

# **Sacramento County Zoning Code**

## **Interim Accessory Dwelling Unit (ADU) and Junior ADU Use and Development Standards**

*Effective 01/01/2020, Updated 02/06/2020, Updated 07/29/2020*

**This document incorporates California State regulations pertaining to ADUs and Junior ADUs into the current Sacramento County Zoning Code, as understood by County staff at this time. It should be used in conjunction with the Zoning Code as applicable until the Zoning Code has been formally amended.**



## **3.9 ACCESSORY USE STANDARDS**

### **3.9.3 Use-Specific Standards for Accessory Uses**

#### **3.9.3.D. Accessory Dwelling Units and Junior Accessory Dwelling Units**

1. Accessory Dwelling Units (ADUs) are residential units intended for ongoing habitation, independent of the primary residential dwelling.
2. Junior Accessory Dwelling Units (JADUs) are residential units intended for ongoing habitation, located completely within the primary dwelling and sharing some cooking, common area, and/or sanitary facilities with the primary dwelling.
3. A property developed with a Single Family Dwelling or Halfplex Unit may have:
  - i. One ADU, either attached or detached, and,
  - ii. One JADU within the existing space of the primary dwelling.
4. A property developed as Multifamily Residential or Duplex may have:
  - i. Up to two new-construction detached ADUs, and,
  - ii. Up to 25% of the total unit count in ADUs converted from existing non-living space. Non-living space can include storage rooms, boiler rooms, passageways, attics, basements, or garages.
5. An ADU or JADU shall comply with the Development Standards of Section 5.4.5.B of this Code or request a Special Development Permit for deviations, as allowed by that Section.
6. A structure used as an ADU or JADU shall meet the requirements of California Government Code Sections 65852.2 and 65852.22, as those sections may be amended from time to time.

## CHAPTER 5 DEVELOPMENT STANDARDS

### 5.4 RESIDENTIAL ZONING DISTRICTS

#### 5.4.5 Accessory Structures and Accessory Dwelling Units

##### 5.4.5.A Applicability

1. For Accessory Structures in all zones, and Incidental Agricultural Accessory Structures in Residential zones, use Development Standards for Accessory Structures, Section 5.4.5.B and 5.4.5.E, as applicable.
2. For Accessory Dwelling Units or Junior Accessory Dwelling Units in all zones where permitted, use the Development Standards of Section 5.4.5.F.

##### 5.4.5.B-E *[Related to Accessory Structures Only- No Changes]*

##### 5.4.5.F. Development Standards for Accessory Dwelling Units and Junior Accessory Dwelling Units in All Zones

1. The development standards in Table 5.11 apply to all types of Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs) that are constructed, enlarged, or otherwise modified in all zones, where permitted.

Requests for deviations from development standards listed in this Section may be permitted with a Special Development Permit, subject to the General Findings in Section 6.4.6.H.1 and Additional Findings in Section 6.4.6.H.4.

<b>Table 5.11 Development Standards for ADUs and JADUs in All Zones</b>	
<b>General Standards</b>	
Number of ADUs and JADUs Per Single Family or Halfplex Lot	1 ADU and 1 JADU
Number of ADUs Per Multifamily Project [1]	New Construction: Properties developed as multifamily may have up to two new-construction detached ADUs  Conversion: Properties developed as multifamily may have up to 25% of total unit count in ADUs converted from existing non-living space. [2]
Kitchen Requirement	All ADUs are required to have a kitchen that includes a cooktop, range or stove. JADUs shall have at least an efficiency kitchen.
Minimum ADU or JADU Size (Habitable Square Footage)	150 sq ft
Equipment Encroachment Allowances	Encroachment Allowances as Listed in Section 5.4.5.A, Table 5.10.A
Access	Exterior access separate from the primary dwelling is required.

<b>Table 5.11 Development Standards for ADUs and JADUs in All Zones</b>	
Owner-occupancy- JADU	The property owner must occupy either the primary dwelling or JADU. Owner occupancy is not required if the owner is a governmental agency, land trust, or housing organization.
Recordation of Deed Restriction- JADU	A Deed Restriction shall be recorded that prohibits sale of the JADU separate from the sale of the single-family residence and restricts the size and attributes of the JADU to conformance with California Government Code Section 65852.22, as amended from time to time.
Dwelling Unit Separation Requirements	ADU- For purposes of any fire or life protection ordinance or regulation, an accessory dwelling unit shall be considered a separate or new dwelling unit.  JADU- For purposes of any fire or life protection ordinance or regulation, a junior accessory dwelling unit shall <u>not</u> be considered a separate or new dwelling unit.
Minimum Parking	For ADUs, one (1) parking space shall be provided, except that parking is not required where: (i) The accessory dwelling unit is located within one-half mile walking distance of public transit. (ii) The accessory dwelling unit is located within an architecturally and historically significant historic district. (iii) The accessory dwelling unit is part of the proposed or existing primary residence or an existing accessory structure. (iv) When on-street parking permits are required but not offered to the occupant of the accessory dwelling unit. (v) Where there is a car share vehicle located within one block of the accessory dwelling unit.
<b>New Construction</b>	
Maximum Size- ADU [3]	<u>Detached</u> 850 sq. ft.- One Bedroom or Less 1,000 sq. ft.- More than One Bedroom  <u>Attached</u> 50% of the habitable sq. ft. of the primary dwelling, or 850 sq. ft., whichever is larger.
Maximum Size – JADU [4]	500 sq. ft. of space within proposed primary dwelling, plus 150 sq. ft. for ingress/egress.
Minimum Building Width	N/A
Maximum Building Height	16 feet Or, 20 feet if minimum of 10 feet from rear property line and 5 feet from side property line and single story
Foundation	All ADUs shall be constructed on a permanent foundation.

<b>Table 5.11 Development Standards for ADUs and JADUs in All Zones</b>	
Setbacks [5] [6]	Front Yard- 20 Feet Side Street Yard- 12.5 Feet Side and Rear Yard- 4 Feet
Maximum Non-Habitable Square Footage Attached to Detached ADU [7]	Maximum shall be as listed for Accessory Structures in Table 5.10.A, and shall be counted towards that square footage limit.
<b>Conversion of Existing Space/Structure [8]</b>	
Existing Space/ Structure	Existing space/structure is limited to permitted space or structures on the subject parcel.
Maximum Size- ADU	Area of existing space/structure, plus 150 sq. ft. for ingress/egress.
Maximum Size- JADU [4]	500 sq. ft. of existing space in primary dwelling, plus 150 sq. ft. for ingress/egress.
Setbacks	Ingress/egress additions shall meet setbacks for new construction ADUs or Junior ADUs.  Existing space/structures may remain at setbacks originally permitted.
Conversion of Covered Parking	When a garage, carport, or covered parking structure is demolished or converted in conjunction with the construction of an accessory dwelling unit, replacement parking shall not be required and may be located in any configuration on the same lot as the accessory dwelling unit.
<p>[1] 'Multifamily' for purposes of compliance with State ADU regulations shall mean two or more units on a parcel.</p> <p>[2] Non-livable space can include storage rooms, boiler rooms, passageways, attics, basements, or garages.</p> <p>[3] Deviations from maximum ADU size limits may be allowed through a SPZ, but in no case can ADUs be greater than 1,200 sq. ft. in size for new construction.</p> <p>[4] Deviations from maximum JADU size are not permitted.</p> <p>[5] Setbacks less than 5 ft from property line or other structures may require fire walls and/or restrictions on non-protected openings as determined by Fire and Building Permits and Inspection.</p> <p>[6] Attached and Detached ADU setbacks are both measured from the wall of the unit to the property lines. Up to a 24" overhang into the required setback area is allowed.</p> <p>[7] Habitable square footage of an ADU shall not be counted towards the Accessory Structure space maximum of Table 5.10.a.</p> <p>[8] Conversions of existing dwellings to Accessory Dwelling Units in conjunction with development of a new primary dwelling should utilize these standards.</p>	

## CHAPTER 7 DEFINITIONS AND ACRONYMS

### 7.3 CODE TERMS AND USE DEFINITIONS

#### **Density**

The number of dwelling units per acre, not including Accessory Dwelling Units.

#### **Dwelling, Accessory Unit**

An attached or detached dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing residence. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the primary dwelling is or will be situated. An Accessory Dwelling Unit also includes the following:

- An efficiency unit
- A manufactured home, as defined in this Chapter and in Section 18007 of the California Health and Safety Code.

#### **Dwelling, Junior Accessory Unit**

A residential dwelling unit that is no more than 500 square feet in size and contained entirely within a single-family residence. A Junior Accessory Dwelling Unit shall include an efficiency kitchen and may include separate sanitation facilities, or may share sanitation facilities with the existing structure.

#### **Efficiency Kitchen**

A cooking facility with appliances, a food preparation counter, and storage units.

#### **Efficiency Unit**

Residential unit occupied by no more than two persons and which has a minimum floor area of 150 square feet and may have a full or efficiency kitchen or bathroom facility.