

Proposed El Camino Special Planning Area Feasibility Study Community Forum – Public Comments & Questions

July 15, 2008

Following is a summary of public comments and questions from the July 15 community forum for the proposed El Camino special planning area (SPA) feasibility study. For next steps and updates on this effort, check out our website at www.planning.saccounty.net and click on the link for the proposed El Camino SPA feasibility study.

Comment Card Feedback

Following are comments obtained from the index cards that were distributed for the meeting's question and answer session.

Special Planning Areas

- How many residents will be on the SPA committee? If we don't have at least 50% representation within the SPA committee, it seems pointless.
- Who would review the use under the SPA?
- What are SPA's needed for?
- Do SPA's cost additional money?
- What are the names of those selected from the neighborhood to be in the committee? What were the objective criteria used to select the above people?

Sidewalks, transit service and traffic congestion

- I would like to see sidewalks, bike lanes and more transit on El Camino Avenue.
- Placing speed bumps on Greenwood Avenue to slow traffic traveling between El Camino and Marconi Avenues?
- How often does the bus run on El Camino Avenue and what days / hours does it operate?
- Sidewalks on El Camino were approved years ago and are still not in – where are they?

Next steps

- The area to receive the survey should include all areas that will be affected. Certainly students and their families at El Camino H.S. will be affected even though they are several blocks away. Who should be notified of the survey? Much larger than 500 feet.
- County in financial trouble. Have we not done enough community surveys?
- For the survey, I would request that responses only be counted for persons who disclose their name and home address.

Draft study area boundaries

- What is the logic for the shape of the study area?
- What is the reason for including the school section inside the SPA? Why does it go into the residential area instead of the major streets around the school?
- Very concerned about method of notifying impacted neighborhood more than contacting those within 500 square feet. Are there restrictions on use of land when it is adjacent to a public school?

Flooding

- Flooding
- Population density; flooding concerns

Miscellaneous

- There is no member of the Arden Arcade Community Planning Council from our area. How can they represent us?
- How much Regional Housing Need Allocation is to go into Arden Arcade?
- Need to look at RD-30 density to include Marconi Avenue – as this greater area has greatest density in the County according to previous meetings.

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- What efforts have been made to reach the community bounded by Marconi, Eastern, El Camino and Mission Avenue and contiguous property owners? 500' is insufficient. Add all affected property owners to your contact list.
- Posted list of names and addresses of any Boards, Supervisors, council members, Arden Arcade members, etc., for letters to be sent or contacts for information.

Note: Contact information for the Sacramento County Board of Supervisors is available at this website: <http://www.bos.saccounty.net/index.htm>

*To obtain contact information for members of the Arden Arcade Community Council, please contact
Bobbe Dworkis, Central Area Service Area Manager
2500 Marconi Ave. Sacramento, CA 95821
P: 916-876-5241 dworkisb@saccounty.net*

Public Comments & Questions

Following are verbal public comments recorded by the staff note taker the meeting's question and answer session. They are divided into categories. Some of these categories include legal concepts like Covenants, Conditions and Restrictions, which were described during the meeting's initial informational presentation. More information on these concepts are available in the question and answer section, below.

Special Planning Areas

- What can an SPA do for the study area, and what are its limitations?
- Who would make the final decision on whether to adopt an SPA?
- Who decides permitted uses for an SPA? There should be community involvement in this process
- When an SPA conflicts with underlying zoning, which standards are used?
- Which is stronger, an NPA (Neighborhood Preservation Area) or an SPA? What is the difference between the two?
- Can an SPA prevent multiple family housing?
- What recourse does the community have if the County breaks its agreements on an SPA?
- Can the County adopt an SPA without community consent?
- What are the names of SPA committee members?
- What is the cost for an SPA?
- What is the timeline for an SPA?
- This effort will not be good for the community

Single Family and Multiple Family Zoning Designations

- What designation were the study area RD-30 parcels before they were designated RD-30?
- Why were these parcels zoned RD-30?
- Why is staff investigating an SPA when residents say they want to rezone the area to single family zoning?
- There are benefits to multiple family housing. They provide housing options. There are people who benefit from multiple family housing
- Taxes and charitable donations benefit low income residents. There is no responsibility to provide additional affordable housing in the study area
- What are the multiple family design guidelines?
- Multiple family zoning is a cancer that must go into remission
- Zoning should return to pre-1980 zoning, or single family zoning
- Are public schools permitted by-right under the existing zoning?
- Are there restrictions on land use near public schools?
- What are all of the land use options for the study area?

Straw poll

- Attendees requested a straw poll of all meeting attendees to determine support for allowing single family uses only, for the study area:
- 70 attendees favored allowing single family uses only

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- 1 attendee did not favor allowing single family uses only
- 1 attendee had no opinion
- *Note: At a previous meeting on this effort, held April 30, 2008, a straw poll was also requested. The result of that straw poll was that 42 of 63 total attendees voted that they favored single family zoning for the study area, and 2 attendees voted that they favored multiple family zoning. The remainder either did not vote, or were not present when the poll was taken.*

Next steps

- What are the next steps and what will be the community input for next steps?
- Who will determine the survey questions if a community survey is taken for this effort?
- Will a public committee be created to write the survey questions?
- Will an option to rezone be included in survey questions?
- The County should have further open meetings to discuss options for the study area
- A community survey area should include parents of students attending the high school
- A community survey should require respondents' names and addresses
- A community survey should be mailed to a larger radius than 500 feet from the study area
- What is the timeline for this project?
- Tonight's meeting is representative of community sentiment on zoning for the study area. The County should save money on a community survey and use the results of tonight's straw poll to determine zoning for the study area
- The County will do what it wants, regardless of public input

Sidewalks, transit service and traffic congestion

- Crime is a bigger concern than sidewalks
- The County promised sidewalks on El Camino Avenue, but never delivered them
- Staff contact information for Regional Transit employees should be included in the meeting summary for this meeting
- When do busses run on El Camino Avenue?
- Locating neighborhood retail near residential uses will increase traffic congestion in the residential areas

Draft study area boundaries

- What is the rationale for the draft study area boundaries?
- Why is the high school included in the draft study area?
- The draft study area boundaries are fishy
- What is the difference between the draft study area and the special planning area?
- The study area boundary should be smaller

Flooding

- Flooding is a significant problem near the study area
- The County has not sufficiently addressed flood control near the study area
- The County's flood control system is "patchwork" and is not effective
- More development and multiple family housing near the study area will increase flooding there

Note: Any planning effort must be reviewed and approved by the Sacramento County Department of Water Resources (DWR). The DWR evaluates projects and makes recommendations to ensure that they will not negatively impact drainage and other conditions. Please contact Mark Rains, Associate Civil Engineer at DWR, for further questions and concerns regarding flood control in this area: Tel. 916-874-6851 / E-mail rainsm@saccounty.net

Covenants, Conditions & Restrictions

- What is the recent history of CC&R litigation in Sacramento County?

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- Development proposals for multiple family housing have been approved by Sacramento County, for properties with CC&Rs that prohibit multiple family housing. Sacramento County should maintain a listing of all CC&Rs, and notify applicants of existing CC&Rs, to prevent this from happening

Community options

- Residents have multiple options to deal with illegal actions by Sacramento County, including litigation
- This meeting is intended to increase comfort level and to lull residents. Community members should meet separately from County staff, with legal counsel

Miscellaneous

- Are there many areas in Arden Arcade designated to accommodate the Regional Housing Need Allocation?
- Is there any existing official correspondence that indicates a staff recommendation for this effort?
- Preserve El Camino Fundamental High School as an outstanding high school
- Traffic congestion on the study area will get worse
- Two addresses on El Camino Avenue have potential to be developed with multiple family housing – the County should notify nearby residents if this happens
- Is a moratorium on multiple family development possible?
- Public meetings records for Sacramento County agencies indicate that the County intends to convert El Camino High School into a transit center, surrounded by high density housing
- There is no member of the Arden Arcade Community Planning Council in my neighborhood, and I am not sufficiently represented
- The Arden Arcade Community Action Plan survey was invalid, and the results should be discarded
- Provide more information on the Coleman settlement
- Does the County plan to use eminent domain in the study area?
- Noticing for public meetings for this effort should go to a larger radius than 500 feet from the study area, so that a larger portion of people who live near the study area can participate in this effort
- If the SACOG Blueprint and the Sacramento County General Plan determine land uses for the study area, then study area decisions would be made by people from outside of the study area

Question & Answer

Following are answers to the primary sets of public questions that were asked during the meeting's question and answer session:

Next steps

Q. What are the next steps for this effort and what will be the community input for next steps? What is the timeline for this effort?

A. Public feedback from this forum, and other public meetings on this effort, has presented a strong message on desired land uses for the parcels located on the north side of El Camino Avenue, between Eastern and Mission Avenues. Attendees have shown strong support for encouraging single family uses and discouraging multiple family uses there. Attendees requested that feedback from these workshops be used in lieu of a community survey on this effort.

Feedback from these workshops, and feedback from property owners of the subject parcels, will be used in lieu of a community survey on this effort. County staff will report back to the Sacramento County Board of Supervisors with a summary of feedback and a staff recommendation for action on this project. This report back will be a legally noticed public hearing. Expect a hearing date sometime during Fall 2008.

Q. Who will determine the survey questions if a community survey is taken for this effort? Will a public committee be created to write the survey questions? Will an option to rezone be included in survey questions?

A. Public feedback at previous public meetings on this effort was in favor of rezoning the study area to single family zoning. Feedback from these workshops, and feedback from property owners of the subject

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parcels, will be used in lieu of a community survey on this effort. There will be no community survey associated with this effort.

Special Planning Areas

Q. What is an SPA? What can it do and what are its limitations? Can it prevent multiple family housing?

A. An SPA is a set of land use and development standards that is specifically created to accommodate the special needs of a given geographic area. An SPA that is applied to an area can supersede existing zoning. Zoning regulates land use and development standards. Zoning designations such as RD-30 or RD-5 are predetermined sets of development standards and land use specifications. An SPA is a zoning designation that is unique to a given geographic area, created to accommodate its special needs.

Its limitations are existing laws and policies. An SPA may not regulate any land use or development standard if it violates State or Federal laws. Additionally, SPAs should be consistent with policies contained in land use plans adopted by public hearing, such as the SACOG Blueprint or the Sacramento County General Plan. It is possible for an SPA to prevent multiple family housing, if permitted existing laws and policies.

Q. Who would determine uses for an SPA?

A. If an SPA were pursued, a community working group would be established to help recommend uses. Uses for an SPA would require approval by the Sacramento County Board of Supervisors.

Q. What is the cost for an SPA? What is the timeline?

A. The timeline for an SPA would likely be about 9 months. The cost to the County planning department would be approximately \$17,700.

Q. Which is stronger, an NPA (neighborhood preservation area) or an SPA? What is the difference between the two?

A. Neither is stronger, but they serve different purposes. An SPA is used to establish different uses and standards from those contained in the pre-established zoning designations. An SPA can stand alone as a zoning designation for the area described by the SPA document, if there is no underlying zoning designation for that area. An NPA is used to preserve uses and standards for areas having unique architectural, environmental, social or other characteristics. An NPA cannot stand alone as a zoning designation, without an underlying pre-established zoning designation.

Q. Can the County adopt an SPA without public consent? Who would make the final decision on whether to adopt an SPA? If the County adopts an SPA and breaks its agreements on the SPA, what recourse does the community have?

A. No SPA may be adopted without a public hearing before the Board of Supervisors. An SPA is an ordinance, which is a law. Once adopted, therefore, it would be legally binding. As with other ordinances, including the Zoning Code, the County would be obligated to adhere to it.

Q. What are the names of the SPA committee members?

A. There is no committee existing for the proposed feasibility study.

Single Family and Multiple Family Zoning Designations

Q. Why is staff investigating an SPA when residents say they want to rezone the area to single family zoning?

A. Staff continues to consider an SPA as a way to address community concerns regarding multiple family housing, because rezoning to a single family residential designation is not consistent with existing adopted land use plans.

The SACOG Blueprint is plan for “smart growth” land use in the Sacramento region, and has been adopted by jurisdictions region-wide. Rezoning the study area to single family zoning is not consistent with the SACOG Blueprint, in staff’s opinion. The Sacramento County General Plan update aims to

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support the SACOG Blueprint. Both documents were crafted through an extensive community outreach and public hearing process; and both documents affect land use decisions in the study area.

“Smart growth” is a set land use principles designed to improve air quality by reducing automobile dependency; to preserve agricultural land and open space by reducing urban sprawl; and to enhance communities with high-quality pedestrian-friendly design and community amenities. Smart growth principles include compact, transit-supportive, pedestrian-friendly land use and mixed-use development with a range of housing choices. For more information on smart growth, visit the website for the SACOG Blueprint: www.sacregionblueprint.org

Additionally, the Planning Department works closely with Sacramento Regional Transit to ensure sufficient transit provision throughout the unincorporated County. El Camino Avenue is a major transit corridor. Lowering residential density on a major transit corridor, by rezoning to single family zoning, would not support transit service.

Q. What designation were the study area RD-30 parcels before they were designated RD-30? Why were these parcels zoned RD-30?

A. The last major rezoning of the study area was pursuant to the Arden Arcade zoning consistency hearings the 1980s. Prior to that, properties in the study area were zoned R-1-A, a residential designation that no longer exists. Presumably the decision to rezone the parcels was based on the same considerations that currently exist. These include the provision of transit-supportive residential densities on a major transit corridor, and urban infill development to slow urban expansion into agricultural areas.

Q. What are the Multiple Family Design Guidelines?

A. The Multiple Family Design Guidelines have been developed to provide consistent design principles for multiple family residential developments. Their purpose is to help the County, community members, and developers to create design recommendations and standards for multiple family developments that are easy to understand and will result in well-designed projects. The Multiple Family Design Guidelines supplement the Zoning Code, and do not supersede it. They also provide for greater community oversight for multiple family developments, as they require discretionary review for projects that do not meet certain criteria. Click [here](#) for a link to the Multiple Family Design Guidelines, or copy and paste this address into your web browser:

<http://www.planning.saccounty.net/Multifamily%20Guidelines/pdf/AdoptedMultiFamily%20Design%20Guidelines.pdf>

Q. Are public schools permitted by-right under the existing zoning? Are there restrictions on land use near public schools?

A. Public schools are permitted by-right under current zoning in the study area. Restrictions exist for some commercial land uses near public schools, but not for residential land uses.

Q. What are all of the land use options for the study area?

A. Possible land use actions for addressing community concerns in the study area have been narrowed to two options. One is to adopt an SPA with land use and development standards that would address community concerns regarding multiple family housing. Another is to rezone the study area to a single family zoning designation. Rezoning is legally feasible for the properties referenced in Action L3-1 of the Arden Arcade Community Action Plan. However, in staff’s opinion, rezoning the area to single family zoning is not consistent with existing adopted land use plans, including the SACOG Blueprint and the Sacramento County General Plan. Rezoning is also not supportive to sustained transit service to the study area. Alternatively, it is also possible to take no land use action for the study area.

Sidewalks, transit service and traffic congestion

Q. When do busses run on El Camino Avenue?

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Busses on El Camino Avenue run regularly, at least hourly, between 5 a.m. to 10 p.m. on weekdays and between 8 a.m. and 8 p.m. on weekends. Here is the link to Route 23, the Regional Transit route that serves the study area: <http://www.sacrt.com/schedules/current/routes/R023.htm>

Q. Who are staff for this effort at Sacramento Regional Transit?

Sacramento Regional Transit staff that have provided information for this effort are:

Traci Canfield, Planner

Tel. 916-321-2800

E-mail tcanfield@sacrt.com

Don Smith, Planner

Tel. 916-321-2800

E-mail dsmith@sacrt.com

Q. Why are there no sidewalks on El Camino Avenue?

A. The Sacramento County Pedestrian Master Plan was approved by the Board of Supervisors in November 2007. The installation of sidewalks along El Camino Avenue between Mission and Eastern Avenues is shown as a high priority project in this plan. Sidewalks are expected to be constructed along this portion of El Camino in 2010.

Click [here](#) for a link to the Pedestrian Master Plan, or copy and paste this address into your web browser:

http://www.sacdot.com/projects/ADA%20and%20Pedestrian%20Projects/Pedestrian_Plan/default.asp

The Pedestrian Master Plan was a multi-year planning effort with public outreach to communities county-wide. In Arden Arcade, significant community concern was expressed about the placement of sidewalks in residential neighborhoods. Concerns included required rights-of-way, possible tree removal, and compatibility with neighborhood character.

Click [here](#) to view the County Department of Transportation response to these concerns, as well as other materials associated with the November 2007 adoption of the Pedestrian Master Plan. Alternatively, copy and paste this address into your web browser:

<http://www.agendanet.saccounty.net/sirepub/cache/2/mivnxo45iehfxl45u3qjh445/307656807242008071923374.PDF>

Q. Will locating neighborhood retail near residential uses will increase traffic congestion in the residential areas?

A. Neighborhood retail uses, such as local markets or cafés, serve a small, localized neighborhood area, and do not attract automobile traffic from outside of the neighborhood. A primary function of locating neighborhood retail in walking distance of residential areas is to reduce traffic congestion. When residents can walk to accomplish basic tasks, such as buying a loaf of bread or meeting a friend for coffee, they are likely to make fewer automobile trips. Fewer automobile trips means less traffic congestion.

Draft study area boundaries

Q. What is the rationale for the draft study area boundaries? Why is the high school included in the draft study area?

A. The draft study area boundaries were created for preliminary discussion on this effort. They include properties that may affect conditions in the study area. The boundary includes the high school because the high school is a significant land use to the study area, and may help determine needs for sidewalk improvements and transit service. It also includes commercial properties that may serve the study area, and other properties on nearby major streets, with similar rights-of-way as the study area. There is no scientific methodology behind the creation of this boundary, as it is draft, and for preliminary discussion only. The boundary can be entirely discarded, if it is a source of confusion.

Q. What is the difference between the draft study area and the proposed special planning area feasibility study?

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A. The proposed El Camino special planning area feasibility study is called for in Action L3-1 of the Arden Arcade Community Action Plan. The draft study area is a draft boundary created for preliminary discussion on the proposed special planning area feasibility study. The “study area” terminology was used on more recent invitations and correspondence, instead of “special planning area,” out of respect for community concerns that the proposed special planning area feasibility study is predetermined.

Covenants, Conditions & Restrictions

Q. What is the recent history of CC&R litigation in Sacramento County? Can the County let all project applicants know of CC&Rs existing on their property?

A. The County has not been legally challenged regarding project approvals that conflict with existing CC&Rs. Informing a property buyer of existing CC&Rs on a property is the legal responsibility of the property seller. There can be hundreds of CC&Rs in a given jurisdiction, and homeowners associations have no obligation to report their CC&R's existence, or any changes to its contents, to any government jurisdiction. It would therefore not be practicable to require the County to track all CC&Rs and inform project development applicants of their existence. Because there is no obligation to report CC&Rs to government jurisdiction, there is no way of ensuring a consistent process of informing applicants of CC&Rs.

Nevertheless, the County Planning Department will investigate the possibility of a CC&R notification program for development project proposals on the parcels referenced in Action L3-1. This would require an agreement with the homeowners association(s) that enforce CC&Rs on those parcels, to keep the County abreast of all CC&R regulations on those parcels.

Miscellaneous

Q. Does the County plan to use eminent domain in the study area?

A. No. The Community Redevelopment Law does not apply to the proposed SPA, and it is not subject to Eminent Domain. Very specific criteria must be met in order to qualify as a redevelopment area under the Community Redevelopment Law. The proposed SPA does not qualify as a redevelopment area under the Community Redevelopment Law. Redevelopment has not been discussed or considered at all for the proposed SPA. For reference, the text of the Community Redevelopment Law is available at the California Housing and Community Development website: <http://www.hcd.ca.gov/hpd/rda/rdalaw.html>

Q. Is a moratorium on multiple family development possible?

A. A moratorium on multiple family development would be possible through the County urgency ordinance process.

Q. Is there any existing official correspondence that indicates a staff recommendation for this effort?

A. No, there is no official staff recommendation for this effort. Additionally, the Sacramento County Board of Supervisors has not made any formal decisions on this effort, except to approve Action L3-1 of the Arden Arcade Community Action Plan, in 2006. Meeting agendas and summaries for previous Board hearings are available at this website: <http://www.saccountyvtv.saccounty.net/index.htm>.

As indicated at the public forum, rezoning a major transit corridor, such as El Camino Avenue, to low density residential zoning would not be transit-supportive and would conflict with the adopted Sacramento County General Plan, as well as the SACOG Blueprint, in staff's opinion. The Blueprint was adopted by jurisdictions region-wide, including Sacramento County. In this context, supporting a rezone to low density residential zoning would not be consistent with best planning practices, in staff's opinion.

Final approval of any action taken is the responsibility of the Board of Supervisors. A range of land use options for the study area, including rezoning to single family residential zoning, will be presented to the Board of Supervisors. All data on public opinion, as well as the stipulations of adopted land use plans, will be presented fully and accurately to the Board of Supervisors for a final decision.

Q. Does the County intend to convert El Camino High School into a transit center?

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A. No. No public records exist to this effect.

Q. Provide more information on the Coleman settlement

A. The Coleman settlement of 1995 was an agreement between the County of Sacramento and plaintiffs represented by Northern California Legal Services. The plaintiffs had previously challenged the adequacy of the adopted County of Sacramento Housing Element's vacant land inventory, on the grounds that it did not provide for adequate affordable housing. The settlement agreement required that the County maintain an inventory of vacant land available for affordable housing until the adoption of the next housing element. The current Housing Element was adopted in 2004 and the settlement ceased being in effect.

Q. Are there many areas in Arden Arcade designated to accommodate the Regional Housing Need Allocation?

A. Approximately one acre of land in Arden Arcade has been identified as a possibility to accommodate the Regional Housing Need Allocation for multiple family housing.