

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**

ARCADE OAKS VISTA NEIGHBORHOOD PRESERVATION AREA

535-010 PURPOSE. It is the purpose of the Board of Supervisors in adopting this Neighborhood Preservation Area Ordinance to preserve and protect the existing single family semi-rural residential atmosphere that contributes to the unique social and environmental characteristics of the neighborhood described in Section 535-016, and to prevent encroachment of commercial uses into the neighborhood.

535-011 APPLICABILITY. The provisions of this Article shall apply to those properties described in Section 535-016. unless otherwise specified in this Article, provisions of Title I, II, and III of this Code shall apply.

535-012 EXHIBITS. The property regulated by this Section is identified in Section 535-016 which is incorporated herein and made a part of this Article.

535-013 PERMITTED USES. Those uses provided for by the underlying land use zones as defined in Section 201-02, Table I of this Code shall be permitted and conditionally permitted in the area described in Section 535-016.

535-014 DEVELOPMENT STANDARDS. Except as provided herein, development standards applicable to property in the underlying zone shall be applicable to the property described in Section 535-016.

- (a) Each lot shall have a minimum width and public street frontage of one hundred (100) feet. The width for lots fronting on a curved street or curved portion of a cul-de-sac street shall be measured along a chord located fifty (50) feet from the edge of the street right-of-way.
- (b) No structures shall exceed two (2) stories and any two-story structures shall have side yards of at least thirty (30) feet.
- (c) Those uses designated as "institutional uses" in Zoning Code Section 201-02(D) shall require a minimum lot size of three (3) acres.

535-015 FINDINGS. During the public hearings on this ordinance, the Planning Commission and the Board of Supervisor determined that:

- (a) The area described in Section 535.016 is a unique area of winding narrow class C streets with no curb or paved gutter, large lots and a spacious semi-rural residential type atmosphere. The 100 foot lot width requirement is necessary to preserve the unique characteristics of the neighborhood.
- (b) The Arcade oaks neighborhood is of sufficient size to constitute an identifiable neighborhood.

- (c) The large lots, narrow streets, and semi-rural nature of the neighborhood creates a spatial condition which provides a unique opportunity for neighborhood use and social interaction on the streets, and provide a refuge for a variety of animals.
- (d) This (N.P.A.) zone is reasonable and will not cause undue hardship for any of the property owners since the majority of the existing lots in this area meet the development requirements of this ordinance.
- (e) It is in the best interest of the residents of Arcade Oaks and the County of Sacramento that the character of the existing single family semi-rural residential neighborhood be preserved, protected and maintained.

