

ORDINANCE NO.

Adopted by the Sacramento City Council

November , 2016

**AN ORDINANCE DELETING AND ADDING CHAPTER 17.440
TO, AND AMENDING SECTIONS 15.148.193, 17.108.220,
17.808.220, AND 17.812.060 OF, THE SACRAMENTO CITY
CODE RELATING TO THE RAILYARDS SPECIAL PLANNING
DISTRICT**

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

SECTION 1.

Chapter 17.440 of the Sacramento City Code is deleted.

SECTION 2.

Chapter 17.440 is added to the Sacramento City Code to read as follows:

CHAPTER 17.440 RAILYARDS SPECIAL PLANNING DISTRICT

17.440.010 Purpose and intent.

- A. The Railyards Special Planning District (SPD) establishes procedures to implement the policies, development standards, and design guidelines of the Railyards Specific Plan, which governs reuse of the Railyards site as a transit-oriented mixed-use district. The Railyards Specific Plan designates the land uses within the boundaries of the Railyards Specific Plan area and is the primary policy and regulatory document used to guide redevelopment of properties within the Railyards site.
- B. The goals of the Railyards SPD are to:
 - 1. Create, facilitate, and encourage the development of a dynamic 24-hour mixed-use urban environment that provides a range of complementary uses that will make the site a regional destination;

2. Create cohesive mixed-use neighborhoods that contain a variety of integrated housing types;
3. Protect the historic integrity of the site and ensure that new construction complements existing historic resources and creates a culturally-vibrant, urban community;
4. Provide connectivity between the districts within the Railyards SPD, utilizing pedestrian-friendly streetscapes;
5. Provide a mixture of transit-oriented uses that complement 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. Facilitate infill redevelopment of the Railyards by allowing a broad mixture of uses and flexible development standards, including a range of residential and hotel densities and nonresidential building intensities within each district and land use designation.

17.440.020 Railyards SPD boundaries.

The Railyards SPD consists of approximately 244 acres of land within the Railyards Specific Plan area and is 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 of this chapter sets forth the boundaries of the Railyards SPD.

17.440.030 Railyards special regulations.

Development within the 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.

17.440.040 Site plan and design review.

- A. The purpose and scope of site plan and design review is to ensure that development is consistent with the goals, policies, objectives, and other provisions of the Railyards Specific Plan; the Railyards design guidelines; the subsequent environmental impact report and mitigation monitoring program;

any applicable development agreement; this title; and all other applicable plans, ordinances, and development regulations.

- B. In addition to any other requirements for site plan and design review under chapter 17.808, each applicant for a site plan and design review permit under chapter 17.808 shall include with the application a remedial action certification form or other writing from the California Department of Toxic Substances Control (DTSC) demonstrating that:
 - 1. Remediation of the soil in the lot to be developed has been completed as required by DTSC;
 - 2. A DTSC-approved land use covenant has been recorded against the lot to be developed;
 - 3. All soil placed on the lot to be developed meets the remedial goals established by DTSC for that lot and complies with the DTSC-approved land use covenant applicable to that lot; and
 - 4. The lot may be developed as proposed in the application.

17.440.050 R-5 high-rise residential zone.

- A. Allowed uses. Except as provided below, the uses allowed in the R-5 zone outside the Railyards SPD are allowed in the R-5 zone inside the Railyards SPD.
- B. Conditional uses. Except as provided in this section, if this title requires the approval of a conditional use permit or other discretionary permit, or imposes other restrictions or requirements on the establishment of a particular use in the R-5 zone outside the Railyards SPD, approval of the same discretionary permit and compliance with the same restrictions or requirements are required for the use in the R-5 zone inside the Railyards SPD.
- C. Prohibited uses. In addition to the uses prohibited in the R-5 zone outside the Railyards SPD, the following uses are prohibited in the R-5 zone inside the Railyards SPD:
 - 1. Cemetery;
 - 2. Check-cashing center;
 - 3. Correctional facility;
 - 4. Golf course; driving range;
 - 5. Mobilehome park; and
 - 6. Mortuary; crematory.

- D. Development standards. The development standards applicable to development in the R-5 zone outside the Railyards SPD are applicable to development in the R-5 zone inside the Railyards SPD, except as follows:
1. Residential density. The minimum density is 61 dwelling units per net acre. The maximum density is 450 dwelling units per net acre.
 2. Nonresidential uses. Nonresidential uses shall be located on the ground floor only.
 3. Height. The maximum height is 250 feet, as shown in Appendix B of this chapter.
 4. Street wall height. The maximum street wall height is 65 feet, except that all lots that front Railyards Boulevard west of 7th Street have a maximum street wall height of 85 feet.
 5. Setbacks. A minimum of 75% of the building frontage shall be established along the build-to line. Public open space that is part of or adjacent to building frontage is not calculated in the minimum build-to-line percentage.
 6. Lot coverage. There is no lot coverage requirement.
 7. Lot size, width, and depth. There are no lot size, width, or depth requirements.

17.440.060 C-1 limited commercial zone.

- A. Allowed uses. Except as provided below, the uses allowed in the C-1 zone outside the Railyards SPD are allowed in the C-1 zone inside the Railyards SPD.
- B. Conditional uses. Except as provided in this section, if this title requires the approval of a conditional use permit or other discretionary permit, or imposes other restrictions or requirements on the establishment of a particular use in the C-1 zone outside the Railyards SPD, approval of the same discretionary permit and compliance with the same restrictions or requirements are required for the use in the C-1 zone inside the Railyards SPD.
- C. Prohibited uses. In addition to the uses prohibited in the C-1 zone outside the Railyards SPD, the following uses are prohibited in the C-1 zone inside the Railyards SPD:
 1. Bed and breakfast inn;
 2. Cemetery;
 3. Check-cashing center;
 4. Correctional facility;
 5. Dormitory;
 6. Drive-in theater;

7. Laundromat, self-service;
 8. Mobilehome park;
 9. Office; and
 10. Superstore.
- D. Development standards. The development standards applicable to development in the C-1 zone outside the Railyards SPD are applicable to development in the C-1 zone inside the Railyards SPD, except as follows:
1. Floor area ratio. The maximum FAR for a nonresidential or mixed-use building is 1.0 per parcel.
 2. Height. The maximum height in the C-1 zone is 35 feet, as shown in Appendix B of this chapter.

17.444.070 C-2 general commercial zone.

- A. Allowed uses. Except as provided below, the uses permitted in the C-2 zone outside the Railyards SPD are allowed in the C-2 zone inside the Railyards SPD.
- B. Conditional use. Except as provided in this section, if this title requires the approval of a conditional use permit or other discretionary permit, or imposes other restrictions or requirements on the establishment of a particular use in the C-2 zone outside the Railyards SPD, approval of the same discretionary permit and compliance with the same restrictions or requirements are required for the use in the C-2 zone inside the Railyards SPD.
- C. Prohibited uses. In addition to the uses prohibited in the C-2 zone outside the Railyards SPD, the following uses are prohibited in the C-2 zone inside the Railyards SPD:
1. Auto—service, repair;
 2. Drive-in theater;
 3. Drive-through restaurant;
 4. Equipment rental, sales yard;
 5. Gas station;
 6. Mini storage;
 7. Mobilehome – sales, storage;
 8. Towing service; vehicle storage yard; and
 9. Wholesale store and distributor.
- D. Development standards. The development standards applicable to development in the C-2 zone outside the Railyards SPD are applicable to development in the C-2 zone inside the Railyards SPD, except as follows:

1. Residential density. The maximum density is 60 dwelling units per net acre.
2. Floor area ratio. The maximum FAR for nonresidential and mixed use development is 1.0 per parcel.
3. Height. The maximum height is 120 feet, as shown in Appendix B of this chapter.
4. Street wall height. The maximum street wall height is 65 feet.

17.440.080 C-3 central business district zone.

- A. Allowed uses. Except as provided below, the uses permitted in the C-3 zone outside the Railyards SPD are allowed in the C-3 zone inside the Railyards SPD.
- B. Conditional uses. Except as provided in this section, if this title requires the approval of a conditional use permit or other discretionary permit, or imposes other restrictions or requirements on the establishment of a particular use in the C-3 zone outside the Railyards SPD, approval of the same discretionary permit and compliance with the same restrictions or requirements are required for the use in the C-3 zone inside the Railyards SPD.
- C. Prohibited uses. In addition to the uses prohibited in the C-3 zone outside the Railyards SPD, the following uses are prohibited in the C-3 zone inside the Railyards SPD:
 1. Auto – service, repair;
 2. Check-cashing center;
 3. Correctional facility; and
 4. Gas station.
- D. Development standards. The development standards applicable to development in the C-3 zone outside the Railyards SPD are applicable to development in the C-3 zone inside the Railyards SPD, except as follows:
 1. Residential density. The minimum and maximum density requirements for residential development are established in the general plan.
 2. Floor area ratio. The minimum and maximum FAR requirements for nonresidential and mixed use development are established in the general plan.
 3. Height. There are no maximum height limits, except as described below and as shown in Appendix B of this chapter.
 - a. Depot District. The maximum height for buildings located on lot 46 that front 7th Street is 120 feet.

- b. Central Shops District and Transition Zone.
 - i. The maximum height for buildings on lot 9a is 100 feet.
 - ii. The maximum height for buildings on lot 9b is 85 feet.
 - iii. Except for lot 18, the maximum height for new buildings on lots within the Central Shops Historic District is 24 feet.
 - iv. The maximum height for new buildings on lot 18 is 40 feet.
 - c. West End District. The maximum height for buildings on lots 15a, 15b, 15c, and 15d is 85 feet.
 - d. East End District. The maximum height for buildings on the south side of Railyards Boulevard east of 7th Street is 120 feet.
 - e. Riverfront District. The maximum height for buildings in the Riverfront District is 450 feet subject to a building design with stepped-down heights toward the Sacramento River approved as part of the site plan and design review under chapter 17.808.
4. Street wall height. The maximum street wall height is 65 feet, except that the maximum street wall height on lots that front Railyards Boulevard west of 7th Street is 85 feet.
 5. Setbacks. Except as specified below, a minimum of 75% of the building frontage shall be established along the build-to line and up to 100% of the building frontage may be established along the build-to line. Public open space that is part of or adjacent to building frontage is not calculated in the minimum build-to-line percentage.
 - a. Central Shops Historic District. Street walls and building frontages on lot 9b shall be set back a minimum of 30 feet from any historic structure located on lot 26, as shown in exhibit C of section 17.440.130.
 - b. Riverfront District. Buildings and structures shall be set back a minimum of 80 feet from the property line adjacent to the waterfront.

17.440.090 H hospital zone.

- A. Allowed uses. Except as provided below, the uses allowed in the H zone outside the Railyards SPD are allowed in the H zone inside the Railyards SPD. The following additional uses are allowed in the H zone inside the Railyards SPD:
 1. Major medical facility. A major medical facility and the ancillary uses identified in subsection A.1.a., below, are allowed in the H zone, subject to the following development and operational standards:

- a. The major medical facility and ancillary uses may not exceed:
 - i. 658,000 square feet of hospital (420 in-patient bed maximum);
 - ii. 210,000 square feet of medical clinic or office building;
 - iii. 60,000 square feet of central utilities building;
 - iv. 3,000 total parking stalls in no more than two parking structures, provided that neither parking structure may contain more than 1,500 stalls; and
 - v. 200 permanent surface parking stalls.
 - b. The owner or operator of the major medical facility shall:
 - i. Post in a conspicuous location a sign that includes the name and 24-hour phone number of the person to contact in the event of an emergency involving the facility;
 - ii. Provide and operate a video surveillance system;
 - iii. Maintain onsite security during business hours and cooperate with the police department on security enforcement matters;
 - iv. Take reasonable measures to control the conduct of patients and other invitees;
 - v. Provide evidence satisfactory to the city manager's designee that the owner or operator has adopted and implemented a patient discharge and aftercare policy for the major medical facility that complies with applicable federal and state laws and regulations; and
 - vi. Leave unlocked during business hours any perimeter fence that fully-encloses the major medical facility, except that a fence that fully-encloses the central utilities building may be locked at any time.
 - c. Any material modification of the conditions described in subsection A.1.b. requires a conditional use permit.
 - d. All improvements related to the major medical facility and the ancillary uses are subject to commission-level site plan and design review under chapter 17.808.
2. Nonresidential care facility. A nonresidential care facility is allowed if the owner or operator:
- a. Posts in a conspicuous location a sign that includes the name and 24-hour phone number of the person to contact in the event of an emergency involving the facility; and

- b. Provides and operates a video surveillance system.
 3. Produce stand;
 4. Outdoor market;
 5. Athletic club; fitness studio;
 6. Commercial service;
 7. Restaurant;
 8. Retail store not exceeding 6,400 square feet; and
 9. Residential care facility located on lots that front 5th Street. A residential care facility is allowed on a lot that fronts 5th Street if the owner or operator of the residential care facility:
 - a. Provides in a conspicuous location a sign that includes the name and 24-hour phone number of the person to contact in the event of an emergency involving the facility; and
 - b. Provides and operates a video surveillance system.
- B. Conditional uses.
 1. Except as provided in subsection B.2., if this title requires the approval of a conditional use permit or other discretionary permit, or imposes other restrictions or requirements on the establishment of a particular use in the H zone outside of the Railyards SPD, approval of the same discretionary permit and compliance with the same restrictions or requirements are required for the use in the H zone inside the Railyards SPD.
 2. The following additional uses require approval of a conditional use permit in the H zone inside the Railyards SPD:
 - a. Major medical facility and ancillary uses that exceed the development standards in subsection A.1.a.;
 - b. Hotel; motel;
 - c. Dwelling, multi-unit;
 - d. School, vocational;
 - e. Retail store exceeding 6,400 square feet; and
 - f. Residential care facilities on lots that do not front 5th Street.
- C. Development standards. The development standards applicable to development in the H zone outside the Railyards SPD are applicable to development in the H zone inside the Railyards SPD, except as follows:

1. Residential density. The maximum density is 450 dwelling units per net acre.
2. Floor area ratio. The minimum and maximum FAR requirements for nonresidential and mixed use development are established in the general plan.
3. Height. There is no maximum height limit.
4. Street wall height. The maximum street wall height in the H zone is:
 - a. 85 feet along Railyards Boulevard.
 - b. 125 feet along Bercut Drive.
 - c. 125 feet along South Park Street from Bercut Drive to Hopkins Walk.
 - d. 65 feet along 5th Street.
 - e. 65 feet along South Park Street from Hopkins Walk to 5th Street.
5. Setbacks. One hundred percent of the building frontage is allowed along the build-to line.
6. Entrances. All vehicular ingress from, and egress to, Railyards Boulevard must be at signalized intersections.
7. Parking. A maximum of three parking stalls per in-patient hospital bed and three and one-half parking stalls per 1,000 square feet of medical clinic or office building is allowed.

17.440.100 TC transportation corridor zone and M-2 heavy industrial zone.

The TC-SPD zone and the M-2-SPD zone correspond to the transportation use designation in the 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 Railyards Specific Plan. This zone allows for dense transit-oriented development, including retail, office, hotel, and residential uses typical of the Central Business District.

- A. Allowed uses. Except as provided below, the uses allowed in the TC zone and M-2 zone outside the Railyards SPD are allowed in the TC zone and M-2 zone inside the Railyards SPD. The following additional uses are allowed in the TC zone and M-2 zone inside the Railyards SPD:
 1. Auto rental;
 2. Cinema;
 3. Commercial service;
 4. Dwelling, multi-unit;

5. Hotel, motel;
 6. Office;
 7. Restaurant; and
 8. Retail.
- B. Conditional uses. Except as provided in this section, if this title requires the approval of a conditional use permit or other discretionary permit, or imposes other restrictions or requirements on the establishment of a particular use in the TC zone or M-2 zone outside the Railyards SPD, approval of the same discretionary permit and compliance with the same restrictions or requirements are required for the use in the TC zone and M-2 zone inside the Railyards SPD.
- C. Development standards. The provisions of this title relating to height, yard, lot coverage/building size, and lot area per dwelling unit requirements for the C-3 zone apply in the TC zone and M-2 zone inside the Railyards SPD.

17.440.110. Parks and recreational facilities.

- A. The city, in its sole discretion, may deem land under the Interstate 5 freeway within the Railyards SPD as satisfying the requirements of a buildable acre as defined in section 16.64.030.B.2.
- B. If the property to be subdivided within the Railyards SPD is subject to a valid and enforceable development agreement, the city, in its sole discretion, may reduce the obligation to dedicate land under chapter 16.64 to two and one-half acres per 1000 residents, calculated by the formula in section 16.64.030.

17.440.120 Development permitting process.

- A. Design review. The Railyards SPD is included in the Railyards design review district. Design review is required for all development in the Railyards SPD that is not subject to review under subsection B. Design review is conducted under the site plan and design review process in chapter 17.808.
- B. Preservation review. All development within the Central Shops Historic District and Water Tower lot 4e is subject to preservation review conducted as site plan and design review under chapter 17.808. In addition, the preservation director shall review the following and forward recommendations for conditions and design modifications to the urban design manager:
1. Projects within the Central Shops transition zone (generally bounded by Camille Lane, 5th Street, the relocated rail easement, and Interstate 5 and as shown in Appendix C of this chapter); and
 2. Buildings on Lot 4d that front Water Tower Lot 4e.

- C. Application --Submittal. The applicant shall submit an application and plans in conformance with chapter 17.800. Each application must include a report demonstrating that the proposed development is fully compliant with the Railyards Specific Plan subsequent environmental impact report and mitigation monitoring program.

17.440.130 Parking on unimproved or vacant parcel.

Notwithstanding the provisions of chapter 10.44, it is not unlawful to park a vehicle on an unimproved or vacant parcel within the Railyards SPD if the parcel is subject to a valid and enforceable development agreement that addresses parking on the unimproved or vacant parcel.

SECTION 3.

Section 15.148.193 of the Sacramento City Code is amended to read as follows:

15.148.193 Railyards SPD.

Signs within the Railyards SPD must comply with all provisions of this chapter.

SECTION 4.

- A. Section 17.108.220 of the Sacramento City Code is amended by deleting the definition of "Urban development permit."
- B. Except as amended by subsection A above, all provisions of section 17.108.220 remain unchanged and in full effect.

SECTION 5.

Section 17.808.220 of the Sacramento City Code is amended to read as follows:

17.808.220 Reserved.

SECTION 6.

- A. Subsection B of section 17.812.060 of the Sacramento City Code is amended to read as follows:

- B. Appeal of director-level decisions. Any person dissatisfied with any director-level decision that is subject to appeal under this title may appeal the decision within ten days after the decision is final. The appeal is heard at the commission-level. The appeal must be filed with the planning director using the form provided by the city.

- B. Except as amended by subsection A above, all provisions of section 17.812.060 remain unchanged and in full effect.