

# ORDINANCE NO. 2007-014

Adopted by the Sacramento City Council

February 27, 2007

## PERTAINING TO LOT COVERAGE, MASSING, AND SCALE FOR SPECIFIED RESIDENTIAL NEIGHBORHOODS IN THE CITY OF SACRAMENTO AND REPEALING ORDINANCE NO. 2006-037 AND ORDINANCE NO. 2006-066 (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. On June 27, 2006 the City Council enacted Ordinance No. 2006-037, an interim ordinance, that established more restrictive requirements relating to minimum front and side yards, maximum lot coverage, and maximum heights for 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 in specified residential neighborhoods in the City of Sacramento.
- B. At the time Ordinance No. 2006-037 was enacted, the City Council anticipated that permanent lot coverage, massing and scale regulations would be developed and enacted within 180 days. However, permanent regulations have not been finalized. In addition, there is a desire to adopt a different set of interim regulations for the East Sacramento neighborhood and to extend the application of the regulations enacted by Ordinance No. 2006-037 to the Ben Ali neighborhood while the permanent regulations are developed.

**SECTION 2.** Ordinance No. 2006-037 and Ordinance No. 2006-066 are repealed.

**SECTION 3.** The interim lot coverage, massing, and scale regulations enacted by Ordinance No. 2006-037 are re-enacted as set forth below:

- 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 subsections H and I, below, the following more restrictive requirements relating to minimum front and

side yards, maximum lot coverages, and 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. Plate Height** (Ft.)	Max. Ridge Height (Ft.)
<4999						
1 <sup>st</sup> story	(1)*	12.5 feet	(3)	50%	10 feet	20 feet
2 <sup>nd</sup> and all add'l stories	(2)	(2)	(4)		20 feet	30 feet
5000-8000						
1 <sup>st</sup> story	(1)	12.5 feet	5 feet	40%	10 feet	20 feet
2 <sup>nd</sup> and all add'l stories	(2)	(2)	(4)		20 feet	30 feet
8001+						
1 <sup>st</sup> story	(1)	12.5 feet	8 feet	40%	10 feet	20 feet
2 <sup>nd</sup> and all add'l stories	(2)	(2)	(4)		20 feet	30 feet

\*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 twenty-five (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 setback 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 (3) feet in depth, with a gable or hipped roof, 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 twelve (12) feet wide; b) protruding two story wall sections, a minimum of three (3) feet in depth, with a gable or hipped roof, 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.
- 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 Director. A request to vary these requirements shall be made as a design review application and shall be noticed, heard, and considered by the Design Director 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 fifty-five (55) feet when measured at right angles to the lot depth shall be subject to design review by the Design Director 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 fifty-five (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 Director shall evaluate the application in accordance with the citywide design review guidelines and 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 Director shall apply the Central City Neighborhood Design Guidelines as the Director determines to be appropriate. The Director shall base his or her 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 Director 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 Director 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 setback, lot coverage, or height requirements of this ordinance are not subject to design review under subsection D of this section as long as (i) any additions or remodeling to the dwellings conform to the provisions of this ordinance outlined in subsection C, or (ii) the dwelling is damaged or destroyed by disaster and any rebuilding of all or a portion of the dwelling is fully contained within the building envelope of the dwelling as it existed before the disaster.
- 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 4.** 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 5.** 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 will be processed in the manner required by Title 17 of the City Code within 365 days, and that this interim ordinance will be repealed at that time.

**Table of Contents:**

Exhibit A – Area affected by Ordinance

Adopted by the City of Sacramento City Council on February 27, 2007 by the following vote:

Ayes: Councilmembers, Cohn, Fong, Hammond, McCarty, Pannell, Tretheway, Waters.

Noes: Councilmember Sheedy (Recused) and Mayor Fargo (Recused).

Abstain: None.

Absent: None.



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Kevin McCarty, Vice Mayor

Attest:

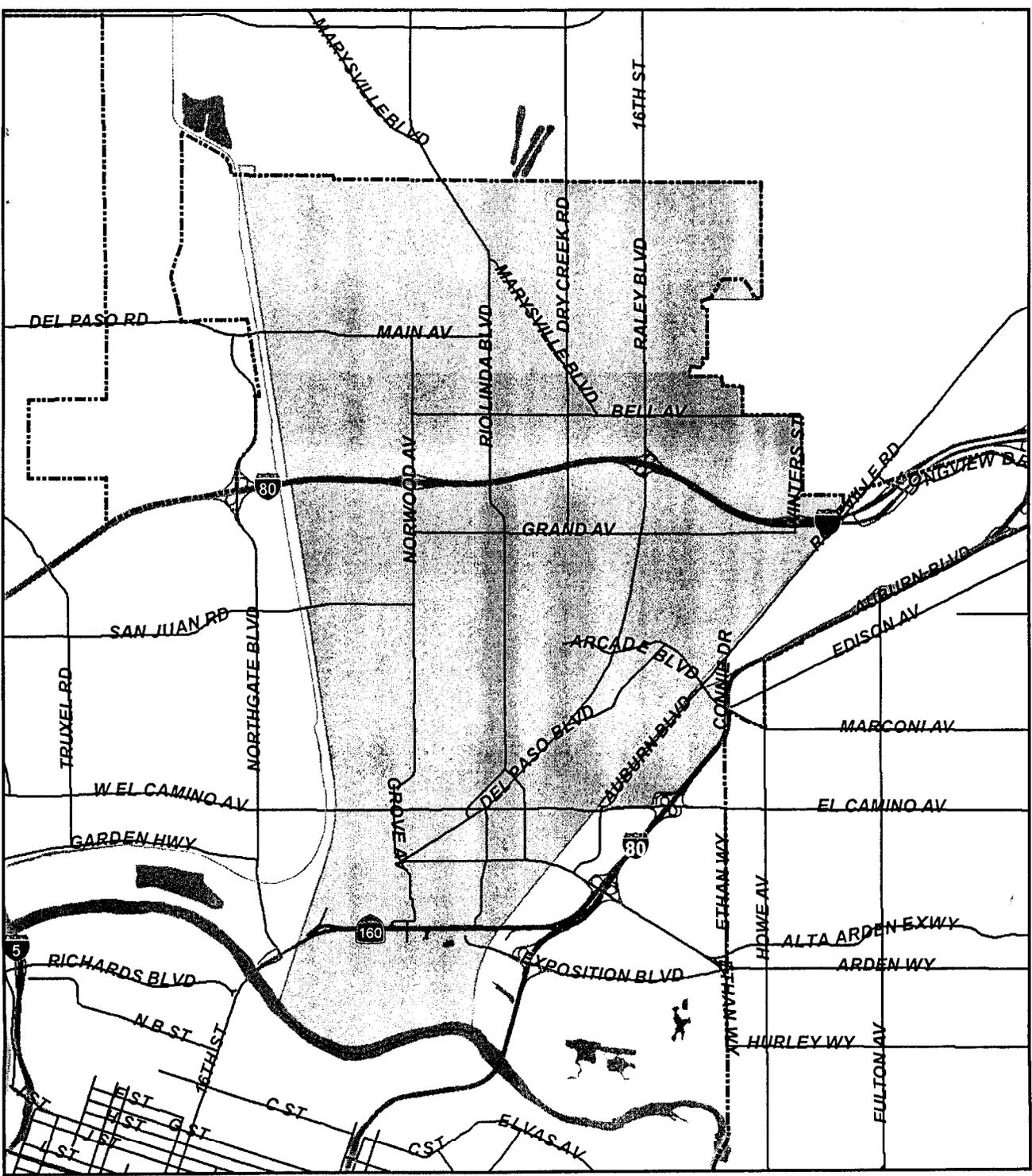


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Shirley Concolino, City Clerk

Passed for Publication February 20, 2007  
Published February 23, 2007  
Effective March 28, 2007

City of Sacramento, Development Services Department Geographic Information System



# Exhibit A

## Alternative Development Standards North Project Area

