

## Minor Special Development Permit

Form ID: PER-104

A **Minor Special Development Permit (SPM)** can be used to request up to two deviations of up to 25% of the required multifamily development standard and/or design standard for a multifamily residential development. Multifamily development projects that include Housing for Special Needs Groups or when located in or adjacent to Low Density Residential Zones may qualify for additional deviations. This form must be submitted in conjunction with the General Application Form Packet (Form PER-001).

A SPM also allows for deviations from Accessory Dwelling Unit (ADU) development standards, up to 25% of the required standard. Deviations to the maximum dwelling size, number of ADU/JADUs, or number of kitchens are not permitted.

Minor Special Development Permits (SPMs) require discretionary approval from the Planning Director, do not require a public hearing or review by CPACs, and are subject to Design Review and California Environmental Quality Act (CEQA) when applicable. (SZC 6.4.6.D).

**Application Fee.** The SPM fee is a flat fee listed under the fee code "SPM" on the [Planning Fee Schedule](#). This type of request may be subject to the CEQA. Deposits for required environmental review are provided once an initial environmental determination is made and typically range from \$10,000-\$12,000 for preparation of an Initial Study. All SPMs for multifamily developments are also subject to discretionary design review (DRS); the fee is determined by the level of DRS required for the project (SZC Section 6.3.2.B) and ranges from approximately \$450 to \$3,100.

### **Requested Deviations**

Under the provisions of Section 6.4.6.D of the Sacramento Zoning Code (SZC), deviations not exceeding 25% of the required development standard and/or design standard may be requested except as provided in SZC Table 6.3. The number of deviations allowed is dependent on the project type as provided in the Table below:

<b>Project Type</b>	<b>Maximum Number Of Deviations</b>
Multifamily Development Project	2
Multifamily Development Project located within or adjacent to a Low Density Residential (LDR) Zone (AG, AR, RD-1 through RD-10). [1]	2
Multifamily Development Project providing housing for Special Needs Groups as defined in County Housing Element and SZC Section 6.4.6.G.1	3

Project Type	Maximum Number Of Deviations
Accessory Dwelling Units (ADU) or Junior Accessory Dwelling Unit (JADU)	Unlimited. Cannot request deviations to the number of units, size of units, number of kitchens, or standards required by State law such as JADU owner occupancy requirements, requirement for provisions of exterior access, or building/fire code requirements.
[1] Multifamily in or adjacent to LDR. See SZC Table 6.3 for minimum setbacks and maximum height restrictions. Deviations to both interior property lines counts as one deviation. Requests to further deviate from setbacks or height as listed in the Table 6.3 cannot be processed as a SPM.	

*For setback deviations, please indicate which property line.*

**Requested Deviation #1**

Request #1 Zoning Code Citation: \_\_\_\_\_

Request #1 Standard: \_\_\_\_\_ Request #1 Proposed: \_\_\_\_\_

Explanation for Request #1:

**Requested Deviation #2**

Request #2 Zoning Code Citation: \_\_\_\_\_

Request #2 Standard: \_\_\_\_\_ Request #1 Proposed: \_\_\_\_\_

Explanation for Request #2:

**Requested Deviation #3 (Housing for Special Needs Groups or ADU/JADU only)**

Request #3 Zoning Code Citation: \_\_\_\_\_

Request #3 Standard: \_\_\_\_\_ Request #3 Proposed: \_\_\_\_\_

Explanation for Request #3:

**Requested Deviation #4 (ADU/JADU only)**

Request #4 Zoning Code Citation: \_\_\_\_\_

Request #4 Standard: \_\_\_\_\_ Request #4 Proposed: \_\_\_\_\_

Explanation for Request #4:

**Special Needs Groups**

Please complete questions in this box if housing is being provided for a Special Needs Group, as defined in [Section 6.5.4.C of the Zoning Code](#).

What Special Needs Group are you providing housing for? \_\_\_\_\_

Indicate the number of units in the proposed project for Special Needs Groups: \_\_\_\_\_

Indicate the total number of units in the project: \_\_\_\_\_

Indicate the percentage of units dedicated to Special Needs Groups: \_\_\_\_\_

**Statement of Findings**

Pursuant to Section 6.4.6.H of the SZC, the appropriate authority shall not issue the Special Development Permit unless it finds that the facts presented are such as to establish the required findings.

**Instructions.** Please provide evidence and confirm that the project can be considered compliant with the General Findings for All Special Development Permits (SZC 6.4.6.H.1). Please do not provide one word or “Yes”/“No” responses. If necessary, attach additional pages.

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The proposed development shall be compatible with the surrounding area and land uses, shall provide a desirable environment, shall have justifiable project design (in relation to energy savings, dwelling types, or useable open space), shall be installed on schedule, shall have adequate utilities for proposed uses and densities, and shall not negatively impact the environment or the health, safety, and general welfare of the County and its residents.

## **Multifamily Minor Special Development Permit Findings**

**Instructions.** In the space below please present facts sufficient to establish the Findings for the specific deviations from Multifamily Development and Design Standards (SZC 6.4.6.H.6) listed below.

Please write "N/A" if finding is not applicable to the requested deviation. Staff will follow up if needed. Please do not provide one word or "Yes"/"No" responses. If necessary, attach additional pages.

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Specified site constraints (for example, mature trees, irregular lot size, or adjacent uses) result in special circumstances necessitating deviations from the prescribed development or design standards for optimal property usage including density thresholds for the zone district.

The requested deviation allows for increased circulation and access to and within the site.

The project provides housing for Special Needs Groups and meets one of the following criteria:

- Includes large (3 bedrooms or more) units as at least 10% of total units, but not less than one unit;
- Includes universal access/design units as at least 10% of total units, but not less than one unit; or
- Has a combination of large units and universal access/design units that comprise at least 10% of total units, but not less than one unit.

For rear and interior side yard deviations:

- i. Interior and rear yards are fully landscaped, with fast-growing trees, planted with the intent to provide privacy to surrounding parcels consistent with Section 5.2.4 and the enhanced landscape screening requirements of the Countywide Design Guidelines; and/or,
- ii. All second and higher story windows utilize objective standards and guidelines listed in the Countywide Design Guidelines with the intent for increased privacy.

For front and side street setbacks: the requested deviation provides alternative frontage or massing, pursuant to the Countywide Design Guidelines.

For residential projects with 10 units or more: the requested deviation provides additional site amenities, as defined Zoning Code Table 5.8.B., Footnote 2.

For landscaping planters: the requested deviation allows for pedestrian access and site accessibility.

For trash enclosure location: the requested deviation does not reduce the required separation from residential units.

For deviations to the objective standards in Chapter Three of the Countywide Design Guidelines, the Planning Director or Design Review Administrator has determined that the overall intent of the Design Principle will be maintained.