

Proposed City of Sacramento Ministerial Approval of Infill Housing – Frequently Asked Questions – Updated June 3, 2020

1. How does the ministerial approval of housing development projects permit process differ from the current planning approval process for residential projects with two or more units?

Projects submitted through the ministerial permit process are not required to conduct environmental review and are not subject to a public hearing. Ministerial review is a non-discretionary process. If a project is consistent with adopted policies and standards, it is approved.

Please see [here](#) for a comparison between the State of California mandatory permit process and the proposed City of Sacramento permit option.

2. What will be the process for community noticing and engagement of projects submitted for ministerial review?

Projects will be available for review on [Development Tracker](#). Interested parties can also sign-up for auto notification via email when planning or building permit activity occurs at a specified property. The project planner will also route the project application information to City-documented neighborhood groups within 500 feet of the project site. All comments become part of the public record and are shared with relevant city staff and the applicant for consideration.

A 2ft. by 2ft. real estate-style sign will be physically posted on the project site. The sign will be posted shortly after the project is routed for first review to notify neighbors that a development application is pending. Additionally, at the request of the planning director, mayor, or councilmember who represents the district in which a project is located, the project applicant will attend a community meeting to inform the public and solicit feedback about the project.

3. Do projects have to go through the ministerial process, or can applicants still choose to submit their projects through the standard application review process?

This is an optional process. If approved, there would effectively be three processes available to applications of residential projects:

- City of Sacramento discretionary review process (existing)
- SB 35 ministerial review process (required by the State of California)
- City of Sacramento ministerial review process (proposed)

4. How long will the planning review process take?

SB 35 requires specific project review timelines, either 60 days (up to 150 housing units) or 90 days (more than 150 housing units). Projects are considered compliant if the City does not respond within those timelines. For the City permit, staff will review projects using the same timeline as SB 35, but project applications will not be approved until all requirements have been met.

5. The City is already subject to ministerial approval under SB 35, how is this process different?

Chapter 366, Statutes of 2017 (SB 35, Wiener), which became effective on January 1, 2018, was part of a 15-bill housing package aimed at addressing the state's housing shortage and high housing costs. Specifically, it requires the availability of a streamlined ministerial approval process for certain housing developments in localities that have not made adequate progress towards their Regional Housing Needs Allocation (RHNA), as required by the California Department of Housing and Community Development. Ninety-five percent of California jurisdictions including Sacramento are not currently meeting their prorated RHNA and are therefore subject to SB 35 streamlining.

6. Why is the City pursuing a ministerial approval permit process for infill housing development projects?

The City is committed to increasing the availability of housing for all income levels by initiating actions to streamline the approval of housing. On May 28, 2019 City Council adopted a Resolution (2019-0206) directing staff to implement the [Housing Streamlining Menu of Options](#). The ministerial approval of housing projects was identified as one of these potential actions.

7. How will a ministerial approval process increase the approval and production of housing?

There are several anticipated benefits to enacting a ministerial approval process for housing projects, including: expediting the planning approval process for most multi-unit housing projects, thereby reducing the turnaround time significantly; providing more certainty and clarity on the planning approval process to housing developers, thereby reducing development risk; and delivering tangible savings to the cost of housing projects by eliminating the costs and time for environmental review which can be up to several hundred thousand dollars and decreasing carrying costs (i.e. mortgage payments on the land, preconstruction loans) by reducing the length of the planning process.

8. Which projects would be eligible for the ministerial review process?

Projects with two to 200 dwelling 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. 200 dwelling units was chosen as the maximum since larger projects can be more complicated in terms of site planning, design review, and property management and may require more extensive review. Projects must comply with objective standards, such as height and setbacks and cannot request to deviate from the standards. See [here](#) for a full list of eligible projects.

9. Does zoning and general plan use requirements still apply?

Yes. Residential projects must be permitted by right in the zoning district where a property is located. The permit process does not change any land use regulations or requirements in the General Plan or the Sacramento City Code.

10. Which residential development projects are not eligible for ministerial approval?

Single-unit dwelling projects, projects with 201 or more total units, and projects that include more than one-third commercial or industrial uses are not eligible for this permit process. Projects located in greenfield (non-infill) locations or historic districts are also ineligible. Projects with any entitlement requests seeking to deviate from objective zoning code standards, such as zone changes or zone variances/deviations, are not eligible. See [here](#) for a full list of ineligible projects.

11. What will be the process for ensuring quality design?

New Infill Housing Design Standards are proposed to be adopted as part of this project. These design standards originate from the Citywide Design Guidelines, recently updated in 2019, which include guidelines and standards. The proposed design standards intend to promote and protect the public health, safety and general welfare of the community by carrying out the following goals:

- Support infill housing development that is consistent with adopted city policies such as smart growth, resiliency, sustainability, and utilization of existing infrastructure.
- Promotion of a positive environment for the residents with sustained quality and adequate amenities.
- Compatibility with surrounding properties.

- Contribution to and enhancement of the character, value and livability of Sacramento's neighborhoods.
- Direct and safe pedestrian access to adjacent transit and activity center locations.

12. Is the ministerial housing approval process allowed in historic districts?

No. Each historic district has its own context sensitive design guidelines that require discretion, [which were approved in 2019](#). [See here](#) for a map of historic districts. Use the layer list to select "Historic Districts."

13. Is the ministerial housing approval process allowed in Planned Unit Developments (PUDs)?

No. Each PUD has its own design guidelines that require discretion. [See here](#) for a map of Planned Unit Developments (PUDs). Use the layer list to select "Planned Unit Development."

14. Is there a requirement to include affordable housing units in a project to be eligible for the streamlined ministerial approval of infill housing process?

Applicants who want to take advantage of the State's ministerial approval of housing process (SB 35) are required to provide at least 10% of units to be affordable to a lower-income household for projects with 11 or more units. However, as of April 2020, no applications have been submitted under SB 35.

The City's proposed ministerial approval of infill housing process does not require regulated affordable housing units. The purpose of the City permit process is to provide another pathway to increase production of multi-unit dwellings located in infill areas. Multi-unit housing projects are a more affordable housing type than single-family homes.

15. Is the City recommending any changes to the off-street parking requirements as part of this process?

Eliminating minimum parking requirements citywide is a separate item on the Housing Streamlining Menu of Options (see answer to question 6 above) and is being explored separately through the 2040 General Plan Update process.