REPORT TO COUNCIL
City of Sacramento

17

915 I Street, Sacramento, CA 95814-2671
www. CityofSacramento.org

CONSENT
March 14, 2006

Honorable Mayor and
Members of the City Council

Subject: PFP: Code Amendments Related to Model Infill House Plans. Amendments to Various Sections of Chapter 17.60, 17.80, and 17.132 of Title 17 of the Sacramento City Code (The Zoning Code) Relating to Setbacks, Lot Coverage and Registered House Plans for Single Family Dwellings on R-1 and R-2 Zoned Lots. (M03-194)

Location/Council District:

Citywide

Recommendation:

Development Services staff and the City Planning Commission recommend the following:

1) Review an Ordinance amending various sections of Chapter 17.60, 17.80, and 17.132 of Title 17 of the Sacramento City Code related to setbacks, lot coverage and registered house plans for single-family dwellings; 2) pass for publication of title as required by Sacramento City Charter 32c; and 3) continue to March 21, 2006 for final adoption.

Contact: Ashley Feeney, Assistant Planner, 808-1941; Lucinda Willcox, Infill Coordinator, 808-5052

Presenters: Ashley Feeney, Assistant Planner

Department: Development Services

Division: Planning/Infill

Organization No: 4827 and 4814

Summary:

The Code amendments are a companion item to the City's pilot program for model single family house plans. Certain Code amendments are necessary to allow the program and to facilitate single family infill development on narrower lots to meet the City's design objectives.

Committee/Commission Action:

On February 16, 2005, by a vote of 6 ayes and 3 absent, the Sacramento City Planning Commission voted to recommend approval of the proposed amendments to Title 17 of the City Code and forward to City Council.

Background Information:

Program Summary

The City Council approved a program to develop "model" or "pre-approved" house plans for infill lots with the goal of streamlining the process for development of high quality single-family homes in the City's older neighborhoods and redevelopment areas. The program is intended to facilitate development of these vacant lots and encourage quality residential development in the City. The model infill house plan program was adopted as part of the City's Infill Strategy to address the time, costs, and quality associated with development of the large number of small vacant single-family residential lots within the City. The intent is to provide options for property owners and prospective developers of these infill lots.

Plan Application

The plans are designed to suit lot widths and characteristics of certain neighborhoods while meeting the typical needs for first-time homeowners. Two sets of plans are designed for a 40 to 45-foot lot width typical of older Oak Park and other pre-World War II neighborhoods. Two other plans are designed for 50 to 55-foot lot widths typical of North Sacramento, Del Paso Heights, and south Oak Park. The plans are intended for use in the Oak Park, Del Paso Heights, North Sacramento, Strawberry Manor, and expanded Citywide Design Review areas. They are not intended for use in the Central City, historic districts, or Planned Unit Developments.

When completed, the plans will be "pre-approved" through the design review and building permitting process. Plans will be approved for four to five years, with review to determine whether continued use is appropriate.

City Code Amendments

Under Chapter 17.208 of the City Code, both the Planning Commission and City Council are required to hold public hearings on Zoning Code Amendments. The Planning Commission held a noticed public hearing on February 16, 2006.

Before your Council are a number of citywide code amendments to implement the program and to accommodate the pre-approved plans. The code amendments will also facilitate residential development in the City's older neighborhoods that is more compatible with existing development patterns and will be better able to meet the City's design standards.

Many of the existing lots in older neighborhoods are smaller in width and/or depth than standard lot sizes in the City's Zoning Ordinance. Older neighborhoods typically have lots of 40 or 50 feet in width, compared with the 52-foot standard contained in the Zoning Ordinance. The standard side yard requirements are five feet. For narrower lots, this results in narrower homes or requires zoning variances. Reducing the setbacks to allow for additional house width permits greater opportunity for porches, recessed and detached garages, and allows for larger homes to meet the needs of families. The proposed zoning changes that allow for slightly greater lot coverage and allow for slightly smaller side yards for smaller lots permits new residential that is more in character with existing development patterns in the older neighborhoods and facilitates greater conformance with design standards.

In addition, staff is proposing amendments to Chapter 17.132 to establish the pre-approved house plans (defined as "registered") program. This necessitates removing noticing requirements in design review areas for registered house plans that are approved for the area and lot specifications. Under the current process, applications within design review areas are submitted to staff, which then notifies adjacent neighbors and interested parties. Staff routes the plans to the Project Area Committees (PAC's) or Redevelopment Advisory Committees (RAC's) for review and comment for applications within redevelopment areas. Finally, staff makes a discretionary decision on plan compliance with applicable design standards and sends out a required notice of decision. After the ten-day appeal period expires, the applicant may be issued a building permit.

The program envisions that registered house plans can be approved in a day or two, after staff review related to unique lot conditions and to ensure the location and parcel are eligible. In addition, the plans will be pre-approved through the building permit process, like any other model home, so will save time and costs associated with building plan review.

In summary, the proposed code amendments include the following:

- Eliminate the noticing requirement for City sponsored pre-approved plans (defined as registered) when used in certain design review districts outside the Central City (program specific).

- Allow for the Design Review and Preservation Board to approve pre-approved (registered) house plans, to define the design review districts and lot characteristics where they may be used, and to remove plans from pre-approved (registered) status when determined to be appropriate.

- On R-1 zoned parcels that do not meet minimum standard lot widths of 52 feet for interior lots or 62 feet for corner lots, the required minimum interior side setback is proposed to be reduced from 5 feet to 3 feet. (This is currently permitted for lots of 40 feet in width or less). This allows additional width to permit wider homes, and is more in keeping with neighborhood character.

- To allow for slightly larger homes on smaller lots, in order to permit 3 and 4 bedroom homes, the current maximum lot coverage of 40% in the R-1 and R-2 zones is proposed to be changed to allow the maximum lot coverage of 40% or 2,500 square feet, whichever is greater; provided, that in no event shall lot coverage exceed 50 percent.

- To permit detached rear garages on narrow lots, allowable rear yard coverage for an accessory structure is proposed to be changed to be a maximum of 33% (current requirement) or 350 square feet, whichever is greater.

Project Approval Process:

Numerous community and advisory groups, the Disability Advisory Commission, Sacramento Housing and Redevelopment Commission, and Development Oversight Commission have reviewed the proposed plans and code amendments. The Design Review and Preservation Board reviewed all the comments and recommended approval of the designs. The Planning Commission has forwarded their recommendation of approval of the amendments to Council.

On March 21, 2006, a public hearing is scheduled before the City Council to review the plans and consider adoption of the code amendments. After adoption of the ordinance enacting the program, the Design Review and Preservation Board will formally adopt the registered house plans to allow for their use.

Concurrently, the consultants will complete the construction drawings for the plans, and they will be reviewed and adopted as master plans through the building plan review process. Plans should be available for sale by May 2006, in time for the 2006 construction season.

Financial Considerations:

Pre-approved house plan preparation was previously funded. The costs associated with administering the program will be less than the staff review and noticing costs associated with the design review process.

Environmental Considerations:

The proposed project is exempt from environmental review pursuant to State CEQA Guidelines (CEQA Section 15061(b)(3)). The proposed amendment is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment.

Policy Considerations:

General Plan Policy- It is the policy of the City to promote infill development, rehabilitation, and reuse that contributes positively to the surrounding area and assists in meeting neighborhood and other City goals.

Emerging Small Business Development (ESBD):

No goods or services are being purchased under this report.

Respectfully Submitted by: _____
Lucinda Willcox
Infill Coordinator

Approved by: _____
Carol Shearly
Director of Planning

Recommendation Approved:

_____
for Ray Kerridge
City Manager

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ORDINANCE NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

AN ORDINANCE AMENDING VARIOUS SECTIONS OF CHAPTER 17.60, 17.80, AND 17.132 OF TITLE 17 OF THE SACRAMENTO CITY CODE (THE ZONING CODE) RELATING TO SETBACKS, LOT COVERAGE AND REGISTERED HOUSE PLANS FOR SINGLE FAMILY DWELLINGS ON R-1 AND R-2 ZONED LOTS

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

SECTION 1. Section 17.60.020 of Title 17 of the Sacramento City Code (the Zoning Code) is amended as follows:

A. The matrix for the R-1 Zone set forth on line 2 of the Basic Height and Area Regulations Chart is amended to read as set forth below:

Zone	Location	Maximum Height(Ft.)	Front	Rear	Interior Side	Street Side	Required Minimum Court	Max Lot Coverage/ Bldg Size	Minimum Lot Area Per DU In Sq. Ft.
2. R-1	General	35 ft.	(1)	(2)	(3)	12 1/2 ft.	NA	(30)	5,200 I/ 6,200 C

B. The matrix for the R-2 Zone set forth on line 5 of the Basic Height and Area

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DATE ADOPTED:_____

Regulations Chart is amended to read as set forth below:

Zone	Location	Maximum Height (Ft.)	Front	Rear	Interior Side	Street Side	Required Minimum Court	Max Lot Coverage/ Bldg Size	Minimum Lot Area Per DU In Sq. St.
5. R-2	General	35 ft.	(1)	(2)	(3)	12 1/2 ft.	NA	(30)	2,600 I/ 3,100 C

C. Except as specifically amended for the use indicated, all other provisions of section 17.60.020 and the Basic Height and Area Regulations Chart remain unchanged and in full force and effect.

SECTION 2. Section 17.60.030 of Title 17 of the Sacramento City Code (the Zoning Code) is amended as follows:

A. Footnote (3) of section 17.60.030 is amended to read as follows:

3. Interior Side Yard Setback.

a. In the R-1 zone, the interior side yard setback shall be five (5) feet, except for interior lots having a width of less than fifty-two (52) feet and corner lots having a width of less than sixty-two (62) feet, where a three (3) foot setback shall apply.

b. In all zones other than the R-1 zone, the minimum side yard setback shall be three feet for single-family or two-family structures, or additions to existing residential structures having less than a five foot side yard. For new multi-family structures having three or more units or new or existing nonresidential development, the minimum side yard setback shall be five feet for buildings up to three stories in height. For buildings over three stories, the required minimum shall be increased by one foot for each story over three. Where a main entrance or main entrances to any dwelling unit is located along an interior side yard, the minimum width of the interior side yard shall be ten (10) feet.

B. Footnote (30) is added to section 17.60.030 to read as follows:

30. Maximum lot coverage in the R-1 and R-2 zones.

The maximum lot coverage in the R-1 and R-2 zones shall be forty percent (40%) or 2,500 square feet, whichever is greater; provided, that in no event shall lot coverage exceed fifty percent (50%).

C. Except as specifically amended by the amendments to footnote (3) and the addition of footnote (30), all other provisions of section 17.60.030 remain unchanged and in full force and effect.

SECTION 3. Section 17.80.050 of Title 17 of the Sacramento City Code (the Zoning Code) is amended as follows:

A. Footnote (3) of section 17.80.050 is amended to read as follows:

3. Maximum Lot Coverage of Required Rear Yard.

a. Except as provided in section 17.80.050(3)(b) below, no more than thirty-three (33) percent of the surface area of the required rear yard setback may be covered by accessory structures.

b. In the R-1 and R-2 zones, no more than thirty-three percent (33%) or 350 square feet, whichever is greater, of the surface area of the required rear yard setback may be covered by accessory structures.

c. Uncovered/unenclosed swimming pools, spas, and hot tubs (including equipment placed at ground level, or on a concrete pad at ground level), uncovered patios and uncovered decks under thirty (30) inches high (measured from ground to top of deck) are not counted in the lot coverage computation.

B. Except as specifically amended by the amendments to footnote (3), all other provisions of section 17.80.050 remain unchanged and in full force and effect.

SECTION 4. Section 17.132.020 of Title 17 of the Sacramento City Code (the Zoning Code) is amended as follows:

A. Section 17.132.020 is amended to add the definition of ""registered house plans" to read as follows:

"Registered house plans" means house plans that have been previously approved and registered with the City pursuant to this chapter.

B. Except as specifically amended in this Section 4, all other provisions of section 17.132.0200 remain unchanged and in full force and effect.

SECTION 5. Section 17.132.037 is added to Title 17 of the Sacramento City Code (the Zoning Code) to read as follows:

17.132.037 Approval and use of registered house plans.

A. The board shall have the authority to approve registered house plans for one or more design review districts as set forth in this section. Use of registered house plans for development in the designated design review district will exempt the development from further design review as provided in Section 17.132.040(B)(1).

1. Any person may request approval of registered house plans by filing an application with the director. The application shall be subject to and governed by chapter 17.196.

2. A request to approve registered house plans may also be initiated by the director.

3. The director shall conduct a preliminary review of the proposed registered house plans and prepare a written evaluation and recommendation of approval, conditional approval, or disapproval of the proposed plans. A copy of the written evaluation and recommendation shall be submitted to the applicant, if any, and shall be forwarded to the board for hearing and decision.

4. At least one public hearing shall be held by the board on a request to approve registered house plans. Notice of the hearing shall be given pursuant to section 2.112.110 and to the applicant, if any. At the conclusion of the hearing, the board may approve, conditionally approve, or deny the request for approval of registered house plans.

5. In reaching its decision, the board shall evaluate each proposal for registered house plans in accordance with the citywide design review guidelines plan, the design review guidelines plan for the district or districts for which the registered house plan is intended, the findings and declaration of purpose contained in Section 17.132.010 of this chapter, and any other applicable adopted land use plans. The board shall not approve a

proposal for registered house plans unless it finds that the design (as it may have been modified or conditioned by the board) is consistent with the applicable plans and the purpose of this chapter. The board shall specify for which design review district or districts the registered house plan is approved for purposes of the exemption from further design review under Section 17.132.040(B)(1).

6. On its own initiative, or at the request of the director, the board may cancel the registration of registered house plans as it deems appropriate to ensure a variety in the housing stock and to otherwise further the purpose of this chapter. The cancellation of the registration of registered house plans shall be subject to the same notice and hearing requirements as apply to the approval of registered house plans.

B. The director shall establish policies and procedures addressing the development, approval, and use of registered house plans consistent with the purpose of this chapter.

SECTION 6. Subsection 17.132.040(B)(1) of Title 17 of the Sacramento City Code (the Zoning Code) is amended to read as follows:

1. Single-family or two-family residential, including appurtenances and accessory structures. This includes new construction, additions, rehabilitations and repairs.

a. Exception—Expanded North Area Design Review District. Additions and exterior modifications to existing one and two family dwellings where the proposed changes are not visible from any street view are exempt from the requirements of design review.

b. Exception—New construction of a single-family residential unit utilizing, without material deviation, registered house plans approved for use in the design review district where the proposed construction is located shall be exempt from the requirements of design review.

DATE PASSED FOR PUBLICATION:
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MAYOR

ATTEST:

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CITY CLERK

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AN ORDINANCE AMENDING VARIOUS SECTIONS OF CHAPTER 17.60, 17.80, AND 17.132 OF TITLE 17 OF THE SACRAMENTO CITY CODE (THE ZONING CODE) RELATING TO SETBACKS, LOT COVERAGE AND REGISTERED HOUSE PLANS FOR SINGLE FAMILY DWELLINGS ON R-1 AND R-2 ZONED LOTS

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

SECTION 1. Section 17.60.020 of Title 17 of the Sacramento City Code (the Zoning Code) is amended as follows:

A. The matrix for the R-1 Zone set forth on line 2 of the Basic Height and Area Regulations Chart is amended to read as set forth below:

Zone	Location	Maximum Height (Ft.)	Front	Rear	Interior Side	Street Side	Required Minimum Court	Max Lot Coverage/ Bldg Size	Minimum Lot Area Per DU In Sq. St.
2. R-1	General	35 ft.	(1)	(2)	(3)	12 1/2 ft.	NA	(30)	5,200 I/ 6,200 C

Deleted: 40%

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B. The matrix for the R-2 Zone set forth on line 5 of the Basic Height and Area Regulations Chart is amended to read as set forth below:

Zone	Location	Maximum Height (Ft.)	Front	Rear	Interior Side	Street Side	Required Minimum Court	Max Lot Coverage/ Bldg Size	Minimum Lot Area Per DU In Sq. St.
5. R-2	General	35 ft.	(1)	(2)	(3)	12 1/2 ft.	NA	(30)	2,600 I/ 3,100 C

Deleted: 40%

C. Except as specifically amended for the use indicated, all other provisions of section 17.60.020 and the Basic Height and Area Regulations Chart remain unchanged and in full force and effect.

SECTION 2. Section 17.60.030 of Title 17 of the Sacramento City Code (the Zoning Code) is amended as follows:

A. Footnote (3) of section 17.60.030 is amended to read as follows:

3. Interior Side Yard Setback.

a. In the R-1 zone, the interior side yard setback shall be five (5) feet, except for interior lots having a width of less than fifty-two (52) feet and corner lots having a width of less than sixty-two (62) feet, where a three (3) foot setback shall apply.

Deleted: forty (40) feet or

b. In all zones other than the R-1 zone, the minimum side yard setback shall be three feet for single-family or two-family structures, or additions to existing residential structures having less than a five foot side yard. For new multi-family structures having three or more units or new or existing nonresidential development, the minimum side yard setback shall be five feet for buildings up to three stories in height. For buildings over three stories, the required minimum shall be increased by one foot for each story over three. Where a main entrance or main entrances to any dwelling unit is located along an interior side yard, the minimum width of the interior side yard shall be ten (10) feet.

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B. Footnote (30) is added to section 17.60.030 to read as follows:

Deleted: ¶

30. Maximum lot coverage in the R-1 and R-2 zones.

The maximum lot coverage in the R-1 and R-2 zones shall be forty percent (40%) or 2,500 square feet, whichever is greater; provided, that in no event shall lot coverage exceed fifty percent (50%).

C. Except as specifically amended by the amendments to footnote (3) and the addition of footnote (30), all other provisions of section 17.60.030 remain unchanged and in full force and effect.

SECTION 3. Section 17.80.050 of Title 17 of the Sacramento City Code (the Zoning Code) is amended as follows:

A. Footnote (3) of section 17.80.050 is amended to read as follows:

3. Maximum Lot Coverage of Required Rear Yard.

a. Except as provided in section 17.80.050(3)(b) below, no more than thirty-three (33) percent of the surface area of the required rear yard setback may be covered by accessory structures.

Deleted: No

b. In the R-1 and R-2 zones, no more than thirty-three percent (33%) or 350 square feet, whichever is greater, of the surface area of the required rear yard setback may be covered by accessory structures.

c. Uncovered/unenclosed swimming pools, spas, and hot tubs (including equipment placed at ground level, or on a concrete pad at ground level), uncovered patios and uncovered decks under thirty (30) inches high (measured from ground to top of deck) are not counted in the lot coverage computation.

Deleted: ¶

B. Except as specifically amended by the amendments to footnote (3), all other provisions of section 17.80.050 remain unchanged and in full force and effect.

SECTION 4. Section 17.132.020 of Title 17 of the Sacramento City Code (the Zoning Code) is amended as follows:

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A. Section 17.132.020 is amended to add the definition of ""registered house plans" to read as follows:

"Registered house plans" means house plans that have been previously approved and registered with the City pursuant to this chapter.

B. Except as specifically amended in this Section 4, all other provisions of section 17.132.0200 remain unchanged and in full force and effect.

SECTION 5. Section 17.132.037 is added to Title 17 of the Sacramento City Code (the Zoning Code) to read as follows:

17.132.037 Approval and use of registered house plans.

A. The board shall have the authority to approve registered house plans for one or more design review districts as set forth in this section. Use of registered house plans for development in the designated design review district will exempt the development from further design review as provided in Section 17.132.040(B)(1).

1. Any person may request approval of registered house plans by filing an application with the director. The application shall be subject to and governed by chapter 17.196.

2. A request to approve registered house plans may also be initiated by the director.

3. The director shall conduct a preliminary review of the proposed registered house plans and prepare a written evaluation and recommendation of approval, conditional approval, or disapproval of the proposed plans. A copy of the written evaluation and recommendation shall be submitted to the applicant, if any, and shall be forwarded to the board for hearing and decision.

4. At least one public hearing shall be held by the board on a request to approve registered house plans. Notice of the hearing shall be given pursuant to section 2.112.110 and to the applicant, if any. At the conclusion of the hearing, the board may approve, conditionally approve, or deny the request for approval of registered house plans.

5. In reaching its decision, the board shall evaluate each proposal for registered house plans in accordance with the citywide design review guidelines plan, the design

review guidelines plan for the district or districts for which the registered house plan is intended, the findings and declaration of purpose contained in Section 17.132.010 of this chapter, and any other applicable adopted land use plans. The board shall not approve a proposal for registered house plans unless it finds that the design (as it may have been modified or conditioned by the board) is consistent with the applicable plans and the purpose of this chapter. The board shall specify for which design review district or districts the registered house plan is approved for purposes of the exemption from further design review under Section 17.132.040(B)(1).

6. On its own initiative, or at the request of the director, the board may cancel the registration of registered house plans as it deems appropriate to ensure a variety in the housing stock and to otherwise further the purpose of this chapter. The cancellation of the registration of registered house plans shall be subject to the same notice and hearing requirements as apply to the approval of registered house plans.

B. The director shall establish policies and procedures addressing the development, approval, and use of registered house plans consistent with the purpose of this chapter.

SECTION 6. Subsection 17.132.040(B)(1) of Title 17 of the Sacramento City Code (the Zoning Code) is amended to read as follows:

1. Single-family or two-family residential, including appurtenances and accessory structures. This includes new construction, additions, rehabilitations and repairs.

a. Exception—Expanded North Area Design Review District. Additions and exterior modifications to existing one and two family dwellings where the proposed changes are not visible from any street view are exempt from the requirements of design review.

b. Exception—New construction of a single-family residential unit utilizing, without material deviation, registered house plans approved for use in the design review district where the proposed construction is located shall be exempt from the requirements of design review.

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