



## 2024 Interim Zoning Code Guidance To Implement Changes in State Legislation

### Overview

Over the past two years, Governor Newsom signed into law several bills related to zoning and land use resulting in portions of the Sacramento County Zoning Code (SZC) becoming outdated because of new State statutes. To remedy this situation, Sacramento County follows applicable State Government Code (CA GOV) sections where conflicts arise between State law and the SZC.

This document has been created to provide guidance for County staff, applicants, and the public in the interim period between adoption of legislation and the corresponding SZC updates. It temporarily incorporates the State statutory requirements and allowances into the current SZC until formal updates can be made. This document will be modified as guidance from the State or new information regarding implementation of various legislation becomes available. This document should be used in conjunction with the SZC as applicable until the SZC has been formally amended. **With the exception of the interim changes provided or referenced in this document all other provisions of the SZC shall continue to apply.**

The topics covered in the interim guidance include:

- Multifamily Development ([SZC 3.2.5. Table 3.1. and SZC 3.5.1.C.](#))
  - Properties Owned by Religious or Higher Education Institutions
  - Adaptive Reuse of Residential or Transient Occupancy Commercial Buildings
- Density Bonus Law
  - Additional Density Bonuses and Concessions/Incentives ([SZC 6.5.4.D.](#))
- Shared Parking ([SZC 5.9.7.C.](#))
- Delivery of Medicinal Cannabis ([SZC 7.3](#))

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## Multifamily Development

The following legislation passed in the two previous California State legislative sessions grants the ability to develop multifamily housing projects by right in various zoning districts in which multifamily residential development is currently prohibited or requires an entitlement. These projects may only be approved if they meet the specified criteria listed in the respective legislation. Summaries of each of these bills are provided below along with proposed Interim Language for affected Zoning Code Sections.

### ***SB 4 (Wiener, 2023) – Properties Owned by Religious and Higher Education Institutions***

This was signed into law October 11, 2023 and takes effect January 1, 2024. This bill requires that under the SB 35 streamlined approval process, a housing development project on any land owned by a higher education or religious institution by January 1, 2024, be considered a by-right permitted use if certain specified conditions are met.

The project must be 100% affordable, with up to 20% of units allowed for moderate income households and 5% of units allowed for staff of the institution.

CEQA would not apply as approval of projects must be ministerial.

**Zoning Code Sections Impacted: SZC 3.2.5. Table 3.1. and SZC 3.5.1.C.**

### ***AB 1490 (Lee, 2023) – Extremely Affordable Adaptive Reuse Projects***

This bill was signed into law October 11, 2023 and takes effect January 1, 2024. This bill establishes that an “extremely affordable adaptive reuse project” (as defined in CA GOV §65913.12) on an infill parcel that is not located on or adjoined to a site where more than 1/3 of the square footage on the site is dedicated to industrial use, is an allowable use. Additionally, this bill grants exemptions from certain local development standards as detailed below. The intent of the bill is to ease the ability to convert existing hotel, motel, or any other temporary occupancy building to long-term, affordable housing.

An “extremely affordable adaptive reuse project” is a housing development that meets the following criteria:

- The development is a multifamily project.
- The development involves the retrofitting and repurposing of a residential building or commercial building that currently allows for temporary dwelling or occupancy, to create new residential units.
- The development will be entirely within the envelope of the existing building.
- The development meets all the following affordability criteria:
  - 100% of the units, excluding manager’s units, are dedicated to lower income households.
  - At least 50% of the units are dedicated to very-low-income households.
  - The units are deed restricted for a period of 55 years for rentals and 45 years for owner-occupied units.

If a project qualifies under the provisions of this bill, the project is exempt from the following development standards:

- Maximum density requirements.

- Maximum floor area requirements.
- Requirement to add additional parking.
- Requirement to add additional open space.

**Zoning Code Sections Impacted:** [SZC 3.2.5. Table 3.1.](#) and [SZC 3.5.1.C.](#)

## State Density Bonus Law

### [AB 323 \(Holden, 2023\), AB 1287 \(Alvarez, 2023\), and SB 713 \(Padilla, 2023\) – Additional Density Bonuses and Incentives/Concessions](#)

The three referenced bills (all signed into law October 11, 2023 and taking effect January 1, 2024) all made amendments to the State Density Bonus Law (CA GOV §65915). Below is a list of the key impacts these amendments have on the Zoning Code:

- Increases the number of incentives or concessions for projects in proximity to transit from 4 to 5.
- Increases the number of incentives or concessions for projects with at least 16 percent very low-income units from 3 to 4.
- Increases the number of incentives or concessions for projects with at least 45 percent moderate income units available for sale from 3 to 4.
- Creates a new provision where you can “stack” two density bonuses if you meet certain eligibility criteria and income restricted unit count criteria.
  - If a Density Bonus Project meets any of the following minimum unit counts, they are eligible for an additional density bonus as shown in Table 6.4.1:
    - At least 24 percent lower income units
    - At least 15 percent very low-income units
    - At least 44 percent moderate income units

**Zoning Code Sections Impacted:** [SZC 6.5.4.D.](#)

## Shared Parking

### [AB 894 \(Friedman, 2023\) – Shared Parking](#)

This bill was signed into law October 11, 2023 and takes effect January 1, 2024. The provisions of this bill closely mirror the current requirements for Shared Parking in [SZC 5.9.7.C.](#) Currently the Zoning Code requires that the entities involved in the Shared Parking agreement must be on the same or adjoining parcels. This bill stipulates that entities involved in a shared parking agreement do not need to be on the same or an adjoining parcel, but must still meet one of the following locational requirements:

- The entities that will share parking are located on the same, or contiguous, parcels,
- The sites of the entities that will share parking are separated by no more than 2,000 feet of travel by the shortest walking route, or

- The sites of the entities that will share parking are separated by more than 2,000 feet of travel by the shortest walking route, but there is a plan for shuttles or other accommodations to move between parking and site.

**Zoning Code Sections Impacted: [SZC 5.9.7.C](#).**

## **Delivery of Medicinal Cannabis**

### ***SB 1186 (Wiener, 2022) – Medicinal Cannabis Patients’ Right of Access Act***

The Bill, adopted September 18, 2022 and effective January 1, 2023, amends CA BPC §26200 and adds CA BPC §2632, relating to cannabis. The Bill on and after January 1, 2024, prohibits local jurisdictions from adopting or enforcing any regulation that prohibits the retail sale by delivery within the local jurisdiction of medicinal cannabis to medicinal cannabis patients or their primary caregivers by medicinal cannabis businesses, as defined, or that has the effect of prohibiting the retail sale by delivery within the local jurisdiction of medicinal cannabis to medicinal cannabis patients or their primary caregivers in a timely and readily accessible manner and in types and quantities that are sufficient to meet demand from medicinal cannabis patients within the local jurisdiction, as specified.

# Zoning Code Interim Guidance

The following Interim Guidance address changes to State legislation regarding the discussed topics while also correcting inconsistencies identified in the Zoning Code by staff.

## **CHAPTER 1: GENERAL PROVISIONS**

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**There is no Interim Guidance for Chapter 1 of the Zoning Code.**

## **CHAPTER 2: ZONING DISTRICTS**

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**There is no Interim Guidance for Chapter 2 of the Zoning Code.**

**CHAPTER 3: USE REGULATIONS**

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**3.1. PURPOSE AND ORGANIZATION**

*No changes*

**3.2. TABLES OF ALLOWED USES**

**3.2.1. – 3.2.4.**

*No changes*



### 3.2.5. Allowed Uses in All Zoning Districts [AMENDED 09-09-2022]

TABLE 3.1: ALLOWED USES [AMENDED 06-22-2017][AMENDED 12-01-2017][AMENDED 01-12-2019][AMENDED 07-16-2020][AMENDED 02-25-2021][AMENDED 09-09-2022]

**KEY**

P = Permitted Primary Use

UPP = Conditional Use Permit by the Planning Commission

A = Permitted Accessory Use

Grey Boxes – Refer to Applicable

UPM = Minor Use Permit

Use Standards in Sections Identified

UPZ = Conditional Use Permit by the Zoning Administrator

UPB = Conditional Use Permit by the Board of Supervisors

TUZ = Temporary Use Permit by the Zoning Administrator

Zoning Districts	Agricultural			Agricultural Residential		Residential					Recreation			Mixed Use			Commercial			Industrial			Use Standard
Use, Service or Facility	AG-20 through AG-160	UR	IR	AR-10 AR-5	AR-2 AR-1	RD-1 RD-2	RD-3 RD-4	RD-5 RD-7 RD-10	RD-15 through RD-40	RM-2	RR	O	C-O	NMC	CMC	CMZ	BP	LC	GC	MP	M-1	M-2	
<b>RESIDENTIAL USES</b>																							
<b>A. Household Living Uses<sup>10</sup></b>																							
3. Dwelling, Multifamily- 10 or fewer units	<u>P11</u>	<u>P11</u>	<u>P11</u>	<u>P11</u>	<u>P11</u>	<u>P11</u>	<u>P11</u>	UPZ11	P	<u>P11</u>	<u>P11</u>	<u>P11</u>	<u>P11</u>	P	P	P	UPM11	P	P	<u>P11</u>	<u>P11</u>	<u>P11</u>	3.5.1.C
4. Dwelling, Multifamily- more than 10 units	<u>P11</u>	<u>P11</u>	<u>P11</u>	<u>P11</u>	<u>P11</u>	<u>P11</u>	<u>P11</u>	UPZ11	P	<u>P11</u>	<u>P11</u>	<u>P11</u>	<u>P11</u>	P	P	P	UPZ11	P	P	<u>P11</u>	<u>P11</u>	<u>P11</u>	3.5.1.C

<sup>10</sup> See “Accessory Uses” (Table 3.2) for accessory dwelling units and guest houses.

<sup>11</sup> ~~[DELETED] Multifamily development is permitted by right only when specified eligibility criteria is met as described in Section 3.5.1.C. Otherwise, multifamily development is conditionally permitted in the RD-10 and BP zones and prohibited in all other referenced zoning districts. Use is conditionally permitted, as noted, only in the RD-10 zoning district. Not permitted in the other referenced zoning districts.~~

Table 3.2. No changes

Table 3.3. No changes

### 3.3. USE STANDARDS, GENERALLY

No changes

### 3.4. AGRICULTURAL USE STANDARDS

No changes

### 3.5. RESIDENTIAL USE STANDARDS

#### 3.5.1. Household Living Uses

##### 3.5.1.A. Residential Uses, not otherwise listed [AMENDED 06-07-2018]

No changes

##### 3.5.1.B. Dwelling, Duplex or Halfplex [AMENDED 04-07-2016][AMENDED 07-16-2020] [AMENDED 09-09-2022]

No changes

##### 3.5.1.C. Dwelling, Multifamily [AMENDED 04-07-2016][AMENDED 07-16-2020][AMENDED 09-09-2020][AMENDED XX-XX-XXXX]

#### 1. In the AG and AR zoning districts:

##### a. Multifamily projects are prohibited, except the following types of multifamily projects shall be permitted by right:

##### i. Projects developed in compliance with all provisions of the Affordable Housing on Faith and Higher Education Lands Act of 2023 (CA GOV §65913.16) and are located on a property owned by one of the following types of institutions (as defined in CA GOV §65913.16) on or before January 1, 2024:

##### 1. Institution of higher education

##### 2. Religious institution

##### 3. One of the above owned through an affiliated or associated nonprofit public benefit corporation organized pursuant to the Nonprofit Corporation Law

##### ii. Extremely affordable adaptive reuse projects developed in compliance with all provisions of in CA GOV §65913.12.

#### 2. In the RD-1 through RD-7 zoning districts:

##### a. Multifamily projects are prohibited, except the following types of multifamily projects shall be permitted by right:

##### i. Projects developed in compliance with all provisions of the Affordable Housing on Faith and Higher Education Lands Act of 2023 (CA GOV §65913.16) and are located on a property owned by one of the following types of institutions (as defined in CA GOV §65913.16) on or before January 1, 2024:

##### 1. Institution of higher education

##### 2. Religious institution

##### 3. One of the above owned through an affiliated or associated nonprofit public benefit corporation organized pursuant to the Nonprofit Corporation Law

- ii. Extremely affordable adaptive reuse projects developed in compliance with all provisions of in CA GOV §65913.12.
- 3. **In the RD-10 zoning district:**
  - a. Multifamily projects shall be developed at residential densities allowed by the zoning district, unless otherwise specified in Section 3.5.1.C.3.c.
  - b. Multifamily projects developed as a stand-alone project or part of a mixed residential product type development require a Conditional Use Permit by the Zoning Administrator, unless otherwise specified in Section 3.5.1.C.3.c.
  - c. The following types of multifamily projects shall be permitted by right and shall be developed at the residential densities allowed by applicable State statute:
    - i. Projects developed in compliance with all provisions of the Affordable Housing on Faith and Higher Education Lands Act of 2023 (CA GOV §65913.16) and are located on a property owned by one of the following types of institutions (as defined in CA GOV §65913.16) on or before January 1, 2024:
      - 1. Institution of higher education
      - 2. Religious institution
      - 3. One of the above owned through an affiliated or associated nonprofit public benefit corporation organized pursuant to the Nonprofit Corporation Law
    - ii. Extremely affordable adaptive reuse projects developed in compliance with all provisions of CA GOV §65913.12.
- 4. **In the RD-15 through RD-40 zoning districts:**
  - i. Multifamily projects shall be developed at residential densities allowed by the zoning district, unless otherwise specified in Section 3.5.1.C.4.d.
  - b. Multifamily projects of 150 units or less are permitted by right.
  - c. Multifamily projects of greater than 150 dwelling units are permitted with approval of a Minor Use Permit, unless otherwise specified in Section 3.5.1.C.4.d.
  - i. The project types specified in Section 3.5.1.C.4.d. and Affordable Housing development consistent with Section 6.5.4 – Affordable Housing Incentive Programs are not subject to this requirement.
  - d. The following types of multifamily projects shall be permitted by right and shall be developed at the residential densities allowed by applicable State statute:
    - i. Projects developed in compliance with all provisions of the Affordable Housing on Faith and Higher Education Lands Act of 2023 (CA GOV §65913.16) and are located on a property owned by one of the following types of institutions (as defined in CA GOV §65913.16) on or before January 1, 2024:
      - 1. Institution of higher education
      - 2. Religious institution
      - 3. One of the above owned through an affiliated or associated nonprofit public benefit corporation organized pursuant to the Nonprofit Corporation Law
    - ii. Extremely affordable adaptive reuse projects developed in compliance with all provisions of CA GOV §65913.12.
- 5. **In the Recreation zoning districts:**

- a. Multifamily projects are prohibited, except the following types of multifamily projects shall be permitted by right:
  - i. Projects developed in compliance with all provisions of the Affordable Housing on Faith and Higher Education Lands Act of 2023 (CA GOV §65913.16) and are located on a property owned by one of the following types of institutions (as defined in CA GOV §65913.16) on or before January 1, 2024:
    - 1. Institution of higher education
    - 2. Religious institution
    - 3. One of the above owned through an affiliated or associated nonprofit public benefit corporation organized pursuant to the Nonprofit Corporation Law
  - ii. Extremely affordable adaptive reuse projects developed in compliance with all provisions of in CA GOV §65913.12.

**6. In the BP zoning district:**

- a. ~~A Conditional Use Permit pursuant to Table 3.1 shall be required for multifamily projects in the BP zoning district, except projects developed in compliance with all provisions of the Middle Class Housing Act of 2022 (CA GOV §65852.24 and §65913.4), or in compliance with all provisions of the Affordable Housing and High Road Jobs Act of 2022 (CA GOV §65912.100 - §65912.105, §65912.110 - §65912.114, §65912.120 - §65912.124, and §65912.130 - §65912.131), shall be permitted by right.~~ Multifamily projects shall be developed at a minimum density of ten dwelling units per acre and maximum density of 20 dwelling units per acre, unless otherwise specified in Section 3.5.1.C.6.d.
- b. Multifamily projects of 10 or fewer units are permitted with approval of a Minor Use Permit, unless otherwise specified in Section 3.5.1.C.6.d.
- c. Multifamily projects of greater than 10 units are permitted with approval of a Conditional Use Permit by the Zoning Administrator, unless otherwise specified in Section 3.5.1.C.6.d.
- d. The following types of multifamily projects shall be permitted by right and shall be developed at the residential densities allowed by applicable State statute:
  - i. Projects developed in compliance with all provisions of the Affordable Housing on Faith and Higher Education Lands Act of 2023 (CA GOV §65913.16) and are located on a property owned by one of the following types of institutions (as defined in CA GOV §65913.16) on or before January 1, 2024:
    - 1. Institution of higher education
    - 2. Religious institution
    - 3. One of the above owned through an affiliated or associated nonprofit public benefit corporation organized pursuant to the Nonprofit Corporation Law
  - ii. Extremely affordable adaptive reuse projects developed in compliance with all provisions of CA GOV §65913.12.
  - iii. Projects developed in compliance with all provisions of the Middle Class Housing Act of 2022 (CA GOV §65852.24 and §65913.4), or in compliance with all provisions of the Affordable Housing and High Road Jobs Act of 2022 (CA GOV §65912.100 - §65912.105, §65912.110 - §65912.114, §65912.120 - §65912.124, and §65912.130 - §65912.131).

**7. In the LC, GC, NMC, CMC, and CMZ zoning districts:**

- a. Density.

- i. Multifamily projects shall be developed at a minimum density of 20 dwelling units per acre and a maximum density of 30 dwelling units per acre.
  - ii. If the property is located within one-quarter mile of a transit stop, as defined in Chapter 7, maximum density can increase to 40 dwelling units per acre.
  - iii. Higher densities than allowed by “i” and “ii” may be permitted, subject to a Conditional Use Permit from the Planning Commission.
  - iv. **The project types specified in Section 3.5.1.C.7.c. shall be developed subject to the density allowed by applicable State statute.**
- b. Project size.
- i. Multifamily projects of up to 150 dwelling units are permitted by right at the densities listed above.
  - ii. Multifamily projects of greater than 150 dwelling units are permitted with approval of a Minor Use Permit at the densities listed above.
    - 1. **The project types specified in Section 3.5.1.C.7.c. and** Affordable Housing developments consistent with Section 6.5.4 - Affordable Housing Incentive Programs are not subject to this requirement.
- c. **The following types of multifamily projects shall be permitted by right and shall be developed at the residential densities allowed by applicable State statute:**
- i. **Projects developed in compliance with all provisions of the Affordable Housing on Faith and Higher Education Lands Act of 2023 (CA GOV §65913.16) and are located on a property owned by one of the following types of institutions (as defined in CA GOV §65913.16) on or before January 1, 2024:**
    - 1. **Institution of higher education**
    - 2. **Religious institution**
    - 3. **One of the above owned through an affiliated or associated nonprofit public benefit corporation organized pursuant to the Nonprofit Corporation Law**
  - ii. **Extremely affordable adaptive reuse projects developed in compliance with all provisions of CA GOV §65913.12.**
  - iii. Projects developed in compliance with all provisions of the Middle Class Housing Act of 2022 (CA GOV §65852.24 and §65913.4), or in compliance with all provisions of the Affordable Housing and High Road Jobs Act of 2022 (CA GOV §65912.100 - §65912.105, §65912.110 - §65912.114, §65912.120 - §65912.124, and §65912.130 - §65912.131).
8. **In the C-O, MP, M-1, and M-2 zoning districts In the Industrial zoning districts:**
- a. Multifamily projects are prohibited, **except the following types of multifamily projects shall be permitted by right:**
    - i. **Projects developed in compliance with all provisions of the Affordable Housing on Faith and Higher Education Lands Act of 2023 (CA GOV §65913.16) and are located on a property owned by one of the following types of institutions (as defined in CA GOV §65913.16) on or before January 1, 2024:**
      - 1. **Institution of higher education**
      - 2. **Religious institution**

**3. One of the above owned through an affiliated or associated nonprofit public benefit corporation organized pursuant to the Nonprofit Corporation Law**

**ii. Extremely affordable adaptive reuse projects developed in compliance with all provisions of in CA GOV §65913.12.**

**iii.** Projects developed in compliance with all provisions of the Middle Class Housing Act of 2022 (CA GOV §65852.24 and §65913.4), or in compliance with all provisions of the Affordable Housing and High Road Jobs Act of 2022 (CA GOV §65912.100 - §65912.105, §65912.110 - §65912.114, §65912.120 - §65912.124, and §65912.130 - §65912.131).

**3.5.1.D. – 3.5.1.G.**

*No changes*

**3.5.1.H. – 3.5.1.J.**

*No changes*

**3.5.2. Group Living Uses [AMENDED 09-09-2022]**

*No changes*

**3.6. PUBLIC, CIVIC, AND INSTITUTIONAL USE STANDARDS**

*No changes*

**3.7. COMMERCIAL USE STANDARDS**

*No changes*

**3.8. INDUSTRIAL USE STANDARDS**

*No changes*

**3.9. ACCESSORY USE STANDARDS**

*No changes*

**3.10. TEMPORARY USE STANDARDS**

*No changes*

## **CHAPTER 4: SPECIAL AND COMBINING ZONING DISTRICTS**

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**There is no Interim Guidance for Chapter 4 of the Zoning Code.**

## CHAPTER 5: DEVELOPMENT STANDARDS

### 5.1. INTRODUCTION

*No changes*

### 5.2. GENERAL STANDARDS AND EXCEPTIONS

*No changes*

### 5.3. AGRICULTURAL, AGRICULTURAL-RESIDENTIAL, AND RECREATIONAL ZONING DISTRICTS [AMENDED 05-11-2018][AMENDED 07-16-2020]

*No changes*

### 5.4. RESIDENTIAL ZONING DISTRICTS

*No changes*

### 5.5. COMMERCIAL ZONING DISTRICTS [AMENDED 07-16-2020]

*No changes*

### 5.6. INDUSTRIAL AND INDUSTRIAL PARK ZONING DISTRICTS [AMENDED 07-16-2020]

*No changes*

### 5.7. MIXED-USE ZONING DISTRICTS

*No changes*

### 5.8. INSTITUTIONAL USES [DELETED 07-16-2020]

*No changes*

### 5.9. OFF-STREET PARKING [AMENDED 09-09-2022]

#### 5.9.1. - 5.9.6.

*No changes*

#### 5.9.7. Off-Site Parking Requirements

##### 5.9.7.A. – 5.9.7.B.

*No changes*

##### 5.9.7.C. Shared Parking

Shared parking allows reduction of parking spaces for ~~any site development or adjacent parcel proposing~~ two or more land uses where the hours of operation for the uses allows shared use of parking spaces to occur without conflict **or when it can be demonstrated that a development's parking spaces are underutilized, as defined in CA GOV §65863.1 and Section 7.3 of this Code.** Parking reductions are permitted, subject to the following standards.

- 1. Location. The entities that will share parking must meet one of the following locational criteria:**
  - a. Located on the same or contiguous parcels,**
  - b. Separated by no more than 2,000 feet of travel by the shortest walking route, or**



- c. Separated by more than 2,000 feet of travel by the shortest walking route, but there is a plan for shuttles or other accommodations to move between the parking and site, including a demonstrated commitment to sustain such transportation accommodations.

2. – 4. *No changes*

## **5.10. SIGN REGULATIONS**

*No changes*

## **5.11. FINDINGS FOR PROJECTS IN FLOOD HAZARD ZONES [ADDED 01-12-2017]**

*No changes*

## CHAPTER 6: ADMINISTRATION

### 6.1. GENERAL PROVISIONS

*No changes*

### 6.2. ZONING AMENDMENTS

*No changes*

### 6.3. DESIGN AND SITE PLAN

*No changes*

### 6.4. SPECIAL PERMITS

*No changes*

### 6.5. OTHER APPLICATIONS

#### 6.5.1. – 6.5.3.

*No changes*

#### 6.5.4. Affordable Housing Incentive Program

##### 6.5.4.A. - 6.5.4.C.

*No changes*

##### 6.5.4.D. Density Bonus Criteria and Number of Incentives [AMENDED 12-01-2017][AMENDED 09-09-2022]

1. **Density Bonus.** The maximum amount of density bonus to which the applicant is entitled shall be calculated according to Table 6.4.
  - a. An applicant may elect a lesser percentage of a density increase, including no increase in density. In cases where the applicant requests a density bonus increase less than identified in Table 6.4, no reduction in the number of target units will be allowed.
  - b. Multiple types of affordable units. If a Housing Development includes multiple types of affordable units, the applicant shall choose a single type of affordable unit (level of affordability such as extremely low, or moderate) to calculate the allowable density bonus.
  - c. **Provided that a Housing Development would not restrict more than 50 percent of the total units to moderate income, lower income, or very low income; an additional density bonus pursuant to Table 6.4.1 shall be allowable to projects which provide any of the following number of target units:**
    - i. **At least 15 percent very low income units**
    - ii. **At least 24 percent lower income units**
    - iii. **At least 44 percent moderate income units**

#### Table 6.4 Density Bonus Chart

*No changes*

**Table 6.4.1 Additional Density Bonus Chart**

<u>Additional Affordable Unit Percentage</u>	<u>Density Bonus Increase</u>	
	<u>Very Low Income</u>	<u>Moderate-Income</u>
<u>5</u>	<u>20</u>	<u>20</u>
<u>6</u>	<u>23.75</u>	<u>22.5</u>
<u>7</u>	<u>27.5</u>	<u>25</u>
<u>8</u>	<u>31.25</u>	<u>27.5</u>
<u>9</u>	<u>35</u>	<u>30</u>
<u>10</u>	<u>38.75</u>	<u>32.5</u>
<u>11</u>	<u>X</u>	<u>35</u>
<u>12</u>	<u>X</u>	<u>38.75</u>
<u>13</u>		<u>42.5</u>
<u>14</u>		<u>46.25</u>
<u>15</u>		<u>50</u>

- 2. Incentives and Concessions.** An applicant for an affordable housing project may submit a proposal for the specific incentives or concessions that the applicant requests pursuant to Government Code Section 65915(d) subdivision (d).
- a. The applicant shall receive up to a maximum of ~~four~~ **five** incentives (concessions) based on the level and amount of affordability provided by the Housing Development as indicated in Table 6.5.

**Table 6.5 Maximum Number of Incentives (Concessions)**

<b>Type of Housing Unit</b>	<b>Amount of Housing Units Required for Concession/ Incentive</b>	<b>Number of Concessions/Incentives</b>
Very Low Income (VLI)	5% but less than 10%	1
	10% but less than 15%	2
	<b>15%</b>	3
	<b>16%</b> but less than 100%	<b>4</b>
Lower Income (LI)	10% but less than 17%	1
	17% but less than 24%	2
	24% but less than 100%	3

**Table 6.5 Maximum Number of Incentives (Concessions)**

Type of Housing Unit	Amount of Housing Units Required for Concession/ Incentive	Number of Concessions/Incentives
Moderate Income (MI) common interest development	10% but less than 20%	1
	20% but less than 30%	2
	30% but less than <b>45%</b>	3
	<b>45% but less than</b> 100%	<b>4</b>
One of the above plus child care facility	No threshold	1 additional concession or additional square footage
100% affordable housing	100%, exclusive of manager’s unit(s) are for lower income, except 20% may be for moderate income.	<b>4 5</b>
100% affordable and located within ½ mile of major transit stop		4 plus a height increase of three additional stories or 33 feet
Senior Citizen Housing	Market rate – no affordable limit	0
	Income restricted units	1-4 incentives based on level of affordability listed above (VLI, LI, or MI)
Special Needs Housing (transitional foster youth, disabled veterans, homeless persons)	Units shall be provided as very low income units per Government Code 65915(b)(1)(E).	1-4 incentives based on level of affordability listed above (VLI or LI)
Low Income College Students	Units shall be provided as lower income units per Government Code 65915(b)(1)(F)(i)(II).	1-4 incentives based on level of affordability listed above (VLI or LI)

*xi. No changes*

**6.5.4.E. Development Standards [AMENDED 09-09-2022]**

*No changes*

**6.5.4.F. - 6.5.4.M.**

*No changes*

**6.5.5. – 6.5.8.**

*No changes to Sections 6.5.1 through 6.5.7*

*Please note that Section 6.5.8 is being amended by SB9 to allow for Minor Administrative Approvals and Determinations by the Planning Director. This legislative update package will further amend Section 6.5.8 to include administrative deviations to ADU standards as provided in Table 5.11 and State law. Waiting on finalization/adoption of the SB 9 language in order to draft these provision.*

**6.6. ENFORCEMENT**

*No changes*

## **6.7. FAIR OAKS BOULEVARD CORRIDOR PLAN**

*No changes*

## CHAPTER 7: DEFINITIONS AND ACRONYMS

This section clarifies interpretation of common wording and language issues that may occur in this Code.

### 7.1. WORD USAGE AND CONSTRUCTION OF LANGUAGE

*No changes*

### 7.2. INTERPRETATIONS

*No changes*

### 7.3. CODE TERMS AND USE DEFINITIONS

*Only those definitions of Section 7.3 that are proposed to be added or amended are shown below.*

This Section defines the terms used in this Code and the uses contained in Chapter 3, Use Regulations.

#### **Cannabis, Commercial Activities [ADDED 05-11-2017][AMENDED 07-16-2020]**

Includes all commercial activities as set forth in Business and Professions Code sections 19300.5 and 26001, including, but not limited to the cultivation, possession, manufacture, processing, storing, laboratory testing, labeling, transporting, distribution, ~~delivery~~ or sale of cannabis or cannabis products.

#### **Parking, Underutilized**

**Where 20 percent or more of a development's parking spaces are not occupied during the period that the parking is proposed to be shared by another user, group, development, or the public (CA GOV §65863.1.**

### 7.4. ACRONYMS

*No changes*

## I Have More Questions

No problem! Please email us at [SacPlan@saccounty.gov](mailto:SacPlan@saccounty.gov) for any Planning and Zoning questions.