

## **Chapter 17.440 SACRAMENTO RAILYARDS SPECIAL PLANNING DISTRICT**

### **17.440.010 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 SPD are to:

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 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; and
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. (Ord. 2013-0020 § 1; Ord. 2013-0007 § 1)

### **17.440.020 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 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. (Ord. 2013-0020 § 1; Ord. 2013-0007 § 1)

### **17.440.030 Conflicting requirements.**

Development within the Sacramento Railyards SPD is subject to the special rules and regulations set forth in this chapter in addition to the other regulations of this title and code. The provisions of this chapter prevail over any conflicting provisions of this title and code. (Ord. 2013-0020 § 1; Ord. 2013-0007 § 1)

**17.440.040 Zoning and uses.**

A. Land use zones. All parcels within the Sacramento Railyards SPD shall be zoned consistent 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 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 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 designation in the Sacramento railyards specific plan. These zones are intended to regulate land uses around, within, above, and below public transportation corridors to ensure 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 section 17.224.300 et seq. 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, all uses are allowed in each of these zones, subject to issuance of a planning director urban development permit as required under section 17.440.060. The purpose of the planning director urban development permit required under section 17.440.060 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; all other applicable plans, ordinances, and development regulations; and is compatible with surrounding development.

C. Uses requiring a conditional use permit. The uses listed below require a planning director's conditional use permit under this chapter in addition to a planning director urban development permit.

1. Mobilehome.
2. Temporary residential shelter.
3. Auto—sales, storage, rental (unless entirely within a building or parking structure).
4. Auto—service, repair.
5. Bar; nightclub (not exceeding 4,000 gross square feet).
6. Boat dock; marina.
7. Passenger terminal.
8. Transit vehicle—service, repair, storage.
9. Cemetery.
10. Cleaning plant, commercial.
11. Drive-in theater.
12. Drive-through service facility.
13. Equipment—rental, sales.
14. Flea market.
15. Laundry, commercial.
16. Mini storage; locker building (on street level).
17. Nonresidential care facility.
18. Plant nursery.
19. Amusement center, outdoor.
20. Stand-alone parking lot.
21. Railroad ROW.
22. Railroad yard, shop.
23. RV or mobilehome sales yard.
24. RV storage (commercial).
25. School, K-12 (private).
26. Gas stations (including car wash).
27. Social club greater than 10,000 gross square feet.
28. Tire shop.
29. Any other use that the planning director determines is similar in nature, function, or operation to the uses listed in this subsection.

D. Uses subject to regulation under chapter [17.228](#) or as stated. The uses listed in the chart below are allowed subject to the limitations specified. The limitations specified apply in addition to the planning director urban development permit.

<b>Use</b>	<b>Limitations</b>
Adult entertainment business	Subject to special use regulations in section <a href="#">17.228.102</a>
Adult-related establishment	Subject to special use regulations in section <a href="#">17.228.103</a>
Alcoholic beverage sales, off-premises	Subject to special use regulations in section <a href="#">17.228.108</a>
Antenna; telecommunications facility	Subject to special use regulations in section <a href="#">17.228.300</a> et seq.
Beer and wine (off-premises)	Subject to special use regulations in section <a href="#">17.228.108</a>
Bar; nightclub (greater than 4,000 gross square feet)	Subject to special use regulations in section <a href="#">17.228.108</a>
Building contractor shop	Entire business shall be conducted within a building; No outdoor storage or display is permitted
Cabinet shop	Entire business shall be conducted within a building; No outdoor storage or display is permitted
Electrical transmission facilities	Subject to special use regulations in section <a href="#">17.228.500</a> et seq.
Furniture refinishing	Entire business shall be conducted within a building; No outdoor storage or display is permitted
Heliport; helistop	Subject to special use regulations in section <a href="#">17.228.114</a>
Home occupation	Subject to special use regulations in section <a href="#">17.228.200</a> et seq.
Major medical facility	Planning and design commission conditional use permit required
Non-profit organization, meal service facility	Planning and design commission conditional use permit required
Non-profit organization, food storage and distribution	Planning and design commission conditional use permit required
Non-profit organization, food prep for off-site consumption	Planning and design commission conditional use permit required
Recycling facility	Subject to special use regulations in section <a href="#">17.228.400</a> et seq.
Residential hotel	Subject to special use regulations in section <a href="#">17.228.112</a>
Superstore	Subject to special use regulations in section <a href="#">17.228.119</a>

E. Prohibited uses. The uses listed below are prohibited in the Sacramento Railyards SPD.

1. All industrial and agricultural land uses, unless otherwise specified above.
2. Mobilehome park.
3. Correctional facility.
4. Check-cashing center.

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 are permitted in the TC zone and the M-2 zone inside of the Sacramento Railyards SPD. If this title requires the approval of a conditional use permit or other discretionary entitlement 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 entitlement and compliance with the same restrictions or requirements is required to establish the use in a TC zone and M-2 zone within the Sacramento Railyards SPD. (Ord. 2013-0020 § 1; Ord. 2013-0007 § 1)

#### **17.440.050 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 17.440.060 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; 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 FAR 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 net 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 zone.

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 is subject to the same density requirements established for the RCMU-SPD zone.

4. ORMU-SPD.
  - a. The maximum FAR 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 net 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 FAR while not exceeding the maximum density for the residential component.
5. RMU-SPD.
  - a. The maximum FAR 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 net 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 apply in the TC and M-2 zones in the Sacramento Railyards SPD.

B. Build-to lines, building frontages, and street wall heights. The standards in this subsection apply to build-to lines and street wall heights in the Sacramento Railyards SPD; provided, 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 subparagraph b of this paragraph 1 for the Central Shops Historic District and subparagraph e for the Riverfront District, street walls and building frontages are permitted up to the property line or the edge of the public right-of-way. One hundred percent of the building frontage is permitted along the build-to line. Minimum building frontages at the build-to line are established as follows:
  - a. Depot District. A minimum of 95% of the building frontage shall be established along the build-to line.
  - b. Central Shops Historic District. Street walls and building frontages on parcel 14 shall be separated by not less than 30 feet from any historic structure located on parcel 26, as shown in Appendix C.
  - c. West End. A minimum of 70% percent of the building frontage shall be established along the build-to line.
  - d. East End. A minimum of 60% percent 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 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 85 feet, with the following exceptions:
    - i. The maximum street wall height for buildings facing existing blocks outside of the Sacramento Railyards SPD is 60 feet, except buildings fronting H Street between 5th and 6th Streets have a maximum street wall height of 85 feet.
    - ii. The maximum street wall height of buildings fronting 7th Street between F Street and the railroad tracks is 35 feet.
  - b. Street wall height—Central Shops Historic District.
    - i. The maximum street wall height in the Central Shops Historic District shall not exceed the tops of the historic Central Shops.
    - ii. Street walls along Camille Lane are limited to 60 feet.
  - c. Street wall height—West End District. Street wall height in the West End District is limited to 85 feet, with the following exceptions:
    - i. Street walls along Camille Lane are limited to 60 feet.
    - ii. Street walls of buildings facing the Central Shops Historic 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 85 feet, except buildings facing Boxcar Park have a maximum street wall height of 60 feet.
  - e. Street wall height—Riverfront District. The maximum street wall height in the Riverfront District is 85 feet or the maximum building height, whichever is less.

### C. Building height.

- 1. Except as provided below in paragraph 2 of this subsection, building heights in the Sacramento Railyards SPD are unrestricted; provided, 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 is 85 feet.
  - b. Central Shops Historic District.
    - i. The maximum height for buildings on parcels 12 and 22 is 67 feet.
    - ii. The maximum height for buildings on parcel 23 is 78 feet.
    - iii. The maximum height for buildings on parcels 13 and 14 is determined as follows:

(A) If parcel 13 is developed first, or if parcel 14 is developed first to a building height not exceeding 67 feet, then the maximum building height for parcel 13 is 100 feet; otherwise, the maximum building height for parcel 13 is 67 feet.

(B) If parcel 14 is developed first, or if parcel 13 is developed first to a building height not exceeding 67 feet, then the maximum building height for parcel 14 is 120 feet; otherwise, the maximum building height for parcel 14 is 67 feet.

c. West End District.

i. The maximum height for buildings on parcel 18 is 67 feet.

ii. The maximum height for buildings on parcel 15 is 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 is 120 feet and no greater than eight stories.

e. Riverfront District. The maximum height for buildings in the Riverfront District ranges from 450 feet to 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 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 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 1 square foot of open space per 15 square feet of the total square footage of development.

b. Open space shall be provided on-site; provided, the planning director may approve a conditional use permit under this chapter to allow not more than 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 80 square feet of common usable open space per unit is required. The space may include courtyards, gardens, recreational, and similar areas.

c. A minimum of 50 square feet of private usable open space per unit is required. This space is for the exclusive use of the unit. It may include decks,

balconies, and patios. Private useable open space shall be directly accessible from its 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 130-square foot common and private open space per unit requirement may be met by any combination of common and private open space if each unit has some amount of private open space.

F. Parking. Off-street parking shall be provided in accordance with chapter 17.608. 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. (Ord. 2013-0020 § 1; Ord. 2013-0007 § 1)

#### **17.440.060 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 is subject to the discretionary entitlement processes set forth in this chapter.

A. Urban development permit. A planning director urban development permit is required for all development in the Sacramento Railyards SPD, except that development in the TC-SPD and M-2-SPD zones is subject to section 17.440.040.F and section 17.224.300 et seq. and does not require a planning director urban development permit. The purpose 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; all other applicable plans, ordinances, and development regulations; and is compatible with surrounding development. The planning director urban development permit is processed, heard, and considered according to sections 17.440.070 and 17.440.080.

B. Design review. The Sacramento Railyards SPD is included in the Sacramento railyards design review district. Design review is required for all development in the Sacramento Railyards SPD that is not subject to review under subsection C of this section. Design review is conducted under the provisions of this chapter and is not subject to site plan and design review under chapter 17.808.

C. Preservation review. All development within the Central Shops Historic District is subject to preservation review conducted as site plan and design review under chapter 17.808. All development within the Central Shops transition zone is subject to preservation review under the provisions of this chapter and is not subject to site plan and design review under chapter 17.808. The Central Shops transition zone is that area generally bounded by Camille Lane, 5th Street, the relocated rail easement, and Interstate 5, as shown in Appendix D at the end of this chapter.

D. Planning director conditional use permit. A planning director conditional use permit is required for any use listed in section 17.440.040.C. The conditional use permit application is processed, heard, and considered according to sections 17.440.070 and 17.440.090.

E. Planning director variance. The planning director has the authority to approve a variance from the provisions of this title for development within the Sacramento Railyards SPD. The variance application is processed, heard, and considered according to sections 17.440.070 and 17.440.100.

F. Planning director approval of tentative subdivision and tentative parcel maps. The planning director has 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 is processed, heard, and considered according to sections 17.440.070 and 17.440.110.

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 must be submitted, processed, and heard according to section 17.808.230. The development project application for the entitlements under this chapter will not be scheduled for hearing before the planning director until the application for the legislative entitlements is approved. For purposes of this section, legislative entitlements include general plan amendments, community plan amendments, specific plan amendments, and rezonings. (Ord. 2013-0020 § 1; Ord. 2013-0007 § 1)

### **17.440.070 Applications.**

#### **A. Pre-application review and comment.**

1. Before submitting an application for an urban development permit or a planning director conditional use permit for new construction under this chapter, an applicant must file with the planning director a request for a pre-application review and comment on the proposed project. The request must be in writing on a form provided by the city. For purposes of this subsection, new construction means the construction of a new building or structure, along with all associated facilities and appurtenances, such as walls, fences, and signs, but does not include additions to existing buildings or structures.
2. A request for pre-application review and comment must be accompanied by the initial concept drawings of the proposed project, including the exterior architectural design (including height), the site design (including build-to lines, street-wall heights, setbacks, and lot coverage), landscaping design, sign design, and 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 planning and design commission or, if the project location is

within the Central Shops Historic District or is within the transition zone as described in section 17.440.060.C and Appendix D, by the preservation commission. Notice of the hearing shall be given by posting and mail pursuant to chapter 17.812, except that the notice by mail shall be given to all of the owners of real property located within the Sacramento Railyards SPD and within 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 of the hearing, the secretary to the commission shall provide the applicant a written summary of the comments and recommendations.

5. Review and comment by a commission under this subsection does not imply ultimate approval or denial of any project or project design. Nothing in this subsection 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.** This subsection B applies to applications for a planning director urban development permit, planning director conditional use permit, 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 17.800. The plans must 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 must also include a list of the comments received in the pre-application review and comment proceeding under subsection A of this section and a specific response to each comment.

2. **Remediation.** Each application must 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 must 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 must include the information in this subsection B.3.
  - 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 100 feet in height, an evaluation of the potential for the creation of uncomfortable or hazardous wind accelerations at ground level for pedestrians, vehicles, and structures, including wind tunnel testing at ground level and elevated levels. If the proposed building design would generate wind tunnel impact potential, the building design must be modified to reduce or eliminate the adverse wind impacts.
  - c. Vibration analysis. For areas identified on Appendix E, a site-specific vibration analysis for residential uses and historic structures for freight and passenger trains or light rail trains in conformance with the Sacramento railyards specific plan mitigation monitoring program. The results must be incorporated into the project design.
  - d. Noise. The engineering and acoustical specifications for the project HVAC equipment that demonstrate 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 may not be used as the primary building material for more than 35% percent of the building façades.
    - ii. A lighting plan that specifies lighting type and placement to ensure that the effects of security and other outdoor lighting on adjacent uses are minimized 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) is directed onto 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 may not exceed 25 feet in height. Monument lighting and night-lit signs are prohibited on building façades that face existing residential neighborhoods.
4. Fees. Each application has filing and investigation fees as established in the fee and charge report.

5. Conditions may be imposed. In approving an application, the planning director may impose conditions that are reasonably necessary to carry out the intent and purpose of this chapter and title; provided, that conditions may not be imposed if they 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, a new application for substantially the same planning director urban development permit, planning director conditional use permit, or modification or extension of either, may not 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. (Ord. 2013-0020 § 1; Ord. 2013-0007 § 1)

#### **17.440.080 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; all other applicable plans, ordinances, and development regulations; and is compatible with surrounding development. A planning director urban development permit is discretionary.

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 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 the presence and orientation of structures, vegetation, and other objects (both on-site and off-site), and building design and materials.
7. City services. Consideration of the availability of city services, including 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 things 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 conducted as site plan and design review under chapter 17.808, an application for a planning director urban development permit is subject to design director review under this chapter. The design director shall review all urban design elements of a proposed project, including 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 must 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 may include 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 is subject to preservation review conducted as site plan and design review under chapter 17.808 in addition to this chapter.

b. In addition to design director review under subsection C.1, an application for a planning director urban development permit within the Central Shops transition zone, as described in section 17.440.060.C and Appendix D, is subject to preservation review under this chapter. The preservation director shall review all urban design elements of a proposed project, including 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 must 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 specific plan area and the central city. The report may include 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 are governed by the provisions of chapter 17.812. Notice of the hearing is given by posting and mail pursuant to chapter 17.812, except that the notice by mail shall be given to all of the owners of real property located within the Sacramento Railyards SPD and within 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.

3. Decision and notification. The planning director shall issue a written decision 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 chapter 17.812.

4. Findings. The planning director shall not approve a planning director urban development permit unless the planning director makes the following findings:

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; 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 development permit will not be contrary to the public health or safety, nor injurious to the property or improvements of adjacent properties.

5. Decision, appeal. The approval, conditional approval, or denial by the planning director of a planning director urban development permit is subject to appeal pursuant to chapter 17.812, except that the appeal is directly to the city council. The appeal of the planning director's decision stays the proceedings until the determination on appeal is final. The decision of the planning director on a planning director urban development permit becomes final upon the expiration of the time within which an appeal may be taken if no appeal is filed. 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 major or minor. This determination is not subject to a hearing, is final, and is not subject to appeal.

2. Definition of major modification. A major modification is one that will result in a 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 that constitute major modifications for purposes of this provision. This list is not exclusive 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 is major. The following are major modifications:

a. A 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. A change in the nature of the use;

c. An increase in structure height that exceeds 25% of the height of the structure as approved or that exceeds one story, whichever is less;

- d. An increase in a building's gross floor area that exceeds 25% of the approved gross floor area;
- e. An increase in the density of dwelling units per acre;
- f. A material change in the orientation or location of structures on the parcel;
- g. A material change in the site and landscape plan approved for the project; this includes changes that involve the location of walkways, plazas, or planting areas and the types of plantings and hardscape approved for the project; and
- h. In the Central Shops transition zone, a material change in the final approved design of a project's site or exterior building/structure that involve changes to items a through g above; changes to overall building and site design or changes in materials and their placement on the building or within the site that exceeds 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 10% percent of all window and door openings in the project; changes in roof forms; or any decrease in setbacks or step-backs that exceeds 10% of the approved setbacks or stepbacks.

3. Review and approval of proposed modifications. The planning director has 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 minor, then a planning director urban development permit minor modification, with no required public hearing, is required for approval of the minor 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 shall 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 major, 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 D of this section. 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 shall 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 use 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 is deemed expired and is void. A use is deemed established when the building permit is secured and construction is physically commenced. The planning director shall determine whether a use has been established, which decision is final and not subject to appeal.

G. Extension of time for establishing use. Upon application filed prior to the expiration of a planning director urban development permit, the time within which the use must be established as provided in subsection A may be extended by the planning director for good cause. One or more extensions may be granted for a planning director urban development permit up to a cumulative extension period of five years. An application for a time extension for a planning director urban development permit is noticed and heard, and is subject to appeal, in the same manner as an application for a planning director urban development permit. The request for an extension of time is subject to filing and investigation fees as established in the fee and charge report. (Ord. 2013-0020 § 1; Ord. 2013-0007 § 1)

#### **17.440.090 Planning director conditional use permit.**

A planning director conditional use permit required by this chapter, including an extension or modification, is processed, heard, and considered in the same manner as a planning director urban development permit, except that no conditional use permit may be approved by the planning director under this chapter unless the findings required in section 17.808.200 are made by the planning director. The approval, conditional approval, or denial by the planning director of a planning director conditional use permit is subject to appeal pursuant to chapter 17.812, except that the appeal is made directly to the city council. The appeal of the planning director's decision stays the proceedings until the determination of the matter on appeal is final. The decision of the planning director on a planning director conditional use permit becomes final upon the expiration of the time within which an appeal may be taken if no appeal is filed. No building permit, license, or other permit may be issued for the development project until the decision on the planning director conditional use permit is final. (Ord. 2013-0020 § 1; Ord. 2013-0007 § 1)

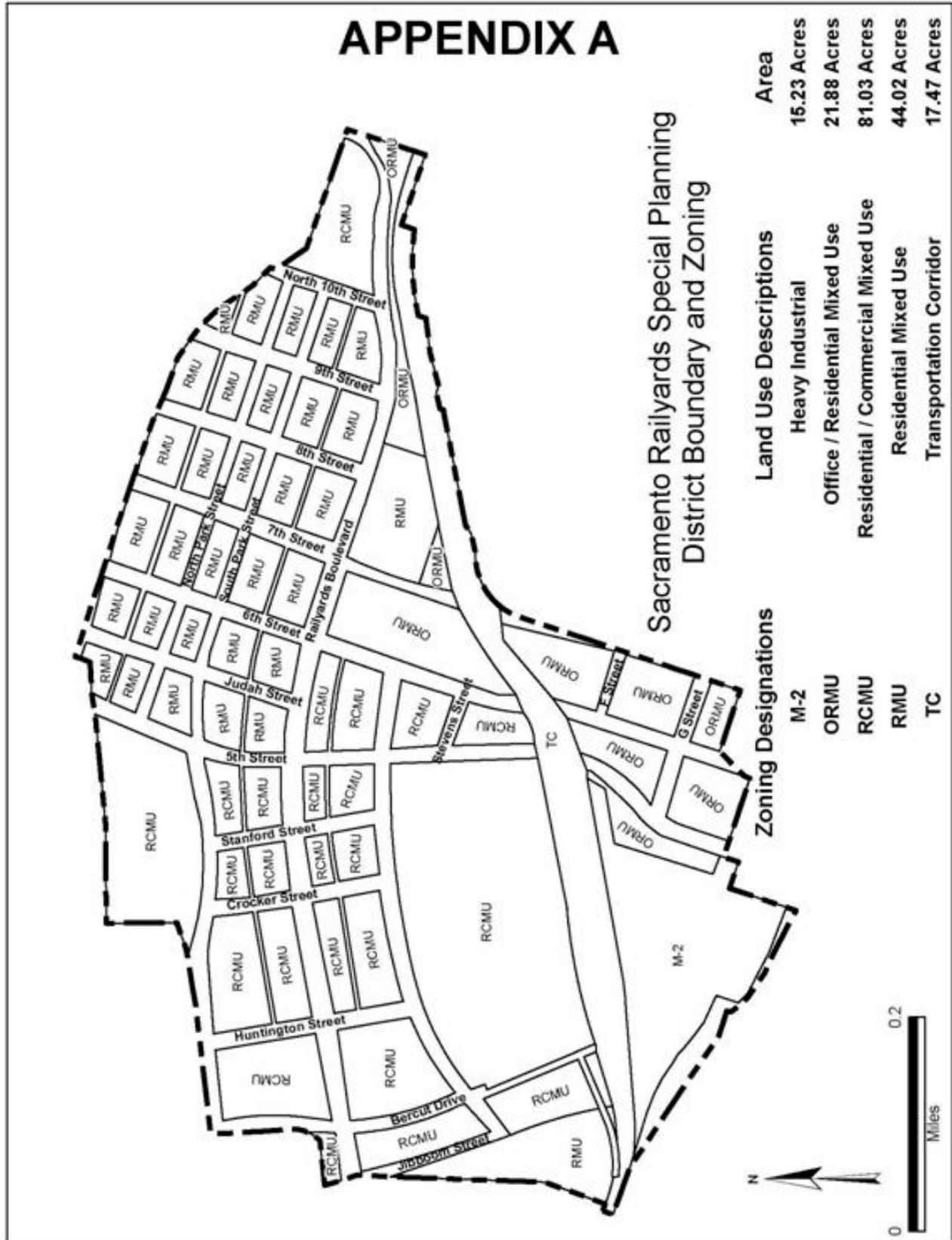
#### **17.440.100 Planning director variance.**

The planning director has 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, is processed, heard, and considered in the same manner as a planning director urban development permit, except that no variance may be approved by the planning director under this section unless the findings required in section 17.808.210 are made by the planning director. The approval, conditional approval, or denial by the planning director of a planning director variance is subject to appeal pursuant to chapter 17.812, except that the appeal is made directly to the city council. The appeal of the planning

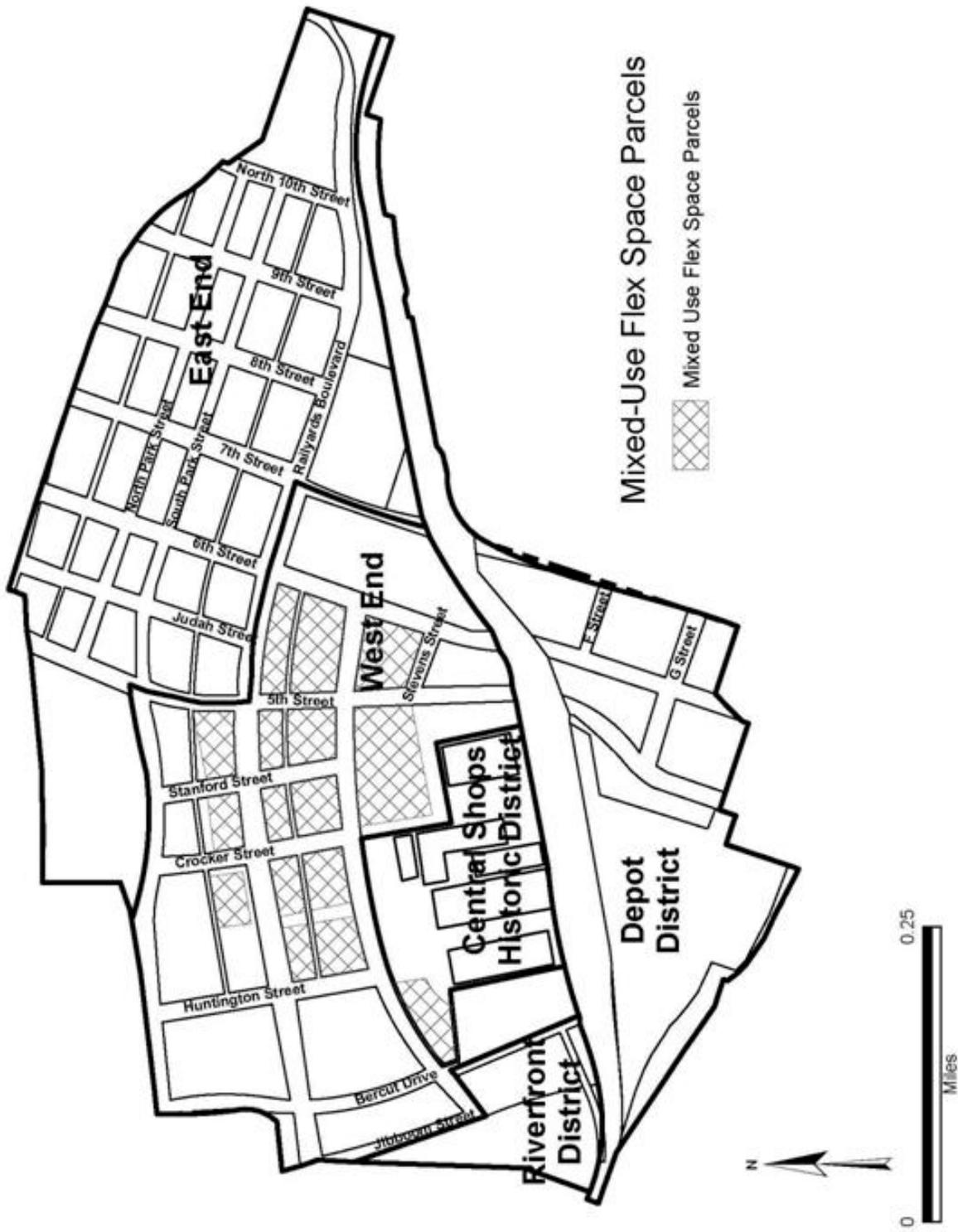
director's decision stays the proceedings until the determination of the matter on appeal is final. The decision of the planning director on a planning director variance becomes final upon the expiration of the time within which an appeal may be taken if no appeal is filed. No building permit, license, or other permit may be issued for the development project until the decision on the planning director variance is final. (Ord. 2013-0020 § 1; Ord. 2013-0007 § 1)

#### **17.440.110 Subdivision maps.**

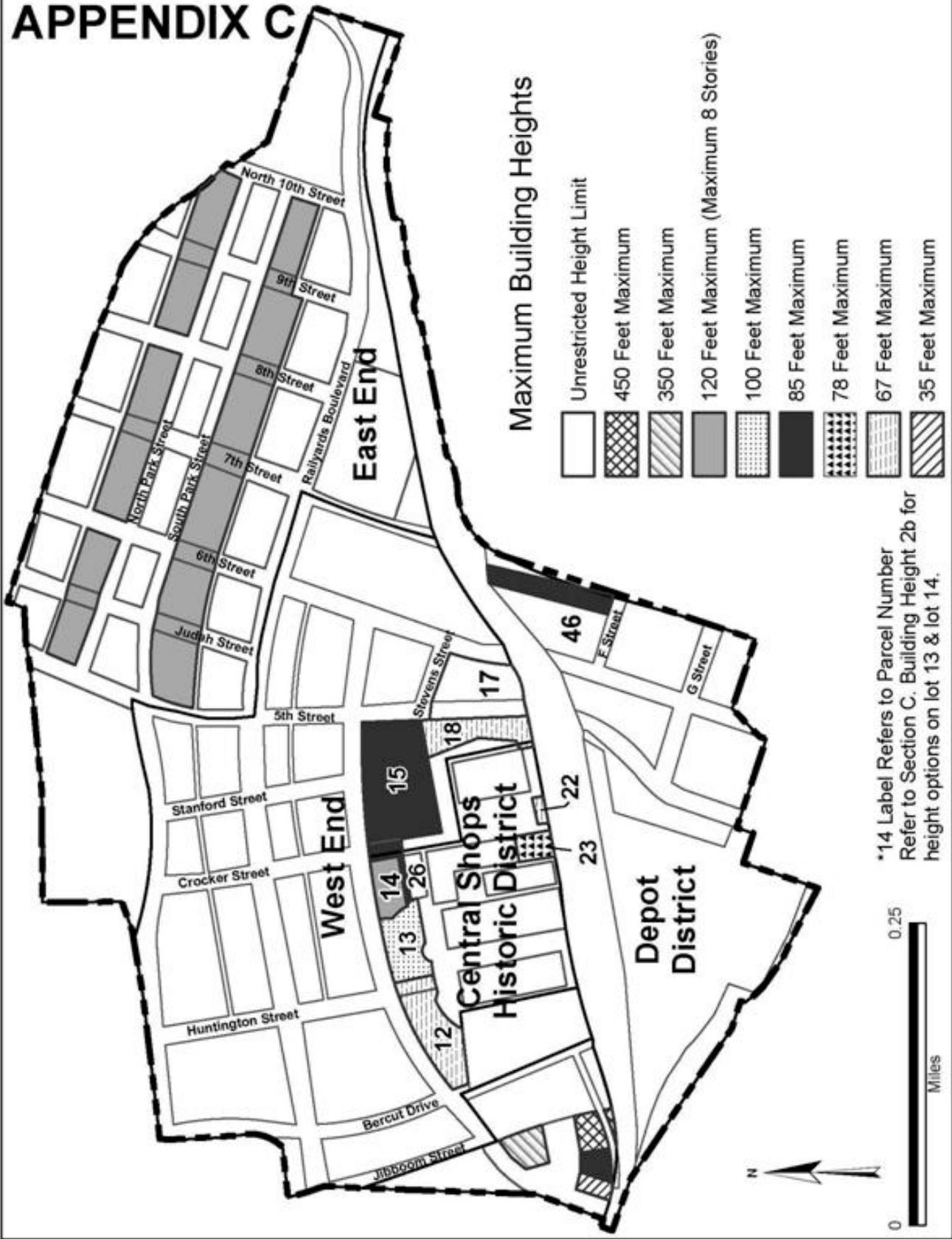
Notwithstanding title 16 or any other provisions of this code, the planning director shall hear and take action on all tentative subdivision maps, tentative parcel maps, and tentative master parcel maps, including requests for subdivision modifications relating to the tentative map, for property within 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 sections 16.24.090.A.1 and 16.24.095.A, and chapter 17.812, shall be given to all of the owners of real property located within the Sacramento Railyards SPD and within 500 feet of the boundary of the Sacramento Railyards SPD. An appeal from a decision of the planning director on a tentative map or subdivision modification is processed and heard in the same manner as an appeal from a zoning administrator action on a tentative parcel map, except that the appeal is made directly to the city council. (Ord. 2013-0020 § 1; Ord. 2013-0007 § 1)



# APPENDIX B

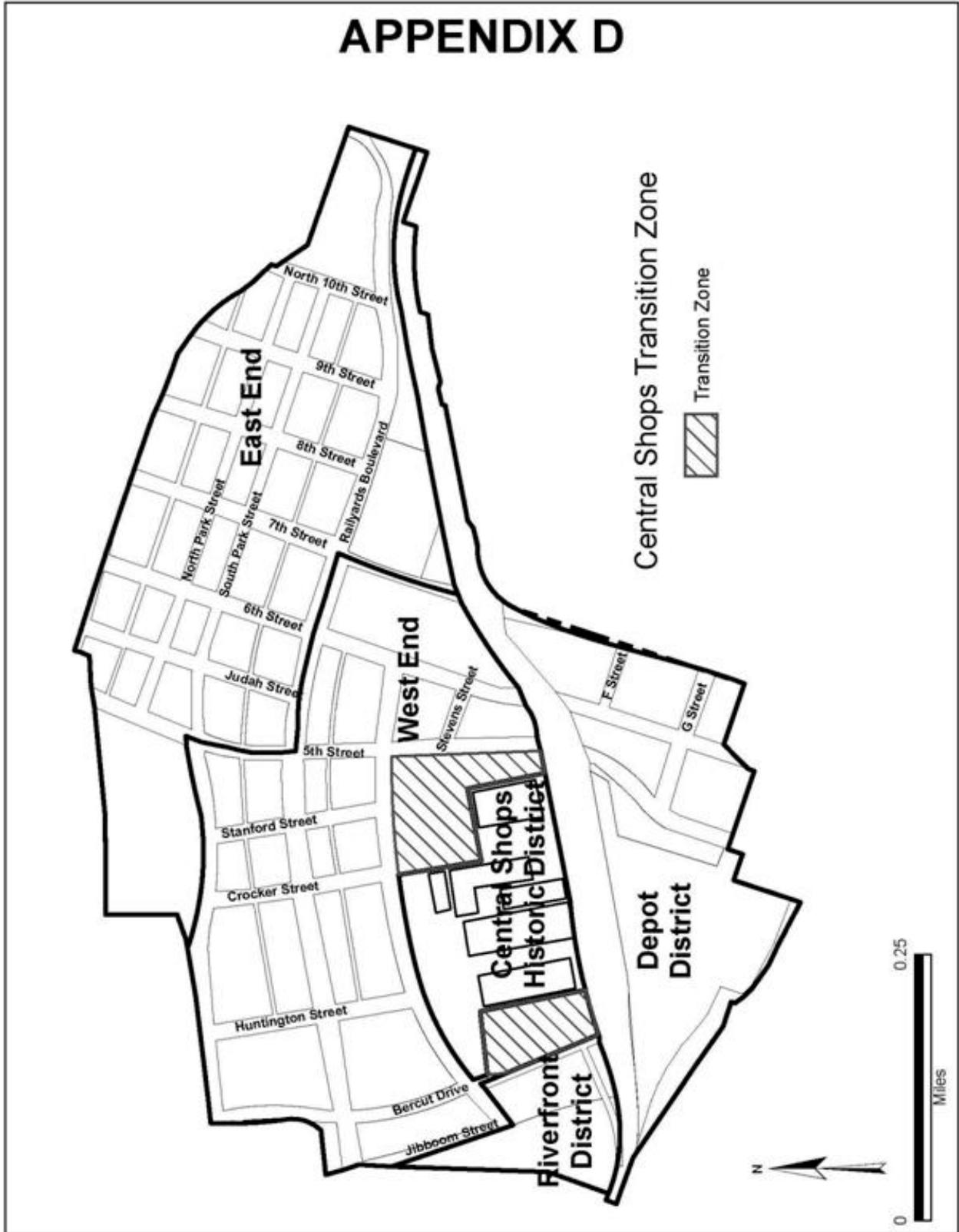


# APPENDIX C



\*14 Label Refers to Parcel Number Refer to Section C, Building Height 2b for height options on lot 13 & lot 14.

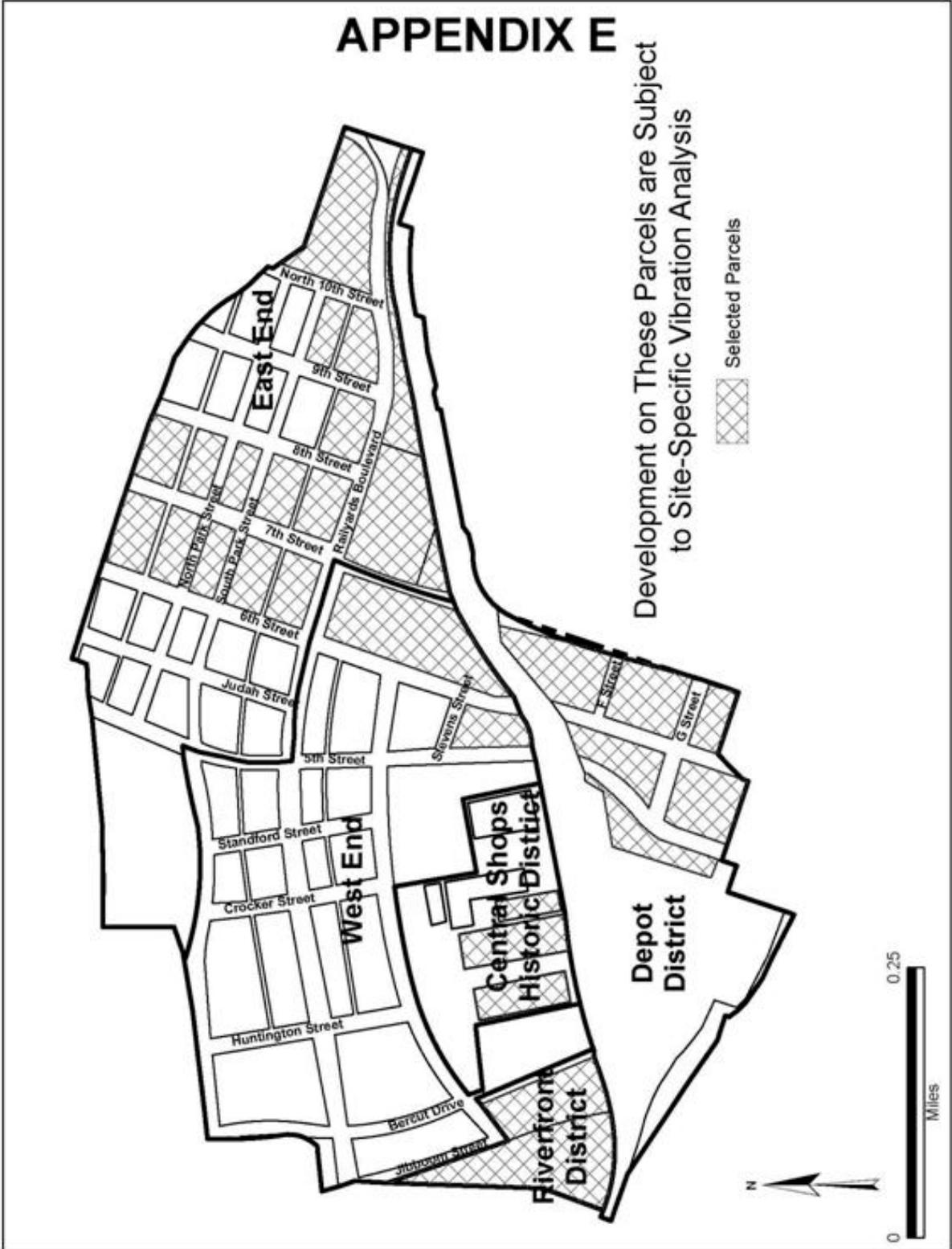
# APPENDIX D



# APPENDIX E

Development on These Parcels are Subject to Site-Specific Vibration Analysis

Selected Parcels



(Ord. 2013-0020 § 1; Ord. 2013-0007 § 1)