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City of Sacramento Housing Element

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APPENDIX H-5 | Constraints

5.1 Introduction

The purpose of this section, per Government Code Section 65583(a)(5-6), is to identify nongovernmental and governmental factors (constraints) that inhibit the development, maintenance, or improvement of housing. Examples of such constraints are land and construction costs, access to credit, permit fees, development standards, and compliance with Federal and State laws intended to facilitate housing for lower-income and special needs households. A thorough understanding of the constraints to development can help to create appropriate policy responses to mitigate constraints and make it easier and more affordable to develop housing.

5.2 Nongovernmental Constraints

State law (California Government Code, Section 65583[a][6]) requires Housing Elements to contain an analysis of nongovernmental constraints to the maintenance, improvement, or development of housing for all income levels, including the availability of financing, the price of land, and the cost of construction. Potential nongovernmental constraints are largely determined by market conditions over which local jurisdictions have little control. However, local governments can influence market conditions and their associated costs, even if only indirectly. Governmental interventions that affect nongovernmental constraints will be explored in more detail in Section 5.3.

5.2.1 Availability of Financing

The availability of financing is a critical factor that can influence the cost and supply of housing. There are generally two types of financing used in the housing market: (1) capital used for initial site preparation and construction; and (2) capital used to finance the purchase of units by homeowners and investors. Interest rates substantially impact home construction, purchase, and improvement costs. A small fluctuation in rates can make a dramatic difference in the annual income needed to qualify for a loan. In general, financing for new residential development in the City is available at reasonable rates. However, economic variability due to COVID-19 has made lenders more cautious, which has the potential to have lasting effects on the availability of financing. While interest rates remain reasonably low, lenders are deliberating upon applicants more closely for consideration than in the past, leading to credit tightening despite affordable interest rates.

5.2.2 Development Costs

The cost to develop housing, whether single-unit or multi-unit, includes the cost of land, construction, infrastructure, and “soft costs,” which refers to engineering and architectural fees, insurance, financing, administrative costs, and marketing costs. The data used in this Development Costs section was gathered from the 2020 Proposed Impact Fee Feasibility Analysis prepared by Economic Planning & Services (EPS) for the City of Sacramento.

Land Costs

Land costs in Sacramento vary greatly depending on the location, lot size and configuration, and zoning. According to a local real estate broker,¹ land costs in the urban core area average around \$75-100 per square foot, with higher density zoned sites in premium locations selling for as much as \$150 per square foot. On the periphery of the urban core where densities are slightly lower, such as the Broadway Corridor, land costs are generally in the range of \$50-75 per square foot. In more suburban locations, such as Natomas or North and South Sacramento, land costs are much lower, generally in the range of \$10-15 per square foot, although very well-located properties in these more suburban areas may sell for as much as \$20-25 per square foot.

¹ Stelmach, Patrick. Director. Turton Commercial Real Estate. December 7, 2020

Site Improvement Costs

Once a vacant parcel is purchased, the contractor is required to make site improvements before constructing a building on the property. Site improvements can include connections to existing utility systems, rough grading, and installation of water and sewer lines. The cost variation depends on the lot size, unit size, and type of residential dwelling. Other factors that can influence costs are the primary infrastructure needed for the site and roadway improvements. While land costs are lower in greenfield areas at the edge of the city, these areas typically require a greater amount of investment in backbone infrastructure and site improvements. In infill areas, site improvement costs are typically lower since infrastructure is already in place; however, the cost to repair aging infrastructure can be high and must be borne by the developer alone, as opposed to financing districts that can distribute the costs more evenly. According to a report prepared by EPS in 2020 on the feasibility of changes to the City's impact fee structure, basic site improvement costs are estimated at about \$10 per site square foot for single-unit dwellings and \$15 per site square foot for multi-unit dwellings.² Costs would likely be higher in greenfield areas.

Construction Costs

The cost of labor and material, referred to as hard construction costs, represent the largest component of housing development costs. The greatest determinant of construction costs is the type of building. Single-story, wood-framed structures are the least costly to build, whereas multi-story steel-reinforced, poured-in-place concrete structures are the most expensive. This means that high-rise buildings are more likely to be financially feasible in areas of the city with high rents (e.g., Central City).

According to a report released in March 2020 on multi-unit construction costs in California from the Turner Center, hard construction costs make up more than 60 percent of total development costs. The Turner Center study found that on average, construction costs were about \$222 per square foot in 2018 compared to \$177 in 2008-2009, representing a 25 percent increase. Costs have continued to increase since 2018. Several factors have caused the increased cost of materials, including global trade patterns and federal policy decisions, such as tariffs, as well as state and local regulations, such as building codes. The COVID-19 pandemic has also influenced the cost and availability of construction materials. Supply chain disruptions have resulted in project delays and increased costs due to a shortage of construction materials and equipment.

Labor costs have also increased in recent years, as the labor pool has not kept pace with the increase in demand. Since the recession, California has seen a severe tightening in the construction labor market, especially for workers trained in specific construction trades. The lack of an available labor force drives up the cost of labor and leads to project delays as workers are either unavailable or lost to more profitable projects³.

According to the EPS report, the average construction cost for the single-unit developments ranged from \$99-\$132 per square foot, and the average construction cost for the multi-unit prototypes ranged from \$206-264 per square foot.²

Soft Costs

Other costs, often called "soft costs," include engineering and architectural fees, insurance, financing, administrative costs, and marketing costs. According to the EPS report, soft costs for the single-unit development prototypes studied ranged from about \$21 per square foot in suburban areas to \$28 per square foot in infill areas. The soft costs for the multi-unit development projects ranged from \$41 to \$53 per square foot depending on location and other variable factors.²

Permitting costs and impact fees payable to the local jurisdiction comprise a substantial portion of the total soft costs. See the Development Impact Fee section below for a discussion of City impact fees.

² City of Sacramento, Jan 2020. Draft Proposed Impact Fees Feasibility Analysis. Prepared by Economic & Planning Systems (EPS).

³ Forscher, T.; Kneebone, E.; Raetz, H.; and Reid, C. March 2020. The Hard Costs of Construction: Recent Trends in Labor and Material Costs for Apartment Buildings in California. Turner Center for Housing Innovation, UC Berkeley.

Total Development Costs

Table H 5-1 summarizes total costs per site square footage, including construction and soft cost estimates for the eight residential prototypes compiled by EPS in the feasibility analysis of proposed impact fee changes. Based on the cost estimates for the residential prototypes shown in Table H 5-1, the cost to construct a single-unit home in Sacramento ranges from approximately \$177 to \$195 per square foot for a 2,000 square foot home. The cost to construct an apartment project in the City range from \$305 to \$331 per square foot for a 1,000 square foot unit. These estimates do not account for the cost of land².

Table H 5-1 Construction Costs					
<i>Housing Type & Location</i>	<i>Square Footage (sf)</i>	<i>Average Construction Costs (\$/sf)</i>	<i>Average Soft Costs (\$/sf)</i>	<i>Total (per sf)</i>	<i>Average Cost Per Unit¹</i>
SU Dwelling – East Sacramento	2,000	\$122	\$24	\$195	\$391,024
SU Dwelling – North Natomas	2,000	\$112	\$22	\$193	\$386,844
SU Dwelling – North / South Sacramento	2,000	\$112	\$22	\$177	\$353,693
SU Dwelling – West Broadway	1,000	\$132	\$26	\$222	\$221,936
SU Dwelling – North / South Sacramento	1,600	\$99	\$20	\$158	\$253,537
MU Dwelling – Central City	800	\$264	\$52	\$386	\$308,601
MU Dwelling – South Sacramento	1,000	\$206	\$41	\$305	\$305,410
MU Dwelling – 65 th Street	1,000	\$221	\$44	\$331	\$331,108

Sources: (EPS) Economic & Planning Systems, Inc. 2020.

¹ This does not include the cost of land. Development cost includes direct building construction, fees/permits, soft costs, and construction financing.

The increased cost to construct housing in recent years has led to a significant increase in the number of luxury multi-unit developments, as developers must fetch high rents to cover the increasing costs to build. Additionally, the market for multi-unit housing varies greatly from one area of the city to another. The Housing Element sites inventory includes several sites along commercial corridors outside the urban core, such as the Florin Road corridor and the Stockton Boulevard corridor. While land costs in these areas are relatively more affordable and allowable densities are relatively high, market rents are much lower in these locations. Despite low land costs, the high cost of labor and construction materials means market rate multi-unit development is not necessarily profitable in these locations under current market conditions.

5.2.3 Requests for Housing Developments at Reduced Densities

State law requires the Housing Element to include an analysis of requests to develop housing at densities below those anticipated in the sites inventory. In Sacramento, properties generally develop at or above the allowed density (such as with a density bonus). The City has implemented several measures to streamline residential development projects, which limits opportunities for public opposition to result in reduced densities.

5.2.4 Length of Time between Project Approval and Applications for Building Permits

State law requires an analysis of the length of time between receiving approval for housing development and submittal of an application for building permit. On average the time between the approval of a housing development application and submittal of an application for building permits is between three to four months.

5.2.5 Federal Emergency Management Agency Natomas Basin Flood Zone Designations

In 2005, the US Army Corp of Engineers and the Sacramento Area Flood Control Agency (SAFCA) commissioned the Natomas Levee Evaluation Study (NLES). The NLES final report concluded that considerable improvements were necessary along the Natomas Basin, specifically along the south levee of the Natomas Cross Canal, the east levee of

the Sacramento River, and the north levee of the American River. In 2008, the Federal Emergency Management Agency (FEMA) issued a Revised Flood Insurance Rate Map within the Natomas Basin, placing the Natomas Basin in a Special Flood Hazard Area (Zone AE). As a result, the Natomas Basin was subject to a de facto building moratorium from December 2008 through June 2015. The Natomas Basin became designated as Zone A99, which according to FEMA, has a 1 percent annual chance of a flood event but ultimately will be protected upon completion of a flood-protection system, currently under construction. Completion of flood protection improvements is targeted for 2025.

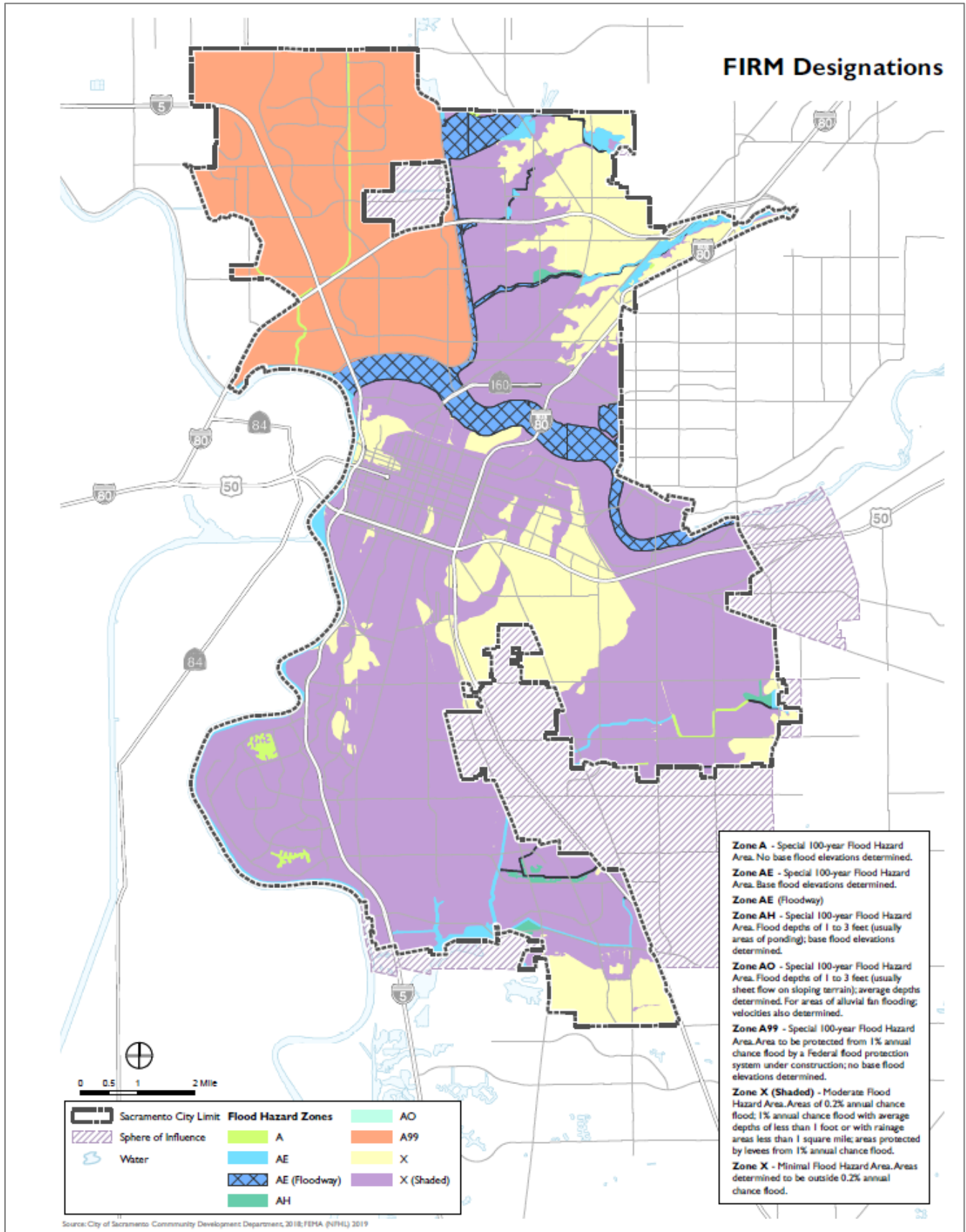
In 2015, when the moratorium ended, the City adopted an orderly residential development program for the Natomas Basin that limits development to 1,500 residential building permits per calendar year (1,000 single-units and 500 multi-units). Dwelling units in excess of those limits require City Council approval. Additionally, a provision in the ordinance allows for the rollover unit count from the unused allowance in each calendar year to be added to the allowed number for the following years. The Housing Element sites inventory contains capacity for over 4,000 units of lower income housing and over 2,500 of moderate-income housing in vacant and underutilized sites and approved projects in this area of the City. If the flood protection improvements are not completed in 2025 and the cap were to remain in place for the duration of the Housing Element planning period, it could potentially impact the City's ability to meet the lower income Regional Housing Needs Allocation (RHNA) unless the City Council were to approve additional units. This Housing Element includes a program to monitor the status of the flood protection improvements and determine the impact on the City's ability to meet its lower income RHNA.

State law urban level of flood protection for areas within a flood hazard zone

The Central Valley Flood Protection Act of 2008 prohibits cities and counties, beginning July 1, 2016, from entering into development agreements, approving discretionary permits or ministerial permits that would result in the construction of a new residence, or approving tentative or parcel maps for areas located within a flood hazard zone unless the city or county makes one of the findings set forth in the legislation. (See Government Code sections 65865.5, 65962, and 66474.5.)

Figure H 5-1 shows the flood zone areas within the City. To meet state law requirements, the City annually accepts SAFCA's Urban Level of Flood Protection Adequate Progress Annual Report (Government Code, Section 65007(a)(5)). For purposes of state law, when completed, the improvements will result in an Urban Level of Flood Protection, which is the level of protection needed to withstand flooding that has a 0.5 percent annual chance of a flood (a 200-year flood) (see Cal. Gov. Code, § 65007, subd. (n)).

Figure H 5-1: Flood Hazard Zones



Source: City of Sacramento, 2020

5.3 Governmental Constraints

Governmental policies and regulations can result in both positive and negative effects on the availability and affordability of housing. This section, as required by Government Code Section (a)(5), describes City policies and regulations that could potentially constrain the City's ability to achieve its housing goals. Potential constraints to housing include land use controls (through General Plan policies and zoning regulations), development standards, infrastructure requirements, development impact fees, and the development approval processes. While government policies and regulations are intended to serve public objectives and further the public good, the City of Sacramento recognizes that its actions can potentially constrain the availability and affordability of housing to meet the community's future needs. The City has implemented several measures to reduce development costs and streamline the approval process, as described in this section.

5.3.1 Land Use Controls

Planning and Development Code

Zoning has the most immediate impact on the construction of new housing. The City's zoning and development regulations establish permitted uses within each zone and standards which dictate how much development can occur on a given parcel of land such as maximum densities, height, setback, and lot coverage. The City's zoning code, as well as all other ordinances and the General Plan, are posted online through the City's website.

Table H 5-2 provides a summary of the City's development standards for residential zoning (i.e., height, lot coverage, setbacks, and landscaping). Generally, the City's development standards are fairly liberal and allow for maximum densities to be achieved in each zoning district. The City's maximum building lot coverage ranges from 50 to 70 percent in residential zones (except in the RE, R-1, and R-2 zones), with no limits in commercial zones. Setback and yard requirements are modest in higher density residential zones and do not impede the achievement of maximum allowable densities. Many residential zones no longer have interior setback requirements to help facilitate this type of housing. Similarly, landscaping, which is required in front and side street setback areas, can be accommodated without reducing the permitted building lot coverage. Height limitations do not limit projects from achieving the maximum allowable density. Projects are also able to exceed height limits with density bonuses.

Zone	Maximum Number of Units	Type of Land Use	Max. Height (ft)	Minimum Setback (ft)				Maximum Building Lot Coverage	Minimum Lot Size (sq. ft)
				Front	Rear	Interior Side	Street Side		
RE	1 unit per lot	SU	35	20 ⁽¹⁾	15	5	12.5	5-20%	0.5 acres – 4 acres
R-1	1 unit per lot	SU, D	35	20 ⁽¹⁾	15 ⁽²⁾	3 or 5	12.5	40% or 2,500 square feet	5,200 (I)/ 6,200(C)
R-1A	2 units per lot	SU, D	35	20 ⁽¹⁾	5	0 ⁽⁷⁾	12.5	50%	2,900
R1-B	2 units per lot	SU, D	35	20 ⁽¹⁾	15 ⁽²⁾	3 or 5	12.5	60%	3,200
R-2	2 units per lot	SU, D	35	20 ⁽¹⁾	15 ⁽²⁾	0 ⁽⁷⁾	12.5	40% or 25,00 square feet	5,200 (I)/6,200(C) For Duplex Units: 2,600 (I)/3,100(C)
R-2A	17 units per net acre	SU, D, MU	35	10	15 ⁽²⁾	0 ⁽⁷⁾	10	50%	2,500
R-2B	21 units per net acre	SU, D, MU	35	10	15 ⁽²⁾	0 ⁽⁷⁾	10	50%	2,000
R-3	30 units per net acre	SU, D, MU	35	10	15 ⁽²⁾	0 ⁽⁷⁾	10	50%	2,000
R-3A	36 units per net acre	SU, D, MU	35	3 or 5	15 ⁽²⁾	0 ⁽⁷⁾	3 or 5	60%	1,600
R-4	60 units per net acre	SU, D, MU	45	3 or 5	15 ⁽²⁾	0 ⁽⁷⁾	3 or 5	60%	2,000
R-4A	110 units per net acre	SU, D, MU	75	3 or 5 ⁽⁴⁾	15 ⁽²⁾	0 ⁽⁷⁾	3 or 5 ⁽⁴⁾	70%	3,200
R-5	175 units per net acre	SU, D, MU	240	3 or 5 ⁽⁴⁾	15 ⁽²⁾	0 ⁽⁷⁾	3 or 5 ⁽⁴⁾	80%	3,200
RMX	60 units per net acre	SU, D, MU	45	10 ⁽⁴⁾	15 ⁽²⁾	0 ⁽⁷⁾	10 ⁽⁴⁾	NR	NR
RO	36 units per net acre	SU, D, MU	35	25 ⁽¹⁾	15 ⁽²⁾	0 ⁽⁷⁾	3 or 5	60% outside of the central city	NR
EC	⁽⁶⁾	MU	2-8 floors	NR	NR	NR	NR	NR	NR
OB	36 units per net acre	MU	35	0	15 ⁽²⁾	5	0	NR	NR
C-1	30 units per net acre	SU, D, MU	35	0	15 ⁽²⁾	5	0	NR	NR
C-2	NR	SU, D, MU	65 ⁽⁵⁾	0	0 ⁽⁸⁾	0 ⁽⁸⁾	0	NR	NR
CBD/ C-3	450 units per net acre	SU, D, MU	No Max ⁽⁹⁾	0	0 ⁽⁸⁾	0 ⁽⁸⁾	0	NR	NR
C-4	60 units per net acre	MU, D	75	0	0 ⁽⁸⁾	0 ⁽⁸⁾	0	NR	NR
SC	30 units per net acre	SU, D, MU	35	20	0 ⁽⁸⁾	0 ⁽⁸⁾	20	NR	NR

Source: City of Sacramento, September 2020. (I = Interior; C = Corner Lot; ft. = feet; NR = No Requirement SU = single-unit, D = duplex, MU= multi-unit)

⁽¹⁾ 10- to 25-feet; average of two nearest buildings

⁽²⁾ 5 feet if abuts alley

⁽³⁾ Outside central city, however, inside central city, if line abuts a lot in an R-1 or R-1B zone, or abuts a lot containing a single-unit dwelling. Then the minimum interior side-yard setback is 5 feet.

⁽⁴⁾ Specified structures may extend into the minimum front and street side setback area up to a maximum height of 15 feet

⁽⁵⁾ Height dependent on distance of the R-1, R-1B, and R-2 zones

⁽⁶⁾ Maximum of 25 percent of planned unit development net acreage can be designated for residential use

⁽⁷⁾ No minimum interior side-yard setback is required, unless the interior side-yard lot line abuts a lot in an R-1 or R-1B zone, or abuts a lot containing a single-unit dwelling. Then the minimum interior side-yard setback is 5 feet.

⁽⁸⁾ There is no minimum rear-yard setback, unless the rear yard of a lot is adjacent to an R-zoned or OB-zoned lot and is not separated by an alley, the minimum rear-yard setback is 5 or 15 feet.

⁽⁹⁾ Height varies based on proximity to State Capitol

Tables H 5-3 and 5-4 summarize permitted uses in zones allowing residential uses. In 2013, the City restructured and updated its zoning code to help facilitate infill development by allowing housing to be built by right in most zones. The City’s conditional use permit process is used primarily to review specific uses that have a distinct impact on an area in which they are located, or that are capable of creating special problems for bordering properties unless given special attention. A conditional use permit may be granted at the discretion of the Zoning Administrator, Planning and Design Commission, or City Council and is not the automatic right of any applicant. Land uses described below that require a conditional use permit may be subject to conditions beyond what is described in the Sacramento Zoning Ordinance.

Table H 5-3 Permitted Residential Land Uses in Residential Zoning Districts														
<i>Type Residential Use</i>	<i>RE</i>	<i>R-1</i>	<i>R-1A</i>	<i>R-1B</i>	<i>R-2</i>	<i>R-2A</i>	<i>R-2B</i>	<i>R-3</i>	<i>R-3A</i>	<i>R-4</i>	<i>R-4A</i>	<i>R-5</i>	<i>RMX</i>	<i>RO</i>
Dormitory		2	2	2	2	2	2	1	1	1	1	1	1	1
Duplex		1	1	1	1	1	1	1	1	1	1	1	1	1
Family care facility (Group Home for 6 or fewer)		1	1	1	1	1	1	1	1	1	1	1	1	1
Farm worker housing														
Fraternity house; sorority house		3	3	3	3	3	3	3	3	3	3	3	3	3
Home occupation	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Mobilehome park	3	3	3	3	3	3	3	3	3	3	3	3		3
Multi-unit dwelling						1	1	1	1	1	1	1	1	1
Residential care facility (Group Home for 7 or more)		2	2	2	2	2	2	2	2	1	1	1	1	1
Residential hotel-SRO										3	3	3	3	3
Accessory dwelling unit	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Single-unit dwelling (includes manufacture homes)	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Temporary residential shelter		3	3	3	3	3	3	3	3	3	3	3	3	3

Source: City of Sacramento Planning and Development Code, September 2020.

Level of discretionary approval:

1. Use permitted by right and is subject to compliance with development standards. Projects with new construction or exterior modifications will require site plan and design review.
2. Conditional use permit approval by Zoning Administrator.
3. Conditional use permit approval by Planning and Design Commission.

Appendix H-5: Constraints

Table H 5-4 Permitted Residential Land Uses in Nonresidential Zoning Districts

Type Residential Use	RO	HC	EC	SC	C-1	C-2	C-3	C-4	M-1	M-1(S)	M-2	M-2(S)	MIP	MRD	M-T	H	SPX	TC	A	A-OS	F	OB	OB-2	OB-3	ARP-F
Dormitory	1		1	1	1	1	1	1						2	1							1	1	1	
Duplex	1			3	1	1	1	2																	
Family care facility (Group Home)	1	1		1	1	1	1	1	1	1	1	1		1		1						1	1	1	
Farm worker housing																			1	1					
Fraternity house; sorority house	3			3	3	3	3																		
Home occupation	1			1	1	1	1	1	1	1	1	1		1		1	1	1	1	1	1	1	1	1	1
Mobilehome park	3	3		3	3	3		3	3	3	3	3													
Multi-unit dwelling	1		1	1	1	1	1	1/2	1/2	1/2	1/2	1/2		2	1							1	1	1	
Residential care facility	1	1	1	1	1	1	1	1	1	1	1	1		1	1	2						1	1	1	
Residential hotel-SRO	3				3	3	3	3	3	3	3	3			1							3	3	3	
Accessory Dwelling unit	1			1	1	1	1	1	1	1	1	1		1	1				1	1					
Single-unit dwelling (includes manufactured homes)	1			3	1	1	3												1	3					
Temporary residential shelter	3	3		3	3	3	3	1/3	1/3	1/3	1/3	1/3			1	3	3	3				3	3	3	

Source: City of Sacramento Planning and Development Code, September 2020.

Level of discretionary approval:

1. Use permitted by right and is subject to compliance with development standards. Projects with new construction or exterior modifications will require site plan and design review.
2. Conditional use permit approval by Zoning Administrator.
3. Conditional use permit approval by Planning and Design Commission.

Transit Oriented Development

The City of Sacramento passed the Transit Oriented Development Ordinance in 2018, recently amended in 2020, to incentivize transit supportive uses near light-rail stations and to preserve transit areas for appropriate development opportunities. To preserve transit areas for future transit-oriented development, the ordinance prohibits certain auto-centric uses and warehouse/storage facilities to be built within a quarter mile of existing or proposed transit stations. Within a half mile of existing or proposed stations, these projects are subject to a conditional use permit. The city code also offers incentives such as no off-street parking requirements for all properties within a quarter mile of light-rail stations and a 50 percent reduction in off-street parking requirements for all properties between a quarter mile and a half mile of light-rail stations.

Special Planning Districts

The City of Sacramento uses special planning districts (SPD) and planned unit developments (PUD) to allow greater flexibility in design of proposed development projects that is otherwise not possible through standard application of zoning regulations. The following describes the purpose of SPDs and PUDs and how they are established.

- **Special Planning Districts (SPD)** establish special processing procedures, flexible development standards, and incentives to regulate properties under multiple ownerships that are in need of general physical and economic improvement, or have special environmental features that standard land use, zoning, and other regulations cannot adequately address. An SPD is designated, adopted, amended, or removed in accordance with the provisions for rezoning. Only the City Planning and Design Commission and City Council may initiate the approval. Each SPD is required to have its own design standards, development standards, and list of permitted uses.
- **Planned Unit Developments (PUD)** provide for greater flexibility in the design of integrated developments. The PUD regulations generally apply to large scale developments (over 100 acres) and encourage the design of well-planned facilities, which offer a variety of housing or other land uses through creative and imaginative planning for various types of developments. One example of a PUD includes residential subdivision developments that include a variety of housing types and site plans, accessible open “green spaces,” common recreational areas, a community meeting place or recreational facility, and other features benefiting a viable and balanced community. Another example of a PUD includes mixed residential-business developments that combine apartments, convenience shopping facilities, motel-hotel combinations, offices, commercial recreation facilities, or other compatible land uses grouped in a well-designed and coordinated site development.

Major development projects that have been approved with an SPD and/or PUD include the River District, Township 9, Railyards, Panhandle, and Delta Shores. These projects, which are expected to be constructed during the Housing Element planning period, are described in more detail in the Sites Inventory section.

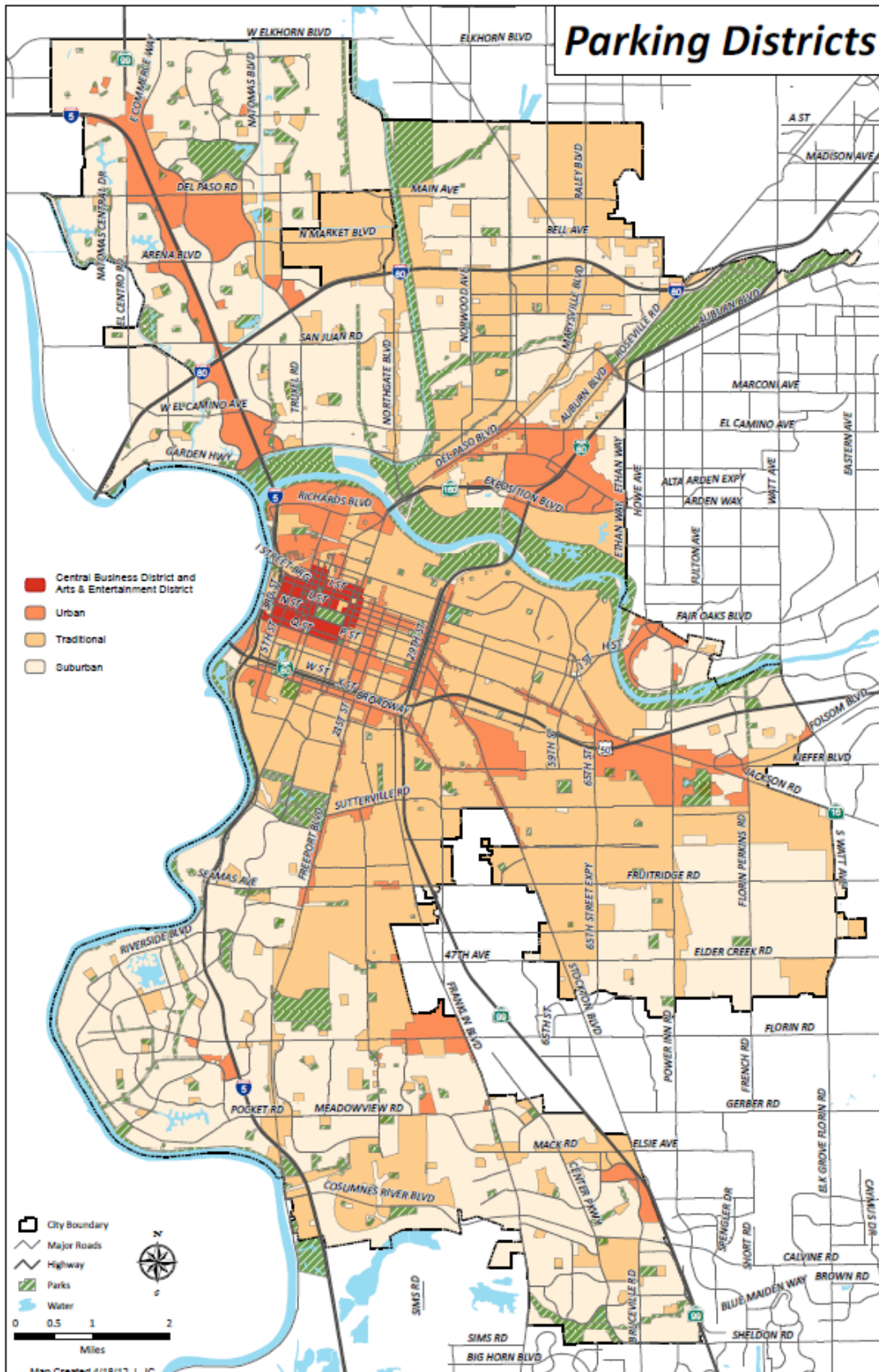
Parking Standards

The City’s residential parking requirements, shown in Table H 5-5, are based upon land use type and parking district location, as shown in Figure H 5-2. Recognizing the impact of parking requirements on the feasibility of infill development, the City eliminated parking requirements for any use in the Central Business District, and does not require parking for homes on small lots less than 3,200 square feet located in the Central City. There are also no parking requirements for Accessory Dwelling Units. Similarly, to incentivize transit-oriented development, there is no parking required for uses located within one-quarter mile from an existing or proposed transit station, and parking requirements are reduced by 50 percent for uses located between one-quarter mile and one-half mile from an existing or proposed transit station. For affordable or senior housing, the parking requirements are also only half of the standard requirement. Parking requirements for multi-unit housing developments range from 0.5 spaces per unit to 1.5 spaces per unit, depending on whether the project is in an Urban, Traditional, or Suburban Area. Overall, the City’s parking requirements are relatively low and do not represent a constraint to the development of housing. However, the City is considering revision to parking requirements, including potentially eliminating parking minimums and establishing parking maximums as identified in Program H8.

Table H 5-5 Parking Standards for Residential Uses				
<i>Land Use</i>	<i>Central Business and Arts & Entertainment District</i>	<i>Urban District</i>	<i>Traditional District</i>	<i>Suburban District</i>
Single-unit, duplex dwelling	No minimum requirements	1 space per dwelling unit, except on lots equal to or less than 3,200 square feet in the Central City, where there is no minimum requirement	1 space per dwelling unit, except on lots equal to or less than 3,200 square feet in the Central City, where there is no minimum requirement	1 space per dwelling unit
Accessory dwelling unit	No minimum requirements	No minimum requirements	No minimum requirements	No minimum requirements
Multi-unit dwelling (3 units or more)	No minimum requirements; maximum 1 space per dwelling unit	0.5 space per dwelling unit	1 space per dwelling unit	1.5 spaces per dwelling unit
Fraternity or sorority house; dormitory	No minimum requirements	1 space per 3 occupants	1 space per 3 occupants	1 space per 3 occupants
Residential hotel (i.e., Single Room Occupancy Unit)	No minimum requirements	1 space per 10 dwelling units, plus 1 space for manager	1 space per 10 dwelling units, plus 1 space for manager	1 space per 10 dwelling units, plus 1 space for manager

Source: City of Sacramento Planning and Development Code, 2020.

Figure H 5-2: City of Sacramento Parking Districts



Source: City of Sacramento Planning and Development Code, 2020

5.3.2 Density Bonus Ordinance

State law (California Government Code, section 65915-65918) requires cities and counties to approve density bonuses for housing developments that contain specified percentages of affordable housing units or units restricted to occupancy by seniors. A density bonus is the allocation of development rights that allows a parcel to accommodate additional square footage or additional residential units beyond the maximum for which the parcel is zoned. Projects that qualify for a density bonus are also eligible for reduced parking standards and additional concessions, or incentives. The legislature has made frequent changes to State density bonus law over the years, including AB 1763, which significantly increased density bonus provisions for 100 percent affordable projects.

The City's density bonus law is outlined in Section 17.704 of Sacramento's City Code. The code was last updated in 2013 and does not reflect the recent changes in State law. As described in Housing Element Program H16, the City will update its density bonus ordinance to be consistent with State law requirements.

5.3.3 Mixed-Income Housing Ordinance

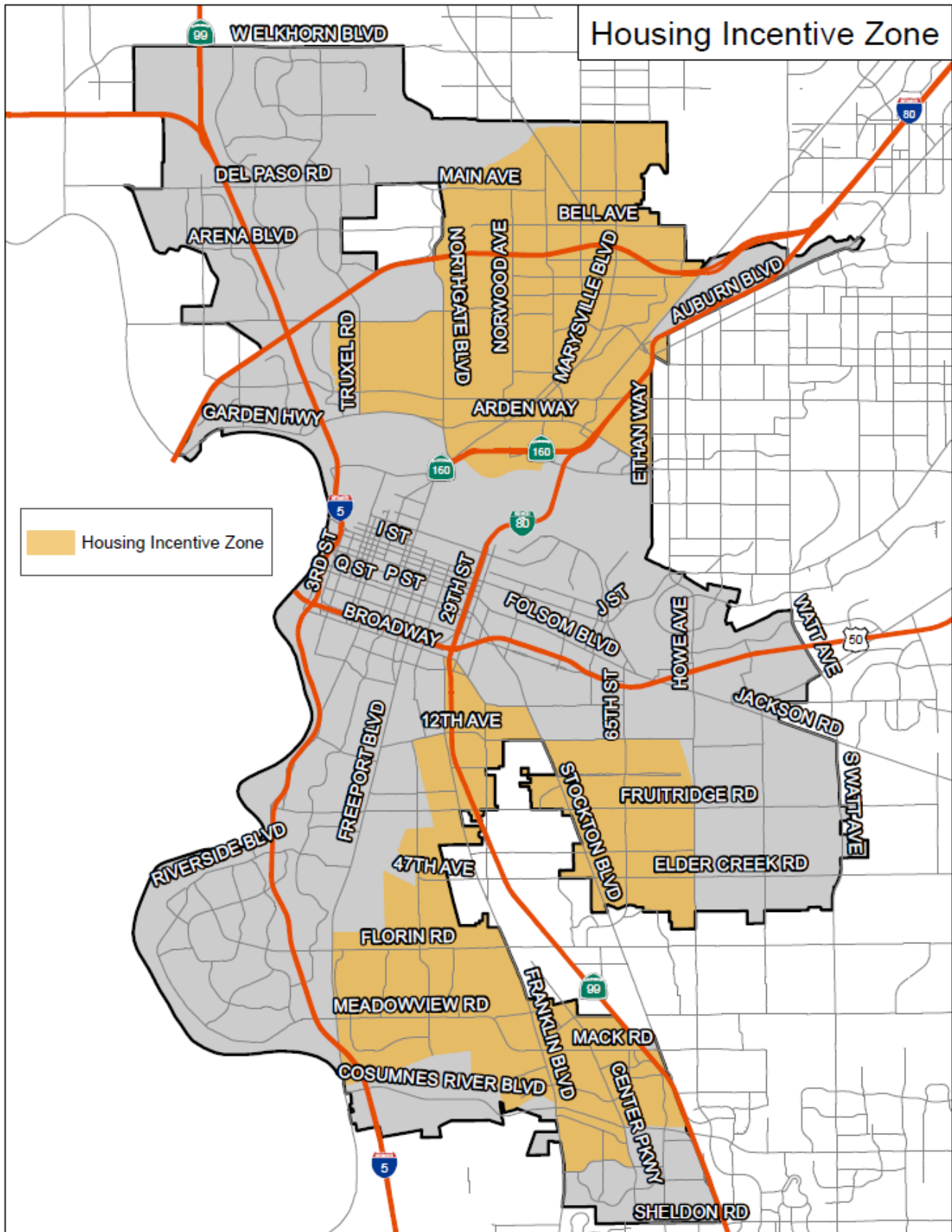
The City originally adopted the Mixed-Income Housing Ordinance (MIHO) in 2000 requiring developments within new growth areas to include at least 15 percent of housing units at prices affordable to low- and very low-income households.

When the last Housing Element was prepared in 2013, the MIHO was recognized as a potential constraint to the production of new housing. At the time, the housing market was still recovering from the recession. There had also recently been a State Supreme Court case in 2009, referred to as the Palmer Case, that challenged the legality of inclusionary housing requirements on rental housing. Several jurisdictions around the state changed from an inclusionary approach to an impact fee-based approach. In 2018 the California Legislature passed AB 1505, restoring the authority of cities and counties to require inclusionary housing on new rental housing developments.

The City adopted a new citywide MIHO ordinance in 2015 that is fee-based, with the intention of reducing constraints on housing production while continuing to collect funding for affordable housing. The current (2015) MIHO requires an affordable housing impact fee that applies to newly constructed market rate units, with a few exceptions, including individual owner-built single-family units, ADUs, and mobile home parks. If the residential project exceeds 100 gross acres in size, the project must pay the impact fee and obtain City Council approval of a mixed income housing strategy that demonstrates how the project provides housing for a variety of incomes.

The current (2020) affordable housing impact fee amount depends on the location and type of residential project. The City has adopted a reduced fee or zero fee for certain types of development, as shown in Table H 5-6. Fees for projects within the Housing Incentive Zone (see Figure H 5-3) are reduced as market rate housing in these areas have already been deemed affordable. Additionally, high-density single unit and duplex projects of 20 or more units per acre, high density multi-unit projects of 40 or more units per acre, and projects converting nonresidential buildings to residential have a zero-fee rate. Fees are automatically adjusted for inflation on July 1 of each year. Funds collected are transferred to the Housing Trust Fund, which is administered by SHRA.

Figure H 5-3: City of Sacramento Housing Incentive Zone Boundaries



Source: City of Sacramento, 2020.

<i>Housing Type</i>	<i>Fee Rate per Square Foot</i>	
	<i>July 1, 2020 – June 30, 2021</i>	<i>July 1, 2019 – June 30, 2020</i>
Single-unit and duplex dwellings (less than 20 dwelling units per net acre)	\$2.95	\$2.78
High density single-unit and duplex dwellings (20 dwelling units per net acre or more)	\$0.00	\$0.00
Multi-unit dwellings (less than 40 dwelling units per net acre)	\$2.95	\$2.78
High density multi-unit dwellings (40 dwelling units per net acre or more)	\$0.00	\$0.00
Conversion of a nonresidential building to a residential use	\$0.00	\$0.00
Dwelling units in the Housing Incentive Zone (see map below)	\$1.28	\$1.28

Source: City of Sacramento Mixed Income Housing Ordinance, 2020.

The City received a substantial amount of community input on the MIHO during the outreach efforts for the Housing Element Update. Many community members and representatives of the affordable housing community believe the ordinance needs to be strengthened, particularly in the projects receiving a fee reduction or exemption, to ensure that more lower income housing is built. Others in the development industry are concerned that higher fees or an inclusionary housing requirement could impact development feasibility. Housing Program H1 commits the City to evaluate the effectiveness of the ordinance and consider amendments that can increase the amount of affordable housing built in the City while ensuring the requirements will not hinder overall development.

5.3.4 State of California, Article 34

Article 34 of the State Constitution requires local jurisdictions to obtain voter approval for specified “low rent” housing projects that involve certain types of public agency participation. Generally, a project is subject to Article 34 if more than 49 percent of its units will be rented to low-income persons. If a project is subject to Article 34, it will require an approval from the local electorate. This can constrain the production of affordable housing, since the process to seek ballot approval for affordable housing projects can be costly and time consuming, with no guarantee of success.

Local jurisdictions typically place a measure or referendum on the local ballot that seeks “general authority” to develop a certain number of low-income units during a given period of time. If the electorate approves general parameters for certain types of affordable housing development, the local jurisdiction will be able to move more quickly in response to housing opportunities that fall within those parameters. The City last took a measure to the voters in 2004 for 6,800 units. As of December 2020, there were 1,431 remaining units available. The measure is set to expire in 2024. The Housing Element includes a program to take a measure to the voters for Article 34 authority prior to expiration of the current measure.

5.3.5 Building Codes and Code Compliance

Building codes regulate the construction of dwellings and apply to plumbing, electrical, and mechanical systems. The purpose of building codes and their enforcements is to protect the public from unsafe conditions associated with faulty construction. As of January 1 2020, the City of Sacramento requires all new development to comply with the California 2019 Building Standards Code and applicable code amendments. Building code modifications and City code compliance practices are described below.

Local Amendments to State Building Code

The City of Sacramento enforces State building code standards (Title 24) for all structures subject to the code, including the construction and rehabilitation of housing. State law offers local government the option of amending the State standards based on geographical, topological, or climatic considerations. The City of Sacramento has adopted local amendments to the various codes found in Section 15.20 through 15.36 of the Sacramento City Code (SSC), none of which create a constraint or additional costs to the development of housing.

New Building Electrification Ordinance

Decarbonization through electrification is one of the City's key strategies for reducing greenhouse gas (GHG) emissions. In 2021, the City anticipates adopting an ordinance that make a local amendment to the California Building Standards Code requiring all new low-rise construction of three stories or less to be all-electric by 2023 and all new buildings of four-stories or more to be all-electric by 2026 (provided that all-electric high-rise construction has been determined to still be cost-effective and the technology has shown to be feasible).

The City also anticipates making a local amendment to the Building Code to require 20 percent electric vehicle (EV) capable charging spaces and at least one installed, operational Level 2 EV charger in new low-rise multi-unit and nonresidential development (three stories or less) by 2023, and all building by 2026. Installing EV capable spaces during construction adds approximately \$800 per space. Recent studies have indicated that retrofitting that same space can cost approximately \$2,370-\$3,700, depending on the number of spaces. Therefore, incorporating the infrastructure with initial construction can then yield savings of \$1,570-\$2,900 per space. For most building types, the savings from building all-electric offsets the small added cost of additional EV infrastructure, providing overall cost savings.

All electric new construction provides significant cost benefits because it eliminates the need for gas infrastructure. It reduces the costs to build low-rise housing and has the potential to make low-rise single-unit and multi-unit housing more affordable. Avoiding the cost of gas infrastructure provides significant savings, and most electric appliances have similar or lower operating costs compared to natural gas appliances. Adding EV capacity requirements in new construction is also cost effective when compared to the cost of retrofitting to add EV capacity later. The electrification of new construction will also have the co-benefit of improving indoor and outdoor air quality.

Building Code Compliance

Building code standards are upheld through the Code Compliance Division. City enforcement of the building code to remove hazardous and dangerous buildings has resulted in the demolition of an average of four housing units per year during the last four years. However, the City's Rental Housing Inspection Program along with the vacant property monitoring program has resulted in a high compliance rate for needed repairs. The expanded use of this program has helped to address building condition issues before they progress to conditions requiring demolition or substantial rehabilitation, and to promote the exploration of rehabilitation opportunities before demolition. Through community outreach conducted for this Housing Element, focus group participants suggested that the program should increase its outreach and education efforts. In response, the City included Housing Element Program H48 to improve outreach and education about the Rental Housing Inspection Program.

Based on the modifications of the State building code and efforts to use code enforcement as a tool to catch problems before they require more extensive repairs or demolition, building code and code compliance practices and regulations by the City of Sacramento are not considered to represent a constraint to the provision of housing or affordable housing in the city.

5.3.6 Infrastructure Requirements

Various City departments implement on- and off-site improvement requirements, including standards for street construction, sidewalks, curbs, gutters, on-street parking and bicycle lanes. Residential development may also necessitate constructing water, sewer, and drainage improvements. All improvements are generally required as conditions of approval and are developer financed. Complying with certain infrastructure improvements may be perceived as a constraint on the provision of housing for all income levels.

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For infill projects, the City Code requires the construction of standard improvements that may include repair of defective sidewalks, construction of standard driveways, and maneuvering areas. The Code also requires dedication and improvement of full-street or alley frontages. The City's respective departments may approve variances from City standards based on hardship considerations on a case-by-case basis per City Code. For instance, City Code Section 17.502.200 provides information for deviation/variance from dedication and improvement requirements. As another example, City Code Section 17.502.190 D, Standard Street Sections, allows minor deviations from standard requirements for infill projects.

Although infrastructure requirements represent a cost to developing housing, these improvement standards are not unreasonable nor do they represent a significant constraint. However, the City recognizes there are issues with infrastructure adequacy in certain areas of the City, including infill areas with aging infrastructure. These infrastructure deficiencies are a recognized constraint for infill development in the City. There are several programs within this Housing Element to address infrastructure deficiencies.

5.3.7 Development Impact Fees

The City collects development impact fees to finance the design, construction, installation, and acquisition of public infrastructure. Fees can also be used to recover the costs of adding capacity in existing public infrastructure. Development impact fees in the City of Sacramento are determined in proportion to the square footage of the proposed project rather than by the unit type.

The City has been active in meeting State requirements to increase transparency and predictability of fees. All applicable fees are available online and the City has an online tool to search and estimate various fees. In addition to this, the City allows developers to request a building permit fee estimate online by submitting an electronic worksheet. Table H 5-7 provides typical fee breakdowns for the City of Sacramento based on project square footage. These totals include both citywide fees and plan area fees, which are often imposed on local development areas in order to fund local needs. To further encourage infill development in the city, residential projects in infill or incentive zones may be exempt or subject to reduced development fees. In addition to City fees, there are additional fees required from other agencies to account for the impact of development, such as school impact fees, which range from as low as \$1.81 per square foot in the Robla Elementary School District to \$3.36 per square foot in the Sacramento City Unified School District and \$5.21 per square foot in Natomas Unified.

A recent SACOG study in June 2020 performing a regional fee comparison showed that the City of Sacramento's impact fees typically fall at the low end when compared with other jurisdictions in the region. The City's fees are not considered a constraint on housing production.

Table H 5-7 Building and Impact Fee Estimate (New Construction), 2020					
<i>Type of Fee</i>		<i>Est. Price Proportional to Project Square Footage</i>			
Dwelling (Price/Sq. Ft.)	\$121.24	1000	1500	2000	2500
Garage (Price/ Sq. Ft.)	\$48.32	400	400	400	400
Total Project Valuation		\$140,568.00	\$201,188.00	\$261,808.00	\$322,428.00
Permit Fee (Including Intake Fee) *		\$1,353.34	\$1,764.76	\$2,176.19	\$2,587.62
Plan Check Fee		\$568.40	\$741.20	\$914.00	\$1,086.80
Residential Construction Tax (3 bedroom)		\$385.00	\$385.00	\$385.00	\$385.00
Strong Motion Fee		\$18.27	\$26.15	\$34.04	\$41.92
Regional Sewer Fee		\$6,479.00	\$6,479.00	\$6,479.00	\$6,479.00
Construction Excise Tax		\$874.08	\$1,268.08	\$1,662.08	\$2,056.08
Water Development Fee		\$3,134.23	\$3,134.23	\$3,134.23	\$3,134.23
Sewer Development Fee		\$177.51	\$177.51	\$177.51	\$177.51
Business Operations Tax		\$56.23	\$80.48	\$104.72	\$128.97
Technology Surcharge		\$153.74	\$200.48	\$247.22	\$293.95
Water Meter Fee (1")		\$562.00	\$562.00	\$562.00	\$562.00
Park Development Impact Fee		\$2,700.00	\$4,050.00	\$5,414.00	\$5,414.00
Const. Water Use Fee		\$201.00	\$201.00	\$201.00	\$201.00
General Plan Surcharge		\$338.40	\$484.80	\$628.80	\$775.20
Green Building Fee		\$6.00	\$9.00	\$11.00	\$13.00
STA Mitigation Fee & 2% Admin		\$1,329.06	\$1,329.06	\$1,329.06	\$1,329.06
TDIF Mitigation Fee **		\$2,226.00	\$2,226.00	\$2,226.00	\$2,226.00
SAFCA – Development Impact Fee		\$2,060.00	\$3,090.00	\$4,120.00	\$5,150.00
Fire Department Plan Review		\$125.00	\$125.00	\$125.00	\$125.00
Fire Department Inspection		\$141.00	\$176.70	\$223.20	\$269.70
Public Works Review		\$152.00	\$152.00	\$152.00	\$152.00
Utilities Review Fee		\$152.00	\$152.00	\$152.00	\$152.00
Total Fees		\$23,192.26	\$26,814.45	\$30,458.04	\$32,740.04

Additional fees may apply (sewer and water tap fees, Housing Impact Fees, project area impact fees, etc.) Does not include special district fees.

*Valuations based on *square footage areas (inhabitable: garage/storage/balconies)*

**May be lower in certain infill areas or incentive zones

Source: City of Sacramento Community Development Department, 2020.

5.3.8 Planning and Application Fees

At the planning stage projects are subject to planning fees in addition to building and impact fees shown above in Table H 5-7. All developments go through Site Plan and Design review, described in more detail below. Other planning fees not listed in Table H 5-7, including General Plan amendments and zoning amendments, are presented in Table H 5-8 below.

Conditional Use Permits (CUPs) are only required in some zones for dormitories, residential care facilities, fraternity and sorority homes, mobile home parks, temporary residential shelters, and residential hotels. The level of review for these uses was reduced in 2020 through zoning code amendments by delegating approval authority for some

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entitlements to the Director Level (Zoning Administrator, Design Director, Preservation Director), while eliminating some CUP requirements altogether. This reduced both the time and cost for processing these uses. The base fees for a use permit entitlement are based on staff hours that include but are not limited to application intake and initial review, project routing, site visits, letters to applicants, review of revisions, coordination with other departments and agencies, public outreach, preparation of staff reports, and noticing and hearings. The majority of housing development projects heard at the commission level are requesting entitlements for tentative maps, PUD amendments, rezones, and/or general plan amendments. In recent years, there has been only one request for a use establishment of a dormitory. As of May 2020, dormitories are now no longer required to be heard at the commission level in any zone and are permitted by right in most zones.

Table H 5-8 Planning Fees		
<i>Fee Type</i>	<i>Planning Entitlement Fee</i>	<i>Fee at Planning Application*</i>
Site Plan and Design Review and Ministerial Review		
Single Unit & Duplex Dwelling	\$840	\$2,592.64
< 10,000 sq.ft.	\$3,570	\$5,541.04
> 100,000 sq.ft.	\$16,590	\$19,602.64
Subdivision Maps (ZA)		
Tentative Map 1-4 Parcels	\$4,200	\$6,641.44
Tentative Map 50 Parcels	\$25,000	\$29,105.44
Conditional Use Permit Minor Modification (ZA)	\$1,008	\$2,774.08
Conditional Use Permit (ZA)	\$4,326	\$6,777.52
Conditional Use Permit (PDC)	\$10,542	\$13,672.24
General Plan Amendment (PDC)	\$16,296	\$19,966
Zone Change (PDC)	\$9,156 - \$16,968	\$12,255 - \$20,692
PUD Amendment	\$7,980	\$11,545.28

* Total fee at application includes planning entitlement, environmental exemption, public works deposit, utilities review deposit, fire review deposit, and parks review fees as they apply.

Source: City of Sacramento, 2020. (ZA = Zoning Administrator; PDC = Planning and Design Commission)

5.3.9 On- and Off-Site Improvements

The City adopted the street design guidelines to ensure that minimum levels of design and construction quality are maintained, and adequate levels of street improvements are provided. Per the street design guidelines, typical residential streets must be 53 feet wide to accommodate the right of way, including a minimum of five feet for sidewalks. Street sections may be modified for infill. Lane widths are to be no less than 11 feet unless otherwise approved by the City Traffic Engineer. The street design guidelines have a potential to affect housing costs but are necessary to provide a minimum level of design and construction quality in the City's neighborhoods.

5.3.10 Permit Processing

The City of Sacramento meets or exceeds State-required timelines for the approval of development permits, as shown in Table H 5-9. The time required for development approval is not generally a constraint or substantial cost to housing developers. Further descriptions of permits and their processing procedures are provided in the following subsections.

Table H 5-9 Permit Procedure Timelines	
<i>Application Type</i>	<i>Estimated Approval Time</i>
Ministerial Review	1-3 months
Site Plan and Design Review	2-4 months
Conditional Use Permit (ZA)	2-3 months
Conditional Use Permit (PDC)	4-6 months
Zone Change	6-8 months
General Plan Amendment	6-8 months
Tentative Parcel Maps (ZA)	2-4 months
Tentative Parcel Maps (PDC)	4-6 months
Initial Environmental Study	30 days
Environmental Impact Report	10-12 months
Mitigated Negative Declaration	6-8 months

Source: City of Sacramento, 2020.

Senate Bill 35

Senate Bill (SB) 35, passed in 2017, requires jurisdictions that have not approved enough housing projects to meet their RHNA to provide a streamlined, ministerial entitlement process for housing developments that incorporate affordable housing. Per SB 35, review and approval of proposed project's with at least 10 percent affordability must be based on objective standards and cannot be based on subjective design guidelines. However, to be eligible, projects must also meet a long list of other criteria, including prevailing wage requirements for projects over 11 units. In order for applicants to take advantage of SB 35, per Government Code Section 65913.4 (10)(b)(1)(a)(et seq.) they need to submit a Notice of Intent and jurisdictions need to give Native American tribes an opportunity for consultation. The City of Sacramento has developed a Notice of Intent form consistent with the law.

Senate Bill 330

Senate Bill 330, Housing Crisis Act of 2019, prohibits cities and counties from enacting a development policy, standard, or condition that would impose or enforce design standards that are not objective design standards on or after January 1, 2020 [Government Code Section 663300 (b)(C)]. The bill also established specific requirements and limitations on development application procedures.

Per SB 330, housing developers may submit a "preliminary application" for a residential development project. Submittal of a preliminary application allows a developer to provide a specific subset of information on the proposed housing development before providing the full amount of information required by the local government for a housing development application. Submittal of the preliminary application secures the applicable development standards and fees adopted at that time. The project is considered vested and all fees and standards are frozen, unless the project changes substantially.

The City of Sacramento has developed a preliminary application form consistent with SB 330. In addition, the bill limits the application review process to 30 days, for projects less than 150 units, and 60 days, for projects greater than 150 units, and no more than five total public hearings, including planning commission, design review, and city council.

SB 330 also prohibits cities and counties from enacting a development policy, standard, or condition that would have the effect of: (A) changing the land use designation or zoning to a less intensive use or reducing the intensity of land use within an existing zoning district below what was allowed on January 1, 2018; (B) imposing or enforcing a moratorium on housing development; (C) imposing or enforcing new design standards established on or after January 1, 2020, that are not objective design standards; or (D) establishing or implementing certain limits on the number of permits issued or the population of the city or county.

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City Ministerial Approval of Infill Housing

In July 2020, the City Council adopted the Ministerial Approval of Infill Housing Ordinance Number 2020-0031 and Resolution 2020-0242. The ordinance further streamlines the approval of infill multi-unit housing beyond what is required under SB 35 (City of Sacramento Planning and Development Code Chapter 17.860). Unlike SB 35, the City's ministerial approval does not have an affordability requirement or a prevailing wage requirement. Under the City's ordinance, multi-unit developments of up to 200 units, either as residential-only projects or as part of a mixed-use development where the residential use constitutes at least two-thirds of the total building square footage, are eligible for ministerial review if they are consistent with the General Plan, meet objective zoning and design standards, and comply with other screening criteria. The City also adopted the Citywide Infill Housing Design Standards, which establish objective design review standards, as defined in California Government Code section 65913.4. The standards are based on the objective standards in the existing Citywide Multi-Unit Dwelling Design Guidelines.

Projects located in greenfield (non-infill) locations or historic districts are not eligible for the City's ministerial approval process.

Site Plan and Design Review

Discretionary Site Plan and Design Review is required for projects that are not eligible for ministerial review. Discretionary design review is more flexible in nature with regards to design rules. Site Plan and Design Review has two levels of project review: Staff and Director. Staff-level reviews are projects with permitted uses that meet all applicable development code standards and design guidelines criteria. Director-level review projects involve public hearings and noticing. Director-level reviews are projects that require deviations from development code standards and/or design guidelines, or large-scale projects that exceed any of the following: 65 feet in height, 150 dwelling units, or 125,000 square feet of structure(s).

Site Plan and Design Review ensures that proposed developments are consistent with the General Plan and any applicable community or specific plans. In addition, this review ensures that utilities and infrastructure are sufficient to support the proposed development and are compatible with City standards and that the design of the proposed development is compatible with surrounding development. Use compatibility is not considered in Site Plan and Design Review for permitted uses. Compatibility is determined using design guidelines and General Plan consistency. Conditional use permits, described below, consider the appropriateness of a use for a specific area.

Additionally, deviations from development standards would be considered through Site Plan and Design Review. In these cases, the entitlement would be heard at the Director level. For example, a building could exceed the maximum height of the zone with a Director-level hearing.

In order to approve a project, the decision-maker (i.e., staff, Director, or Planning and Design Commission) must find that a project is consistent with each of the findings outlined in Section 17.808.180 of the Sacramento City Code. For development projects not located in a historic district and not involving a landmark, the decision-maker may approve an application for Site Plan and Design Review based on all of the following findings:

- The design, layout, and physical characteristics of the proposed development are consistent with the general plan and any applicable specific plan or transit village plan; and
- The design, layout, and physical characteristics of proposed development are consistent with all applicable design guidelines and with all applicable development standards or, if deviations from design guidelines or development standards are approved, the proposed development is consistent with the purpose and intent of the applicable design guidelines and development standards; and
- All streets and other public access ways and facilities, parking facilities, and utility infrastructure are adequate to serve the proposed development and comply with all applicable design guidelines and development standards; and
- The design, layout, and physical characteristics of the proposed development are visually and functionally compatible with the surrounding neighborhood; and

- The design, layout, and physical characteristics of the proposed development ensure energy consumption is minimized and use of renewable energy sources is encouraged; and
- The design, layout, and physical characteristics of the proposed development are not detrimental to the public health, safety, convenience, or welfare of persons residing, working, visiting, or recreating in the surrounding neighborhood and will not result in the creation of a nuisance.

Staff have not found that these consistency findings are a constraint on housing production or that they slow the City's ability to recommend approval of projects. The direction to staff related to housing projects is that projects that comply with objective development criteria cannot be denied or reduced in density, subject to a narrow health and safety exception. All planners receive this training and have a procedures manual that explicitly states this. Examples of discretion applied during the Site Plan and Design Review process are limited to comments suggesting cohesiveness with the surrounding environment such as bulk control and mass articulation. Such comments do not impact the timeline for review for 95 percent of projects.

Preservation Site Plan and Design Review

Discretionary Preservation Site Plan and Design Review is required for projects that are not eligible for ministerial review or for projects that cannot meet established design guidelines and development standards and are located within a historic district or involve a landmark listed in the Sacramento Register of Historic and Cultural Resources. This discretionary review process is identical to the city-wide discretionary design review described above, except projects which are consistent with the U.S. Secretary of the Interior Standards for the Treatment of Historic Properties (Standards) are taken through the conventional design review entitlement process, while projects that are not consistent with the Standards would typically involve a more extensive hearing process and preparation of a detailed environmental analysis for CEQA purposes prior to approval.

Conditional Use Permit Process

Housing is allowed by-right in most zones as a permitted use. Conditional use permits (CUPs) are only required for multi-unit development in the Industrial Zones (with the exception of the Central City where multi-unit development is allowed by-right). Single-unit and duplex dwellings are also permitted by-right in most zones but require a CUP in the Shopping Center, Heavy Commercial, and Industrial zones. The CUP process is described in the City's Zoning Ordinance under Chapter 17.808 of the City Code. A CUP is a zoning instrument used primarily to review the location, site development, and/or operational characteristics of certain land uses. These are uses that may have a distinct impact on the area in which they are located or can create special problems for bordering properties unless specific conditions are applied. A CUP may be granted in a public hearing at the discretion of the zoning administrator, Planning and Design Commission or City Council.

5.3.11 Zoning for a Variety of Housing Types

The City of Sacramento encourages and facilitates the development of a variety of housing types, including accessible housing, emergency shelters (i.e., temporary residential shelters), transitional housing, supportive housing, housing for agricultural employees, and single-room-occupancy (SRO) units. The following analysis explains how the City facilitates these housing types consistent with State law requirements.

Housing for Persons with Disabilities

Persons with special needs or disabilities have a number of housing needs related to housing accessibility; access to transportation, employment, and commercial services; and alternative living arrangements that include on-site or nearby supportive living services. The following is a description of City regulations, policies, and procedures that support housing opportunities for people with disabilities.

Residential and Family Care Facilities

State law requires that State-licensed group homes of six or fewer residents be regulated in the same manner as single-unit residences for zoning purposes. The City of Sacramento Planning and Development Code allows group

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homes with six or fewer residents (called “family care facilities” in the City code) by right in zones that permit single-unit dwellings consistent with State law.

Group homes with more than six residents (defined by the City code as “residential care facilities”) are permitted by right in several residential zones (R-4, R-4A, R-5, RMX, and RO) and with a CUP in several other zones (R-1, R-1A, R-1B, R-2, R-2A, R-2B, R-2, and R-3A). While not explicitly required by State law, the CUP requirements for group homes of more than six persons could be considered a fair housing issue. The Housing element includes a program to review the Zoning Code requirements for larger group homes and amend the Zoning Code to ensure State law requirements related to fair housing and group homes are met.

Definition of Family

Historically zoning codes have included narrow definitions of the term family that have been used to deny housing opportunities for unrelated individuals. The City’s Zoning Code does not use the term family so as not to discriminate against unrelated persons with disabilities living together. The Zoning Code instead uses the terms single-unit and multi-unit to describe housing types.

Universal Design Ordinance

The City adopted a universal design ordinance in 2010 to set accessibility standards for residential dwellings (City Code Chapter 15.154). The ordinance requires single-unit home builders to provide universal design features as an option available to buyers. The provisions of the universal design guidelines are the same as the model universal design ordinance adopted by HCD and are not less restrictive than the requirements under the California building standards code.

Developments of 20 or more units in the standard single-unit (R-1) and single-unit alternative (R-1A) zones need to offer basic universal design features—such as grab bars, no step entries, and wider doorways—to make homes accessible. If the proposed project includes more than one model or type of residential unit, then only one of the unit types needs to meet the accessibility requirements. Other features required to be offered to buyers include accessible bedrooms, bathrooms, and kitchens; and general amenities like lever door handles and rocker light switches. Developments may have one or more exemptions if there are site constraints or if compliance would cause an unreasonable delay, determined by the Building Official, in construction or un-reimbursable cost to builder.

During the outreach conducted as part of the Housing Element Update, disability advocates indicated that many homebuyers are not aware of the City’s universal design ordinance and their ability to request accessibility features in new homes. The Housing Element includes a program to review and amend the ordinance to clarify how and when it applies and to conduct outreach to raise community awareness.

Reasonable Accommodation Ordinance

The City of Sacramento has a process to ensure that reasonable accommodations are made for persons with disabilities. The process, codified in Chapter 17.804 of the Planning and Development Code, was established to provide people with disabilities a way to ensure that their needs are met by the City’s zoning, building, and permitting process. On average, one or two applications are submitted each year and they have provided much needed flexibility in accommodating the homeowners’ access needs.

Emergency Homeless Shelters

State law (Government Code section 65583) requires each jurisdiction to identify one or more zoning districts where emergency homeless shelters are allowed without a discretionary permit. The jurisdiction must demonstrate in the Housing Element that the zoning provides sufficient capacity on available sites to meet the shelter needs of the local homeless population, as identified in the most recent point-in-time count.

Emergency homeless shelters are defined as “Temporary Residential Shelters” in the City Code. Table H 5-10 summarizes the zoning for temporary residential shelters. Small temporary residential shelters housing no more than 24 individuals and meeting certain location requirements and development standards are permitted by right in the C-2, C-3, C-4, M-1, M-1(S), M-2, M-2(S), and M-T zones. Small shelters may also be allowed in the following zones with

a Planning and Design Commission conditional use permit: R-1, R-1A, R-1B, R-2, R-2A, R-2B, R-3, R-3A, R-4, and R-5. Larger temporary residential shelters that house more than 24 individuals are allowed in the same zones, but always require a conditional use permit with a 100-foot noticing requirement.

State law (Government Code Section 65583(a)(4)) limits the development standards and locational restrictions that can be applied to emergency shelters. Emergency shelters may only be subject to those development and management standards that apply to residential or commercial development within the same zone except that a local government may apply written, objective standards that include all of the following:

- the maximum number of beds or persons permitted to be served nightly by the facility;
- sufficient parking to accommodate all staff working in the emergency shelter, provided that the standards do not require more parking for emergency shelters than other residential or commercial uses within the same zone;
- the size and location of exterior and interior onsite waiting and client intake areas;
- the provision of onsite management;
- the proximity to other emergency shelters, provided that emergency shelters are not required to be more than 300 feet apart;
- the length of stay;
- lighting; and
- security during hours that the emergency shelter is in operation.

Table H 5-10 Zoning for Temporary Residential Shelters		
<i>Permissions</i>	<i>Type</i>	<i>Zones</i>
Allowed by right	Small temporary residential shelter Meets development standards 24 or fewer beds Not in River District SPD	C-4 M-1, M-1(S) M-2, M-2(S) M-T
Planning and Design Commission Conditional Use Permit	Large Temporary Residential Shelter Small shelters in River District SPD Small shelters that do not meet development standards Any size shelter not described above (25 beds or more)	R-1, R-1A, R-1B, R-2, R-2A, R-2B R-3, R-3A R-4, R-4A R-5 RMX, RO OB, OB-2, OB-3 SC, TC, HC C-1, C-2, C-3 C-4 M-1, M-1(S) M-2, M-2(S) M-T H, SPX
Temporary shelters of any size are prohibited in the following zones		A, A-OS F, ARP-F RE EC MIP, MRD

Source: City of Sacramento, 2020.

Appendix H-5: Constraints

Planning and Development Code Chapter 17.228, Article VI, contains the City regulations for temporary residential shelters, including requirements for parking, intake areas, exterior lighting, and locational restrictions. City development standards for temporary residential shelters require parking on-site in the ratio of one space for every four adult beds in small shelters and every five beds in large shelters, plus an additional space designated exclusively for the manager. Some of these provisions are inconsistent. First, the locational restrictions are more excessive than what State law permits. City regulations require a 1,000-foot separation between any other shelter, although multiple programs are permitted on a single parcel. Additionally, shelters serving single adults only are required to be located more than 500 feet from any park, school (K-12), church or faith congregation, or single-unit or duplex dwelling zone. Second, the parking requirements exceed those allowed under State law. Lastly, shelters providing more than 24 beds are only allowed subject to a CUP, which could be a constraint on providing larger emergency shelters. The Housing Element includes an implementation program to review and update the standards for temporary residential shelters to be in compliance with State law and to facilitate the development of larger sites.

River District Resolution

In 1989 the Sacramento City Council adopted Resolution No. 89-544, applying to the Richards Boulevard Area, referred to as the River District. At the time, members of the community (i.e., merchants, developers, property owners, and residents) largely objected to the establishment of homeless shelters and service facilities in the River District unless there was a specific limitation on the number of persons to be served and programs put in place were adequately funded. The Resolution states that “the City shall not construct any new or additional facility in the Richards Boulevard Area for the purpose of shelter, housing, feeding or providing social welfare services to indigent, homeless or transient persons.”

A Planning and Design Commission CUP is required to establish a temporary residential shelter of any size in the River District.

Capacity for Emergency Homeless Shelters

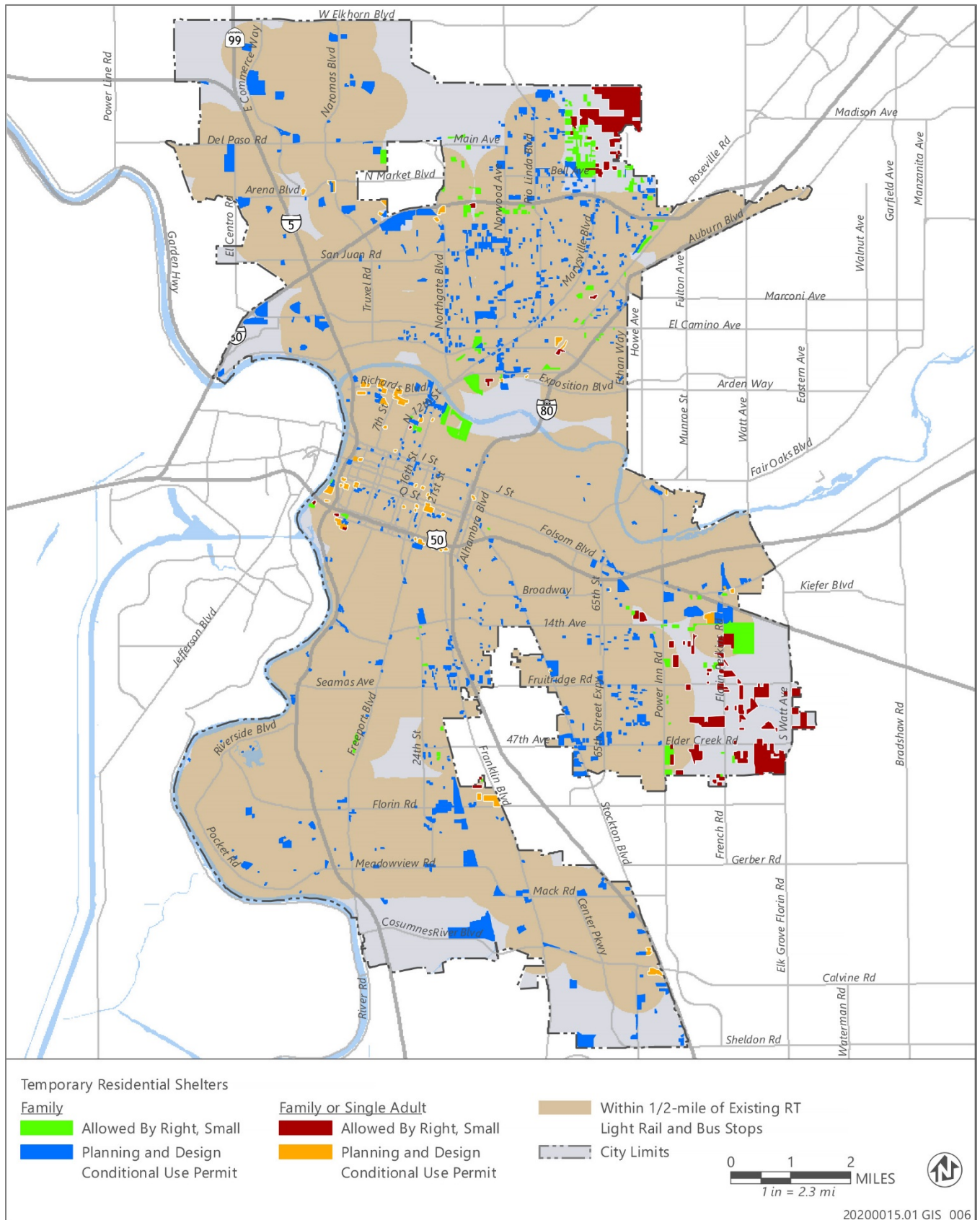
Government Code Section 65583(a)(4)(A) requires the Housing Element to demonstrate that the zones where emergency shelters are allowed by right include sufficient capacity to accommodate the need for emergency shelter identified in the most recent point-in-time count conducted before the start of the planning period.

As described above, small temporary residential shelters with up to 24 beds are allowed by right in the C-4, M-1, and M-2 zones. Figure H 5-4 shows a map of vacant sites over 0.25-acres⁴ where shelters are allowed, including sites where shelters serving either families or single adults would be allowed and sites within 500 feet of parks, schools, churches, and single-unit or duplex dwelling zones where only shelters serving families would be allowed. The map identifies 166 vacant parcels where small shelters (either family or single adult shelters) would be allowed by-right. These sites have a maximum capacity for 3,984 beds. The map also identifies an additional 215 vacant parcels where small family shelters would be allowed by-right. These sites have a maximum capacity for 5,160 family beds. These sites theoretically have sufficient capacity for shelters to accommodate the 2,858 unsheltered individuals on the night of the 2019 point-in-time count (see Appendix H-1, Section 1.6.8). The map also shows that several other sites are zoned to allow small or large residential shelters subject to a conditional use permit.

Furthermore, the majority of sites where shelters are permitted by right are located in outer areas of the City that are not within a ½ mile of existing light rail and bus stops (see Figure H 5-4) and are therefore not well served by transit along with other needed services. Additional analysis is needed when the City amends the zoning code to ensure that sites where emergency shelters are allowed by right are located in appropriate areas of the City and have sufficient capacity to accommodate at least 2,858 beds. The Housing Element includes Program H15 to review and revise the Zoning Code provisions for temporary residential shelters to comply with locational restrictions and parking requirements under State law, to establish a higher threshold for the number of beds permitted by right, and to ensure that the zones in which shelters are permitted by right provide sufficient capacity in appropriate locations within the City where public transit and services are available.

⁴ The minimum size threshold of 0.25 acres was estimated to be the smallest size site needed to accommodate 24 beds.

Figure H 5-4: Capacity for Temporary Residential Shelters within the City



Source: City of Sacramento, 2021.

Appendix H-5: Constraints

Strategies for Providing Emergency Shelters

While this zoning capacity analysis meets the requirements of State law, in recent years, the City has relied on unique public-private partnerships to expand shelter capacity within the City rather than building new physical structures on privately owned land. The examples below show how shelters have been developed outside of the previously mentioned zoning allowances:

- Use of publicly owned or leased sites:** New construction of a shelter facility was recently completed at the Meadowview Navigation Center site and is planned to begin shortly at the Broadway/Alhambra Navigation Center site. In both of these cases, the City was able to drive development of these facilities, using publicly owned land. At Meadowview, the site is owned by the City, and at Broadway/Alhambra, the site is owned by the State and will be leased by the City. In using City owned/leased land, the City is not bound by zoning regulations. When completed, these two sites will provide 200 new beds of emergency shelter for adults. The City has also leased private property owned by a church to site the recently opened Emergency Bridge Housing at the Grove, sheltering 24 homeless youth in tiny homes.
- Re-use of a former group home site:** The City worked with the Sacramento LGBT Center to create a new shelter to serve 12 homeless youth in the downtown core. The Center purchased an existing building that had previously been operated as a group home.
- Partnerships with faith-based organizations:** Every winter, the community expands sheltering capacity in partnership with local faith-based organizations. Both through government supported programs (Winter Sanctuary) and privately funded (HART), the community has been able to add up to 100 shelter slots nightly during the winter. These programs rotate through different congregations, relying on both professional and volunteer staff to operate and provide services to guests in churches, mosques, and synagogues.
- Small, scattered site shelters:** Over the past three years, the community has added over 100 beds of emergency shelter through the master leasing of scattered site single family homes. Each home hosts no more than six guests at a time (including a house monitor), requiring no permits or approval from the City. The scattered site model also allows the siting of shelters in communities without appropriately zoned land, to better distribute shelter resources throughout the community, and to offer smaller sites for vulnerable populations. For example, one house was held for transgender guests, who often are not comfortable in a congregate shelter.
- Host home sheltering programs:** In 2019, the City supported the launch of a new shelter pilot for homeless youth using the “host home” model. Host home shelters match homeless youth with a “host” who provides shelter and food in their home, with case management and other supports provided by the non-profit sponsor. Sacramento’s pilot aimed to shelter up to 20 youth, with services offered through the LGBT Center.
- Re-use of dilapidated or underutilized motels:** Use of motels as shelter was brought to scale during the COVID-19 pandemic, but has been utilized previously as a way to offer temporary shelter. The City recently closed the Capital Park Hotel shelter, which operated for a year in a dilapidated single room occupancy hotel, as the new owner secured funding to convert the building into permanent supportive housing. This model was rapidly duplicated during COVID, with over 500 motel rooms in four sites throughout the County sheltering hundreds of individuals at risk of infection and needing to safely quarantine.

Emergency Temporary Shelter Facilities

In January 2020, the City Council adopted a resolution declaring a Shelter Crisis, which lets the City allow homeless individuals to obtain housing in public facilities during the duration of the crisis (Resolution 2020-0017). Additionally, current standards of housing, health and safety can be suspended for public facilities, allowing certain buildings to be used as temporary housing for homeless individuals.

Additionally, consistent with the State-mandated public health order regarding COVID-19, the City has been more permissive regarding emergency shelters in the midst of the pandemic. Individuals living in cars, RVs, and trailers, or unsheltered in encampments are allowed by right temporarily to reduce and prevent infection rates in the city. Exceptions to this rule are encampments that pose an imminent and significant public safety hazard, such as a large, excavated area of a levee.

In January 2021, the City Council passed an emergency ordinance to allow for an administrative permit process to construct small temporary residential shelters and temporary shelter facilities to house people experiencing homelessness (Ordinance 2021-002). A “temporary shelter facility” is a facility that provides short-term, temporary shelter to not more than 80 individuals using outdoor tents, park trailers, emergency sleeping cabins, or safe parking lots, which are parking lots that allow individuals living in their vehicles to park overnight, in compliance with the California Building Code Appendix O, the California Residential Code Appendix X, or any other applicable law.

Master Plan for Siting, Operations, Programs, and Financing to Address Homelessness

In early 2021, the City Council adopted a resolution to prepare a Master Siting, Operations, Programmatic and Financing Plan to Address Homelessness (Master Plan). Through a Council-led effort to engage the community and evaluate specific sites in each Council District for short- and long-term solutions to address the homelessness crisis. This Master Plan will identify sites for a broad range of shelter and housing types and the specific resources needed for facility development, services, programs, and operations. Rather than tackling the crisis one shelter at a time, the Master Plan will establish a citywide goal of addressing homelessness by identifying actionable strategies for building and funding shelters and supportive housing types in appropriate areas all throughout the entire City.

Low Barrier Navigation Centers

Assembly Bill 101, passed in 2019, requires that a low barrier navigation center be a use permitted by right in mixed-use zones and nonresidential zones permitting multi-unit uses if it meets specified requirements. AB 101 defines “low barrier navigation center” as a housing first, low-barrier, service-enriched shelter focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing. The Housing Element includes an implementation program to amend the Planning and Development Code to comply with this new requirement.

Transitional/Supportive Housing

Transitional housing is designed to assist homeless individuals and families in moving beyond emergency shelter and into permanent housing by helping people develop independent living skills through the provision of supportive services. Permanent supportive housing is housing that is linked to services that assist residents in maintaining housing, improving health, and maximizing ability to live and work in the community. Consistent with State law, supportive housing and transitional housing are defined in the Planning and Development Code as a dwelling and subject only to those restrictions that apply to other residential uses of the same type in the same zone.

Per recent changes in State law (AB 2162), the City must also allow 100 percent affordable projects that include 25 percent, or 12 units of supportive housing, by right where multi-unit and mixed-use development is permitted. The Housing Element includes an implementation program to comply with this new provision of State law.

Single-Room Occupancy Housing

Single-Room Occupancy (SRO) facilities, defined as residential hotels in the City code, are permitted by-right in the M-T zone and with a conditional use permit in most high density residential, commercial, and industrial zones (see Tables H 5-3 and 5-4). The purpose of the conditional use permit is to ensure compliance with definitional and development standards for residential hotel units contained in Title 17 of the City code. These standards include:

- residential hotel units shall be occupied by no more than two persons;
- floor size of an individual unit must be at least 100 square feet, exclusive of bathroom facilities. Units for two persons must be at least 150 square feet;
- one or more common dining, lounge and meeting room facilities. The minimum total amount of common space provided shall be 10 square feet per unit with a minimum of 150 square feet;
- a separate bathroom facility; and
- a dead bolt and latch lock for security.

Appendix H-5: Constraints

For residential hotels with 12 or more units, an on-site manager is required with an office that has full view of the entry area. The City considers these development standards the minimum necessary to ensure the health and safety of occupants and does not believe these standards create unreasonable constraints to the production of SRO-type housing. A recognized potential constraint to the development of new residential hotel units is the requirement for a conditional use permit in most zones other than M-T; therefore, the Housing Element includes a program to expand the zones where residential hotels are permitted by right.

The City, in partnership with SHRA, has a proactive strategy to encourage the preservation and development of SRO units in the Central City. In 2006 the City Council adopted an ordinance (Chapter 18.20 of the City Code) regulating the withdrawal, demolition, and conversion of residential hotels/SROs in the Central City; requiring relocation assistance to tenants; and ensuring replacement housing. The ordinance was amended in 2016. It applies to four remaining residential hotels, totaling 143 units, and requires the City to maintain an inventory of not less than 712 residential hotel or comparable units in the Central City. There are currently 621 regulated replacement units. SHRA is required to monitor the status of these units and provide an annual report to the Sacramento Housing and Redevelopment Commission and City Council.

Housing for Agricultural Workers

As noted in Appendix H-1, farmworkers represent a small fraction of the City's labor force. Although little agricultural activity remains within the Sacramento City limits, the region includes significant agricultural activity that attracts farmworkers and their families. The most likely alternative housing need would be for seasonal agricultural workers who reside in the Sacramento region temporarily during those times of year when crop harvesting and processing occur. Such workers often need access to group housing or temporary (non-emergency) shelter.

The provisions of Section 17021.5(b) of the California Health and Safety Code state that employee housing for six or fewer employees must be treated like any other single-unit dwelling. The City does not regulate the occupancy of single unit dwellings and there are no provisions in the City's code to restrict employee housing for six or fewer employees, therefore, the City complies with this requirement.

California Health and Safety Code Section 17021.6, requires that farmworker housing of no more than 36 beds in a group quarters or 12 units shall be deemed an agricultural use. No conditional use permit, zoning variance, or other discretionary zoning clearance shall be required of this housing that is not required of any other agricultural activity in the same zone. The City currently allows farmworker housing in A and A-OS zones consistent with State law.

Accessory Dwelling Units

California lawmakers have passed several bills in recent years to facilitate the development of accessory dwelling units (ADUs), recognizing that ADUs are part of the solution for addressing the statewide affordable housing crisis. In 2019, the City amended the Planning and Development Code to comply with State law. ADUs are defined as attached or detached dwelling units that are complete with independent living facilities for one or more persons located on the same lot as the main house (i.e., primary residence). The City also adopted the definition of a "junior accessory dwelling unit" (JADU), which is a specific type of ADU that is no more than 500 square feet and built entirely within an existing single-unit or duplex dwelling residence.

The City's ADU ordinance (Planning and Development Code Section 17.228.105) is more permissive than the basic requirements under State law. An ADU is permitted by right in any zone that allows a residential use and is exempt from density calculations. The City of Sacramento allows two ADUs on one lot, as well as a JADU. There must be an existing (or proposed) primary residential structure on the property (e.g., house, duplex, apartment). On parcels with a multi-unit development, the number of ADUs permitted within the footprint of the existing structure may be up to 25 percent of the number of existing units, with a maximum of two detached units.

ADUs are eligible for ministerial review and applications must be approved within 60 days of complete application submittal. In addition to the City's Public Counter, ADU applications are available on the City website and may be submitted either in person or online. An approximation of ADU fees, based on different sample square footages, is posted on the City's website for transparency or homeowners can request a building permit fee estimate service through the Building Division for a \$164 service fee. For a summary of ADU fee estimates, refer to Table H 5-11.

Table H 5-11 Accessory Dwelling Unit (ADU) Fee Estimate (New Construction)			
<i>Type of Fee</i>	<i>Est. Price Proportional to Project Square Footage</i>		
Dwelling (Price/Sq. Ft.) \$123.68 Estimated Project Valuation	749 sq. ft. (\$92,636)	750 sq. ft. (\$92,760)	1200 sq. ft. (\$148,416)
Building Permit Fee*	\$1,011.00	\$1,011.00	\$1,386.73
Planning Inspection Fee*	\$336.00	\$336.00	\$336.00
Building Plan Review Fee*	\$425.00	\$425.00	\$582.43
Planning Plan Review Fee*	\$63.75	\$63.75	\$87.36
Residential Construction Tax (2 bedroom)	\$315.00	\$315.00	\$315.00
Strong Motion Fee*	\$11.81	\$11.82	\$18.91
Regional Sanitation Fee	Check with County	Check with County	Check with County
County Sewer Development Fee	Check with County	Check with County	Check with County
Construction Excise Tax	\$590.21	\$591.00	\$945.60
Construction Debris Recycling Fee	\$36.32	\$36.37	\$58.20
Business Operations Tax	\$36.32	\$36.37	\$58.20
Technology Surcharge	\$114.88	\$114.88	\$157.53
General Plan Surcharge	\$236.60	\$236.60	\$379.60
Green Building Fee	\$4.00	\$4.00	\$6.00
Sacramento Transportation Authority (STA) Development Impact Fee	\$0.00	\$1,355.58	\$1,355.58
Transportation Development Impact Fee (TDIF)	\$0.00	\$0.00	\$0.00
Park Development Impact Fee (non-incentive zone rate) **	\$0.00	\$2,158.00	\$3,444.00
Sacramento Flood Control Agency Development Impact Fee (SAFCA-DIF)	\$0.00	\$1,575.00	\$2,520.00
Fire Department Plan Review (per hour)	\$129.00	\$129.00	\$129.00
Fire Department Inspection Fee	\$145.00	\$145.00	\$145.00
School Impact Fee	Check with District	Check with District	Check with District
Public Works Review (\$152 Deposit plus additional hourly rate at \$152)	\$152.00	\$152.00	\$152.00
Utilities Department Plan Review (per hour)	\$152.00	\$152.00	\$152.00
Total Fees (Approx.)	\$3,760.59	\$8,850.08	\$12,263.58

*Based on Valuation

**May be lower in certain infill areas or incentive zones

Does not include any applicable special district fees

Additional Impact Fees May Apply (sewer and water tap fees, project area impact fees, etc.)

Source: City of Sacramento Community Development Department, 2020

Appendix H-5: Constraints

Since 2017, there have been many changes in state law to promote the development of ADUs. The City has been active to maintain compliance and further streamline these units by expanding allowable zoning districts to include all areas zoned for single-family and multi-unit residential uses, reducing fees and application timelines, and reducing development standards such as parking requirements. The City last amended its ADU codes in December 2019 to be consistent with State law and will be making further amendments to the ordinance to remain consistent with State law and reflect local needs. The City recognizes that State law regarding ADUs is constantly changing and has included a program to track legislative changes and modify the City code as necessary.

Manufactured Homes and Mobile Home Parks

State law requires that cities and counties allow the placement of manufactured homes (also referred to as factory-built homes and modular homes) meeting Federal construction standards and manufactured home subdivisions in single-unit neighborhoods.⁵ Government Code Sections 65852.3 through 65852.5 require that manufactured homes be permitted in single-unit districts subject to the same land use regulations as conventional homes. Government Code Section 65852.7 requires that cities and counties allow mobile home parks (including condominium and cooperative parks) in all residential zones.

In keeping with State law, the City's Planning and Development Code allows manufactured homes on permanent foundations in the same residential zones as dwellings. The code defines manufactured homes as a dwelling, and they are subject to the same development standards.

Sacramento allows mobile home parks in nearly all residential and many nonresidential zoning districts, subject to the granting of a conditional use permit by the planning and design commission (see Tables H 5-3 and H 5-4). In addition, the Planning and Development Code regulates the development and maintenance of mobile home parks. The regulations restrict mobile home parks to a minimum five-acre site and a minimum density of 10 mobile home spaces per acre. The City's standards for mobile home parks do not pose constraints to the placement or development of these housing types.

⁵ The National Manufactured Housing Construction and Safety Standards Act of 1974 (also referred to as the Manufactured Home Act of 1974).

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