



REPORT TO PLANNING COMMISSION City of Sacramento

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915 I Street, Sacramento, CA 95814-2671

PUBLIC HEARING
June 28, 2007

To: Members of the Planning Commission

Subject: Reconstruction of Nonconforming Single-Family and Two-Family Homes (M06-060).

- A. Environmental Determination:** Categorical Exemption pursuant to CEQA Section 15061(b)(3);
- B. Zoning Code Amendment:** An Ordinance amending sections 17.24.050, and 17.88.030 of Title 17 of the Sacramento City Code (Zoning Code) relating to Nonconforming Single-Family and Two-Family reconstruction.

Location/Council District: Citywide

Recommendation: Staff recommends that the Planning Commission recommend approval of the proposed zoning code amendments and forward their recommendation to the City Council.

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Summary: Staff has prepared an ordinance to amend the Zoning Code which will allow, in the event of a disaster, for the reconstruction of the destroyed structure(s) without requiring an entitlement, as is required by existing regulations. The proposed changes to the Zoning Code will be for properties which contain a single-family or a two-family use.

Currently, any legally constructed nonconforming building, structure or use that is damaged by a disaster of less than 50% of the replacement cost can be repaired by right, regardless of the type of nonconformance. If a disaster destroys the structure or use at a cost of greater than 50% of the replacement cost, nonconforming residential structures and uses are required to apply for a Zoning Administrator Special Permit in order to reconstruct.

The proposed ordinance changes will remove the existing 50% replacement cost limitation on any legally constructed structure (including accessory structures) on any property that contains a legal single-family or two-family use. The reconstruction will be limited to the existing building envelope of the destroyed structures. A special permit

