

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**

SIERRA OAKS VISTA NEIGHBORHOOD PRESERVATION AREA

530-110. PURPOSE. It is the purpose of the Board of Supervisors in adopting this Neighborhood Preservation Ordinance to preserve and protect the existing single family residential estate atmosphere of property described in Sections 530-112.1 through 530-112.5, to preserve the unique social, architectural and environmental characteristics of the Sierra Oaks Vista area, and to prevent further encroachment of commercial uses in the area.

530-111. APPLICABILITY.

- (a) The uses, development standards, and review procedures prescribed in this Article shall apply to all uses established in and all structures constructed or moved onto property described in Section 530-112 after January 26, 1979.
- (b) Reference to Zoning Code. Any use permitted by Section 530-113 shall be regulated by the provisions of this Article. In the event this Article does not prescribe specific standards or procedures regarding a permitted use, the provision of Title I, II, III, and IV, of this Code, shall apply as appropriate.

530-112. EXHIBITS. Sections 530-112.1 through 530-112.5, described below and attached to this Article, are hereby incorporated as part of this Article to regulate the property described therein:

Section 530-112.1: Properties in the RE-2(NPA) zone

Section 530-112.2: Properties in the R-3(NPA) zone

Section 530-112.3: Properties in the SC(NPA) zone

Section 530-112.4: Properties in the BP(NPA) zone

Section 530-112.5: Properties in the BP(NPA) zone

530-113. PERMITTED USES.

- (a) RE-2(NPA) Zone. Those uses as permitted, and those uses as permitted subject to the issuance of a conditional use permit by the Zoning Board of Adjustment in the RE-2, Estate zone, Title IV, Section 404-31 and 32, shall be permitted on those parcels zoned RE-2(NPA), as shown in Section 530-112.1. The following uses shall require a minimum lot area of not less than five (5) acres.
 - (1) Public and private schools, kindergarten through high school
 - (2) Day care homes not to exceed ten (10) children

- (3) Churches and incidental use on the same lot
- (4) Colleges and universities
- (b) R-3(NPA) Zone. Those uses permitted, and those uses permitted subject to special conditions in the R-3 zone, Title IV, Chapter 4, Article 2, shall be permitted on those parcels zoned R-3(NPA), as shown in Section 530-112.2.
- (c) SC(NPA) Zone. Those uses permitted, and those uses permitted subject to special conditions in the SC zone, Title II, Chapter 25, Article 4, shall be permitted on those parcels zoned SC(NPA), as shown in Section 530-112.3.
- (d) BP(NPA) zone. Those uses permitted and those uses permitted subject to special conditions in the BP zone, Title II, Chapter 25, Article 3, shall be permitted on those parcels zoned BP(NPA) as shown in Sections 530-112.4 and 530-112.5.

530-114. DEVELOPMENT PLAN REVIEW. Reconstruction or expansion of nonresidential uses within the area described in Sections 530-112.2, 530-112.3, 530-112.4, and 530-112.5, shall require development plan review and approval by the Board of Supervisors. This review shall include, but not be limited to, the provision of adequate separation and buffering between residential and nonresidential uses and to mitigate impacts on residential area.

530-115. DEVELOPMENT STANDARDS.

- (a) RE-2(NPA) zone. Except as specifically provided herein, the development standards applicable to property described in Section 530-112.1 shall be regulated by Title IV, Chapter 4, Article 4. In order to satisfy the intent of this Ordinance, the following development standards shall apply:
 - (1) Lot Area. Each lot created after the effective date of this Ordinance shall have a minimum net area of thirty thousand (30,000) square feet.
 - (2) Lot width. Each lot created after the effective date of this Ordinance shall have a minimum width of one-hundred (100) feet. The width for lots fronting on a curved cul-de-sac street shall be measured along a cord located fifty (50) feet from the edge of the street right-of-way.
 - (3) Public Street Frontage. Each lot created after the effective date of this Ordinance shall have a minimum public street frontage of one-hundred (100) feet. For lots fronting on a curved street or curved portion of a cul-de-sac street shall be measured along a cord located fifty (50) feet from the edge of the street right-of-way.
 - (4) Height. No building or structure erected or moved onto property described in this zone shall have a height greater than three (3) stories or forty (40) feet.

(5) Yard Area Requirements:

- (aa) Primary Residence. No primary residence shall be constructed or moved onto any lot unless the following yards are maintained:
 - (i) Front yard of not less than forty (40) feet.
 - (ii) Rear yard of not less than thirty-five (35) feet; except if the lot is less than one-hundred seventy-five (175) feet in depth, the rear yard shall be twenty percent (20%) of the average lot depth to a minimum of twenty (20) feet.
 - (iii) Side yards of a main building of not less than twelve (12) feet for a one story, twenty (20) feet for a two story, twenty-five (25) feet for a three story.
 - (iv) Side street yards on corner lots shall be not less than twenty-five (25) feet.
- (bb) Accessory Structures. Except as specifically provided herein, accessory structures shall be regulated by the provisions of Title III, Chapter 5, Article 6 of this Code. Accessory structures, described by Section 305-80(a) and (b) of this Code, shall not be located in a required front or side street yard, as described in subsection (a), above. Accessory structures shall not be located within twelve (12) feet of any interior side or rear property line.
- (b) Other Zones. Development standards applicable to property described in Sections 530-112.2, 530-112.3, 530-112.4, and 530-112.5, shall be those applicable to the R-3 zone, Title IV, Chapter 5, Article 6; SC, BP, zones, Title III, Chapter 15, Article 5, respectively.

530-116. VARIANCES. The Variance provision of Title I, Chapter 10, Article 2 shall apply to this Article, except that the Board of Supervisors shall be the appropriate authority to hear and decide all variances.

530-117. FINDINGS. During the public hearing on this Ordinance, the Planning Commission and Board of Supervisors determined that:

- (a) The area described in Sections 530-112.1 through 530-112.5, is a unique area of winding streets with large wide lots and a spacious estate-type atmosphere. The one-hundred (100) foot lot width requirement is necessary to prevent lot splits and preserve the unique characteristics of the neighborhood.

- (b) The Sierra Oaks Vista neighborhood is of sufficient size to constitute an identifiable neighborhood.
- (c) This (NPA) zone is reasonable and will not cause undue hardship for any of the property owners since the majority of the existing logs in this area meet the development requirements of this Ordinance.
- (d) It is the best interest of the residents of Sierra Oaks Vista and the County of Sacramento that the character of existing single family residential neighborhoods be preserved, protected and maintained and that, therefore, further commercial development is incompatible with the character of the area and the needs of the people of the County of Sacramento.









