

Background

A set of changes to State statutes related to Accessory Dwelling Units (also known as ADUs, granny units, or secondary units) took effect January 1, 2020, and limit the ability of local jurisdictions to regulate ADUs. Specifically, any local regulations that include more restrictive standards than the State statutes are null and void.

To comply with the new State statutes, the Sacramento County Board of Supervisors adopted a Zoning Ordinance Amendment on December 16, 2020 that updated general ADU standards to match those of the State statute. Clarifying language was also added to Chapter One of the Sacramento County Zoning Code, specifying that State ADU regulations override all more restrictive regulations within areas governed by Special Planning Area (SPA) and Neighborhood Preservation Area (NPA) Ordinances.

1.7.3.A. Controlling Ordinance [AMENDED 1-15-2021]

1. Where the provisions of this Code differ from the provisions established within an area controlled by a project-specific zoning ordinance, the regulations of the project-specific zoning ordinance shall control, except as specified in 1.7.3.A.2.
2. Language of this Code shall supersede any more restrictive language within Titles IV, V, and VI regarding Accessory Dwelling Units or Junior Accessory Dwelling Units.

Applicable ADU Standards

This memo is to inform property owners and any other interested parties that the regulations found in this SPA or NPA document related to ADUs, if more restrictive than the State statute, shall be void. Further, the standards found in the Sacramento County Zoning Code, Sections 3.2.5, 3.9.3.D, and 5.4.5.B are to be utilized for determining zoning compliance.

Approved January 28, 2021

**Leighann Moffitt, Planning Director
Office of Planning and Environmental Review**

THE SMUD SUBSTATION IN SOUTH SACRAMENTO

530-70. INTENT. It is the intent of the Board of Supervisors in adopting this Neighborhood Preservation Area Ordinance to provide for the continued and future quasi-public use of electrical substation property described in Section 530-71, while at the same time protecting and preserving existing and planned multiple-family residential neighborhoods on abutting properties from adverse and incompatible impacts of said necessary and beneficial use. It is the further intent of the Board of Supervisors to provide the greatest protection possible to residential uses while recognizing the public use of the designated property.

530-71. BOUNDARIES. The boundaries of this Neighborhood Preservation Area are shown on the exhibit labeled 530-71.

530-72. PERMITTED USES. Uses permitted in this Neighborhood Preservation Area shall include those permitted in the underlying residential land use zones as described in Section 201-02 thru 201-04 of the Zoning Code of Sacramento County.

530-73. DEVELOPMENT PLAN REVIEW. No development shall take place on any property to which this Article applies until final development plans have been approved by the Project Planning Commission as provided herein. The Planning Commission shall approve the development plan if the location and design of the proposed use mitigates potential adverse effects, consistent with development standards established, below. The Planning Commission shall not approve development plans unless it first finds that the proposed development will not create adverse noise, visual, air quality, health, or safety impacts beyond the present condition on adjoining residentially zoned uses.

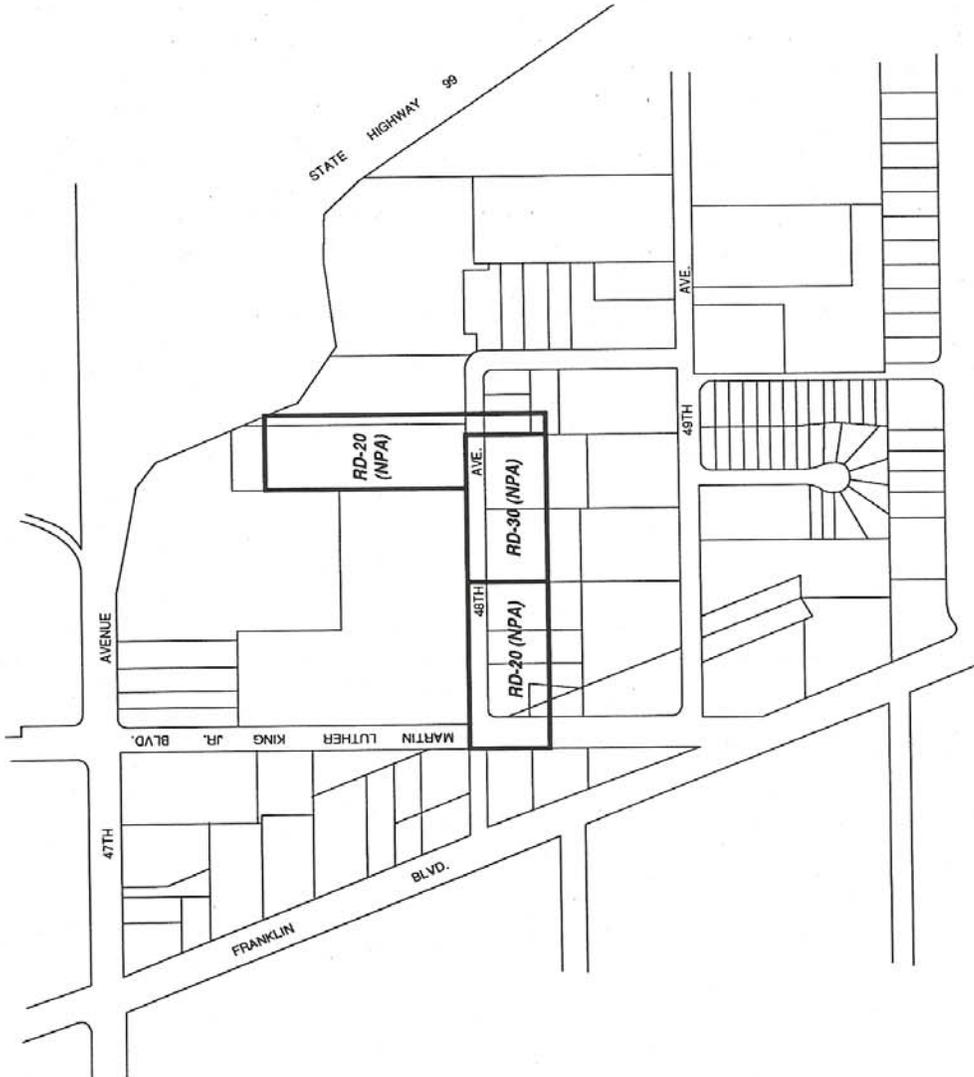
530-74. DEVELOPMENTS STANDARDS.

- (a) Reference to Underlying Land Use Zone. All lot requirements, building setbacks, parking requirements, sign regulations, or other regulations not specifically described herein, shall conform to those regulations in the Zoning Code of Sacramento County for the particular underlying land use zone.
- (b) Residential Setback Adjacent to Quasi-public Use (Electrical Substation). When residential uses abut said quasi-public use, the abutting yard shall be at least 25 feet in width. The required 25 foot setback shall be fully landscaped and shall include a combination of trees and shrubs designed to screen the quasi-public use from the view of adjoining residential use. The planter area shall be provided with a permanent irrigation system. Trees of a moderate height, in keeping with adjacent property use, shall be planted at least every 30 feet on-center along the common property line.

530-75. FINDINGS.

- (a) Residential neighborhoods and the adjoining quasi-public use areas subject to this NPA Ordinance are unique in that the two uses are located in a manner which does not provide the necessary buffering between uses normally provided for by a gradual transition of compatible land use zones, including open space areas. Regulations and standards contained herein will provide sufficient buffering on the residential use areas to preserve and protect both the residential and the quasi-public use of the electrical substation.
- (b) The area to which this NPA Ordinance applies encompasses and would affect an identifiable neighborhood in the South Sacramento Community Plan Area.
- (c) The NPA Ordinance provides for a reasonable buffering area for a public utility property abutting residential uses and in a manner which will encourage its long-term individual use and, therefore, does not constitute undue hardship on property owners within the zone.

530-71
REVISION DATE 6/01/88



SMUD SUBSTATION

