



# REPORT TO DEVELOPMENT OVERSIGHT COMMISSION City of Sacramento

# 3

915 I Street, Sacramento, CA 95814-2671

**STAFF REPORT**  
March 2, 2009

Honorable Members of the Development Oversight Commission

**Title:** First Round Zoning Code Updates for 2030 General Plan Consistency

**Location/Council District:** Citywide/All Districts

**Recommendation:** Review and comment on proposed amendments to the zoning ordinance.

**Contact:** Robert Cunningham, Assistant Planner, Planning, 916-808-5894; Jim McDonald AICP, Senior Planner, Planning, 916-808-5723

**Presenter:** Robert Cunningham, Assistant Planner

**Departments:** Planning and Development Services

**Division:** Long Range Planning and Current Planning

**Organization No:** 22001311

## **Description/Analysis**

**Issue:** With the adoption of the 2030 General Plan scheduled for March 3, 2009, Long Range Planning staff are transitioning to working full time on implementation of the plan. Priority implementation measures include streamlining infill development in key "Shovel Ready" growth areas, updating the City's zoning ordinance to reflect urban development standards, and rezoning key sites consistent with the new Land Use Diagram.

Tonight's presentation concerns the initial phase of zoning code updates to streamline development. At this phase, the main concern is to begin to bridge the gap between the brand new 2030 General Plan and the zoning ordinance, which has not been comprehensively updated in more than forty years. Key issues include the need for increased densities and intensities of development and greater flexibility in mixing land uses. Staff expects to implement a phased approach to updating the zoning code over the next few years.

The zoning code updates proposed at this time include:

- Increase the maximum density of R-3 from 29 du/ac to 30 du/ac.

- Increase the maximum density of C-2 from 29 du/ac to 36 du/ac while allowing higher densities subject to consistency with the General Plan.
- Streamline ground-floor commercial uses in the OB zone.
- Update R-3, R-3A and R-4 zones so that supportive neighborhood commercial uses are allowed.
- Create a new "R-4A" zone with a maximum density of 110/acre
- Minor edits to the allowed land uses of R-5.
- Add density column to Height and Area Chart for increased clarity.
- Update M-1 Zone to ensure better consistency with Employment Center Low Rise by moving some uses from "By Right" to "Special Permit."

Full details on these code updates are provided in Attachment 1.

**Policy Considerations:** Updating the zoning ordinance is a Priority Implementation of the 2030 General Plan, and will help to facilitate infill development in key growth areas.

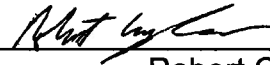
**Environmental Considerations:** The proposed actions are exempt under CEQA Guidelines section 15262 as a planning activity for possible future action.

**Sustainability Considerations:** The zoning code updates foster sustainability by encouraging economic development and infill development within the City. These efforts will bring housing, shopping, and employment opportunities closer together, thereby reducing vehicle trips and greenhouse gas emissions.

**Rationale for Recommendation:** The goal behind the recommendation is to initiate the implementation the 2030 General Plan by taking the first steps toward streamlining the zoning ordinance.

**Financial Considerations:** N/A

**Emerging Small Business Development (ESBD):** N/A

Respectfully Submitted by:   
 Robert Cunningham  
 Assistant Planner

Approved by:   
 Tom Pace  
 Director of Long Range Planning Division

**Table of Contents:**

Report	Pgs.	1-3
<b>Attachments</b>		
1 First Round of Zoning Code Fixes	Pg	4

**First Round of Zoning Code Fixes (2009)**

Code Changes
Change max density of R-3 from 29 to 30 to match Suburban Neighborhood Medium Density and get Housing and Community Development credit for affordable housing.
Change max residential density of C-2 to 36 to match Suburban Center, Suburban Corridor and Traditional Center. Include provisions to go above 36 with a special permit, subject to General Plan consistency.
Streamline ground-floor commercial in OB.
Update R-3, R-3A and R-4 so that supportive neighborhood commercial/mixed-use is allowed by special permit.
Create a new residential zone (R-4A) with a maximum density of 110 units per acre to implement Urban Neighborhood Medium Density. Currently the zones skip from 58/ac (R-4) to 174/ac (R-5).
Make minor edits to Land Use Table for R-5 to ensure that certain uses, such as alcoholic beverage sales, bar/nightclub, convenience stores, are only built ancillary to residential uses.
Add density column to Height and Area Chart for increased clarity.
Update M-1 Zone to ensure better consistency with Employment Center Low Rise by moving some uses from "By Right" to "Special Permit."

### Code Change

Change max density of R-3 from 29 to 30 to match Suburban Neighborhood Medium Density and get Housing and Community Development credit for affordable housing.

#### Recommended Actions:

- In Table 17.60.020 on pg 1286, change “Minimum land area per dwelling unit” in R-3 from 1500 sf to 1450 sf.
- On pg 1224, change description as follows:

“R-3—Multi-Family Zone. This is a multi-family residential zone intended for more traditional types of apartments. This zone is located outside the central city serving as a buffer along major streets and shopping centers. Minimum land area per unit is ~~one thousand five hundred (1,500)~~ one thousand four hundred fifty (1,450) square feet. Maximum density for the R-3 zone is ~~twenty-nine (29)~~ thirty (30) dwelling units per acre.”

### Code Change

Change max residential density of C-2 to 36 to match Suburban Center, Suburban Corridor and Traditional Center. Include provisions to go above 36 with a special permit, subject to General Plan consistency.

#### **Recommended Action:**

In Height and Area Chart, change “Minimum Lot Area per DU in Sq. Ft.” requirement for C-2 so that instead of indicating 1,500 under “General” and referring to Footnote 6 under “Central City,” it will refer to a new Footnote 31 under both headings.

Footnote 31 to read as follows:

“31. Minimum Lot Area per Unit / Maximum Density in C-2 Zone. The minimum lot area per dwelling unit and maximum density in the C-2 zone shall be as follows:

- a. Base minimum lot area per dwelling unit is 1,200 square feet, allowing a maximum density of 36 dwelling units per net acre.
- b. The planning commission may approve a special permit to reduce the minimum lot area per dwelling unit to as low as 290 square feet, allowing a maximum density of 150 dwelling units per net acre, subject to a finding of consistency with the General Plan including a determination of adequate infrastructure to support high density development.

Code Change
Streamline ground-floor commercial in OB.

Footnote 64 allows ground-floor commercial subject to a planning commission special permit.

**Recommended actions:**

- Updated Footnote 64 to the Land Use Table as follows:  
“64: Support Commercial Uses in the OB Zone. Permitted as a support commercial use on the ground floor of ~~to~~ the office building subject to a Zoning Administrator’s special permit. A maximum of twenty (20) percent of the total square footage of the office buildings or five hundred (500) square feet, whichever is greater, is permitted. No drive-through service facilities or gasoline sales are permitted in conjunction with the support commercial use. Print shops are allowed; however, the use of an ammonia-based blueprint process is prohibited.”

### Code Change

Update R-3, R-3A and R-4 so that supportive neighborhood commercial/mixed-use is allowed by special permit.

Footnote 7 allows commercial uses in R-5 subject to a special permit. The uses are limited to the ground floor only and the residential component of the building is subject to noise standards.

Land Uses with Footnote 7 under R-5:

amusement center (indoor), appliance repair shop, astrology, athletic club, bakery, bank, barber, copy shop, convenience store dance school, diet center, dry cleaning, florist, food/grocery/deli, furniture store, laundromat, medical clinic, offices, photographic studio, prescription optician, restaurant, retail store

#### **Recommended actions:**

- Add Footnote 7 for uses above to R-4, R-3A in Land Use Chart, as shown in edits to Land Use Chart on following pages.
- Add sentence to Footnote 7 limiting commercial to no more than 50% of building square footage (would also apply to R-5 and therefore possibly create non-conforming uses).

**Code Change**

Create a new residential zone (R-4A) with a maximum density of 110 units per acre to implement Urban Neighborhood Medium Density. Currently the zones skip from 58/ac (R-4) to 174/ac (R-5).

**Recommended Actions:**

- Add the following text to section 17.20.010, pg 1225 of Title 17: “R-4A— Multi-Family Zone. This is a multi-family zone located generally in urban neighborhoods, corridors, and centers in the Central City or near major transit stops. Minimum land area per unit is three hundred ninety six (396) square feet. Maximum density for the R-4A zone is one hundred ten (110) units per acre.”
- Add columns to the Land Use and Height/Area chart as shown on following pages.
- In conjunction with update of Land Use Table as shown, add “R-4A” to list of applicable zones in text of footnotes 32, 33, 47, and 50.

**Code Change**

Make minor edits to Land Use Table for R-5 to ensure that certain uses, such as alcoholic beverage sales, bar/nightclub, convenience stores, are only built ancillary to residential uses.

**Recommended Action:**

Make edits to R-5 Land Use Chart as shown in highlighted fields on the following pages.

**Code Change**

Add density column to Height and Area Chart for increased clarity.

**Recommended Action:**

Add column to Height/Area chart as shown below.

**UPDATED LAND USE CHARTS AND HEIGHT/AREA CHART TO IMPLEMENT CODE CHANGES DESCRIBED ABOVE**

**Table 17.24.020A – Residential Land Use Chart**

	RE	R-1	R-1A	R-1B	R-2	R-2A	R-2B	R-3	R-3A	R-4	R-4A	R-5	RMX	RO
Accessory dwlg for ag purposes														
Alternative ownership housing types		8	8	8		8	8	8	8	8	8	8	8/69	8
Antenna/communication tower *	58	58	58	58	58	58	58	58	58	58	58	58	58/69	58
Apartments *						75	75	75	75	75	75	75	69/75	75
Artist's live/work *	49	49	49	49	49	49	49	49	49	49	49	49	49/69	49
Condominiums, conversion to *				3	3	3	3	3	3	3	3	3	3/69	3
Deep lot development *	62				62									
Dormitory *	47			47	47	47	47	47	47	47	47	47	47/69	47
Duplex (attached or detached) *	37	37	37	27	1	1	1	1	1	1	1	1	1/69	1
Family care facility *	x	x	x	x	x	x	x	x	x	x	x	x	5/69	x
Family day care facility *	x	x	x	x	x	x	x	x	x	x	x	x	69	x
Family day care home (child care) *	42	42	42	42	42	42	42	42	42	42	42	42	42/69	42
Franklin Villa community serv'g use								74						
Fraternity/sorority *	47			47	47	47	47	47	47	47	47	47	47/69	47
Halfplexes *	37	37	37	27	5	5	5	5	5	5	5	5	5/69	
Home occupation *	6	6	6	6	6	6	6	6	6	6	6	6	6/69	6
Mobilehome/manufactured home * Used as a single-family dwelling	26	26	17	26	26	26	26	26	26	26	26	26	26/69	26
Mobilehome/manufactured home * Used as watchperson's qtrs														
Mobilehome park *	59	59	59	59	59	59	59	59	59	59	59	59	59/69	59
Modelhome complex/temporary sales office	48	48	48	48	48	48	48	48	48	48	48	48	48/69	
Residential care facility *	5	5	5	5	5	5	5	5	5	5	5	5	5/69	5
Residential hotel—SRO *														
Rooming and boarding house *	2	2	2	2	2	5	5	5	5	5	5	5	5/69	
School—Public or private (K—12) *	5	5	5	5	5	5	5	5	5	5	5	5	5/69	5
Second residential unit *	30	30	30	30	30	30	30	30	30	30	30	30	30	30
Single-family dwelling *	26	26	17	26	26	26	26	26	26	26	26	26	26/69	26
Temporary residential building	65	65	65	65	65	65	65	65	65	65	65	65	65/69	65
Temporary residential shelters	5	5	5	5	5	5	5	5	5	5	5	5	5/69	5





Table 17.24.030A – Commercial Land Use Chart (Continued)

	RE	R-1	R-1A	R-1B	R-2	R-2A	R-2B	R-3	R-3A	R-4	R-4A	R-5	RMX	RO
Laboratory—Medical, dental, optical											14	14	14/69	14
Laundry, commercial plant														
Laundromat—Self service cleaner								7	7	7	7	7	69	
Major medical facility *														
Medical clinic or office *								7	7	7	7	7	69	77
Mini storage/locker building														
Mortuary														
Motel *														
Non-profit organization—Food prep for off-site consumption *		5	5	5	5	5	5	5	5	5	5	5	5/69	5
Non-profit organization—Food storage and distribution *		5	5	5	5	5	5	5	5	5	5	5	5/69	5
Non-profit organization—Meal service facility *		5	5	5	5	5	5	5	5	5	5	5	5/69	5
Non-residential care facility *		5	5	5	5	5	5	5	5	5	5	5	5/69	5
Nursery for plants and flowers														
Offices											7	7	69	77
Parking lot, garage or facility		43	43	43	43	43	43	43	43	43	43	43	43/69	43
Penal institution		5	5	5	5	5	5	5	5	5	5	5	5/69	5
Pest control company														
Photographic studio								7	7	7	7	7	69	
Prescription pharmacy, optician														
Printing and blueprinting											14	14	69	14
Produce stand	5	5	5	5	5	5	5	5	5	5	5	5	5/69	5
Recycling facilities														
Residential Hotel—SRO *											50	50	50/69	50
Restaurant *								7	7	7	7	7	69	
Retail stores *								7	7	7	7	7	33/69	
RV/Mobilehome sales yard														



Table 17.24.040A - Industrial and Agriculture Land Use Chart

	RE	R-1	R-1A	R-1B	R-2	R-2A	R-2B	R-3	R-3A	R-4	R-4A	R-5	RMX	RO
Agriculture—General uses														
Agriculture—No structures														
Animal or poultry slaughter														
Antenna/communication tower *	58	58	58	58	58	58	58	58	58	58	58	58	58	58
Assembly of electrical &/or electronic equipment														
Assembly of plastic &/or rubber items														
Auto dismantler *														
Beverage bottling plant														
Billboard manufacture														
Boat building (small)														
Concrete batch plant														
Cement or clay products manufacturing														
Contractor's storage yard														
Dairy processing plant														
Electrical transmission facilities	61	61	61	61	61	61	61	61	61	61	61	61	61	61
Food processing plant														
Fuel storage yard *														
Garment shop														
Hazardous waste facilities *														
Hog ranch														
Ice manufacture—Cold storage plant														
Junk yard *														
Laboratory—Research, experimental														
Livestock sales yard														
Lumber yard—Retail														
Machine shop														



Table 17.60.020 Basic Height and Area Chart

Zone	Location	Maximum Height (Ft.)	Minimum Yard Requirements				Required Minimum Court	Max Lot Coverage/ Bldg Size	Minimum Lot Area per DU in Sq. Ft.	Maximum Density (DU per Net Acre)
			Front	Rear	Interior Side	Street Side				
RE	General	35 ft.	(1)	15 ft.	5 ft.	12 1/2 ft.	NA	21,780	2.0	
R-1	General	35 ft.	(1)	(2)	(3)	12 1/2 ft.	NA	5,200 I/ 6,200 C	8.4 I/ 7.0 C	
R-1A	General	35 ft.	(5)	(5)	(5)	(5)	NA	(5)	(5)	
R-1B	General	35 ft.	(1)	(2)	(3)	(3)	NA	NR	NR	
R-2	General	35 ft.	(1)	(2)	(3)	12 1/2 ft.	NA	2,600 I/ 3,100 C	16.8 I/ 14.1 C	
R-2A	General	35 ft.	(1)	(2)	(3)	25 ft.	(25)	2,500	17.4	
R-2B	General	35 ft.	(1)	(2)	(3)	25 ft.	(25)	2,000	21.8	
R-3	General	35 ft.	(1)	(2)	(3)	25 ft.	(25)	<del>1,500</del> 1,450	30.0	
R-3A	General Central city	35 ft. -8	(1) (1)	(2) (2)	(3) (3)	25 ft. (3)	(25) (25)	1,200 1,200	36.3 36.3	
R-4	General Central city	35 ft. -8	(1) (1)	(2) (2)	(3) (3)	(3) (3)	(25) (25)	750 750	58.1 58.1	
R-4A	General	55 ft.	(1)	(2)	(3)	(3)	(25)	396	110.0	
R-5	Central city	-6	(1)	(2)	(3)	(3)	(25)	(6)	(6)	
RMX	General Central city	(24) (8)	(1) (28)	(2) (2)	(3) (3)	(3) (3)	(25) (25)	1,200 1,200	36.3 36.3	
RO	General Central city	35 ft. 35 ft.	(1) (1)	(2) (2)	(3) (3)	12 1/2 ft. (3)	(25) (25)	1,200 1,200	36.3 36.3	
OB	General Central city	35 ft. (8)	(1) (1)	(2) (2)	(3) (3)	12 1/2 ft. (3)	NA NA	NA NA	NA NA	
EC	General	(23)	(23)	(23)	(23)	(23)	NA	(23)	(23)	

HC	General Central city	35 ft. (8)	50 ft. 50.ft.	15 ft. 15 ft.	15 ft. 15 ft.	50 ft. 50 ft.	NA NA	40% (9)	NA NA	NA NA	NA NA
SC	General Central city	35 ft. (8)	20 ft. 20 ft.	(10) (10)	(11) (11)	20 ft. 20 ft.	NA NA	NR (9)	1,500 1,500	29.0 29.0	29.0 29.0
C-1	General Central city	(17) (8)	(16) (16)	(16) (16)	(16) (16)	5 ft. 5 ft.	(25) (25)	(15) (9)	1,500 1,500	29.0 29.0	29.0 29.0
C-2	General Central city	(17) (8)	(16) (16/29)	(16) (16/29)	(16) (16/29)	5 ft. (16/29)	(25) (25)	(15) (9)	4,500 (6) (31)	(31) (31)	(31) (31)
C-3/CBD	Central city	(26)	NR	(10)	(11)	NR	(25)	(9)	NR	NR	NR
C-4	General Central city	75 ft. (18)	(12) NR	(10) (10)	(11) (11)	NR NR	NA NA	NR (18)	NA (18)	NA (18)	NA (18)
M-1	General Central city	75 ft. (18)	(12) NR	(10) (10)	(11) (11)	NR NR	NA NA	NR (18)	NA (18)	NA (18)	NA (18)
M-1S	General Central city	75 ft. (18)	25 ft. 25 ft.	(10) (10)	(11) (11)	25 ft. 25 ft.	NA NA	NR (18)	NA (18)	NA (18)	NA (18)
M-2	General Central city	75 ft. (18)	(12) NR	(10) (10)	(11) (11)	NR NR	NA NA	NR (18)	NA (18)	NA (18)	NA (18)
M-2S	General Central city	75 ft. (18)	25 ft. 25 ft.	(10) (10)	(11) (11)	25 ft. 25 ft.	NA NA	NR (18)	NA (18)	NA (18)	NA (18)
MIP	General	(20)	(20)	(20)	(20)	(20)	NA	(20)	(20)	(20)	(20)
MRD	General	(22)	(22)	(22)	(22)	(22)	NA	(22)	(22)	(22)	(22)
H	General Central city	(13) (8)	25 ft. (1)	(14) (14)	(14) (14)	25 ft. (14)	NA NA	NR (9)	NA NA	NA NA	NA NA
SPX	General	(21)	(21)	(21)	(21)	(21)	NA	(21)	(21)	(21)	(21)
TC	General	(27)	(27)	(27)	(27)	(27)	NA	(27)	(27)	(27)	(27)
A	General	50 ft.	(1)	15 ft.	10 ft.	12 1/2 ft.	NA	NR	*5 ac	0.2	0.2
A-OS	General	50 ft.	50 ft.	50 ft.	25 ft.	50 ft.	NA	NR	*20 ac	0.05	0.05
F	General	(19)	(19)	(19)	(19)	(19)	NA	(19)	(19)	(19)	(19)

### Code Change

Update M-1/M-1S Zone to ensure better consistency with Employment Center Low Rise by moving some uses from "By Right" to "Special Permit."

The intention is to create a greater difference in allowed uses between M-1 and M-2 so that M-2 is the primary "heavy industry" zone and M-1 is primarily "clean and green" light industrial.

#### **Recommended Actions:**

- In Table 17.24.040B (Industrial and Agriculture Land Use Chart), change "x" (allowed by right) to "5" (special permit requirement) under M-1 and M-1S for the following uses: Concrete batch plant, Contractors storage yard, Dairy processing plant, Food processing plant, Lumber yard—retail, Planing mill, Public utility yard, Terminal yard—trucking, Truck and tractor repair.
- In Table 17.24.030B (Commercial Land Use Chart), add footnote "5" (special permit requirement) under M-1 and M-1S to the following uses: Auto sales (new/used), service, repair, storage; Towing service and storage yard.



## **PROCESS STREAMLINING BUNDLE '09-A**

- Allow fence heights in residential zones along alleys to go up to 8 feet high (currently 6 ft)
- Remove the requirement in Title 16 for Lot Line Adjustments/Parcel Mergers to go to Subdivision Review Committee (SRC)
- Eliminate the requirement for ZA Special Permit to demolish a residence and leave vacant
- Require maps for half-plex lots be finalized after structures are actually built
- State that a violation of a condition of approval of an entitlement equals a violation of the code
- Add false statements on an application or at a hearing equal grounds to revoke the action
- Eliminate the requirement for a parking pad for a garage conversion to be located outside the setback areas
- Eliminate Footnote 33 from the land use code as it does not make sense and replace with “x” where appropriate
- Several clean up changes to make references consistent for current organizations, definitions for clarification and other miscellaneous items.