



2026 Interim Zoning Code Guidance To Implement Changes in State Legislation

Overview

Every year, Governor Newsom signs new bills into law related to zoning and land use resulting in portions of the Sacramento County Zoning Code (SZC) becoming outdated because of new State statutes. To remedy this situation, Sacramento County follows applicable State Code sections where conflicts arise between State law and the SZC.

This document has been created to provide guidance for County staff, applicants, and the public in the interim period between the adoption of State legislation and the corresponding SZC updates. It temporarily incorporates the State statutory requirements and allowances into the current SZC until formal updates can be made. This document will be modified as guidance from the State or new information regarding implementation of legislation becomes available. This document should be used in conjunction with the SZC as applicable until the SZC has been formally amended. **With the exception of the interim changes provided or referenced in this document, all other provisions of the SZC shall continue to apply.**

The topics covered in the interim guidance are provided in the Table of Contents on the next page.

For any additional questions, please email SacPlan@saccounty.gov

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Single-Family Developments

AB 1154 (Carrillo, 2025) – JADUs Owner-Occupancy Requirement Modifications

This bill was signed into law on October 10, 2025 and takes effect January 1, 2026. This bill modifies regulations for junior accessory dwelling units (JADUs) to allow for their creation without a deed restriction that requires owner occupancy in a dwelling on the subject property, provided that the JADU has its own sanitation (full bathroom) facilities. JADUs which have shared sanitation (bathroom) facilities shall still require a deed restriction enforcing owner occupancy on the subject property. This bill also prohibits short term rentals of JADUs and requires any rental to be for a term longer than 30 days.

Zoning Code Sections Impacted: **SZC 5.4.5.B, Table 5.11**

AB 1061 (Quirk-Silva, 2025) – Historic Properties and Urban Lot Splits (Modifications to SB 9)

This bill was signed into law on October 10, 2025 and takes effect January 1, 2026. This bill modifies historic resource designations that limit the single-family parcels eligible for ministerial approval of an urban lot split or a two-unit development under SB 9 by deleting the absolute exemption for historic districts in SB 9 and instead excluding SB 9 developments and urban lot splits on parcels or properties individually listed as historic resources or landmarks, as specified.

1) For SB 9 developments:

- a) Prohibits a setback from being required for an existing structure or a structure constructed in the same location and to the same dimensions as an existing structure.
- b) Prohibits SB 9 developments on a contributing structure within a historic district included on the State Historic Resources Inventory, as defined in Section 5020.1 of the Public Resources Code, or historic property or district pursuant to a city or county ordinance.

2) For SB 9 urban lot splits:

- a) Prohibits urban lot splits that would require the demolition or alteration of contributing structures or existing exterior structural walls in a historic district.

3) For both SB 9 two-unit developments and urban lot splits, deletes a provision allowing a local agency to adopt objective standards that prevent adverse impacts on historic properties.

Zoning Code Sections Impacted: **SZC 5.4.7.A**

Multifamily Developments

SB 1211 (Skinner, 2024) – Expanded ADU Allowances

This bill was signed into law on September 19, 2024 and takes effect January 1, 2025. This bill makes three major changes to accessory dwelling unit (ADU) law:

- (1) The bill specifies that parking spaces do not need to be replaced when *uncovered* parking spaces are demolished in conjunction with the construction of a new ADU.
- (2) The bill expands the ADU allowances for existing multifamily dwellings as of the effective date of the bill by permitting up to eight detached ADUs, provided that the number of ADUs does not exceed the number of existing units on the lot as of the effective date of the bill.
- (3) The bill specifies that proposed multifamily dwellings may only have up to two detached ADUs.

Zoning Code Sections Impacted: **SZC 5.4.5.B. Table 5.11.**

AB 893 (Fong, 2025) – Campus Development Zones

This bill was signed into law on October 10, 2025, takes effect January 1, 2026, and is to be repealed on January 1, 2033. This bill allows for fast-tracking the review process for mixed-income housing development on some commercially zoned properties that fall in a campus development zone, defined as within a half mile of the campus of a UC, CSU, and California Community College. It will also expand eligibility for affordable units for recipients of Cal Grant, Promise Grant, and the Pell Grant.

Zoning Code Sections Impacted: None, already incorporated by reference.

SB 21 (Durazo, 2025) – Replacement Units

This bill was signed into law on October 10, 2025 and takes effect January 1, 2026. This bill amends the Housing Crisis Act of 2019 such that a city or county may no longer require that the replacement of units in single-occupancy buildings that have been occupied in the last five years be 1:1 with the existing number of units if certain requirements are met. These requirements include, but are not limited to: rehabilitation or replacement requires a reduction in the number of units to accommodate the conversion of single room occupancy units to a studio or larger unit, to accommodate the addition of facilities, including, but not limited to, private bathrooms, kitchens, or community rooms, to increase accessibility for persons with disabilities, or to address code compliance for matters related to health, welfare, life, and safety; the converted units will be rental units with affordable rents available to lower income, very low income, extremely low income, or acutely low income; and the converted unit will remain low income for no less than 55 years.

Zoning Code Sections Impacted: None, planning staff will accommodate applicants who wish to use the provisions of this bill.

AB 648 (Zbur, 2025) – Community College Housing

This bill was signed into law on October 6, 2025, and takes effect January 1, 2026. This bill exempts university housing development projects on land owned or leased by a Community College District from a local jurisdiction's Zoning Code, provided that the project site is within a half mile of a main campus or within a half mile of a satellite campus that existed before July 1, 2025. If the housing project contains units for faculty and staff, the community college district staff must ensure a portion of the units are made available at affordable rents to extremely low- and lower-income faculty and staff.

Based on staff review, eligible community college sites include:

- American River College, Main Campus, 4700 College Oak Drive
- American River College, Mather Center, 10150 Mather Way
- American River College, Regional Public Safety Training Center, 5146 Arnold Avenue

Zoning Code Sections Impacted: **SZC 6.8.3.C**

AB 507 (Haney, 2025) – Adaptive Reuse

This bill was signed into law on October 10, 2025, and takes effect July 1, 2026. This bill deems an adaptive reuse project a use permitted by right in all zones and subject to a streamlined, ministerial review process if it meets specified requirements or exceptions.

To qualify, the project must be proposed for an existing building that is less than 50 years old or that meets preservation of historic resources requirements and meets specified affordability criteria. An adaptive reuse project for rental housing must include 8% of units for very low-income households and 5% for extremely low-income households OR 15% of units for lower income households.

For an adaptive reuse project including mixed uses, the bill would require at least one-half of the square footage of the adaptive reuse project to be dedicated to residential uses. An adaptive reuse project would not be permitted in industrial zones that do not permit residential uses.

The bill authorizes local governments to adopt an ordinance to specify the process and requirements applicable to adaptive reuse projects and would require an adaptive reuse project to comply with all objective planning standards. If an ordinance has not been adopted, the project must be reviewed ministerially without discretionary review. If it is determined that the adaptive reuse project submitted pursuant to these provisions is consistent with the objective planning standards, the local government is required to approve the adaptive reuse project within specified timeframes.

The bill would prohibit a local government from imposing any local development standard on any project that is an adaptive reuse that would require alteration of the existing building envelope, except as specified, whether or not the local government has adopted an ordinance.

Zoning Code Sections Impacted: **TBD** – Will be implemented July 1, 2026.

State Density Bonus Law (DBL)

SB 92 (Blakespear, 2025) – Revised Definition of “Mixed-Use Development”

This bill was signed into law on October 10, 2025 and takes effect January 1, 2026. This bill limits the ability of jurisdictions to apply concessions, incentives, and development waivers under Density Bonus Law (DBL) to nonresidential uses, including hotel uses. Concessions may only be granted to the portion of the development that is for housing. A concession or incentive granted under DBL shall not result in a proposed project with a commercial floor area ratio that is greater than two and a half times the current allowed base zone commercial floor area ratio, as specified. This bill is intended to ensure that projects that benefit from the density bonus law are primarily residential.

Zoning Code Sections Impacted: **SZC 6.5.4**

AB 87 (Boerner, 2025) – Prohibition of the Application of Incentives or Concessions for Mixed-Use Projects to Visitor-Serving/Transient Occupancy Uses

This bill was signed into law on October 10, 2025 and takes effect January 1, 2026. This bill prohibits an incentive or concession granted for a mixed-use development containing a hotel, motel, bed and breakfast inn, or other visitor-serving purpose from applying to the portion of the proposed development containing the hotel, motel, bed and breakfast inn, or other visitor-serving purpose/use. This bill also closes the existing loophole in DBL that allows developers to gain incentives while not meaningfully expanding residential housing stock. This clarification ensures that incentives and concessions drive the creation of new housing units.

Zoning Code Sections Impacted: **SZC 6.5.4**

Institutional and Commercial Uses

SB 340 (Laird, 2025) – Revised “Emergency Shelter” Definition

This bill was signed into law on October 10, 2025 and takes effect January 1, 2026. This bill requires emergency shelter to include all services provided onsite, including the addition or expansion of services that are consistent with certain written, objective standards. This bill also includes additional reporting requirements documenting whether the need for housing for persons with disabilities, supportive housing, transitional housing, and emergency shelters is met as a part of the upcoming Seventh Cycle Housing Element.

Zoning Code Sections Impacted: SZC 7.3

AB 752 (Avila Farias, 2025) – Day Care Centers at Multifamily Housing Projects

This bill was signed into law on October 1, 2025 and takes effect January 1, 2026. This bill requires that child day care centers be permitted by right when collocated with a multifamily housing development with five or more dwelling units. The bill also prohibits the imposition of a charge, tax, or fee for a business license, equivalent instrument, or permit for the privilege of operating a daycare center that is collocated with multifamily housing.

Zoning Code Sections Impacted: SZC 3.6.5.B

SB 838 (Durazo, 2025) – Restrictions on Transient Lodging for Mixed-Use Developments

This bill was signed into law on October 13, 2025 and takes effect January 1, 2026. This bill revises the Housing Accountability Act (HAA) definition of “housing development project”. In the case of mixed-use developments, a “housing development project” is a project where at least two-thirds of the new or converted square footage is designated for residential use and requires that no portion of the project is designated for use as a hotel or other transient lodging, except as specified. For a housing development project application that was deemed complete before January 1, 2025, the development proponent for the project may choose whether to be subject to the provisions of this bill or the standards that were in place on the date the preliminary application was submitted. This bill also allows local agencies to approve the residential and non-hotel/motel commercial portion of a mixed-use project as a housing development project.

Zoning Code Sections Impacted: SZC 6.5.4.B. and 7.3.

Procedural

AB 1050 (Schultz, 2025) – Unlawfully Restrictive CC&Rs, Reciprocal Easement Agreements

This bill was signed into law on October 10, 2025 and takes effect January 1, 2026. This bill expands the ability to remove private restrictive covenants and reciprocal easement agreements (REAs) that block housing development on specified properties. Unlike AB 721 (which only applied to affordable housing), AB 1050 extends this authority to any housing development (both affordable and market-rate) as long as the residential uses are permitted by state law or local zoning. The law empowers developers to submit a "Restrictive Covenant Modification Document (RCMD)" to the County Recorder to clear outdated private restrictions from property titles without changing local zoning authority, environmental review requirements, or design standards.

AB 920 (Caloza, 2025) – Housing Development Application Portal

This bill was signed into law on October 10, 2025 and takes effect January 1, 2026. This bill requires that a city or county with a population of 150,000 or more persons to make a centralized application portal available on its internet website to applicants for housing development projects by January 1, 2030. The County is currently working on improving our Accela permitting system such that compliance should be achieved well before the 2030 deadline.

Zoning Code Interim Guidance

The following Interim Guidance address changes to State legislation regarding the discussed topics while also correcting inconsistencies identified in the Zoning Code by staff.

CHAPTER 1: GENERAL PROVISIONS

There are no changes proposed for Chapter 1 of the Zoning Code.

CHAPTER 2: ZONING DISTRICTS

There are no changes proposed for Chapter 2 of the Zoning Code.

CHAPTER 3: USE REGULATIONS

3.1. PURPOSE AND ORGANIZATION

No changes

3.2. TABLES OF ALLOWED USES

No changes

3.3. USE STANDARDS, GENERALLY

No changes

3.4. AGRICULTURAL USE STANDARDS

No changes

3.5. RESIDENTIAL USE STANDARDS

No changes

3.6. PUBLIC, CIVIC, AND INSTITUTIONAL USE STANDARDS

3.6.2. – 3.6.4

No changes

3.6.5. – 3.6.4

3.6.5.A. Adult Day Care Center

No changes.

3.6.5.B. Child Day Care Center

Changes to the Zoning Code to comply with AB 752 (2025) will be formally adopted as a part of the 2023 Zoning Code Update (PLNP2023-00058). The change in the 2023 Zoning Code Update will not match the change depicted below as regulations for Day Cares overall are proposed to be changed significantly. The guidance provided below shall apply until the effective date of the 2023 Zoning Code Update.

1. In the agricultural, agricultural-residential, **RD-1 through RD-10 residential**, and recreational zoning districts, a child day care center facility with:
 - a. Capacity of up to eight persons shall be permitted by right;
 - b. Capacity between nine and 14 persons shall be permitted, subject to a Minor Use Permit approved by the Planning Director;
 - c. Capacity of 15 or more persons shall be subject to a Conditional Use Permit approved by the Zoning Administrator.
2. ~~These standards do not apply in the multifamily zones. [ADDED 07-16-2020]~~ **In any zone, a child day care center is permitted, regardless of capacity, as an accessory use to a permitted multifamily use. When in conjunction with a multifamily use, a child day care center shall be considered one and the same with the multifamily use and subject to multifamily development standards as provided in Chapter 5.**

3.6.5.C. Congregate Care Facility, Convalescent Hospital, and Social Rehabilitation Center

No changes.

3.6.6. – 3.6.7

No changes

3.7. COMMERCIAL USE STANDARDS

No changes

3.8. INDUSTRIAL USE STANDARDS

No changes

3.9. ACCESSORY USE STANDARDS

No changes.

3.10. TEMPORARY USE STANDARDS

No changes

CHAPTER 4: SPECIAL AND COMBINING ZONING DISTRICTS

There are no changes proposed for Chapter 4 of the Zoning Code.

CHAPTER 5: DEVELOPMENT STANDARDS

5.1. INTRODUCTION

No changes.

5.2. GENERAL STANDARDS AND EXCEPTIONS

No changes

5.3. AGRICULTURAL, AGRICULTURAL-RESIDENTIAL, AND RECREATIONAL ZONING DISTRICTS

No changes

5.4. RESIDENTIAL ZONING DISTRICTS

5.4.1. Purpose

No changes

5.4.2. Low Density Residential Development Standards [AMENDED 07-16-2020]

No changes

5.4.3. Multifamily Residential Development Standards [AMENDED 07-16-2020]

No changes

5.4.4. Mobilehome Subdivision Development Standards

No changes

5.4.5. Residential Accessory Structures, and Accessory Dwelling Units

5.4.5.A. Development Standards for Residential Accessory Structures

No changes

5.4.5.B. Development Standards for Accessory Dwelling Units and Junior Accessory Dwelling Units in All Zoning Districts [AMENDED 09-09-2022][AMENDED 07-11-2024]

1. The development standards in Table 5.11 apply to Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs) that are constructed, enlarged, or otherwise modified in all zones, where permitted.
2. With the exception of maximum size, requests for deviations from development standards listed in this Section may be permitted with either a Special Development Permit or Planning Director Determination, subject to the General Findings in Chapter 6 and compliance with State regulations (denoted in Table 5.11).
3. **ADUs may be sold or conveyed separately from the primary residence if the ADU meets all requirements provided in GOV § 66341, including being built by a qualified nonprofit corporation.**

Table 5.11 Development Standards for ADUs and JADUs in All Zoning Districts Where Permitted [AMENDED 09-09-2022][AMENDED 07-11-2024]

General Standards	
<p>Number of ADUs and JADUs Per Single Family or Halfplex [1]</p>	<p>Maximum of 3 as follows:</p> <ul style="list-style-type: none"> • <u>1 new construction detached ADU</u> • <u>1 JADU proposed as a part of a new construction dwelling or conversion of existing permitted space</u> • <u>One of the following three options:</u> <ul style="list-style-type: none"> • <u>New construction attached ADU, or</u> • <u>Attached conversion ADU, or</u> • <u>Detached conversion ADU.</u> <p>1 ADU and 1 JADU</p>
<p>Number of ADUs Per Multifamily Project [2][3]</p>	<p><u>New Construction</u> Properties developed as multifamily may have up to two new construction detached ADUs.</p> <p><u>Conversion</u> Properties developed as multifamily may have up to 25% of total unit count in ADUs <u>or one unit, whichever is greater,</u> converted from existing non-living space. [4]</p> <p><u>Existing (as of January 1, 2025)</u> <u>Properties developed as multifamily on or before January 1, 2025, may have new construction detached ADUs at a quantity not to exceed eight or the number of existing dwelling units on January 1, 2025, whichever is less. This is in addition to multifamily ADUs permitted by conversion.</u></p> <p><u>Development Standards</u> Except for sites developed with a single Duplex, new construction and conversions that affect exterior facades shall meet the multifamily development standards in Section 5.4.3 and Chapter 3.0 of the Countywide Design Standards, “Multifamily Design Standards” for standards not otherwise addressed in this Table.</p>
<p>Minimum Parking</p>	<p>For ADUs, one parking space shall be provided, except that parking is not required where:</p> <ol style="list-style-type: none"> 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. <u>vi. The accessory dwelling unit is a new construction detached ADU that is 800 square feet or less in size.</u> <u>vii. The accessory dwelling unit is accessory to a multifamily dwelling, as defined by State law. [3]</u> <p>When a building permit application for an ADU is submitted</p>

Table 5.11 Development Standards for ADUs and JADUs in All Zoning Districts Where Permitted [AMENDED 09-09-2022][AMENDED 07-11-2024]

	concurrently with a permit to build a new single-family (primary) dwelling or new multifamily dwelling on the same lot, this parking requirement waiver is only applicable to the ADU.
Owner-occupancy JADU [2]	<u>If the JADU shares a bathroom with the primary dwelling, the property owner must occupy a dwelling on the same property either the primary dwelling or JADU, which shall be enforced through a recorded deed restriction.</u> Owner occupancy is not required if the owner is a governmental agency, land trust, or housing organization.
Additional Standards – New Construction	
Maximum Size – ADU [5][6][15]	<p><u>Detached</u> 1,200 sq. ft.</p> <p><u>Attached</u> <u>The greater of the following:</u></p> <ul style="list-style-type: none"> <u>i. 50% of the habitable sq. ft of the primary dwelling</u> <u>ii. For a studio or 1-bedroom ADU: 850 sq. ft.</u> <u>iii. For an ADU with 2 or more bedrooms: 1,000 sq. ft.</u> <p>50% of the habitable sq. ft. of the primary dwelling, or 800 sq. ft., whichever is greater.</p>
Maximum Size – JADU [2][7][15]	500 sq. ft. of space within proposed primary dwelling (including attached garages or attached storage areas), plus 150 sq. ft. for ingress/egress.
Default Setbacks [9][10]	<p><u>Front Yard</u> - 20 ft. [6][12]</p> <p><u>Side Street Yard (corner)</u> – 12.5 ft. [6][12]</p> <p><u>Side and Rear Yard</u> - 4 ft.</p>
Default Maximum Building Height to peak [8]	<p><u>Detached</u> 16 ft.</p> <p>ii. 18 ft. when located within one-half mile of a major transit stop pursuant to CA PRC §21155, or to allow a roof pitch consistent with the primary dwelling;</p> <p>iii. 20 ft. if setback a minimum of 10 ft. from rear property line and 5 ft. from side property line.</p> <p><u>Attached</u> 25 ft. <u>or the maximum allowable height of the primary dwelling, whichever is less.</u></p> <p><u>Detached ADU in a Multifamily Project [3]</u> 18 ft.</p>

Table 5.11 Development Standards for ADUs and JADUs in All Zoning Districts Where Permitted [AMENDED 09-09-2022][AMENDED 07-11-2024]

<p><u>Provisions for Increased Maximum Building Height to peak [10]</u></p>	<p><u>Detached ADUs may exceed the default maximum height, subject to the provisions provided in this section:</u></p> <p><u>Up to 20 ft.</u> <u>Permitted if increased setbacks are maintained, including:</u></p> <ul style="list-style-type: none"> <u>i. A rear setback of at least 10 ft, and</u> <u>ii. Side interior setbacks of at least 5 ft.</u> <p><u>Up to 18 ft.</u> <u>Permitted subject to a Planning Director's determination that finds that the proposed ADU is either:</u></p> <ul style="list-style-type: none"> <u>iii. Located within one-half mile of a major transit stop pursuant to CA PRC §21155, or</u> <u>iv. Proposed at a height to allow a roof pitch consistent with the primary dwelling. Documentation shall be provided demonstrating both the existing roof pitch of primary dwelling and proposed ADU.</u> <p><u>Deviations for detached ADUs seeking increases beyond the allowances of this section and deviations for any attached ADUs are subject to an applicable Special Development Permit.</u></p>
<p><u>Maximum Number of Stories</u></p>	<p><u>Detached [8]</u> <u>One Story</u></p> <p><u>Attached</u> <u>Two Stories</u></p>
<p>Additional Standards - Conversion of Existing Space/Structure [13]</p>	
<p><u>Maximum Size – ADU [2][15]</u></p>	<p>Area of existing space/structure, plus 150 sq. ft. for ingress/egress.</p>
<p><u>Maximum Size – JADU [2][7][14][15]</u></p>	<p>500 sq. ft. of existing space within primary dwelling (including attached garages or attached storage areas), plus 150 sq. ft. for ingress/egress.</p>
<p><u>Conversion of Covered Parking</u></p>	<p>When a garage, carport, <u>uncovered parking space</u>, 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>

Table 5.11 Development Standards for ADUs and JADUs in All Zoning Districts Where Permitted [AMENDED 09-09-2022][AMENDED 07-11-2024]

~~[1] ADU/JADU units cannot be combined with SB 9 projects to increase the number of allowed dwellings. SB 9 projects are limited to two dwelling units (Primary plus either an SDU, ADU, or JADU) per parcel. units may be combined with SB 9 projects. In no case shall more than four units, inclusive of ADU/JADU units, be permitted on an existing lot. In the case of a lot with a proposed SB 9 urban lot split, cumulatively across both proposed lots, no more than four units, inclusive of ADU/JADU units, shall be permitted.~~

[2] Mandated by State statute. A Minor Special Development Permit or minor deviation from the Planning Director cannot be applied for to deviate from this standard.

[3] 'Multifamily' for purposes of compliance with State ADU regulations shall mean any parcel developed with at least one instance of two attached dwellings where neither are classified as ADUs. ~~two or more units on a parcel.~~

[4] Non-livable space can include storage rooms, boiler rooms, passageways, attics, basements, or garages.

[5] Maximum size limit of a detached ADU is 1,200 square feet for new construction, no further increases allowed.

[6] Minor deviations to this standard (i.e., front or side-street setback; lot coverage; or open space requirements) may be approved administratively by the Planning Director when it can be demonstrated that full implementation of the standard would physically prevent the ability to develop up to an 800 square foot attached or detached ADU within the buildable area of the lot. Deviations to this standard to allow for dwellings larger than 800 square feet and up to 1,200 square feet require approval of an applicable Special Development Permit.

[7] Deviations from maximum JADU size are not permitted.

~~[8] Detached or attached ADUs may only be a single story. Detached ADUs requesting a height above 16 feet and up to 18 feet in height (peak) due to proximity to major transit pursuant to CA PRC §21155 or to match the roof pitch of the primary dwelling may be approved by the Planning Director. For height increases to accommodate roof pitch alignment with primary dwelling, documentation shall be provided demonstrating both the existing roof pitch of primary dwelling and proposed ADU. Height requests above those provided in the table may be approved through an applicable Special Development Permit. New construction detached ADUs taller than one story are subject to a Minor Special Development Permit.~~

[9] Setbacks less than five feet 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.

[10] Attached and Detached ADU setbacks are both measured from the wall of the unit to the property lines. Up to a 24-inch overhang into the required setback area is allowed.

[11] Habitable square footage of an ADU shall not be counted towards the Accessory Structure space maximum of Table 5.10.A.

[12] Properties located within area-specific zoning ordinances such as but not limited to Special Planning Areas, Neighborhood Preservation Areas or Planned Developments shall utilize the front yard and side street yard (corner) setbacks specified in the applicable ordinance.

[13] Conversions of existing dwellings to Accessory Dwelling Units in conjunction with development of a new primary dwelling may utilize these standards.

[14] For the purpose of calculations based on the habitable square footage of the primary dwelling, the square footage of the JADU shall be included in the total square footage of the primary dwelling.

[15] In no case shall an ADU or JADU exceed the square footage of the primary dwelling.

5.4.6. – 5.4.8

No changes

5.5. COMMERCIAL ZONING DISTRICTS

No changes

5.6. INDUSTRIAL AND INDUSTRIAL PARK ZONING DISTRICTS

No changes

5.7. MIXED-USE ZONING DISTRICTS

No changes

5.8. INSTITUTIONAL USES

No changes

5.9. OFF-STREET PARKING

No changes

5.10. SIGN REGULATIONS

No changes

5.11. FINDINGS FOR PROJECTS IN FLOOD HAZARD ZONES

No changes

CHAPTER 6: ADMINISTRATION

6.1. GENERAL PROVISIONS

No changes

6.2. ZONING AMENDMENTS

No changes

6.3. DESIGN AND SITE PLAN

No changes.

6.4. SPECIAL PERMITS

No changes

6.5. OTHER APPLICATIONS

6.5.1 – 6.5.3.

No changes

6.5.4. Affordable Housing Incentive Program

6.5.4.A. Purpose and Intent [AMENDED 09-09-2022][AMENDED 07-11-2024]

No changes

6.5.4.B. Definitions [AMENDED 09-09-2022][AMENDED 07-11-2024]

As used in this Section, the following words and phrases shall have the meanings set forth herein:

1-12. *No changes.*

13. "Housing Development" **as defined in CA GOV §65915(i)** means development projects consisting of five or more residential units, including single-family, multifamily, mixed-use, and mobile homes for sale or rent, ~~and as further defined in CA GOV §65915(i).~~ **It also includes a subdivision or common interest development that consists of residential units or unimproved residential lots, and either a project to substantially rehabilitate and convert an existing commercial building to a residential use, or substantially rehabilitate an existing multifamily dwelling as defined in CA GOV §65863.4(d); where the result of the rehabilitation would be a net increase in available residential units. In the case of mixed-use development, at least two-thirds of the new or converted square footage must be designated for residential use. No portion of the project may be designated for use as a hotel or other transient lodging, except as specified in CA GOV §65589.5(h).**

14.-32. *No changes.*

6.5.4.C. Eligibility Criteria [AMENDED 09-09-2022] [AMENDED 07-11-2024]

1. The County shall consider a density bonus and/or provide incentives/concessions or waivers, as described in this Section, when an applicant for a Housing Development (including Shared Housing Buildings) of five or more units seeks and agrees to construct a project that will contain at least one of the following:

a. - k.

No changes.

l. Nonresidential projects, including hotel uses, may only be granted concessions, incentives, and development waivers for the portion of the development that is reserved for housing. A concession granted under 6.5.4 shall not result in a proposed project with a commercial

floor area ratio (FAR) that is greater than two and a half times the current allowed base zone commercial FAR, as specified in the Sacramento County General Plan Land Use Element.

2. Application

No changes.

6.5.4.D. Density Bonus Criteria and Number of Incentives [AMENDED 12-01-2017][AMENDED 09-09-2022]

1. Density Bonus.

No changes.

2. Incentives and Concessions. An applicant for an affordable housing project may submit a proposal for the specific incentives or concessions that the applicant requests pursuant to Government Code Section 65915(d) subdivision (d).

a. The applicant shall receive up to a maximum of five incentives (concessions) based on the level and amount of affordability provided by the Housing Development as indicated in Table 6.5.

Table 6.5 Maximum Number of Incentives (Concessions)
<i>No changes.</i>

b. Incentives or concessions requested may include:

i-xi. *No changes.*

xii. Approval of mixed-use zoning when the commercial, office, or other land uses are compatible with the Housing Development and the existing or planned development in the area where the proposed Housing Development will be located, and do not include a hotel, motel, bed and breakfast inn, or other visitor-serving portion of a mixed-use development project. The request includes an application for the zoning reclassification and if applicable Community Plan and General Plan Amendment(s).

xiii. Other regulatory incentives or concessions, which result in identifiable cost reductions or avoidance.

3. Waivers.

No changes.

6.5.4.D. - 6.5.4.M.

No changes

6.5.5. – 6.5.8.

No changes to Sections 6.5.1 through 6.5.7

6.6. ENFORCEMENT

No changes

6.7. FAIR OAKS BOULEVARD CORRIDOR PLAN

No changes

6.8. STATE LEGISLATION

6.8.1. Purpose

No changes

6.8.2. Residential Legislation

No changes

6.8.3. Institutional and Commercial Legislation

6.8.3.A. – 6.8.3.B

No changes.

6.8.3.C. Community College Housing (2026) [ADDED XX-XX-XXXX]

University housing development projects, as defined in CA PRC § 21080.58, developed on property owned or leased by a community college district are exempt from this Code, provided that the project meets criteria provided in CA EDC § 81055, including being within a half-mile range of qualified college campuses and, if the project includes units for faculty or staff, the inclusion of lower and extremely low income affordable units is required.

6.8.4. Industrial Legislation

No changes

CHAPTER 7: DEFINITIONS AND ACRONYMS

7.1. WORD USAGE AND CONSTRUCTION OF LANGUAGE

No changes

7.2. INTERPRETATIONS

No changes

7.3. CODE TERMS AND USE DEFINITIONS

Only those definitions of Section 7.3 that are proposed to be added or amended are shown below.

Emergency Shelter [AMENDED XX-XX-XXXX]

A public or private facility that provides immediate, short-term shelter (up to 120 days) for homeless individuals or families **with required** ~~and that may involve on-site interim intervention~~ ~~supplemental~~ services. An emergency shelter may consist of one or more buildings. An "emergency shelter program" includes all buildings that are on the same or adjacent parcels and operated by the same entity.

Housing Development Project [ADDED XX-XX-XXXX]

A development project consisting of five or more residential units, including single-family, multifamily, mixed-use, and mobile homes for sale or rent, and as further defined in CA GOV §65915(i). Definition also includes a subdivision or common interest development that consists of residential units or unimproved residential lots, and either a project to rehabilitate and convert an existing commercial building to a residential use, or substantially rehabilitate an existing multifamily dwelling as defined in CA GOV §65863.4(d); where the result of the rehabilitation would be a net increase in available residential units. In the case of mixed-use development, at least two-thirds of the new or converted square footage must be designated for residential use. No portion of the project may be designated for use as a hotel or other transient lodging, except as specified in CA GOV §65589.5(h).

7.4. ACRONYMS

No changes