ORDINANCE NO. 2007-101

Adopted by the Sacramento City Council

December 11, 2007

AMENDING SECTIONS 17.20.010 AND 17.20.030 AND REPEALING AND REENACTING CHAPTER 17.124 OF TITLE 17 OF THE SACRMENTO CITY CODE (THE ZONING CODE) RELATING TO THE SACRAMENTO RAILYARDS SPECIAL PLANNING DISTRICT (M07-067)

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

SECTION 1. Section 17.20.010 of Title 17 of the Sacramento City Code (the Zoning Code) is amended as follows:

A. The RCMU, ORMU, and RMU zoning designations and their descriptions are added to Section 17.20.010 to read as follows:

RCMU-Residential/Commercial Mixed Use Zone. This zone corresponds to the Residential/Commercial Mixed Use land use designation in the Sacramento Railyards Specific Plan. This zone is designed to create an area that emphasizes a wide mixture of urban uses with an emphasis on commercial uses with a residential component. See Chapter 17.124 for use, density, intensity, applicable development standards, and other special regulations.

ORMU-Office/Residential Use Zone. This zone corresponds to the Office/Residential Mixed Use land use designation in the Sacramento Railyards Specific Plan. This zone allows for a broad range of office, residential, hotel, and supporting retail with an emphasis on office and residential. See Chapter 17.124 for use, density, intensity, applicable development standards, and other special regulations.

RMU-Residential Mixed Use Zone. This zone corresponds to the Residential Mixed Use land use designation in the Sacramento Railyards Specific Plan. This zone allows for a broad range of residential mixed uses including high-density residential, neighborhood-serving retail uses, and restaurants with an emphasis on residential. See Chapter 17.124 for use, density, intensity, applicable development standards, and other special regulations.

B. Except as specifically amended as stated in subsection (A), section 17.20.010 shall remain unchanged and in full force and effect.

SECTION 2. Section 17.20.030 of Title 17 of the Sacramento City Code (the Zoning

Code) is amended to read as follows:

17.20.030 Special planning districts.

The following special planning districts (SPDs) are discussed in more detail in Chapters 17.92 through 17.130 of this title and are listed here for convenience only:

Broadway-Stockton SPD	Ch. 17.94
Central business district SPD	Ch. 17.96
Northgate Boulevard SPD	Ch. 17.100
Alhambra Corridor SPD	Ch. 17.104
Del Paso Boulevard SPD	Ch. 17.108
Del Paso Nuevo SPD	Ch. 17.112
Sacramento Army Depot SPD	Ch. 17.116
Richards Boulevard SPD	Ch. 17.120
Sacramento Railyards SPD	Ch. 17.124
R Street Corridor SPD	Ch. 17.128
Freeport SPD	Ch. 17.130

SECTION 3. Chapter 17.124 of Title 17 of the Sacramento City Code (the Zoning Code) is repealed and reenacted to read as follows:

Chapter 17.124 Sacramento Railyards Special Planning District-

17.124.010 Purpose and intent.

A. The Sacramento Railyards Special Planning District ("SPD") establishes procedures to implement the policies, development standards, and design guidelines of the Sacramento Railyards Specific Plan, which governs reuse of the Sacramento Railyards site as a transit-oriented mixed-use district. The Sacramento Railyards Specific Plan designates the land uses within the boundaries of the Sacramento Railyards Specific Plan area and is the primary policy and regulatory document used to guide redevelopment of properties within the Sacramento Railyards site.

B. The goals of the Sacramento Railyards Special Planning District are as follows:

1. Create, facilitate, and encourage the infill development of a dynamic 24-hour mixed-use urban environment that provides a range of complimentary uses that will make the site a regional destination.

2. Create cohesive mixed use neighborhoods that contain integrated housing

types.

3. Protect the historic integrity of the site and ensure that new construction complements existing historic resources.

4. Provide connectivity between the districts utilizing pedestrian friendly streetscapes.

5. Provide a mixture of transit oriented uses that compliment and support the Sacramento Intermodal Facility and planned 7th Street transit station.

6. Create a sustainable community that utilizes green building technology and renewable energy sources.

7. Connect and integrate development with vibrant open space along the Sacramento River.

8. To facilitate infill redevelopment of the Sacramento Railyards by allowing a broad mixture of uses, flexible development standards, and an efficient approval process that provides certainty for the City, developers and lenders.

17.124.020 Sacramento Railyards SPD boundaries.

The Sacramento Railyards SPD consists of approximately 244 acres of land within the Sacramento Railyards Specific Plan area generally bounded by the Sacramento River to the west, North B Street to the north, the Alkali Flat neighborhood to the east and the existing Central City/Downtown area to the south. The map in Appendix A at the end of this chapter sets forth the boundaries of the Sacramento Railyards SPD.

17.124.030 Conflicting requirements.

Development within the Sacramento Railyards Specific Plan area shall be subject to the special rules and regulations set forth in this chapter, in addition to the other regulations of this title and code. If a conflict between the provisions of this chapter and other provisions of this title and code occurs, the provisions of this chapter shall prevail.

17.124.040 Zoning and uses.

A. Land Use Zones.

All parcels within the Sacramento Railyards Specific Plan shall be zoned consistently with their corresponding land use designation in the Sacramento Railyards Specific Plan as follows:

1. RCMU-SPD –Residential/Commercial Mixed Use Zone.

The RCMU-SPD zone corresponds to the Residential/Commercial Mixed Use land use designation in the Sacramento Railyards Specific Plan. This zone is designed to create an area that features a wide mixture of urban uses with an emphasis on commercial uses with a residential component.

2. ORMU-SPD – Office/Residential Use Zone.

The ORMU-SPD zone corresponds to the Office/Residential Mixed Use land use designation in the Sacramento Railyards Specific Plan. This zone allows for a broad range of office, residential, hotel, and supporting retail with an emphasis on office and residential.

3. RMU-SPD – Residential Mixed Use Zone.

The RMU-SPD zone corresponds to the Residential Mixed Use land use designation in the Sacramento Railyards Specific Plan. This zone allows for a broad range of residential mixed uses including high-density residential, neighborhood-serving retail uses, and restaurants with an emphasis on residential.

4. TC-SPD – Transportation Corridor and M-2-SPD - Industrial.

The TC-SPD zone and the M-2 – SPD zone correspond to the Transportation Use land use designation in the Sacramento Railyards Specific Plan. These zones are intended to regulate land uses around, within, above, and below public transportation corridors to insure that the development is consistent with the Sacramento Railyards Specific Plan. This zone allows for dense transit-oriented development, including retail, office, hotel, and residential uses. See Chapter 17.44 of this title for more details.

5. Open Space Land Use Designation.

The Sacramento Railyards Specific Plan Open Space land use designation encompasses both traditional public parks and other forms of urban open space. Parcels subject to the open space land use designation in the Sacramento Railyards Specific Plan shall have an underlying zone to indicate appropriate private development if the parcel is not used for public open space.

B. Allowed Uses.

The Sacramento Railyards Specific Plan envisions a dynamic 24-hour mixed-use urban environment that provides a full range of complimentary uses in each land use designation. To realize this goal, the RCMU-SPD, ORMU-SPD, RMU-SPD, TC-SPD, and M-2-SPD zones are intended to allow for any type of urban function. Therefore, except as provided in subsections (C), (D), (E), and (F), below, all uses shall be allowed in each of these zones, subject to issuance of a planning director urban development

permit as required under section 17.124.060. The purpose of the planning director urban development permit required under section 17.124.060 is to ensure that development is consistent with the goals, policies, objectives and other provisions of the Sacramento Railyards Specific Plan, the Sacramento Railyards Design Guidelines, the Sacramento Railyards Specific Plan Environmental Impact Report and Mitigation Monitoring Program, any applicable development agreement, this title, and all other applicable plans, ordinances, and development regulations, and is compatible with surrounding development.

C. Uses Requiring a Special Permit.

The following uses shall require a planning director's special permit under this chapter in addition to a planning director urban development permit:

1. Mobile/manufactured home;

2. Temporary residential shelter;

3. Automobile sales, unless entirely within a building or parking structure;

4. Automobile service, repair, storage, or rental;

5. Bar, nightclub not exceeding four thousand (4,000) gross square feet;

6. Boat dock/marina;

7. Bus terminal – public and private;

8. Bus and other transit vehicle maintenance and storage;

9. Cemetery;

10. Cleaning plant;

11. Drive-in theater;

12. Drive-through service facility;

13. Equipment rental/sales yard;

14. Flea market;

15. Laundry, commercial;

16. Mini-storage/locker building on the street level;

17. Non-residential care facility;

18. Nursery for plants and flowers;

19. Outdoor amusement center;

20. Parking lot, garage, or facility (stand alone);

21. Railroad right-of-way;

22. Railroad yard or shops;

23. RV/mobile home sales yard;

24. RV storage (commercial);

25. Schools, private K-12;

26. Service stations, including car wash;

27. Social club greater than ten thousand (10,000) gross square feet;

28. Tire shop;

29. Any other use that the Planning Director determines is similar in nature, function and operation to the uses listed in this subsection.

D. **Uses Subject to Regulation under 17.24.050.**

The uses shown in the chart set out below are allowed only if the conditions set forth in the corresponding footnote(s) listed in section 17.24.050 are met. The number(s) appearing in the same row as a use correspond to the number(s) of the footnote that applies to that use. If two numbers are listed, both sets of conditions must be satisfied. The conditions required in this subsection (D) apply in addition to the planning director urban development permit.

Adult entertainment business	22
Adult related establishment	24
Alcoholic beverage sales (off-premises)	40
Antenna	58
Beer and wine (off-premises)	40
Bar, nightclub greater than 4,000 gross square feet	40
Building contractor shop	4
Cabinet shop	4
Electrical transmission facilities	61
Furniture refinishing	4
Heliport	57
Home Occupation	6
Major Medical Facility	5

Non-profit organization—meal service facility	5
Non-profit organization--food storage and distribution	5
Non-profit organization--food prep for off-site consumption	5
Recycling facility	41
Residential hotel-SRO	50
Sidewalk café	55
Somatic practitioners	67
Superstores	81

E. **Prohibited Uses.**

The following uses are prohibited in the Sacramento Railyards SPD:

1. All uses, unless otherwise specified above, listed in the Industrial and Agricultural land use tables in sections 17.24.040A and 17.24.040B;

2. Mobile home park;

3. Penal institution;

4. Check cashing center and check cashing facility.

F. Uses in the TC-SPD Zone and the M-2-SPD Zone.

Only the uses permitted in the TC zone outside of the Sacramento Railyards SPD shall be permitted in the TC zone and the M-2 zone inside of the Sacramento Railyards SPD. If this title requires the approval of a special permit or other discretionary entitlement(s) or imposes other restrictions or requirements on the establishment of a particular use in the TC zone outside of the Sacramento Railyards SPD, approval of the same discretionary entitlements and compliance with the same restrictions or requirements shall be required to establish the use within the TC zone and the M-2 zone inside of the Sacramento Railyards SPD.

17.124.050 Development standards.

A. Floor Area Ratio (FAR) and Density.

The Sacramento Railyards Specific Plan establishes maximum development densities and intensities for the specific plan area as a whole and in each of the plan's five districts and five land use designations. The specific plan also envisions a range of residential and hotel densities and nonresidential building intensities within each district and land use designation. The purpose and scope of the planning director urban development permit required under section 17.124.060 is to ensure that development is consistent with the goals, policies, objectives and other provisions of the Sacramento Railyards Specific Plan, the Sacramento Railyards Design Guidelines, the Sacramento

Railyards Specific Plan Environmental Impact Report and Mitigation Monitoring Program, any applicable development agreement, this title, and all other applicable plans, ordinances, and development regulations, and is compatible with surrounding development. Therefore, the planning director urban development permit may restrict residential and hotel densities and floor area ratios below the maximums stated in this section to ensure the development project is consistent with these governing documents.

1. RCMU-SPD.

a. The maximum floor area ratio for nonresidential development, except hotels, is 5.0 per parcel.

b. The maximum density for residential development and hotels (measured by number of rooms) is 230 dwelling units per acre.

c. The maximum allowed development square footage in the RCMU-SPD zone is limited to the maximum development allowed in the Railyards Specific Plan RCMU land use designation.

2. RCMU Flexible Mixed-Use.

The Sacramento Railyards Specific Plan allows for the development of additional building square footage in the RCMU-SPD zone in areas designated as "mixed-use flex space." These areas are primarily focused on second floors on the parcels set forth in Appendix B at the end of this chapter. The aggregate additional square footage allowed in the RCMU mixed-use flex space is 491,000 square feet. Development within the mixed-use flex space in the RCMU-SPD zone is subject to the same density requirements established for the RCMU-SPD.

3. RCMU – Central Shops Historic District.

Development in the RCMU-SPD zone in the Central Shops Historic District shall not exceed an aggregate of 485,390 square feet. Development within the Central Shops Historic District under this subsection (3) is subject to the same density requirements established for the RCMU-SPD.

4. ORMU-SPD.

a. The maximum floor area ratio for nonresidential development, except hotels, is 8.0 per parcel.

b. The maximum density for residential development and hotels (measured by number of rooms) is 230 dwelling units per acre.

c. The maximum allowed development square footage in the ORMU-

SPD is limited to the maximum development allowed in the Railyards Specific Plan ORMU land use designation.

d. In mixed-use office and residential projects, both the residential and the nonresidential uses must conform to the maximum floor area ratio while not exceeding the maximum density for the residential component.

5. RMU-SPD

a. The maximum floor area ratio for nonresidential development, except hotels, is 1.0 per parcel.

b. The maximum density for residential development and hotels (measured by number of rooms) is 310 dwelling units per acre.

c. The maximum allowed development square footage in the RMU-SPD is limited to the maximum development allowed in the Railyards Specific Plan RMU land use designation.

6. TC-SPD and M-2-SPD

The provisions of this title relating to height, yard, court, lot coverage/building size, and lot area per dwelling unit requirements for the TC zone set forth in this title shall apply in the TC and the M-2 zones in the Sacramento Railyards SPD.

B. Build-To-Lines, Building Frontage, and Street Wall Heights.

The following standards shall apply to build-to lines and street wall heights in the Sacramento Railyards SPD; provided that the planning director may modify these standards as a condition of the urban development permit.

1. Build-To-Lines and Building Frontage.

Except as specified below in subsection (b) for the Central Shops District and (d) for the Riverfront District, street walls and building frontages shall be permitted up to the property line or the edge of the public right of way. One hundred percent (100%) of the building frontage shall be permitted along the build-to line. Minimum building frontages at the build-to line are established as follows:

a. Depot District.

A minimum of ninety-five percent (95%) of the building frontage shall be established along the build-to-line.

b. Central Shops District.

Street walls and building frontages on parcel 14 shall be separated by not less than thirty (30) feet from any historic structure located on parcel 26, as shown in Appendix C.

c. West End.

A minimum of seventy percent (70%) of the building frontage shall be established along the build-to line.

d. East End.

A minimum of sixty percent (60%) of the building frontage shall be established along the build-to line.

e. Riverfront District.

Buildings and structures shall be set back a minimum of eighty (80) feet from the property line adjacent to the waterfront.

2. **Street Wall Height.**

a. Street Wall Height – Depot District.

The maximum street wall height in the Depot District is eighty-five (85) feet with the following exceptions:

i. The maximum street wall height for buildings facing existing blocks outside of the Sacramento Railyards SPD is sixty (60) feet, except buildings fronting on H Street between 5th and 6th Streets shall have a maximum street wall height of eighty-five (85) feet.

ii. The maximum street wall height of buildings fronting onto 7th Street between F Street and the railroad tracks is thirty-five (35) feet.

b. Street Wall Height – Central Shops District.

i. The maximum street wall height in the Central Shops District shall not exceed the tops of the historic Central Shops.

ii. Street walls along Camille Lane shall be limited to sixty (60) feet.

c. Street Wall Height – West End District.

Street wall height in the West End District shall be limited to eighty-five (85) feet, with the following exceptions:

i. Street walls along Camille Lane shall be limited to sixty (60) feet.

ii. Street walls of buildings facing the Central Shops District shall not exceed the tops of the historic Central Shops.

d. Street Wall Height – East End District.

The maximum street wall height in the East End District is eighty-five (85) feet, except buildings facing Boxcar Park shall have a maximum street wall height of sixty (60) feet.

e. Street Wall Height – Riverfront District.

The maximum street wall height in the Riverfront District is eighty-five (85) feet or the maximum building height, whichever is less.

C. Building Height.

1. Except as set forth below in (2), building heights in the Sacramento Railyards SPD shall be unrestricted; provided, that the planning director may establish a maximum building height as a condition of the urban development permit.

2. Maximum height for buildings in those areas described below and shown in Appendix C at the end of this chapter are set forth below:

a. Depot District.

The maximum height for buildings located on parcel 46 that front on 7th Street shall be eighty-five (85) feet.

b. Central Shops District.

i. The maximum height for buildings on parcels 12 and 22 shall be sixty-seven (67) feet.

ii. The maximum height for buildings on parcel 23 shall be seventy-eight (78) feet.

iii. The maximum height for buildings on parcels 13 and 14 shall be determined as follows:

(a) If parcel 13 is developed first, or if parcel 14 is developed first to a building height not exceeding sixty-seven (67) feet , then the maximum building height for parcel 13 shall be one hundred (100) feet; otherwise, the maximum building height for parcel 13 is sixty-seven (67) feet.

(b) If parcel 14 is developed first, or if parcel 13 is developed first to a building height not exceeding sixty-seven (67) feet , then the maximum building height for parcel 14 shall be one hundred twenty (120) feet; otherwise, the maximum building height for parcel 14 is sixty-seven (67) feet.

c. West End District.

i. The maximum height for buildings on parcel 18 shall be sixty-seven (67) feet.

ii. The maximum height for buildings on parcel 15 shall be eighty-five (85) feet.

d. East End District.

The maximum height for buildings that front on the north side of North Park Street and for buildings that front on the south side of South Park Street shall be one hundred twenty (120) feet and no greater than eight (8) stories.

e. Riverfront District.

The maximum height for buildings in the Riverfront District ranges from four hundred and fifty (450) feet to thirty-five (35) feet in a pattern that steps down towards the Sacramento River, as shown in Appendix C at the end of this chapter.

D. Lot Coverage Requirements.

The maximum ground floor lot coverage is one hundred percent (100%) exclusive of pedestrian, open space, recreation, and similar easements. The maximum lot coverage requirement for residential floors located above ground floor garages or retail spaces is seventy-five percent (75%). The planning director may modify these standards as a condition of the urban development permit.

E. Open Space.

1. Office.

a. 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.

b. Open space shall be provided on site; provided, that the planning director may approve a special permit under this chapter 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 same Sacramento Railyards Specific Plan district as the proposed office development.

c. Open space shall be in the form of courtyards or public plazas.

2. Residential.

a. Areas specifically designed for recreation or passive enjoyment of the outdoors are required for residential development.

b. 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.

c. 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.

d. Common open space shall be provided on site or on the immediately adjacent parcel if the common open space is accessible to the residents in both of the adjoining parcels that the open space serves. The combined one hundred and thirty (130) square foot common and private open space per unit requirement may be met by any combination of common and private open space as long as each unit has some amount of private open space.

F. Parking.

1. Vehicle Parking Requirements.

a. Except as stated in the table, below, minimum vehicle parking requirements inside the Sacramento Railyards SPD shall be as set forth in section 17.64.020 of this title.

Retail	Hotel	Office	Theater	Restaurant, Bar, Nightclub	Museum/Exhibit	College
3.0	1.0	1.0	1.0	3.0	1	1
Per 1000 gross square feet	Per 2.5 rooms	Per 1000 gross square feet	Per 4 seats	Per 1000 gross square feet	Per 500 gross square feet	Per 15 students

b. The planning director may, through the urban development permit, either increase or decrease the required parking ratios based on the project's parking management plan to ensure adequate parking capacity based on the goals and objectives of the Central City Parking Master Plan.

c. Required off-street parking is not required to be provided and maintained in the same ownership and on the same parcel as the land use it is intended to serve, if approved by the planning director through the urban development permit. In reviewing a request for off-site parking, the planning director shall consider the proximity of, and the existence of an accessible path of travel between, the off-site parking parcel and the land use it is intended to serve; and evidence that users of the subject land use will have an unrestricted exclusive right to use the other parcel(s) for required parking for a period of not less than ten (10) years.

2. **Bicycle Parking Requirements**.

Bicycle parking facilities shall be provided as required by section 17.64.050 of this title, except for development within the Railyards SPD, a Class I bicycle parking facility may include a stationary rack, designed to secure the bicycle frame and at least one wheel where the bicyclist supplies only a lock, that is located within a completely enclosed and covered parking facility with fully secured access, or equivalent.

17.124.060 Development permitting process-General provisions.

One of the goals of this chapter is to encourage infill development and the redevelopment of the Sacramento Railyards by establishing a streamlined and certain permit process that provides certainty for the city, developers, and lenders, while also maximizing public review and input. As such, development in the Sacramento Railyards SPD shall be subject to the discretionary entitlement processes set forth in this chapter.

A. Urban Development Permit.

A planning director urban development permit shall be required for all development in the Sacramento Railyards SPD, except that development in the TC-SPD and the M-2-SPD zones shall be subject to section 17.124.040(F) and Chapter 17.44 of this title and shall not require a planning director urban development permit. The purpose and scope of the planning director urban development permit is to ensure that development is consistent with the goals, policies, objectives and other provisions of the Sacramento Railyards Specific Plan, the Sacramento Railyards Design Guidelines, the Sacramento Railyards Specific Plan Environmental Impact Report and Mitigation Monitoring Program, any applicable development agreement, this title, and all other applicable plans, ordinances, and development regulations, and is compatible with surrounding development. The planning director urban development permit shall be processed, heard, and considered under sections 17.124.070 and 17.124.080 of this chapter.

B. Design Review.

The Sacramento Railyards SPD is included in the Sacramento Railyards Design Review District. Design review shall be required for all development in the Sacramento Railyards SPD that is not subject to preservation review under Chapter 17.134. Design review shall be conducted under the provisions of this chapter and shall not be subject to the design review procedures of Chapter 17.132.

C. Preservation Review.

All development within the Central Shops Historic District shall be subject to preservation review under Chapter 17.134. All development within the Central Shops Transition Zone shall be subject to preservation review under the provisions of this chapter and shall not be subject to the preservation review procedures of Chapter 17.134. The Central Shops Transition Zone is that area generally bounded by Camille Lane, 5th Street, the relocated rail easement, and Interstate Highway 5, as shown in Appendix D at the end of this chapter.

D. Planning Director Special Permit.

A planning director special permit shall be required for any use listed in section 17.124.040(C) of this chapter. The special permit application shall be processed, heard, and considered under sections 17.124.070 and 17.124.090 of this chapter.

E. Planning Director Variance.

The planning director shall have the authority to approve a variance from the provisions of this title for development within the Sacramento Railyards SPD. The variance application shall be processed, heard, and considered under sections 17.124.070 and 17.124.100 of this chapter.

F. Planning Director Approval of Tentative Subdivision and Tentative Parcel Maps.

The planning director shall have the authority to hear and take action on all tentative subdivision maps, tentative parcel maps, and tentative master parcel maps, including requests for subdivision modifications relating to the tentative map, for property within the Sacramento Railyards SPD. The tentative map application shall be processed, heard, and considered under sections 17.124.070 and 17.124.110 of this chapter.

G. Legislative Entitlements.

If a development project for property within the Sacramento Railyards SPD

requires one or more legislative entitlements that require approval by the city council in addition to approval of an entitlement under this chapter, a separate application for the legislative entitlements shall be submitted, processed, and heard pursuant to chapters 17.204 and 17.208 of this title. The development project application for the entitlements under this chapter shall not be scheduled for hearing before the planning director unless and until the application for the legislative entitlements are approved. For purposes of this section, legislative entitlements include general plan, community plan, and specific plan amendments and rezonings.

17.124.070 Applications.

A. Pre-Application Review and Comment.

1. Prior to submitting an application for an urban development permit or a planning director special permit for new construction under this chapter, an applicant shall file with the planning director a request for a pre-application review and comment on the proposed project. The request shall be in writing on a form provided by the city. For purposes of this subsection (A), new construction shall mean the construction of a new building or structure, along with all associated facilities and appurtenances, such as walls, fences, and signs, but shall not include additions to existing buildings or structures.

2. A request for pre-application review and comment shall be accompanied by the initial concept drawings of the proposed project, including without limitation the exterior architectural design (including height), the site design (including build-to lines, street-wall heights, setbacks, and lot coverage), landscaping design, and sign design, as well as exhibits showing the proposed project in the context of the existing built environment surrounding the project site.

3. Upon receipt of a request for pre-application review and comment accompanied by all required initial concept drawings, the planning director shall schedule the request for a public hearing at the earliest convenient date. The public hearing shall be conducted by the Design Commission or, if the project location is within the Central Shops Historic District or is within the Transition Zone as described in section 17.124.060(C) and Appendix D, by the Preservation Commission. Notice of the hearing shall be given by posting and mail pursuant to sections 17.200.010(C)(2)(b) and (c) , except that the notice by mail required by subsection (C)(2)(c)(i)(C) of Section 17.200.010 shall be given to all of the owners of real property located within the Sacramento Railyards SPD and within five hundred (500) feet of the boundary of the Sacramento Railyards SPD.

4. Based on the information received from city staff, the applicant, and members of the public at the hearing, the commission shall provide comments and recommendations for changes to the project based on the vision, goals, policies and objectives of the Sacramento Railyards Specific Plan, the Sacramento Railyards Design

Guidelines, the Sacramento Railyards Specific Plan Environmental Impact Report and Mitigation Monitoring Program, any applicable development agreement, this title, and all other applicable plans, ordinances, or development regulations. Within two business days following the hearing, the secretary to the commission shall provide to the applicant a written summary of the comments and recommendations.

5. Review and comment by a commission under this subsection (A) shall not imply ultimate approval or denial of any project or project design. Nothing in this subsection (A) is intended to prevent the planning director, city council, or other authority from concluding, upon further consideration during the normal application review process, that the project is consistent with, or in conflict with the Sacramento Railyards Specific Plan, the Sacramento Railyards Design Guidelines, the Sacramento Railyards Specific Plan Environmental Impact Report and Mitigation Monitoring Program, any applicable development agreement, this title, and all other applicable plans, ordinances, or development regulations, even though a different preliminary conclusion may have been reached during the review and comment process.

B. Applications-General.

The following provisions shall apply to applications for a planning director urban development permit, planning director special permit, and planning director variance, applications for modifications or extensions, and applications for tentative maps for development in the Sacramento Railyards SPD.

1. Application-Submittal.

The applicant shall submit an application and plans in conformance with Chapter 17.196. The plans shall be in sufficient detail to allow the planning director to consider all aspects of the proposed development project as described in this section. The application shall also include a list of the comments received in the pre-application review and comment proceeding under subsection (A) and a specific response to each comment.

2. Remediation.

Each application shall be supported by certification or other writing from the California Department of Toxic Substance Control, satisfactory to the planning director:

a. That the site has been remediated pursuant to a DTSC-certified remedial action plan;

b. That the proposed use of the project site and the design of the proposed development are consistent with the remediation level of the site and any applicable deed restrictions; and

c. Except for projects within the Central Shops Historic District, that

the appropriate remediation has been completed for the entire block containing the project site and full right-of-way of all surrounding streets.

3. Conformity with the Sacramento Railyards Specific Plan Environmental Impact Report and Mitigation Monitoring Program.

Each application shall include a report demonstrating that the proposed development is fully compliant with the Sacramento Railyards Specific Plan Environmental Impact Report and Mitigation Monitoring Program. The report shall include the following information:

a. Parking.

A parking management plan demonstrating adequate parking capacity based on the goals and objectives of the Central City parking Master Plan and identifying parking management strategies.

b. Wind Analysis.

For all structures over one hundred (100) feet in height, an evaluation of the potential for the creation of uncomfortable and/or hazardous wind accelerations at ground level for pedestrians, vehicles, and structures, including wind tunnel testing at ground level and elevated levels. If it is determined that the proposed building design would generate wind tunnel impact potential, the building design will be modified to reduce or eliminate the adverse wind impacts.

c. Vibration Analysis.

A site specific vibration analysis for residential uses and historic structures that are within screening distance as shown on Appendix E for freight and passenger trains or light rail trains in conformance with the Sacramento Railyards Specific Plan Mitigation Monitoring Program. The results shall be incorporated in to the project design.

d. Noise.

The engineering and acoustical specifications for the project mechanical HVAC equipment that demonstrates that equipment design (types, location, enclosures, and specifications) will control noise in conformance with the Sacramento Railyards Specific Plan Mitigation Monitoring Program.

e. Light and Glare.

i. For projects adjacent to major roadways that propose glass walls, a design plan showing use of low emission (Low-E) glass. Highly reflective glass walls shall not be used as a primary building material for more than thirty-five percent (35%)

of the building facades.

ii. A lighting plan that specifies the lighting type and placement to ensure that the effects of security and other outdoor lighting are minimized on adjacent uses and do not create spillover effects.

iii. For projects located east of 6th Street, a design plan demonstrating that all exterior lighting and advertising (including signage) shall be directed on to the specific location intended for illumination (e.g. parking lots, driveways and walkways) and shielded away from adjacent properties and public rights-of-ways to minimize light spillover onto adjacent areas. Light structures for surface parking areas, vehicular access ways and walkways shall not exceed 25 feet in height. In addition monument lighting and night-lit signage is prohibited on building facades that face existing residential neighborhoods.

4. Fees.

Each application shall require a filing and investigation fee as established in the fee and charge report.

5. Conditions May Be Imposed.

In approving an application, the planning director may impose such conditions as are reasonably necessary to carry out the intent and purpose of this chapter and title; provided, that conditions may not be imposed that would conflict with or would be contrary to the requirements of the Sacramento Railyards Specific Plan, the Sacramento Railyards Design Guidelines, the Sacramento Railyards Specific Plan Mitigation Monitoring Program, any applicable development agreement, this title, other applicable plans, ordinances, or development regulations, or with conditions of approval imposed by prior approvals other than approvals by the planning director under this chapter.

6. Withdrawal of Application.

The planning director may permit the withdrawal of an application, provided such request is made in writing by the applicant.

7. Resubmittal of Application.

If an application has been denied wholly or in part, no new application for substantially the same planning director urban development permit, planning director special permit, or modification or extension of either shall be resubmitted for a period of six months from the effective date of the final denial of the application, unless approval of an earlier filing has been granted by the planning director.

17.124.080 Planning Director Urban Development Permit.

A. Authority-Scope of Review.

The purpose and scope of the planning director urban development permit is to ensure that development is consistent with the goals, policies, objectives and other provisions of the Sacramento Railyards Specific Plan, the Sacramento Railyards Design Guidelines, the Sacramento Railyards Specific Plan Environmental Impact Report and Mitigation Monitoring Program, any applicable development agreement, this title, and all other applicable plans, ordinances, and development regulations, and is compatible with surrounding development. A planning director urban development permit is discretionary in nature.

B. Considerations.

In reviewing a planning director urban development permit application, the planning director shall consider how the proposed project conforms to and furthers the vision, goals, policies and objectives of the Sacramento Railyards Specific Plan, the Sacramento Railyards Design Guidelines, the Sacramento Railyards Specific Plan Environmental Impact Report and Mitigation Monitoring Program, any applicable development agreement, this chapter, and all other applicable plans, ordinances, and development regulations, with respect to the following:

1. The proposed use: consideration of the proposed use or uses to ensure an appropriate mix (both horizontal and vertical) and balance of uses is achieved within each land use designation and each zone and compatibility with surrounding development.

2. The density and intensity of the proposed development: consideration of the density or floor area ratio for each parcel and development project to ensure that development capacity is appropriately allocated throughout each district, land use designation, and zone when considered in the context of all previously approved and reasonably foreseeable future projects.

3. The site layout and design: consideration of the location and the orientation of buildings and other structures, public and private open space, build-to lines, street wall heights, landscaping and other development features in relation to the physical characteristics of the site.

4. The building design: consideration of the building envelope and architectural design, including but not limited to building height, development of urban streetscape, articulation of building massing and details, and usage of quality materials.

5. Traffic safety, parking, and traffic congestion: consideration of the effect of the site development plan on traffic conditions on abutting streets; the locations and dimensions of vehicular and pedestrian entrances, exits, driveways, and walkways; the

circulation patterns within the boundaries of the development; and the location, accessible path of travel to, and the adequacy of off-street parking facilities, including consideration of the parking management plan, increases or decreases in off-street parking ratios, and implementation of a transportation management plan.

6. Energy conservation: consideration of the use of green building technology and techniques and energy conservation, including without limitation the presence and orientation of structures, vegetation and other objects, both on and off the site, and building design and materials.

7. City services: consideration of the availability of city services, including, but not limited to, water, sewer, drainage, police and fire; and whether such services are adequate based upon applicable city standards.

8. Conformity with applicable plans and regulations: consideration of any other considerations necessary to ensure that the proposed development conforms to and furthers the vision, goals, policies and objectives of the Sacramento Railyards Specific Plan, the Sacramento Railyards Design Guidelines, the Sacramento Railyards Specific Plan Environmental Impact Report and Mitigation Monitoring Program, any applicable development agreement, this chapter, and all other applicable plans, ordinances, and development regulations.

C. Design Director and Preservation Director Review.

1. Design Director Review.

Except for applications involving development within the Central Shops Historic District subject to preservation review under Chapter 17.134, each application for a planning director urban development permit shall be subject to design director review under this chapter. The design director shall review all urban design elements of a proposed project including without limitation the exterior architectural design (including height), the site design (including build-to lines, street-wall heights, setbacks, and lot coverage), landscaping design, and sign design. The design director shall prepare and submit to the planning director a report on the project design. The report shall include a detailed evaluation of the proposed project design and the design's consistency with the Sacramento Railyards Design Guidelines both as a stand-alone project and in the context of the Sacramento Railyards Specific Plan area and the Central City. The report shall make recommendations for conditions and design modifications as the design director finds appropriate to achieve the design goals of the Sacramento Railyards Specific Plan and Design Guidelines.

2. Preservation Director Review.

a. All development within the Central Shops Historic District shall be subject to preservation review under Chapter 17.134 in addition to this chapter.

b. In addition to design director review under subsection (C)(1), above, each application for a planning director urban development permit within the Central Shops Transition Zone, as described in section 17.124.060(C) and Appendix D, shall be subject to preservation review under this chapter. The preservation director shall review all urban design elements of a proposed project including without limitation the exterior architectural design (including height), the site design (including build-to lines, street-wall heights, setbacks, and lot coverage), landscaping design, and sign design. The preservation director shall prepare and submit to the planning director a report on the project design. The report shall include a detailed evaluation of the proposed project design and the design's consistency with the Sacramento Railyards Design Guidelines both as a stand-alone project and in its context within the Sacramento Railyards Plan area and the Central City. The report shall make recommendations for conditions and design modifications as the preservation director finds appropriate to achieve the design goals of the Sacramento Railyards Specific Plan and Design Guidelines.

D. Hearing and Decision - Urban Development Permit.

1. Notice and Hearing.

At least one public hearing shall be held on an application for a planning director urban development permit. The public hearing for the Planning Director urban development hearing shall occur within 45 days from the date the City deems the application complete and the release of the required environmental document, if any. The procedural requirements for the hearing shall be governed by the provisions of Chapter 17.200 of this title. Notice of the hearing shall be given by posting and mail pursuant to subsections (C)(2)(b) and (c) of Section 17.200.010, except that the notice by mail required by subsection (C)(2)(c)(i)(C) of Section 17.200.010 shall be given to all of the owners of real property located within the Sacramento Railyards SPD and within five hundred (500) feet of the boundary of the Sacramento Railyards SPD.

2. Consideration of Report from Design Director or Preservation Director.

At the public hearing on an application for a planning director urban development permit, the planning director shall receive and consider as evidence the report submitted by the preservation director or the design director or both under subsection (C) of this section on the proposed development.

3. Decision and Notification.

The planning director shall issue a written decision at the conclusion of the hearing setting forth approval, conditional approval or disapproval of the application, and the findings supporting the decision, and shall transmit to the applicant written notice of the decision pursuant to Section 17.200.020(C). The planning director shall not approve a planning director urban development permit unless the planning director

makes the findings required by this section.

4. Findings.

No planning director urban development permit shall be approved by the planning director unless the following findings are made:

a. The proposed development, including the proposed use, the density and intensity of the development, the site design and layout, the height and architectural design of the buildings and structures, the landscaping, the parking, and the open space, is consistent with the goals, policies, objectives and other provisions of the Sacramento Railyards Specific Plan, the Sacramento Railyards Design Guidelines, the Sacramento Railyards Specific Plan Environmental Impact Report and Mitigation Monitoring Program, any applicable development agreement, this title, and all other applicable plans, ordinances, and development regulations, and is compatible with surrounding development;

b. Facilities, including utilities, access roads, sanitation and drainage are adequate and consistent with applicable city standards, and the proposed improvements are properly related to existing and proposed streets and highways;

c. The property involved is of adequate size and shape to accommodate the proposed use and required yard, building coverage, setback, parking area and other requirements of this chapter; and

d. Approval of the planning director urban permit review will not be contrary to the public health or safety or injurious to the property or improvements of adjacent properties.

5. Decision, Appeal, and Call-Up.

The approval, conditional approval, or denial by the planning director of a planning director urban development permit shall be subject to appeal pursuant to section 17.200.030 of this title, except that the appeal shall be made directly to the city council, and shall be subject to city council call-up pursuant to section 17.200.040 of this title. The appeal or call-up of the planning director's decision shall stay the proceedings until the determination of the matter on appeal or call-up is final. The decision of the planning director on a planning director urban development permit shall become final upon the expiration of the time within which an appeal or call-up may be taken if no appeal is filed and no call-up is requested. No building permit, license, or other permit may be issued for the development project until the decision approving or conditionally approving the planning director urban development permit is final.

E. Urban Development Permit - Modification.

No modification of a project for which a planning director urban development

permit is approved may be made unless approved by the planning director.

1. Determination of Major or Minor Modification.

The planning director shall determine whether a proposed modification to an approved planning director urban development permit is a major or minor modification. No hearing shall be required for the determination and the decision of the planning director on whether the proposed modification is major or minor shall be final and shall not be subject to appeal or call-up.

2. Definition of Major Modification.

A major modification is one which will result in material change in the nature of the project when all circumstances surrounding the approval of the planning director urban development permit are considered. Set forth below is a list of changes which, by definition, shall be deemed to constitute major modifications for purposes of this provision. This list is not intended to be inclusive, and the fact that a particular change is not included does not limit the discretion or authority of the planning director to determine that a particular proposed change or set of changes constitutes a major modification. The following changes constitute major modifications for purposes of this provision:

a. Any major change in the pattern or increase in the volume of traffic flow either on or off any property covered by the plan review;

b. Any change in the nature of the use;

c. Any increase in height of a structure the exceeds twenty-five percent (25%) of the height of such structure as approved or which exceeds one story, whichever is less;

d. Any increase in gross floor area of a building which exceeds twenty-five percent (25%) of the approved gross floor area;

e. Any increase in the density of dwelling units per acre;

f. Any material changes in the orientation or location of structures on the parcel.

g. Any material changes in the site and landscape plan approved for the project which includes changes that involve the location of walkways, plazas or planting areas and the types of plantings and hardscape approved for the project.

h. In the Central Shops Transition Zone, any material changes in the final approved design of a project's site or exterior building/structure that involve changes to items a. through g. above; or changes to overall building and site design or

changes in materials and their placement on the building or within the site that exceeds ten percent (10%) of the overall building exterior or site/landscape plan; changes in overall window and door opening patterns, or changes in window and door opening placement that involves more than ten percent (10%) of all window and door openings in the project; changes in roof forms; or any decrease in setbacks or stepbacks that exceeds ten percent (10%) of the approved setbacks or stepbacks.

3. Review and Approval of Proposed Modifications

The planning director shall have the authority to review and approve proposed modifications to a planning director urban development permit pursuant to the following provisions.

a. Minor Modification.

If the planning director determines that a proposed modification is a minor modification of an approved planning director urban development permit, then a planning director urban development permit minor modification, with no required public hearing, is required for approval of the minor modification. In considering the modification, the planning director shall take into consideration all aspects of the development project with the proposed modification and apply the standards set forth in this section for the approval of a planning director urban development permit. For modifications involving building or site design, the planning director will consider recommendations on the proposed modifications from the design director or preservation director. When approving a minor modification to a planning director urban development permit, the planning director may impose such additional conditions as may be required to mitigate any deleterious effect of the modification.

b. Major Modification.

If the planning director determines that a proposed modification is a major modification of an approved planning director urban development permit, then a planning director urban development permit major modification, with a required public hearing, is required for approval of the major modification. The public hearing shall be noticed and heard in the same manner described in subsections (A) through and including (D) of this section. In considering the modification, the planning director shall take into consideration all aspects of the development project with the proposed modification and apply the standards set forth in this section for the approval of a planning director urban development permit. For modifications involving building or site design, the planning director will consider recommendations on the proposed modifications from the design director or preservation director. When granting a modification to a planning director urban development permit, the planning director may impose such additional conditions as may be required to mitigate any deleterious effect of the modification.

F. Time Within Which Urban Development Permit Must Be Established.

A use for which a planning director urban development permit is approved must be established within three years from the effective date of final approval of the planning director urban development permit. If not so established the planning director urban development permit shall be deemed to have expired and shall be null and void. A planning director urban development permit shall be deemed established when the building permit is secured and construction is physically commenced. The planning director shall determine whether a planning director urban development permit has been established, which decision shall be final and shall not be subject to appeal or call-up.

G. Extension of Time Within Which Planning Director Urban Development Permit Must Be Established.

Upon application filed prior to the expiration of a planning director urban development permit, the time within which the planning director urban development permit must be established as provided in subsection (A) of this section may be extended by the planning director upon a showing of good cause. One or more extensions may be granted for a planning director urban development permit up to a cumulative total extension period of five (5) years. An application for a time extension for a planning director urban development permit shall be noticed and heard, and shall be subject to appeal, in the same manner as an application for a planning director urban development permit. The request for an extension of time shall be subject to a filing and investigation fee as established in the fee and charge report.

17.124.090 Planning director special permit.

A planning director special permit required by this chapter, including an extension or modification, shall be processed, heard, and considered in the same manner as a planning director urban development permit, except that no special permit shall be approved by the planning director under this chapter unless the findings required under chapter 17.212 of this title are made by the planning director in lieu of the findings required by section 17.124.070(D)(4). The approval, conditional approval, or denial by the planning director of a planning director special permit shall be subject to appeal pursuant to section 17.200.030 of this title, except that the appeal shall be made directly to the city council, and shall be subject to city council call-up pursuant to section 17.200.040 of this title. The appeal or call-up of the planning director's decision shall stay the proceedings until the determination of the matter on appeal or call-up is final. The decision of the planning director on a planning director special permit shall become final upon the expiration of the time within which an appeal or call-up may be taken if no appeal is filed and no call-up is requested. No building permit, license, or other permit may be issued for the development project until the decision approving or conditionally approving the planning director special permit is final.

17.124.100 Planning director variance.

The planning director shall have the authority to approve a variance from the provisions of this title for development within the Sacramento Railyards SPD. An application for a variance under this section, including an extension or modification, shall be processed, heard, and considered in the same manner as a planning director urban development permit, except that no variance shall be approved by the planning director under this section unless the findings required under chapter 17.216 of this title are made by the planning director in lieu of the findings required by section 17.124.070(D)(4). The approval, conditional approval, or denial by the planning director of a planning director variance shall be subject to appeal pursuant to section 17.200.030 of this title, except that the appeal shall be made directly to the city council, and shall be subject to city council call-up pursuant to section 17.200.040 of this title. The appeal or call-up of the planning director's decision shall stay the proceedings until the determination of the matter on appeal or call-up is final. The decision of the planning director on a planning director variance shall become final upon the expiration of the time within which an appeal or call-up may be taken if no appeal is filed and no call-up is requested. No building permit, license, or other permit may be issued for the development project until the decision approving or conditionally approving the planning director variance is final.

17.124.110 Subdivision maps.

Notwithstanding the provisions of Title 16 or any other provisions of this code to the contrary, the planning director shall hear and take action on all tentative subdivision maps, tentative parcel maps, and tentative master parcel maps, including requests for subdivision modifications relating to the tentative map, for property within the Sacramento Railyards SPD. The planning director shall comply with the provisions of Title 16 relating to notice, hearing, findings, and all other relevant procedural matters, except that the notice by mail required by section 16.24.090(A)(1), 16.24.095(A), and subsection (C)(2)(c)(i)(C) of Section 17.200.010 shall be given to all of the owners of real property located within the Sacramento Railyards SPD and within five hundred (500) feet of the boundary of the Sacramento Railyards SPD. Appeal from a decision of the planning director on a tentative map or subdivision modification shall be processed and heard in the same manner as an appeal from a zoning administrator action on a tentative parcel map, except that the appeal shall be made directly to the city council.

Table of Contents:

Appendix A-E: Site Maps

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

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

Noes: None.

Abstain: None.

Absent: None.

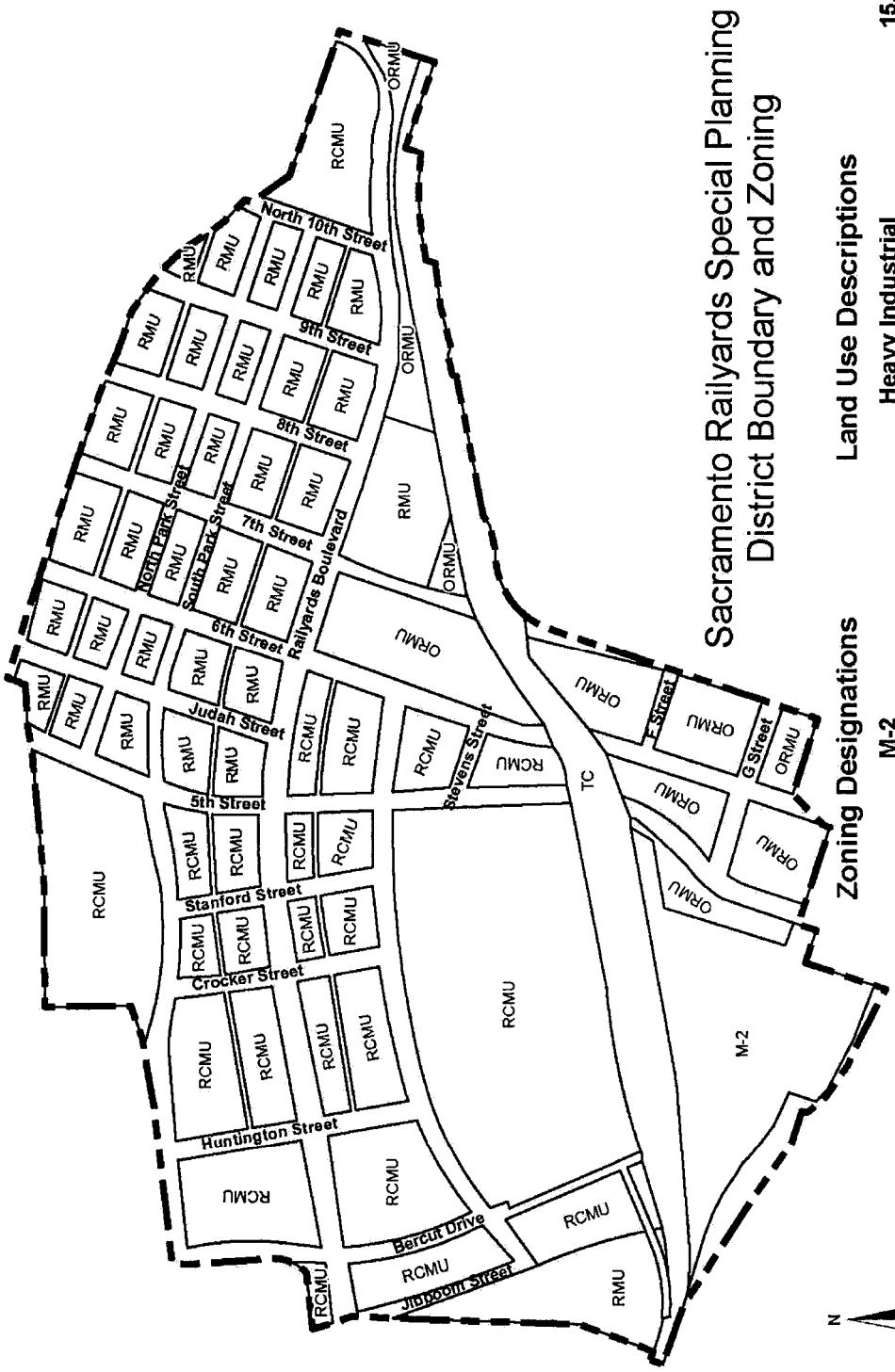
Mayor Heather Fargo

Attest:

Shirley Concolino, City Clerk

Passed for Publication: November 20, 2007
Published: November 23, 2007
Effective: January 10, 2008

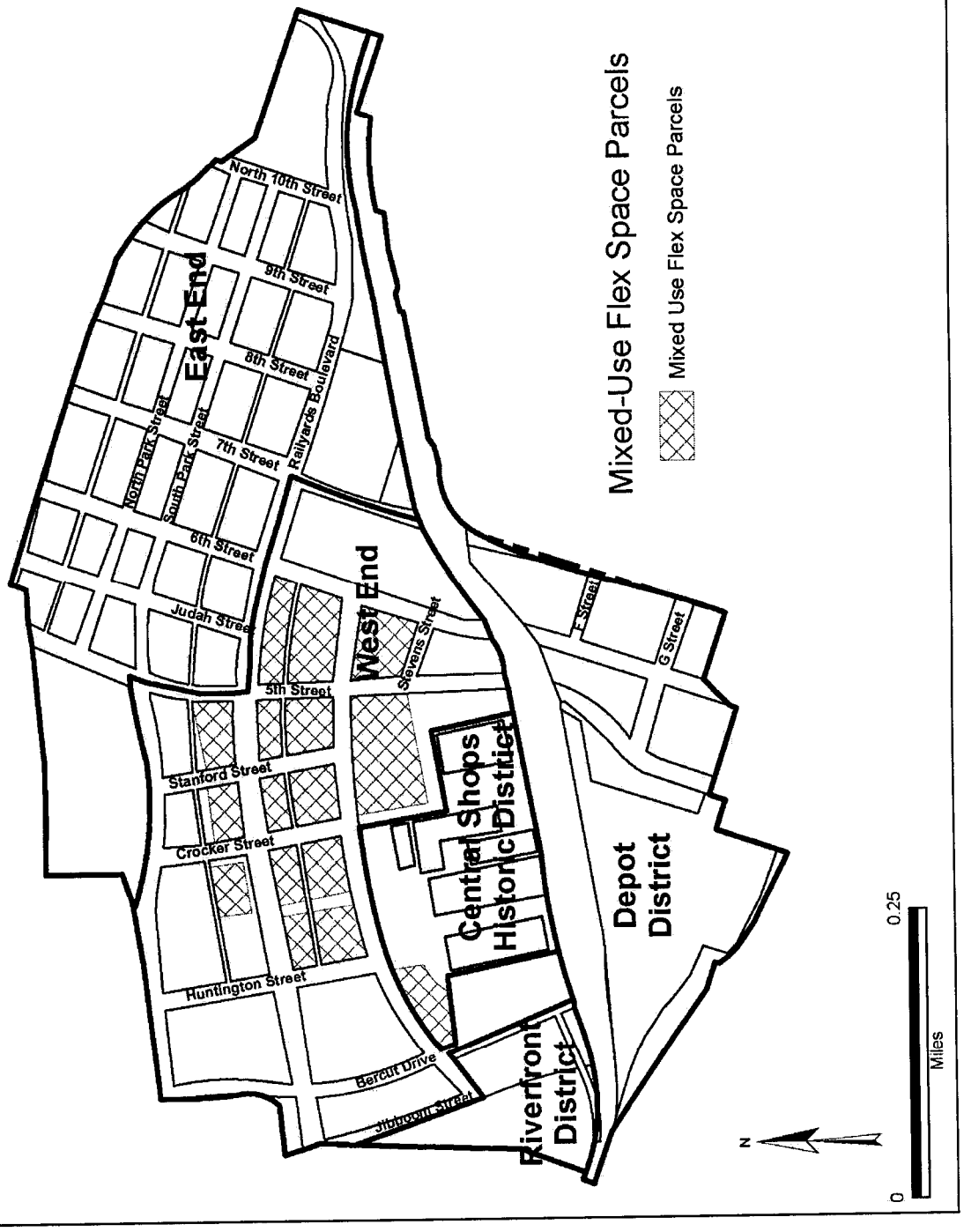
APPENDIX A



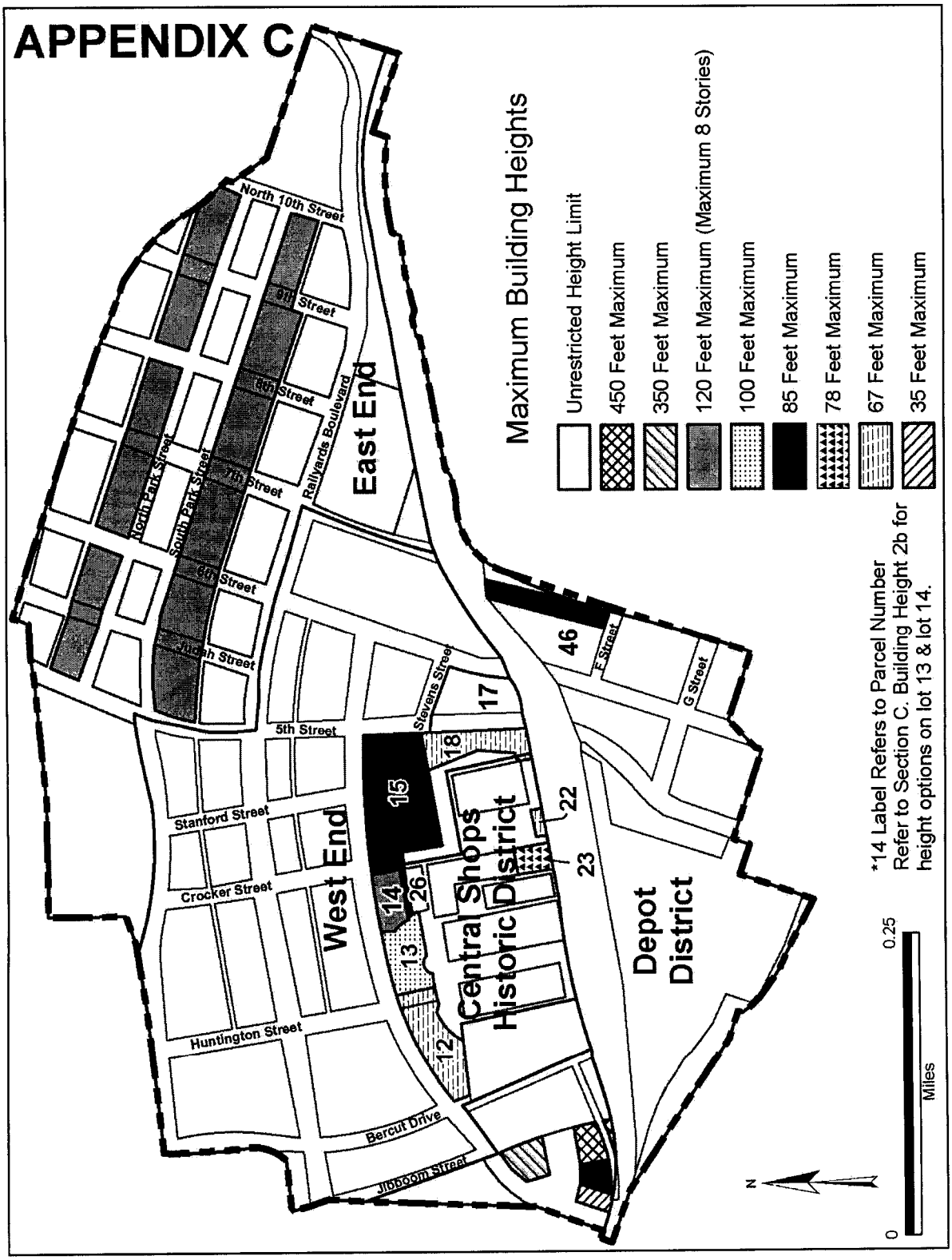
Sacramento Railyards Special Planning District Boundary and Zoning

Zoning Designations	Land Use Descriptions	Area
M-2	Heavy Industrial	15.23 Acres
ORMU	Office / Residential Mixed Use	21.88 Acres
RCMU	Residential / Commercial Mixed Use	81.03 Acres
RMU	Residential Mixed Use	44.02 Acres
TC	Transportation Corridor	17.47 Acres

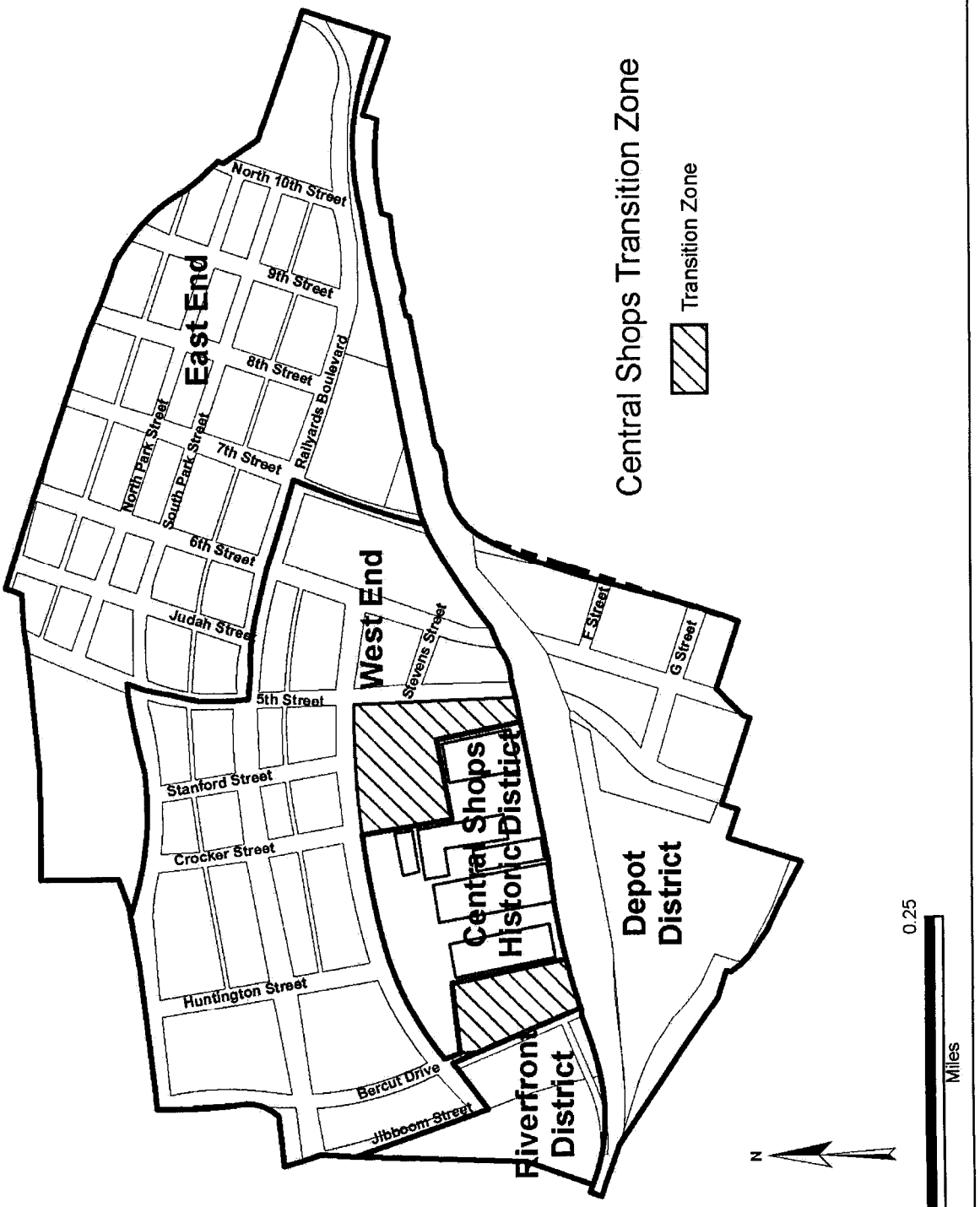
APPENDIX B


Mixed-Use Flex Space Parcels
Mixed Use Flex Space Parcels
East End
West End
North 10th Street
9th Street
8th Street
7th Street
6th Street
5th Street
North Park Street
South Park Street
Railyards Boulevard
Judah Street
Stevens Street
F Street
G Street
Stanford Street
Crocker Street
Huntington Street
Bercut Drive
Jibboom Street
Central Shops Historic District
Depot District
Riverfront District
N
0
0.25
Miles

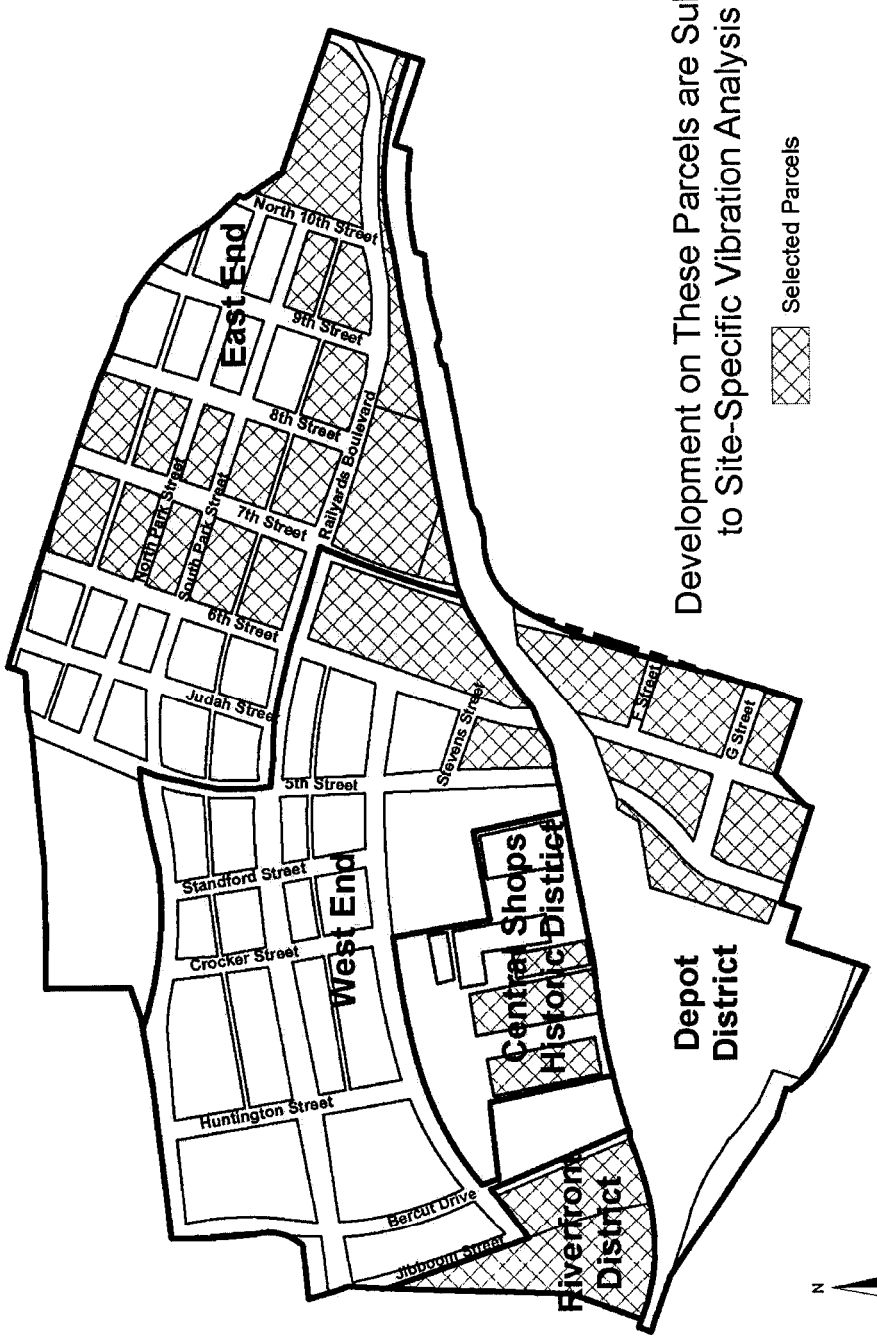
APPENDIX C


Maximum Building Heights
Unrestricted Height Limit
450 Feet Maximum
350 Feet Maximum
120 Feet Maximum (Maximum 8 Stories)
100 Feet Maximum
85 Feet Maximum
78 Feet Maximum
67 Feet Maximum
35 Feet Maximum
*14 Label Refers to Parcel Number
Refer to Section C. Building Height 2b for
height options on lot 13 & lot 14.
0
0.25
Miles
N
East End
West End
Central Shops
Historic District
Depot
District
North 10th Street
9th Street
8th Street
7th Street
6th Street
Judah Street
North Park Street
South Park Street
Railyards Boulevard
Stevens Street
E Street
G Street
5th Street
Stanford Street
Crocker Street
Huntington Street
Bercut Drive
Jibboom Street
46
17
18
15
14
13
12
26
22
23

APPENDIX D


Central Shops Transition Zone
Transition Zone
East End
West End
North 10th Street
9th Street
8th Street
7th Street
6th Street
5th Street
North Park Street
South Park Street
Railyards Boulevard
Judah Street
Stevens Street
F Street
G Street
Stanford Street
Crocker Street
Huntington Street
Bercut Drive
Jibboom Street
Central Shops Historic District
Riverfront District
Depot District
N
0
0.25
Miles

APPENDIX E


Development on These Parcels are Subject to Site-Specific Vibration Analysis
Selected Parcels
East End
West End
Central Shops Historic District
Depot District
Riverfront District
North 10th Street
9th Street
8th Street
7th Street
6th Street
5th Street
Railyards Boulevard
North Park Street
South East Street
Judah Street
Stevens Street
Standford Street
Crocker Street
Huntington Street
Bercut Drive
Jibboom Street
F Street
G Street
N
0
0.25
Miles