



REPORT TO COUNCIL

City of Sacramento

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STAFF REPORT
June 27, 2006

Honorable Members of the
Sacramento City Council

Subject: Report Back: Alternative development standards for single family and two family residential structures (M06-035)

Location/Council District: Citywide

Recommendation:

Staff recommends that the Sacramento City Council adopt the attached interim ordinance providing alternative development standards for single family and two family residential structures in specified areas of the City of Sacramento.

Contact: Joy Patterson, Senior Planner, 808-5607; David Kwong, Planning Manager, 808-2691

Presenters: Joy Patterson

Department: Development Services

Division: Planning

Organization No: 4870

Summary:

On May 16, 2006 the Sacramento City Council requested that the Development Services Department report back to the City Council within one month on alternative development standards for single family and two family homes. Attached is a proposed interim ordinance which specifies temporary alternative standards for two areas of the city while permanent development standards for single family and two family homes are created.

Committee/Commission Action:

None

Background Information:

At the May 16, 2006 City Council meeting, as part of the budget adoption process, the Council held a hearing on Safe and Affordable Housing – Innovative Housing. As part of the discussion several Council members expressed concerns regarding the massing and lot coverage of new and remodeled single

concerns regarding the massing and lot coverage of new and remodeled single family and two family homes, and that some of these homes had a detrimental impact on the unique character of residential neighborhoods in the city. The Council directed staff to report back in a month with a proposal to deal with massing and lot coverage issues.

Development Services Department staff met internally to address setback, height and lot coverage issues associated with massing issues for single family and two family structures and drafted a set of regulations that would complement the existing height and area chart found in the Zoning Code. Staff reviewed their initial ideas with a working group of people representing the East Sacramento, Alhambra Corridor, Land Park, Oak Park, Alkali Flat, North Sacramento and Midtown neighborhoods. The ideas of the staff and neighborhood representatives were also shared with two representatives of the Development Oversight Commission.

As a result of these meetings, staff prepared a draft interim ordinance that the City Council could adopt while work on permanent regulations continues to go forward. As noted above, the ordinance works as a companion document to the existing height and area chart found in the Zoning Code. The ordinance defines setbacks for the first story and second story of a residence, requiring the second story of the residence to be stepped back from the first story. Maximum ridge and plate heights for first and second floors are also proposed. The ordinance is set up so that the requirements vary with the size of the lot. This is in order to comply with the regulations recently adopted by the Council for smaller infill lots and require more open space around larger homes on larger lots.

If a proposed residential structure does not meet the regulations found in the ordinance, the development would require the review and approval of the Design Review and Preservation Board. The Board would review the compatibility of the proposed construction with the surrounding neighborhood, taking into account the height, massing, and lot coverage of the adjacent residential structures on either side of the proposed construction and the block face on the same side of the street as the proposed construction. The ordinance would not grant the Board the authority to grant variance to the yard, lot coverage, height, and other regulations of the Zoning Code.

In meeting with the neighbors, it was discovered that writing an ordinance to cover a variety of neighborhoods, built in different eras, is extremely difficult. The attached interim ordinance currently specifies two test project areas: the East Sacramento Community, east of the Alhambra Corridor Special Planning District; and the North Sacramento Community Plan area. These areas are designated in the attached Exhibit A. These two areas were chosen because one area, East Sacramento, is not in a design review district and the other area, North Sacramento, represents an area with limited design review for single family and two family construction, but does not include massing and setback criteria. Many

of the concerns regarding massing and lot coverage are not for new construction, which is covered by the existing citywide single family/two family checklist, but the remodeling of existing single family and two family structures. The interim ordinance would apply to the remodeled portions of existing homes in these areas. The ordinance also applies to single family and two family homes in all zoning districts; however, it is anticipated that the majority of the homes reviewed will be located in the Standard Single Family (R-1) zone.

Staff shared the first draft ordinance with the working group and a member of the Development Oversight Commission on June 12, 2006. The working group was generally supportive of the document, but had four suggestions for modification. They are:

1. The Design Review and Preservation Board should consider the context of the project in relation to both sides of the street, not just one side of the street.
2. Design criteria should be specified for the Board to apply if the area where the project is located does not have any design criteria. The group recommended using the Central City Neighborhood Design Guidelines.
3. Noticing to neighbors should be included.
4. The ordinance should take a simplified approach. Any building over 15 feet in height (to the plate line) should be reviewed by the Board under the interim ordinance. If the building is less than 15 feet high (to the plate line) but more than one story, the second story should be stepped back from the first story or review by the Board is required.

Development Services Department staff has incorporated the first two suggestions into the attached ordinance. Regarding notice to the neighbors, any public hearing conducted by the Design Review and Preservation Board requires that a notice be sent out to the neighbors a minimum of 10 days before the hearing and that the project site is posted with a public notice. Design Review staff also sends out early notification to neighborhood groups and adjacent property owners when a Board application is received. Regarding the fourth item, the attached proposed ordinance does require that the second story of the home be stepped back from the first level, or review by the Board will be required. Staff believes, however, that the second suggestion, to review all single family and two family homes over 15 feet high, would result in review of almost all new and remodeled homes in the designated areas. Staff recommends that the City Council take the approach of giving an applicant the step back requirements found in the interim ordinance and have staff continue to work towards developing a more permanent solution. Staff modifications to the ordinance from the June 20th draft are indicated in bold in the attached ordinance.

If the interim ordinance is adopted by the Council, it will be effective 30 days from the date of adoption, and it is contemplated that the interim ordinance will be in effect for a period of 180 days. During the next six months staff will work on permanent regulations that will be reviewed by neighborhood and community groups, the Planning Commission, the Development Oversight Commission and the Law and Legislation Committee, and then brought forward for City Council review and approval.

Financial Considerations:

There are no financial considerations associated with this report.

Environmental Considerations:

The proposed amendment to the City Code is exempt under CEQA Section 15061(b) (3).

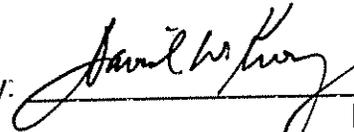
Policy Considerations:

The proposed ordinance is consistent with the City's Strategic Plan, three-year goal, to achieve sustainability and livability in the City of Sacramento.

Emerging Small Business Development (ESBD):

No goods or services are being purchased under this report.

Respectfully Submitted by:



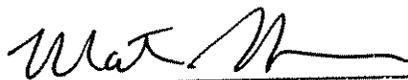
David Kwong
Planning Manager

Approved by:



William Thomas
Director of Development Services

Recommendation Approved:



for
RAY KERRIDGE
City Manager

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ORDINANCE NO.

Adopted by the Sacramento City Council

Date Adopted

AN INTERIM ORDINANCE ESTABLISHING SPECIFIC REGULATIONS PERTAINING TO LOT COVERAGE, MASSING AND SCALE FOR SPECIFIED RESIDENTIAL NEIGHBORHOODS IN THE CITY OF SACRAMENTO (M06- 035)

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

SECTION 1. The City Council of the City of Sacramento finds and declares as follows:

- A. There has been an increase of building permit applications in existing residential neighborhoods for single family and two family residential construction; and
- B. There is the potential for these new and remodeled homes to have a detrimental impact on the unique character of several distinctive residential neighborhoods of the city in terms of scale, massing and lot coverage; and
- C. Ensuring that these distinctive residential neighborhoods remain safe, livable, and economically vital, and that the character of these neighborhoods is preserved, promotes the health, safety, and welfare of the residents of the city.

SECTION 2.

- A. This ordinance shall apply only in the geographical areas within the city of Sacramento shown on the attached Exhibit A.
- B. For purposes of this ordinance, single family and two-family dwellings shall include second units.
- C. Notwithstanding the provisions of Chapter 17.60 of Title 17 of the Sacramento City Code (the Zoning Code), **and except as provided in subsection I, below**, the following more restrictive requirements relating to minimum front and side yards, maximum lot coverages, and

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maximum heights shall apply to the construction of new single family and two family dwellings and to additions to and the remodeling of existing single family and two family dwellings that require a building permit:

Lot Size (Sq. Ft.)	Min. Front Yd. (Ft.)	Min. Street Side Yd. (Ft.)	Min. Int. Side Yd. (Ft.)	Max. Lot Coverage	Max. Ridge Height (Ft.)	Max. Plate Height** (Ft.)
<4500						
1 st story	(1)*	12.5	(3)	50%	20	10
2 nd and all add'l stories	(2)	(2)	(4)		30	20
4500- 4999						
1 st story	(1)	12.5	(3)	50%	20	10
2 nd and all add'l stories	(2)	(2)	(4)		30	20
5000- 8000						
1 st story	(1)	12.5	(5)	40%	20	10
2 nd and all add'l stories	(2)	(2)	(4)		30	20
8001- 9000						
1 st story	(1)	12.5	(6)	40%	20	10
2 nd and all add'l stories	(2)	(2)	(4)		30	20
9000+						
1 st story	(1)	12.5	(6)	40%	20	10
2 nd and all add'l stories	(2)	(2)	(4)		30	20

*Numbers inside parenthesis () refer to footnotes below.

**Maximum Plate Height is the vertical dimension measured from average elevation of the finished lot grade at the front of the building to the plate line.

- (1) The minimum front yard setback shall be 25 feet or the average of the front setback of the two nearest buildings on the same side of the street on the same block, whichever is less.
 - (2) The second and all additional stories shall be set back at least **six (6)** feet from the first story wall at the front elevation and at least five (5) feet at the street side elevation; **except that the following structures shall not be subject to the more restrictive requirements relating to minimum front and side yards established by this ordinance:** a. **dormer window structures up to a maximum of twelve (12) feet wide;** b. **protruding two story wall sections, a minimum of three feet in depth, up to a maximum of fifteen (15) feet wide;** c. **a minimum five (5) foot wide ground floor porch;** d. **a minimum four (4) foot wide uncovered balcony.**
 - (3) The minimum interior side yard setback shall be three (3) feet on any one side; provided, that the average of both side yard setbacks shall be a minimum of five (5) feet.
 - (4) The second and all additional stories shall be set back at least five (5) feet from the first story wall at all side elevations; **except that the following structures shall not be subject to the more restrictive requirements relating to minimum interior side yards established by this ordinance:** a. **dormer window structures up to a maximum of eight (8) feet wide;** b. **protruding two story wall sections, a minimum of three feet in depth, up to a maximum of thirteen (13) feet wide;** c. **a minimum five (5) foot wide ground floor porch;** a minimum four (4) foot wide uncovered balcony.
 - (5) The minimum interior side yard setback shall be five (5) feet.
 - (6) The minimum interior side yard setback shall be eight (8) feet.
- D. Variations from the minimum front and side yard requirements, maximum lot coverage requirements, and maximum height requirements set forth in this ordinance may be approved by the Design Review and Preservation Board. A request to vary these requirements shall be made as a design review application and shall be noticed, heard, and considered by the Design Review and Preservation Board pursuant to Chapter 17.132 of Title 17 of the Sacramento City Code (the Zoning Code).
- E. The construction of new single family and two family dwellings and additions to or the remodeling of existing single family and two family

dwellings that require a building permit and result in a building with a width of greater than 55 feet when measured at right angles to the lot depth shall be subject to design review by the Design Review and Preservation Board pursuant to Chapter 17.132 of Title 17 of the Sacramento City Code (the Zoning Code).

- F. In reviewing a request for design review of a building with a width of greater than 55 feet under subsection E of this section, or a request to vary the yard, lot coverage, or height requirements of this ordinance under subsection D of this section, the Design Review and Preservation Board shall **evaluate the application in accordance with any applicable design review guidelines plan pursuant to section 17.132.050 of Title 17 of the Sacramento City Code (the Zoning Code) or, if the application is not otherwise subject to any design review guidelines plan, the Board shall apply the Central City Neighborhood Design Guidelines as the Board determines to be appropriate. The Board shall** base its decision on the compatibility of the proposed construction with the surrounding neighborhood, taking into account the height, massing, and lot coverage of the adjacent residential structures on either side of the proposed construction and the block face on **both** sides of the street as the proposed construction.
- G. The authority granted to the Design Review and Preservation Board by this ordinance to vary minimum front and side yard requirements, maximum lot coverage requirements, and maximum height requirements is limited to the more restrictive minimum front and side yard requirements, maximum lot coverage requirements, and maximum height requirements set forth in this ordinance. This ordinance is not intended to and does not grant to the Design Review and Preservation Board authority to grant variances to the yard, lot coverage, height, and other regulations of Chapter 17.60 of Title 17 of the Sacramento City Code (the Zoning Code).
- H. Existing single family and two family dwellings that do not meet the more restrictive yard, lot coverage, or height requirements of this ordinance shall be deemed nonconforming buildings. Design review under subsection D of this section shall not be required for additions to or remodeling of the nonconforming building as long as no additional lot coverage is added and the addition or remodeling conforms to the yard and height requirements of this ordinance.
- I. **This ordinance shall not apply to the construction of new single family and two family dwellings and to additions to and the remodeling of existing single family and two family dwellings that**

are the subject of an application for a special permit for an alternative ownership housing type or that have an active approved special permit for an alternative ownership house type pursuant to section 17.24.050(8) of Title 17 of the Sacramento City Code (the Zoning Code).

SECTION 3.

Except for the minimum front and side yard requirements, maximum lot coverage requirements, and maximum height requirements set forth in this ordinance, all other provisions of Chapter 17.60 of Title 17 of the Sacramento City Code (the Zoning Code) shall apply to the construction of new single family and two family dwellings and to additions to and the remodeling of existing single family and two family dwellings that are subject to this ordinance.

SECTION 4.

This ordinance is enacted by the City Council as an interim ordinance, without notice and hearing before the Planning Commission and City Council as otherwise required by Section 17.208.010 of the City's Zoning Code. It is anticipated that permanent, comprehensive regulations governing single family and two family residential massing, setback and lot coverage regulations, consisting of amendments to Title 17 of the City Code, will be processed in the manner required by Section 17.208.010 within 180 days, and that this interim ordinance will be repealed at that time.

Adopted by the City of Sacramento City Council on _____ by the following vote:

Ayes:

Noes:

Abstain:

Absent:

MAYOR

Attest:

City Clerk

Passed for Publication:

Published:

Effective:

