approved by the zoning administrator pursuant to Chapter 17.212 of this title shall be required for new nonresidential development, including additions to or expansions of existing buildings, that exceeds ten thousand (10,000) square feet but that does not exceed forty thousand (40,000) square feet.

c. Development Standards.

Except as provided below, development in the OB zone in the R Street corridor special planning district shall be subject to the same development standards that govern development in the OB zone outside of the R Street corridor special planning district.

i. Office Development--Residential and Ground Floor Retail Requirements.

Except as provided in subsection (B)(1)(c)(i)(C) of this section, a residential component and a ground floor retail component complying with the requirements of subsections (B)(1)(c)(i)(A) and (B)(1)(c)(i)(B) of this section shall be required for new construction of buildings on vacant sites or on sites where the existing building will be demolished; for reuse projects utilizing buildings that have been vacant for over three (3) years; and for additions of greater than ten percent (10%) of gross floor area to existing buildings.

(A) Residential Component Required for Office Development. Projects containing office development shall provide residential development at a rate of either one dwelling unit for every three thousand (3,000) square feet of office development or one square foot of housing for every three square feet of office development, whichever is less.

(1) Location of Residential Development. The residential component required for an office development project pursuant to subsection (B)(1)(c)(i)(A) of this section shall either be included in, and constructed as part of, the same development project as the office development; or located in an adjacent residential district within the R Street corridor special planning district.

(2) Timing of Residential Development. Except as provided below in subsection (B)(1)(c)(i)(A)(3), the residential component shall either be constructed prior to, or concurrently with, the office development, and appropriate conditions shall be included at the time of approval of the special permit for the development project to ensure that this requirement is satisfied.

(3) Development Agreement. Subject to the execution of a development agreement or other agreement that ensures the construction of the residential component within a reasonable period of time not to exceed two years following completion of the office development, the city council may authorize the construction and occupancy of the office development prior to construction of the residential component.

(4) Satisfaction of Housing Trust Fund "Housing Construction Requirement." The residential development, provided to meet the residential requirements for office development in this zone, may be applied to meet the "housing construction requirement" as described in Section 17.188.050(A) and calculated in Appendix B of Chapter 17.188 of this title. The twenty (20) percent fee,

as described in Section 17.188.050(A) and calculated in Appendix B of Chapter 17.188 of this title, shall be required prior to the issuance of any building permits for the office project.

(B) Ground Floor Retail Requirement. A minimum of twenty (20) percent of the length of the ground floor street frontage of any building containing office development shall be occupied by or devoted to retail or personal service business uses, as specified below; provided that the area of the ground floor devoted to retail or personal business uses must consist of a space with a minimum interior depth of not less than thirty (30) feet or with a size of not less than one thousand (1,000) square feet, whichever is less. The retail and personal service uses shall be limited to the ground floor.

(1) Ground Floor Street Frontage. For purposes of this requirement, ground floor street frontage shall mean the interior floor area within a structure that has the same elevation, or the nearest corresponding elevation, as the public street providing principal access to the building.

(2) Permissible Retail and Personal Service Uses. The retail and personal service uses permitted in the OB zone to satisfy the ground floor requirement set forth in subsection (B)(1)(c)(i)(B) of this section are the retail and personal service uses specified in Table 1 of Section 17.96.070 of this title.

(C) Exception—Landmarks and Contributing Resources. Subject to approval of a special permit by the planning commission, all or a portion of a building in the OB zone which is a landmark or a contributing resource on the Sacramento register established pursuant to Chapter 17.134 may be devoted to office use without satisfying either the residential component or the ground floor retail requirement set forth in subsections (B)(1)(c)(1)(A) and (B)(1)(c)(1)(B) of this section.

ii. Density and Intensity.

(A) Office—Floor Area Ratio (FAR). Offices shall be developed in the OB zone with the following minimum and maximum floor area ratios (FARs).

(1) West (W) Area. Buildings in the West area in the OB zone shall be developed with a minimum FAR of 1.0 and a maximum FAR of 3.0.

(2) Central (C) Area. Buildings in the Central area in the OB zone shall be developed with a minimum FAR of 2.0 and a maximum FAR of 3.0.

(B) Residential—Density. Residential development in the OB zone shall be developed with the following density ranges.

(1) West (W) Area. Residential development within the West area of the OB zone shall be developed with a density range of sixty (60) to one hundred (100) dwelling units per net acre.

(2) Central (C) Area. Residential development within the Central area of the OB zone shall be developed with a density range of thirty (30) to sixty (60) dwelling units per net acre.

iii. Height, Yard, and Stepback Standards.

The height, yard, and stepback standards for the OB zone in the R Street corridor special planning district are set out in the in the Height, Yard, and Stepback Standards Table in Section 17.128.035.

iv. Open Space Requirements.

(A) Office.

(1) Open space shall be provided for office development at a ratio of one square foot of open space per fifteen (15) square feet of the total square footage of development.

(2) Open space shall be provided on site; provided, that the planning commission may approve a special permit pursuant to and subject to the findings required by Chapter 17.212 to allow not more than twenty (20) percent of the required open space off-site. Required off-site open space shall be located within the R Street corridor special planning district.

(3) Open space shall be in the form of courtyards or public plazas.

(B) Residential.

(1) Areas specifically designed for recreation or passive enjoyment of the outdoors are required for new residential development.

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

(3) 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.

(4) Open space shall be provided on site; provided, that the planning commission may approve a special permit pursuant to and subject to the findings required by Chapter 17.212 to allow not more than twenty (20) percent of the total required open space off-site. Required off-site open space shall be located within the R Street corridor special planning district. In approving the special permit, the planning commission shall specify how the remaining open space to be provided on site shall be allocated between common usable open space and private usable open space.

v. Parking Requirements.

(A) Office/Retail.

(1) Maximum Off-Street Parking. Parking shall be a maximum of one space for every five hundred (500) gross square feet of floor area.

(2) Minimum Off-Street Parking. Parking shall be a minimum of one space for every six hundred (600) gross square feet of floor area.

(3) 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 transportation systems management (TSM) trip reduction measures beyond those mandated by the TSM regulations set forth in Chapter 17.184 of this title shall be implemented to justify the minimum parking requirements. The developer transportation management plan must be submitted concurrently with the special permit application to justify the requested parking reduction, pursuant to Division VI of this title.

(4) Surface Parking Lots. Parking for projects of ten thousand (10,000) square feet or less may be provided by means of a surface parking lot. The

planning commission may approve a special permit for the use of a surface parking lot for parking for projects of more than ten thousand (10,000) square feet.

(B) Commercial/Retail. Vehicle parking shall not be required for these uses if included as part of an office or residential project.

vi. Bicycle Parking Requirements.

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

(B) Commercial. One space is required for every six thousand (6,000) square feet of occupied space. Twenty-five (25) percent of the required facilities shall be Class I. The remaining facilities shall be Class I, Class II or Class III facilities.

(C) Restaurant. One (1) space is required for every fifty (50) seats. Twenty-five (25) percent of the required facilities shall be Class I. The remaining facilities shall be Class I, Class II or Class III facilities.

(D) Residential. One space is required for every ten (10) units. Seventy-five (75) percent of the required facilities shall be Class I. The remaining facilities shall be Class I, Class II or Class III facilities.

(E) Class I bicycle parking facilities should be located inside buildings near showers and lockers. If it is necessary to locate bicycle lockers outside, they shall be securely fastened and be designed in a manner integral to building design. For multi-story buildings, facilities should be located as close to the ground floor as possible or adjacent to an elevator large enough to allow bicycles.

(F) Class II and Class III facilities shall be located at the main entrance to the building and shall be visible to the occupants of the building.

(G) A minimum of two bicycle parking spaces shall be provided regardless of the size of development.

(H) If part of the building design includes signage to tell automobile drivers where to park, the sign shall also indicate where bike parking can be found.

2. General Commercial C-2-SPD.

This zone is found adjacent to the 13th, 16th, 23rd, and 29th Street light rail stations, as well as south of R Street between 2nd and 6th Streets, and between Q and S, 19th and 20th Streets. This zone includes locations where newer office buildings already exist or where residential land uses are not deemed appropriate or feasible.

a. Allowed Uses.

Except as otherwise provided in subsections (i) and (ii), below, (1) uses permitted by this title in the C-2 zone outside of the R Street corridor special planning district but within the central city shall be permitted in the C-2 zone in the R Street corridor special planning district; and (2) if this title requires approval of a special permit or other discretionary approval or entitlement(s) to establish a particular entitlement in the C-2 zone outside of the R Street corridor special planning district but within the central city, approval of the same discretionary entitlements shall be required to establish the use within the R Street corridor special planning district.

i. Permitted Uses.

The following additional uses are permitted uses in the C-2 zone in the R Street corridor special planning district:

(A) Apartments. Apartments shall be a permitted use subject to footnote (75) of Section 17.24.050.

ii. Prohibited Uses.

The following uses are prohibited in the C-2 zone in the R Street corridor special planning district:

(A) Auto sales, service, storage, rental;

(B) Commercial cleaning plant;

(C) Drive-in restaurant or food stand;

- (D) Equipment rental and sales yard;
- (E) Laundry, commercial plant;
- (F) Recycling facility;
- (G) Service station;
- (H) Shop for building contractor;
- (I) Tire shop;
- (J) Trailer sales yard;
- (K) Used car lot;
- (L) Wholesale stores and distributors;
- (M) Commercial or recreational vehicle storage;
- (N) Mini-storage;
- (O) Towing service and vehicle storage yard;
- (P) Reverse vending machine;
- (Q) Drive-through service facility;
- (R) Other auto-oriented uses;
- (S) Retail and personal service uses, other than grocery stores, in excess of ten thousand (10,000) square feet.

b. Special Permit Required—Larger Development Projects.

Notwithstanding subsection (B)(2)(a) of this section, a special permit approved by either the planning commission or zoning administrator shall be required for the projects specified below. Due to the size of these projects and their potential for impacts on the surrounding neighborhoods, it is necessary to provide an opportunity to assess and, if appropriate, to impose reasonable conditions to mitigate, the impacts of such projects. Nothing in this subparagraph is intended to allow for a use or development without a special permit or other discretionary entitlement if otherwise required by this title.

i. Nonresidential Development Exceeding 40,000 Square Feet.

A special permit approved by the planning commission pursuant to Chapter 17.212 of this title shall be required for new nonresidential development, including additions to or expansions of existing buildings, that exceeds forty thousand (40,000) square feet.

ii. Nonresidential Development Exceeding 10,000 Square Feet.

A special permit approved by the zoning administrator pursuant to Chapter 17.212 of this title shall be required for new nonresidential development, including additions to or expansions of existing buildings, that exceeds ten thousand (10,000) square feet but that does not exceed forty thousand (40,000) square feet.

c. Development Standards.

Except as provided below, development within the C-2 zone within the R Street special planning district shall be subject to the same development standards that govern development in the C-2 zone outside of the R Street corridor special planning district.

i. Office Development—Ground Floor Retail Requirement.

Subject to the additional requirements in subsection (B)(2)(c)(ii), below, a minimum of twenty (20) percent of the length of the ground floor street frontage of any building containing office development shall be occupied by or devoted to retail or personal service business uses, as specified below; provided that for existing buildings being converted to office use, the requirements of this subsection 17.128.030(B)(2)(c)(i) may be modified or waived upon the issuance of a zoning administrator's special permit pursuant to and subject to the findings required by

Chapter 17.212. In granting a special permit to modify or waive the requirements of this subsection, and in addition to the findings required by Chapter 17.212, the zoning administrator shall find that the required retail or personal service business use is not viable due to constraints created by the physical characteristics of the building, such as the presence of a loading dock, accessibility barriers, and the absence of windows.

(A) Minimum Dimensions and Area. The area of the ground floor devoted to retail or personal business uses must consist of a space with an interior depth of not less than thirty (30) feet or with a size of not less than one thousand (1,000) square feet, whichever is less. The retail and personal service uses shall be limited to the ground floor.

(B) Ground Floor Street Frontage. For purposes of this requirement, ground floor street frontage means the interior floor area within a structure that has the same elevation, or the nearest corresponding elevation, as the public street providing principal access to the building.

(C) Permissible Retail and Personal Service Uses. The retail and personal service uses permitted in the C-2 zone to satisfy the ground floor requirement set forth in this subsection (B)(2)(c)(i) are the retail and personal service uses specified in Table 1 of Section 17.96.070 of this title.

ii. Ground Floor Retail Requirement—Development at Certain Specified Locations.

The ground floor retail and personal service uses requirement in subsection (B)(2)(c)(i), above, shall apply to all buildings located along the street segments and at the street corners designated below and shall comply with the additional requirements in subsections (C) and (D) of this subsection.

(A) Street Segments and Street Corners.

(1) Street Segments.

(a) 5th Street, Between R Street and the Alley. Development on each side of 5th Street between R Street and the alley to the south;

(b) Whitney, Between 12th and 13th Streets. Development on each side of Whitney between 12th Street and 13th Street;

(c) R Street, Between 23rd and 24th Streets. Development on each side of R Street, between 23rd Street and 24th Street.

(2) Street Corners.

(a) 5th and R Streets. Development at the southwest and southeast corners of 5th Street and R Street;

(b) 12th Street and Whitney. Development at the northwest and northeast corners of 12th Street and Whitney;

(c) 16th and R Streets. Development at the northwest and southwest corners of 16th Street and R Street;

(d) 19th and R Streets. Development at the northeast and southeast corners of 19th Street and R Street;

(e) 23rd and R Streets. Development at the northeast and southeast corners of 23rd Street and R Street;

(f) 24th and R Streets. Development at the northwest and southwest corners of 24th Street and R Street;

(g) 29th and R Streets. Development at the northwest and southwest corners of 29th Street and R Street.

(B) Buildings with Street Frontage at Corners.

For purposes of this subsection (B)(2)(c)(ii), buildings with street frontage on either of the streets forming one of the corners specified in subsection (B)(2)(c)(ii)(A)(2) and that are located within one-half block of such corners in the relevant direction shall be subject to this subsection. For purposes of this subsection, the half-block of a given street shall mean the street from the corner to the nearest alley in the relevant direction; or the street from the property line adjacent and parallel to the other designated street at the corner for a distance of one hundred seventy (170) feet in the relevant direction, whichever is less.

(C) Location of Ground Floor Retail and Personal Service Uses at Corners.

To promote activity at the corners identified above, not less than fifty (50) percent of the building space devoted to satisfaction of the ground floor retail requirement shall be located in that half of the building street frontage located closest to the designated corner; provided that if there is more than one building within the half-block which is subject to the ground floor retail requirement, the building located closest to the corner shall be required to locate all of the space necessary to satisfy the ground floor retail requirement within the half of the building street frontage closest to the designated corner.

(D) Buildings with Partial Frontage.

Buildings that have only a portion of their street frontage within the half-block of one of the corners subject to the ground floor retail requirement shall comply with the requirement for its full street frontage.

iii. Intensity.

Buildings shall be developed in the C-2 zone with the following minimum and maximum floor area ratios (FARs).

(A) The minimum floor area ratio (FAR) shall be 1.0.

(B) The maximum floor area ratio (FAR) shall be 2.0.

iv. Height, Yard, and Stepback Standards.

The height, yard, and stepback standards for the C-2 zone in the R Street corridor special planning district are set out in the in the Height, Yard, and Stepback Standards Table in Section 17.128.035.

v. Open Space Requirements.

(A) Office.

(1) Open space shall be provided for office development at a ratio of one square foot of open space per fifteen (15) square feet of the total square footage of development.

(2) Open space shall be provided on site; provided, that the planning commission may approve a special permit pursuant to and subject to the findings required by Chapter 17.212 to allow not more than twenty (20) percent of the required open space off-site. Required off-site open space shall be located within the R Street corridor special planning district.

(3) Open space shall be in the form of courtyards or public plazas.

(B) Residential.

(1) Areas specifically designed for recreation or passive enjoyment of the outdoors are required for new residential development.

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

(3) 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.

(4) Open space shall be provided on site; provided, that the planning commission may approve a special permit pursuant to and subject to the findings required by Chapter 17.212 to allow not more than twenty (20) percent of the total required open space off-site. Required off-site open space shall be located within the R Street corridor special planning district. In approving the special permit, the planning commission shall specify how the remaining open space to be provided on site shall be allocated between common usable open space and private usable open space.

vi. Parking Requirements.

(A) Office.

(1) Maximum Off-Street Parking. Parking shall be a maximum of one space for every five hundred (500) gross square feet of floor area.

(2) Minimum Off-Street Parking. Parking shall be a minimum of one space for every six hundred (600) gross square feet of floor area.

(3) 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 must be submitted concurrently with the special permit application to justify the requested parking reduction, per Division VI of this title.

(4) Projects of Ten Thousand Square Feet or Less. Parking for projects of ten thousand (10,000) square feet or less may be provided by means of a surface parking lot.

(5) Projects of More Than Ten Thousand Square Feet. The planning commission may approve a special permit for the use of a surface parking lot for projects of more than ten thousand (10,000) square feet.

(B) Commercial/Retail. Vehicle parking shall not be required for these uses as defined in Table 1 of Section 17.96.070 of this title.

vii. Bicycle Parking Requirements.

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

(B) Commercial. One space is required for every six thousand (6,000) square feet of occupied space. Twenty-five (25) percent of the required facilities shall be Class I facilities. The remaining facilities shall be Class I, Class II or Class III facilities.

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

(D) Residential. One space is required for every ten (10) units. Seventy-five (75) percent of the required facilities shall be Class I facilities. The remaining facilities shall be Class I, Class II or Class III facilities.

(E) Class I Bicycle parking facilities should be located inside buildings near showers and lockers. If it is necessary to locate bicycle lockers outside, they shall be securely fastened and be designed in a manner integral to building design. For multi-story buildings, facilities should be located as close to the ground floor as possible or adjacent to an elevator large enough to allow bicycles.

(F) Class II and Class III facilities shall be located at the main entrance to the building and be visible to the occupants of the building.

(G) A minimum of two bicycle parking spaces shall be provided, regardless of the size of development.

(H) If part of the building design includes signage to tell automobile drivers where to park, the sign shall also indicate where bike parking can be found.

3. Heavy Commercial C-4-SPD.

This zone is found in the area bounded by 20th, 23rd and Q Streets, and the alley south of R Street. The heavy commercial zone in the R Street corridor special planning district consists of property currently zoned and used for heavy commercial purposes, which is not anticipated to transition to residential mixed use in the foreseeable future.

a. Allowed Uses.

Except as otherwise provided in subsection (i), below, (1) uses permitted by this title in the C-4 zone outside of the R Street corridor special planning district but within the central city shall be permitted in the C-4 zone in the R Street corridor special planning district; and (2) if this title requires approval of a special permit or other discretionary approval or entitlement(s) to establish a particular entitlement in the C-4 zone outside of the R Street corridor special planning district but within the central city, approval of the same discretionary entitlements shall be required to establish the use within the R Street corridor special planning district.

i. Prohibited Uses.

The following uses are prohibited in the C-4 zone within the R Street corridor:

- (A) Auto wrecking;
- (B) Beverage bottling plant;
- (C) Cement or clay products manufacturing;
- (D) Dairy products processing;
- (E) Fuel yard;
- (F) Bus and other transit vehicle maintenance and storage;
- (G) Boat building;
- (H) Concrete batch plant;
- (I) Food processing;
- (J) Junk yard;
- (K) Lumber yard;
- (L) Machine shop;
- (M) Material recovery facility/yard waste composting facility
(recycling plant);
- (N) Monument works—stone;
- (O) Office use not related to the commercial or industrial use located
on the site;

(P) Office use related to the commercial or industrial use on the site that exceeds twenty-five (25) percent of the gross floor area of the building(s) on the parcel on which they are located;

(Q) Petroleum storage;

(R) Planing mill;

(S) Public utility yard;

(T) Railroad yard or shop;

(U) Terminal yard, trucking;

(V) Towing service and storage yard;

(W) Truck and tractor repair.

b. Special Permit Required—Larger Development Projects.

Notwithstanding subsection (B)(3)(a) of this section, a special permit approved by either the planning commission or zoning administrator shall be required for the projects specified below. Due to the size of these projects and their potential for impacts on the surrounding neighborhoods, it is necessary to provide an opportunity to assess and, if appropriate, to impose reasonable conditions to mitigate, the impacts of such projects. Nothing in this subparagraph is intended to allow for a use or development without a special permit or other discretionary entitlement if otherwise required by this title.

i. Development Exceeding 40,000 Square Feet.

A special permit approved by the planning commission pursuant to Chapter 17.212 of this title shall be required for new development, including additions to or expansions of existing buildings, that exceeds forty thousand (40,000) square feet.

ii. Development Exceeding 10,000 Square Feet.

A special permit approved by the zoning administrator pursuant to Chapter 17.212 of this title shall be required for new development, including additions to or expansions of existing buildings, that exceeds ten thousand (10,000) square feet but that does not exceed forty thousand (40,000) square feet.

c. Development Standards.

Except as provided below, development in the C-4 zone in the R Street corridor special planning district shall be subject to the same development standards that govern development in the C-4 zone outside of the R Street corridor special planning district.

i. Height, Yard, and Stepback Standards.

The height, yard, and stepback standards for the C-4 zone in the R Street corridor special planning district are set out in the in the Height, Yard, and Stepback Standards Table in Section 17.128.035.

4. Multi-Family R-3A Zone.

This zone is found along portions of Q and S Streets.

a. Allowed Uses.

Except as otherwise provided in subsection (i), below, (1) uses permitted by this title in the R-3A zone outside of the R Street corridor special planning district but within the central city shall be permitted in the R-3A zone in the R Street corridor special planning district; and (2) if this title requires approval of a special permit or other discretionary approval or entitlement(s) to establish a particular entitlement in the R-3A zone outside of the R Street corridor special planning district but within the central city, approval of the same discretionary entitlements shall be required to establish the use within the R Street corridor special planning district.

i. Permitted Uses.

Single-family residences, halfplexes, townhouses, row houses, and other similar types of housing units are allowed in the R-3A zone in the R Street corridor special planning district.

b. Development Standards.

Except as provided below and in the Height, Yard, and Stepback Standards Table in Section 17.128.035, development in the R-3A zone in the R Street corridor special planning district shall be subject to the same development standards that govern development in the R-3A zone outside of the R Street corridor special planning district.

i. Noise.

Development shall comply with the noise standards for development in the RMX zone set forth in subsection (B)(5)(c) of this section.

ii. Accessory Structures.

Up to two hundred twenty-five (225) square feet of land may be covered with a detached accessory structure within the rear yard setback area, provided that a six-foot setback from the main building is maintained, a six-foot setback from the alley right-of-way is maintained for a detached garage which has its access from said alley, and a maximum of forty (40) percent overall lot coverage is maintained.

5. Residential Mixed Use (RMX).

Properties in this zone are designated as residential mixed use in the Central City community plan and are generally located throughout the R Street corridor special planning district to reinforce and expand adjacent residential uses. This designation is intended to result in mixed use development which is primarily residential but which may include a ground floor retail component consisting of neighborhood serving commercial retail or service uses.

a. Allowed Uses.

Except as otherwise provided in subsections (i), (ii), and (iii), below, (1) uses permitted by this title in the RMX zone outside of the R Street corridor special planning district but within the central city shall be permitted in the RMX zone in the R

Street corridor special planning district; and (2) if this title requires approval of a special permit or other discretionary approval or entitlement(s) to establish a particular entitlement in the RMX zone outside of the R Street corridor special planning district but within the central city, approval of the same discretionary entitlements shall be required to establish the use within the R Street corridor special planning district.

i. Permitted Uses.

The following additional uses are permitted uses in the RMX zone in the R Street corridor planning district:

(A) Commercial Uses. The commercial uses specified in Section 17.28.020 and the retail and personal service uses specified in Table 1 of Section 17.96.070 of this title shall be permitted uses, provided that (i) such uses are located on the ground floor of a building; and (ii) the square footage of a building devoted to such commercial uses does not exceed twenty (20) percent of the total square footage of the building.

ii. Conditionally Permitted Uses.

The following uses are conditionally permitted uses in the RMX zone in the R Street corridor special planning district:

(A) Grocery stores;

(B) Commercial Uses on Parcels Not Exceeding Three Thousand Two Hundred Square Feet. Subject to approval of a special permit by the zoning administrator, one hundred (100) percent of development on parcels consisting of not more than three thousand two hundred (3,200) square feet in area may be used for the commercial uses specified in Section 17.28.020 of this title.

(C) Landmarks and Contributing Resources on Parcels Not More Than Forty Feet by One Hundred Sixty Feet—Additional Development Allowed. For parcels with a width not greater than forty (40) feet and a depth not greater than one hundred sixty (160) feet; (2) which abut a major street; and (3) on which there is located a landmark or a contributing resource on the Sacramento register established pursuant to Chapter 17.134 of this title, the planning commission may approve a special permit to allow for additional development on the parcel, including additions to or expansions of the landmark or contributing resource; and may authorize the use

of such development for office use, the commercial uses specified in Section 17.28.020 of this title, or the retail and personal service uses specified in Table 1 of Section 17.96.070 of this title. For purposes of this provision, major streets mean the major streets as defined in the central city community plan.

iii. Prohibited Uses.

Unattended uses, such as self-service laundromats, shall be prohibited in the RMX zone.

b. Reserved.

c. Development Standards.

Except as provided below, development in the RMX zone in the R Street corridor special planning district shall be subject to the same development standards that govern development in the RMX zone outside of the R Street corridor special planning district.

i. Height, Yard, and Stepback Standards.

The height, yard, and stepback standards for the RMX zone in the R Street corridor special planning district are set out in the in the Height, Yard, and Stepback Standards Table in Section 17.128.035.

ii. Residential Density.

(A) Sites Within Six Hundred Sixty (660) Feet of a Light Rail Station.

Density range shall be thirty (30) to sixty (60) units per net acre.

(B) Sites Not Within Six Hundred Sixty (660) Feet of a Light Rail Station.

Density range shall be fifteen (15) to sixty (60) units per net acre.

(C) Additional Density with Planning Commission Special Permit.

The planning commission may approve residential density exceeding that specified in this subsection (B)(5)(c)(ii) upon issuance of a special permit under Chapter 17.212.

iii. Open Space Requirements.

(A) Areas specifically designed for recreation or passive enjoyment of the outdoors are required for new residential construction. Open space requirements shall not apply to the reuse of existing buildings.

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

(2) A minimum of fifty (50) square feet of private usable open space for not less than fifty percent (50%) of the residential units 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.

iv. Entrances from Alleys. Dwelling units(s) located on an alley may have main entrances off the alley.

v. Parking Requirements. Off-street parking requirements shall be provided as follows:

(A) General.

(1) 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 nonresidential component for the project does not exceed twenty (20) percent of the total building square footage for the project and does not exceed nine thousand six hundred (9,600) square feet. If parking is provided for the commercial retail or service use, the maximum amount of off-street vehicle parking allowed for such use shall be one space per two hundred fifty (250) gross square feet of floor area. Reciprocal agreements for shared maneuvering space, and for daytime commercial use and night-time residential use may be used to satisfy parking requirements.

(2) No parking shall be required for a restaurant use, provided that the use is a component of a residential project and provided that the nonresidential component for the project does not exceed twenty (20) percent of the total building square footage for the project. The maximum amount of off-street vehicle parking allowed shall be one space per two hundred fifty (250) gross square feet of floor area.

(3) 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.

(B) Grocery Stores. Grocery stores in the RMX zone parking shall provide parking at a minimum of one space per six hundred (600) gross square feet of floor area and a maximum of one space per two hundred fifty (250) gross square feet of floor area.

(C) Parcels fronting on R Street between 10th and 13th Streets. Projects on parcels in the RMX zone which front on R Street between 10th and 13th Streets shall provide parking pursuant to Chapter 17.64 of this title; provided that the Zoning Administrator shall have the authority to approve requests for a special permit to waive required parking or to provide parking off-site.

vi. Minimum Bicycle Parking Requirements.

(A) Multi-Family and Artist Live-Work Space. One bicycle parking facility is required for every ten (10) units. Fifty (50) percent of the required bicycle parking facilities shall be Class I facilities. The remaining facilities may be Class I, Class II or Class III facilities.

(B) Commercial. One bicycle parking facility is required for every six thousand (6,000) gross square feet of occupied space. Seventy-five (75) percent of the required bicycle parking facilities shall be Class I facilities. The remaining facilities may be Class I, Class II or Class III facilities.

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

vii. Fence Height Limit in Parking Areas.

Where existing parking is located adjacent to parking on abutting properties, and where fencing is erected, fences between properties shall not exceed three feet.

viii. Noise Attenuation.

Where residential occupancies are horizontally attached to or located over commercial spaces, acoustical separation shall be provided as follows:

(A) Floor-ceiling and wall assemblies (where uses adjoin each other horizontally) with a sound coefficient (STC) of sixty (60) or greater.

(B) The use of resilient assemblies to acoustically isolate finishes on concrete and steel columns from the columns supporting second-floor framing (or the framing between commercial and residential levels).

ix. Vertical Chase Requirements for Mixed-Use Projects.

To eliminate the need for future installation of ducts, pipes and conduit on the exterior of a building, provisions shall be made at a maximum of sixty (60) feet on center for one-hour rated vertical chases through the residential floors to accommodate commercial utilities that must circuit to the roof. The chases shall have an interior clear dimension of twenty-four (24) inches by twenty-four (24) inches to accommodate a Class A exhaust hood for restaurant uses.

SECTION 2. Section 17.128.035 is added to Chapter 17.128 of Title 17 of the Sacramento City Code (the Zoning Code) to read as follows:

17.128.035 Height, yard, and stepback standards.

A. The Height, Yard, and Stepback Standards Table.

The following table and text are adopted as the R Street corridor special planning district height, yard, and stepback standards. Except as specifically set forth below, the maximum height, minimum yard, and minimum stepback requirements set forth in Chapter 17.60 of this title shall apply. Additional development standards other than maximum height, minimum yard, and minimum stepback requirements are set forth in Section 17.128.030. The height, yard, and stepback standards table is comprised of four tables beginning with development within the half block fronting on the south side of Q street and concluding with the development within the half block fronting on the north side of S street. Maximum

heights are measured to the building plate line. Stepback height is the point on a building's façade, above which upper floors must be setback to the respective stepback depth. Stepback depth is measured from the property line. Requirements represented by a letter in parenthesis correspond to the footnotes in subsection (B) of this section.

1. Development Within the Half Block Fronting on the South Side of Q Street

Block	SPD Zone	Maximum Height	Stepback Height			Stepback Depth			Minimum Yard Requirements			
			Q Street	# Street	Alley	Q Street	# Street	Alley	Q Street	# Street	Interior Side	Alley
2nd to 3rd	OB-SPD(W)	100'	45'	45'	45'	23'	23'	23'	(c)	(c)	(d)	(c)
3rd to 4th	OB-SPD(W)	100'	45'	45'	45'	23'	23'	23'	(c)	(c)	(d)	(c)
4th to 5th	OB-SPD(W)	100'	45'	45'	45'	23'	23'	23'	(c)	(c)	(d)	(c)
5th to 6th	OB-SPD(W)	100'	45'	45'	45'	23'	23'	23'	(c)	(c)	(d)	(c)
6th to 7th	OB-SPD(W)	100'	45'	45'	45'	23'	23'	23'	(c)	(c)	(d)	(c)
7th to 8th	OB-SPD(W)	100'	45'	45'	45'	23'	23'	23'	(c)	(c)	(d)	(c)
8th to 9th	RMX-SPD	45'	25'	25'	0'	25'	20'	0'	(g)	(h)	(i),(j)	(f)
9th to 10th	R-3A-SPD	35'	0'	0'	0'	0'	0'	0'	(f)	(f)	(f)	(f)
10th to 11th	RMX-SPD	75'	25'	25'	0'	25'	20'	0'	(g)	(h)	(i),(j)	(f)
11th to 12th	C-2-SPD	(a)	45'	45'	45'	23'	23'	23'	(c)	(c)	(d)	(c)
12th to 13th	RMX-SPD	75'	25'	25'	0'	25'	20'	0'	(g)	(h)	(i),(j)	(f)
13th to 14th	RMX-SPD	45'	25'	25'	0'	25'	20'	0'	(g)	(h)	(i),(j)	(f)
14th to 15th	RMX-SPD	75'	25'	25'	0'	25'	20'	0'	(g)	(h)	(i),(j)	(f)
15th to 16th	RMX-SPD	45'	25'	25'	0'	25'	20'	0'	(g)	(h)	(i),(j)	(f)
16th to 17th	RMX-SPD	75'	25'	25'	0'	25'	20'	0'	(g)	(h)	(i),(j)	(f)
17th to 18th	RMX-SPD	75'	25'	25'	0'	25'	20'	0'	(g)	(h)	(i),(j)	(f)
18th to 19th	RMX-SPD	75'	25'	25'	0'	25'	20'	0'	(g)	(h)	(i),(j)	(f)
19th to 20th	C-2-SPD	45'	45'	45'	45'	23'	23'	23'	(c)	(c)	(d)	(c)
20th to 21st	C-4-SPD	45'	0'	0'	0'	0'	0'	0'	(f)	(f)	(f)	(e)
21st to 22nd	C-4-SPD	45'	0'	0'	0'	0'	0'	0'	(f)	(f)	(f)	(e)
22nd to 23rd	C-4-SPD	45'	0'	0'	0'	0'	0'	0'	(f)	(f)	(f)	(e)
23rd to 24th	R-3A-SPD	35'	0'	0'	0'	0'	0'	0'	(f)	(f)	(f)	(f)
24th to 25th	R-3A-SPD	35'	0'	0'	0'	0'	0'	0'	(f)	(f)	(f)	(f)
25th to 26th	R-3A-SPD	35'	0'	0'	0'	0'	0'	0'	(f)	(f)	(f)	(f)
26th to 27th	R-3A-SPD	35'	0'	0'	0'	0'	0'	0'	(f)	(f)	(f)	(f)
27th to 28th	R-3A-SPD	35'	0'	0'	0'	0'	0'	0'	(f)	(f)	(f)	(f)
28th to 29th	C-2-SPD	(a)	45'	45'	45'	23'	23'	23'	(c)	(c)	(d)	(c)

2. Development Within the Half Block Fronting on the North Side of R Street

Block	SPD Zone	Maximum Height	Stepback Height			Stepback Depth			Minimum Yard Requirements			
			R Street	# Street	Alley	R Street	# Street	Alley	R Street	# Street	Interior Side	Alley
2nd to 3rd	OB-SPD(W)	100'	45'	45'	45'	23'	23'	23'	(c)	(c)	(d)	(c)
3rd to 4th	OB-SPD(W)	100'	45'	45'	45'	23'	23'	23'	(c)	(c)	(d)	(c)
4th to 5th	OB-SPD(W)	100'	45'	45'	45'	23'	23'	23'	(c)	(c)	(d)	(c)
5th to 6th	OB-SPD(W)	100'	45'	45'	45'	23'	23'	23'	(c)	(c)	(d)	(c)
6th to 7th	RMX-SPD	75'	25'	25'	0'	25'	20'	0'	(f)	(h)	(i),(j)	(f)
7th to 8th	RMX-SPD	75'	25'	25'	0'	25'	20'	0'	(f)	(h)	(i),(j)	(f)
8th to 9th	RMX-SPD	75'	25'	25'	0'	25'	20'	0'	(f)	(h)	(i),(j)	(f)
9th to 10th	RMX-SPD	75'	25'	25'	0'	25'	20'	0'	(f)	(h)	(i),(j)	(f)
10th to 11th	RMX-SPD	90'	0'	25'	0'	0'	20'	0'	(f)	(h)	(i),(j)	(f)
11th to 12th	C-2-SPD	(a)	45'	45'	45'	23'	23'	23'	(c)	(c)	(d)	(c)
12th to 13th	RMX-SPD	90'	0'	25'	0'	0'	20'	0'	(f)	(h)	(i),(j)	(f)
13th to 14th	RMX-SPD	90'	0'	25'	0'	0'	20'	0'	(f)	(h)	(i),(j)	(f)
14th to 15th	RMX-SPD	90'	0'	25'	0'	0'	20'	0'	(f)	(h)	(i),(j)	(f)
15th to 16th	C-2-SPD	(a)	45'	45'	45'	23'	23'	23'	(c)	(c)	(d)	(c)
16th to 17th	OB-SPD(C)	75'	45'	45'	45'	23'	23'	23'	(c)	(c)	(d)	(c)
17th to 18th	RMX-SPD	90'	0'	25'	0'	0'	20'	0'	(f)	(h)	(i),(j)	(f)
18th to 19th	RMX-SPD	75'	0'	25'	0'	0'	20'	0'	(f)	(h)	(i),(j)	(f)
19th to 20th	C-2-SPD	45'	45'	45'	45'	23'	23'	23'	(c)	(c)	(d)	(c)
20th to 21st	C-4-SPD	45'	0'	0'	0'	0'	0'	0'	(f)	(f)	(f)	(e)
21st to 22nd	C-4-SPD	45'	0'	0'	0'	0'	0'	0'	(f)	(f)	(f)	(e)
22nd to 23rd	C-4-SPD	45'	0'	0'	0'	0'	0'	0'	(f)	(f)	(f)	(e)
23rd to 24th	C-2-SPD	(a)	45'	45'	45'	23'	23'	23'	(c)	(c)	(d)	(c)
24th to 25th	RMX-SPD	45'	25'	25'	0'	25'	20'	0'	(f)	(h)	(i),(j)	(f)
25th to 26th	RMX-SPD	45'	25'	25'	0'	25'	20'	0'	(f)	(h)	(i),(j)	(f)
26th to 27th	RMX-SPD	45'	25'	25'	0'	25'	20'	0'	(f)	(h)	(i),(j)	(f)
27th to 28th	RMX-SPD	45'	25'	25'	0'	25'	20'	0'	(f)	(h)	(i),(j)	(f)
28th to 29th	C-2-SPD	(a)	45'	45'	45'	23'	23'	23'	(c)	(c)	(d)	(c)

3. Development Within the Half Block Fronting on the South Side of R Street

Block	SPD Zone	Maximum Height	Stepback Height			Stepback Depth			Minimum Yard Requirements			
			R Street	# Street	Alley	R Street	# Street	Alley	R Street	# Street	Interior Side	Alley
2nd to 3rd	C-2-SPD	45'	45'	45'	45'	23'	23'	23'	(c)	(c)	(d)	(c)
3rd to 4th	RMX-SPD	(b)	0'	0'	0'	0'	0'	0'	0'	0'	(i),(j)	(f)
4th to 5th	C-2-SPD	45'	45'	45'	45'	23'	23'	23'	(c)	(c)	(d)	(c)
5th to 6th	C-2-SPD	45'	45'	45'	45'	23'	23'	23'	(c)	(c)	(d)	(c)
6th to 7th	RMX-SPD	45'	25'	25'	0'	25'	20'	0'	(f)	(h)	(i),(j)	(f)
7th to 8th	RMX-SPD	45'	25'	25'	0'	25'	20'	0'	(f)	(h)	(i),(j)	(f)
8th to 9th	RMX-SPD	45'	25'	25'	0'	25'	20'	0'	(f)	(h)	(i),(j)	(f)
9th to 10th	RMX-SPD	45'	25'	25'	0'	25'	20'	0'	(f)	(h)	(i),(j)	(f)
10th to 11th	RMX-SPD	90'	0'	25'	0'	0'	20'	0'	(f)	(h)	(i),(j)	(f)
11th to 12th	RMX-SPD	90'	0'	25'	0'	0'	20'	0'	(f)	(h)	(i),(j)	(f)
12th to 13th	RMX-SPD	90'	0'	25'	0'	0'	20'	0'	(f)	(h)	(i),(j)	(f)
13th to 14th	RMX-SPD	90'	0'	25'	0'	0'	20'	0'	(f)	(h)	(i),(j)	(f)
14th to 15th	RMX-SPD	90'	0'	25'	0'	0'	20'	0'	(f)	(h)	(i),(j)	(f)
15th to 16th	C-2-SPD	(a)	45'	45'	45'	23'	23'	23'	(c)	(c)	(d)	(c)
16th to 17th	OB-SPD(C)	75'	45'	45'	45'	23'	23'	23'	(c)	(c)	(d)	(c)
17th to 18th	RMX-SPD	90'	0'	25'	0'	0'	20'	0'	(f)	(h)	(i),(j)	(f)
18th to 19th	RMX-SPD	75'	0'	25'	0'	0'	20'	0'	(f)	(h)	(i),(j)	(f)
19th to 20th	C-2-SPD	45'	45'	45'	45'	23'	23'	23'	(c)	(c)	(d)	(c)
20th to 21st	C-4-SPD	45'	0'	0'	0'	0'	0'	0'	(f)	(f)	(f)	(e)
21st to 22nd	C-4-SPD	45'	0'	0'	0'	0'	0'	0'	(f)	(f)	(f)	(e)
22nd to 23rd	C-4-SPD	45'	0'	0'	0'	0'	0'	0'	(f)	(f)	(f)	(e)
23rd to 24th	C-2-SPD	(a)	45'	45'	45'	23'	23'	23'	(c)	(c)	(d)	(c)
24th to 25th	RMX-SPD	45'	25'	25'	0'	25'	20'	0'	(f)	(h)	(i),(j)	(f)
25th to 26th	RMX-SPD	45'	25'	25'	0'	25'	20'	0'	(f)	(h)	(i),(j)	(f)
26th to 27th	RMX-SPD	45'	25'	25'	0'	25'	20'	0'	(f)	(h)	(i),(j)	(f)
27th to 28th	RMX-SPD	45'	25'	25'	0'	25'	20'	0'	(f)	(h)	(i),(j)	(f)
28th to 29th	C-2-SPD	(a)	45'	45'	45'	23'	23'	23'	(c)	(c)	(d)	(c)

4. Development Within the Half Block Fronting on the North Side of S Street

Block	SPD Zone	Maximum Height	Stepback Height			Stepback Depth			Minimum Yard Requirements			
			S Street	# Street	Alley	S Street	# Street	Alley	S Street	# Street	Interior Side	Alley
2nd to 3rd	RMX-SPD	75'	25'	25'	0'	25'	20'	0'	(g)	(h)	(i),(j)	(f)
3rd to 4th	RMX-SPD	75'	0'	0'	0'	0'	0'	0'	0'	0'	(i),(j)	(f)
4th to 5th	RMX-SPD	75'	25'	25'	0'	25'	20'	0'	(g)	(h)	(i),(j)	(f)
5th to 6th	RMX-SPD	75'	25'	25'	0'	25'	20'	0'	(g)	(h)	(i),(j)	(f)
6th to 7th	RMX-SPD	45'	25'	25'	0'	25'	20'	0'	(g)	(h)	(i),(j)	(f)
7th to 8th	RMX-SPD	45'	25'	25'	0'	25'	20'	0'	(g)	(h)	(i),(j)	(f)
8th to 9th	RMX-SPD	45'	25'	25'	0'	25'	20'	0'	(g)	(h)	(i),(j)	(f)
9th to 10th	RMX-SPD	45'	25'	25'	0'	25'	20'	0'	(g)	(h)	(i),(j)	(f)
10th to 11th	RMX-SPD	75'	25'	25'	0'	25'	20'	0'	(g)	(h)	(i),(j)	(f)
11th to 12th	RMX-SPD	75'	25'	25'	0'	25'	20'	0'	(g)	(h)	(i),(j)	(f)
12th to 13th	RMX-SPD	75'	25'	25'	0'	25'	20'	0'	(g)	(h)	(i),(j)	(f)
13th to 14th	RMX-SPD	75'	25'	25'	0'	25'	20'	0'	(g)	(h)	(i),(j)	(f)
14th to 15th	RMX-SPD	75'	25'	25'	0'	25'	20'	0'	(g)	(h)	(i),(j)	(f)
15th to 16th	C-2-SPD	(a)	45'	45'	45'	23'	23'	23'	(c)	(c)	(d)	(c)
16th to 17th	OB-SPD(C)	75'	45'	45'	45'	23'	23'	23'	(c)	(c)	(d)	(c)
17th to 18th	RMX-SPD	75'	25'	25'	0'	25'	20'	0'	(g)	(h)	(i),(j)	(f)
18th to 19th	RMX-SPD	75'	25'	25'	0'	25'	20'	0'	(g)	(h)	(i),(j)	(f)
19th to 20th	C-2-SPD	45'	45'	45'	45'	23'	23'	23'	(c)	(c)	(d)	(c)
20th to 21st	RMX-SPD	75'	25'	25'	0'	25'	20'	0'	(g)	(h)	(i),(j)	(f)
21st to 22nd	RMX-SPD	75'	25'	25'	0'	25'	20'	0'	(g)	(h)	(i),(j)	(f)
22nd to 23rd	RMX-SPD	75'	25'	25'	0'	25'	20'	0'	(g)	(h)	(i),(j)	(f)
23rd to 24th	RMX-SPD	45'	25'	25'	0'	25'	20'	0'	(g)	(h)	(i),(j)	(f)
24th to 25th	RMX-SPD	45'	25'	25'	0'	25'	20'	0'	(g)	(h)	(i),(j)	(f)
25th to 26th	R-3A-SPD	35'	0'	0'	0'	0'	0'	0'	(f)	(f)	(f)	(f)
26th to 27th	R-3A-SPD	35'	0'	0'	0'	0'	0'	0'	(f)	(f)	(f)	(f)
27th to 28th	R-3A-SPD	35'	0'	0'	0'	0'	0'	0'	(f)	(f)	(f)	(f)
28th to 29th	C-2-SPD	(a)	45'	45'	45'	23'	23'	23'	(c)	(c)	(d)	(c)

B. Footnotes to the Height, Yard, and Stepback Standards Table

The following footnotes apply to those requirements indicated by corresponding letter in the Height, Yard, and Stepback Standards Matrix.

a. The maximum height in the C-2 zone at this location is forty-five (45) feet, except the planning commission may approve a special permit pursuant to and subject to the findings required by chapter 17.121 to allow additional height up to a maximum height of seventy-five (75) feet for buildings located within six hundred sixty (660) feet of a light rail station,. For purposes of this subsection, the distance between the building and the light rail station means the distance between the center

of the main entrance to the building and the center of the nearest platform of the light rail station.

b. The maximum height in the RMX zone at this location is seventy-five (75) feet, except the planning commission may approve a special permit pursuant to and subject to the findings required by chapter 17.212 to allow additional height up to a maximum height of ninety (90) feet for residential buildings or mixed use buildings with at least eighty percent (80%) of the gross building square footage devoted to residential use.

c. A minimum eight (8) foot setback from the front, side street and alley shall be provided.

d. A minimum ten (10) foot setback from the interior side property line shall be provided if the property is adjacent to residential uses or property zoned RMX.

e. A minimum eight (8) foot setback from the rear property line shall be provided for development on parcels in the C-4 zone which abut at the rear property line one or more parcels zoned RMX; provided that no minimum setback shall be required if the C-4 parcel is separated from any abutting RMX parcel by an alley or other public right-of-way.

f. Development at this location shall be subject to the same setback requirements that govern development in this zone outside of the R Street corridor special planning district.

g. Setbacks along Q and S Streets shall be the average of the two (2) setbacks of the nearest buildings on the two (2) adjacent parcels fronting on Q or S Street, or, in the case of a corner lot, the adjacent parcel fronting on Q or S Street. If one or both adjacent parcels is vacant, the setback shall be five (5) feet. In no event shall the setback be less than five (5) feet or greater than twelve (12) feet.

h. Setbacks shall be either a minimum of five feet or the average of the setbacks of the two adjacent uses, whichever is less.

i. Interior side yard setbacks shall be five feet from the property line.

j. For development adjacent to a listed historic resource, upper floors shall be set back so that within twenty (20) feet of the nearest wall of the historic building, new construction shall not exceed the highest point of a listed historic resource.

C. Modification of Required Yard and Stepbacks by Design or Preservation Review Approval.

The design review or preservation review conducted on a development project in the R Street corridor special planning district under chapter 17.132 or chapter 17.134 of this title may address and modify the required yard area and stepbacks listed in the Height, Yard, and Stepback Standards Table in subsection (A) to achieve the intent and purposes of the Central City Design Guidelines, the R Street Corridor Urban Design Guidelines, to ensure that an adequate and appropriate street tree canopy is created and maintained, and to mitigate visual impacts on listed historic resources; provided, that the design or preservation review is performed at the director or commission level.

SECTION 3. Section 17.128.040 of Chapter 17.128 of Title 17 of the Sacramento City Code (the Zoning Code) is amended as follows:

A. Subsection (B) of section 17.128.040 is amended to read as follows:

B. Restoration of Damaged or Destroyed Buildings.

Subject to the restrictions set forth below, and notwithstanding the provisions of Section 17.88.030 of this title, a nonconforming building or structure, or any portion thereof, or a building or structure lawfully used for a nonconforming use, which is damaged or destroyed, either partially or completely, by fire, flood, wind, earthquake or other calamity or by the public enemy may be restored and the occupation or use of that building, structure or part thereof, which lawfully existed at the time of damage or destruction, may be rebuilt, restored or replaced, and devoted to the same use or uses that were in use prior to the damage or destruction. The restoration or replacement shall be commenced within a period of three years following the date of damage or destruction and shall be diligently prosecuted to completion, provided that, pursuant to subsection (B)(3) of this section, the planning commission may extend this period by a maximum of two years, for a total of five years. Commencement shall be deemed to occur when a building permit is obtained and construction thereunder physically commences. Any reconstruction or restoration

shall be in accordance with the regulations of the building code existing at the time of reconstruction or restoration.

1. Same Level of Development.

The right to rebuild, restore or replace shall be limited to rebuilding or replacing the building or structure with a building or structure that is of the same size as the original building or structure. Nothing in this provision shall prevent a property owner from rebuilding or replacing a damaged or destroyed building or structure with a building or structure which differs in terms of height, lot coverage, design or other feature but which has the same or less square footage than the original building or structure; and provided further that if the footprint of the building is changed from the footprint that existed prior to the event causing the damage or destruction, it shall comply with the development standards for new development in the R Street SPD, including but not limited to set back and lot coverage requirements.

2. Design Review.

The reconstruction, restoration or replacement of a building or structure pursuant to this provision shall be subject to design review pursuant to Chapter 17.132 of this title.

3. Extension of Time for Restoration of Damaged or Destroyed Buildings.

Upon showing of good cause, and upon a determination that the applicant has made reasonable and diligent efforts to restore the damaged or destroyed building, the planning commission may grant one extension of time for a maximum of two years of the time specified above for the restoration of a damaged or destroyed building. An application for extension of the time period in which a nonconforming use may be restored must be filed not less than thirty (30) days prior to expiration of the time period. An application for extension of time pursuant to this provision shall be noticed and heard, and shall be subject to appeal, in the same manner as an application for a planning commission special permit.

B. Subsection (C) of section 17.128.040 is amended to read as follows:

C. Discontinuance of Nonconforming Uses.

Notwithstanding the provisions of Section 17.88.030 of this title, a nonconforming use of a lot, building or structure, or portion thereof, in the R Street

corridor SPD may be restored and resumed if the period of vacancy and non-occupancy does not exceed three continuous years; provided that pursuant to (C)(1) of this section, the planning commission may extend this period by a maximum of four additional years, for a total of seven years. If the lot, building or structure becomes vacant and remains unoccupied for a continuous period of more than three years or, if the planning commission has extended the time period pursuant to subsection (C)(1) of this section, such longer period as approved, the lot building or structure shall not be thereafter occupied except by a use which conforms to the use regulations of the zone in which it is located.

1. Extension of Time for Restoration of Nonconforming Use.

Upon a showing of good cause and upon a determination that the applicant has made reasonable and diligent efforts to restore the nonconforming use, the planning commission may grant two extensions of time of not more than two years each, for a maximum of four years, of the time specified above for restoration of a nonconforming use. An application for extension of the time period in which a nonconforming use may be restored must be filed not less than thirty (30) days prior to expiration of the time period. An application for extension of time pursuant to this provision shall be noticed and heard, and shall be subject to appeal, in the same manner as an application for a planning commission special permit.

C. Subsection (E) is added to section 17.128.040 to read as follows:

E. Allowed Expansion of Nonconforming Use.

Notwithstanding the provisions of Section 17.88.030 of this title, a nonconforming use within an existing building may be expanded to occupy up to an additional twenty-five percent (25%) of its gross square footage within the building upon approval of a zoning administrator special permit pursuant to and subject to the findings required by chapter 17.212.

SECTION 4. Chapter 17.128 of Title 17 of the Sacramento City Code (the Zoning Code) is amended by replacing the exhibit set forth at the end of the chapter entitled “Exhibit 1 R Street Corridor Special Planning District (SPD) Zoning Map” with the diagram attached as Exhibit A to this ordinance.

SECTION 5. Chapter 17.128 of Title 17 of the Sacramento City Code (the Zoning Code) is amended by deleting Exhibits 2, 3, 4, and 5 as set forth at the end of the chapter.

Table of Contents:
Exhibit A: Zoning Map

Adopted by the City of Sacramento City Council on December 11, 2007 by the following vote:

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

Noes: None.

Abstain: None.

Absent: Councilmember McCarty (Reclused).



Mayor Heather Fargo

Attest:



Shirley Concolino, City Clerk

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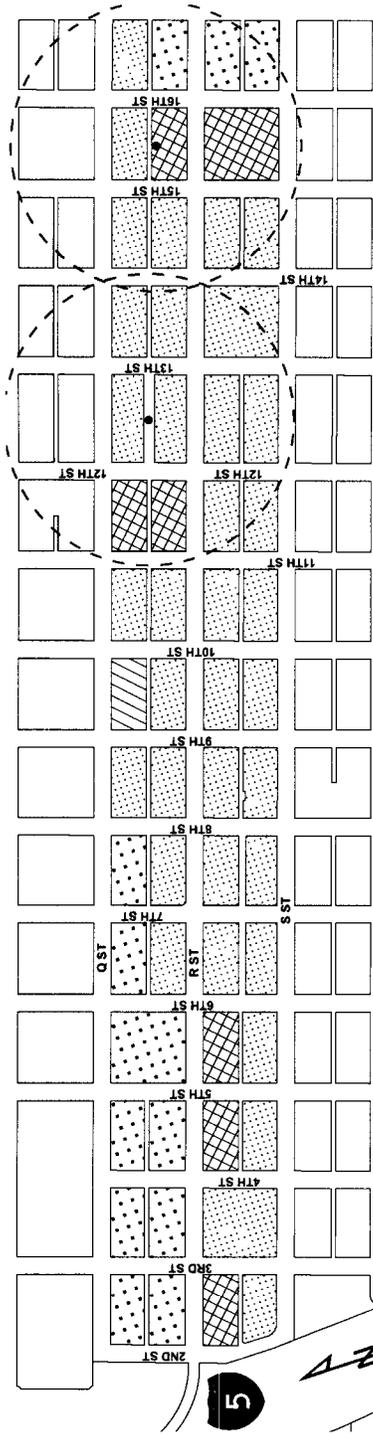
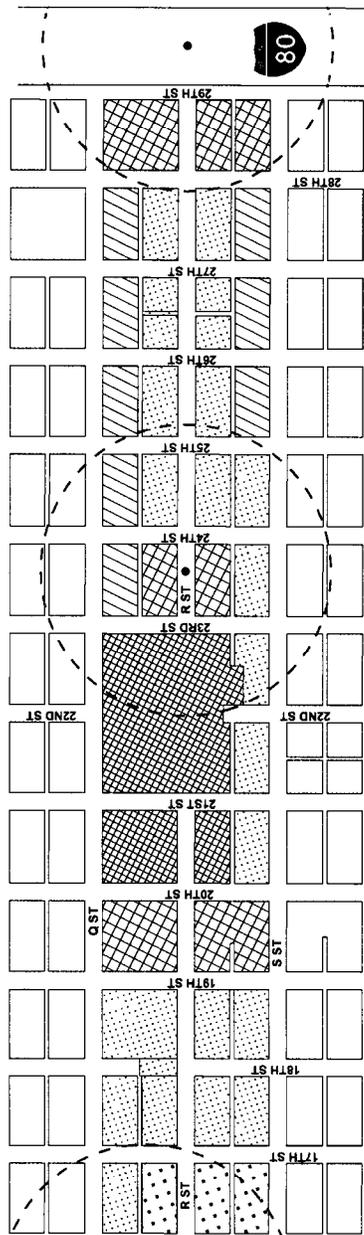


Exhibit 1



R Street Corridor Special Planning District (SPD) Zoning Map

City of Sacramento
Development Services Department
July 2007

