

Before utilizing these guidelines; have you confirmed that your property is within the unincorporated area of Sacramento County? If not, please start at the webpage [linked here](#).

What is an Accessory Dwelling Unit (ADU) and Junior ADU?

Accessory Dwelling Unit. An attached or detached dwelling unit that provides **complete independent living facilities** (permanent provisions for living, sleeping, eating, cooking, and sanitation) for one or more persons and which is located on a lot with a proposed or existing primary dwelling. An ADU also includes the following:

- An 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.
- A manufactured home. As defined in the Zoning Code and in Section 18007 of the California Health and Safety Code.

Junior Accessory Dwelling Unit (JADU). A residential dwelling unit that is no more than 500 square feet in size and **contained entirely** within the permitted area of a primary dwelling (includes attached garages, storage or other enclosed areas that are part of the primary dwelling). A JADU shall include an efficiency kitchen (or may have a full kitchen). A JADU may include separate sanitation facilities, or may share existing sanitation facilities within the primary dwelling.

Efficiency Kitchen. An efficiency kitchen is a cooking facility with appliances, a food preparation counter, and storage units, for food and related supplies.

What *isn't* an ADU or JADU?

Detached guest houses, or similar, that include conditioned space that may be intended for occasional overnight use but does not contain cooking facilities (i.e., neither a full kitchen nor an efficiency kitchen). Only one such structure shall be allowed on a parcel. [See the handout for Residential Accessory Structure Standards available at [this link](#) for more information on Guest Houses.]

Second Dwelling Unit (SDU). While SDUs may look similar to ADUs, and State requirements provide similar side and rear setbacks for both types of dwellings, there are notable differences. SDUs are only permitted on properties that are eligible to utilize Senate Bill 9 (SB-9) provisions. Additionally, SDUs are subject to the same development standards as primary dwellings (except

for size limitations), meaning they can be taller, multiple stories, and trigger full Development Impact and Affordable Housing Ordinance fees. A property is not permitted to have both an SDU and an ADU.

Tiny Homes, or similar ‘homes on wheels’. Any temporary living quarters (Recreational Vehicle, ‘Housecar’ or similar) that is regulated by the California Department of Motor Vehicles is not permitted as a dwelling unit in Sacramento County, except when parked at a permitted Mobile Home Park. All dwelling units must be placed on a foundation and meet residential building standards.

Is an ADU or JADU Allowed on my Property?

ADUs and Junior ADUs are permitted on all properties that are used for residential purposes in the following manner:

Type of Primary Dwelling(s) ¹	Allowed ADUs/JADUs
Single Family Dwelling or Halfplex Unit	<ul style="list-style-type: none"> • One ADU, attached or detached, and, • One JADU within the existing space of the primary dwelling.
Multifamily Residential or Duplex	<ul style="list-style-type: none"> • Up to two new-construction detached ADUs, and, • Up to twenty-five percent (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.]

Notes:

¹ In zones where multifamily or single family dwellings are not a permitted use pursuant to [Zoning Code Table 3.1](#), an ADU is only permitted if there is a pre-existing legally established primary dwelling or multifamily development and the primary use of the site is residential. Pursuant to Section 1.9.3, no additional expansion of residential use or building shall be allowed beyond the allowable habitable space of the ADU.

Can I Use my ADU or Junior ADU as a Short-Term Rental?

An ADU **cannot** be used for short term rental activity **unless** it was a permitted ADU prior to January 1, 2020. JADUs and Guest Houses **cannot** be used for short term rental activity in any circumstance.

What Standards Must I Follow to Build an ADU or JADU?

Table 5.11 of Section 5.4.5.B of the Sacramento County Zoning Code contains the standards for ADUs and JADUs and is copied below in Table 1. The State legislative changes that went into effect after the most recent Zoning Code update of September 9, 2022, are highlighted in Table 1 below. Until the Zoning Code is formally amended, the standards in this table supersede those in Table 5.11 of the Zoning Code.

Table 1 is split into the following sections:

1. General Standards,
2. Additional Standards for New Construction, and
3. Additional Standards for Conversion of Existing Space.

Table 1 Development Standards for ADUs and JADUs in All Zones Where Permitted (with 2023 Legislative updates)	
General Standards	
Number of ADUs and JADUs Per Single Family or Halfplex	1 ADU and 1 JADU
Number of ADUs Per Multifamily Project [1]	New Construction: Properties developed as multifamily may have up to two (2) 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]
Bathroom Facilities	Attached and detached ADUs are required to have separate bathroom facilities from the primary dwelling. JADUs may have separate bathroom facilities or shared facilities with the primary dwelling. If the JADU does not include a separate bathroom, the JADU shall have both a separate entrance from the primary dwelling as well as an interior entry to the main living area of the primary dwelling to access the shared bathroom facilities.
Kitchen Requirement	All ADUs are required to have a kitchen that includes a cooktop/stove and oven or range. JADUs and efficiency unit ADUs shall have at least an efficiency kitchen.
Minimum ADU or JADU Size (Habitable Square Feet)	150 square feet
Minimum Building Width	N/A

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.
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. (vi) When a permit application for an ADU is submitted concurrently with a permit to build a new single-family (primary) dwelling or new multifamily dwelling on the same lot, provided that the accessory dwelling unit or the parcel satisfies any other development criteria. The parking requirement waiver is only applicable to the ADU.
Additional Standards - New Construction	
Maximum Size- ADU [3] [4]	<u>Detached</u> 1,200 sq. ft. <u>Attached</u> 50% of the habitable sq. ft. of the primary dwelling, or 800 sq. ft., whichever is greater.

Maximum Size – JADU [5]	500 sq. ft. of space within proposed or existing primary dwelling (including attached garages or attached storage areas), plus 150 sq. ft. for ingress/egress.
Maximum Building Height to peak [6]	<p><u>Detached</u></p> <ul style="list-style-type: none"> • 16 ft • 18 ft if located within ½ mile of major transit stop pursuant to Public Resources Code Section 211551 or to allow a roof pitch consistent with the primary dwelling • 20 ft if setback a minimum of 10 feet from rear property line and 5 feet from side property line <p><u>Attached</u></p> <ul style="list-style-type: none"> • 25 ft <p><u>ADU in Multifamily</u></p> <ul style="list-style-type: none"> • 18 ft
Foundation	All ADUs shall be constructed on a permanent foundation.
Setbacks [7] [8]	Front Yard- 20 Feet [11] [12] Side Street Yard (corner) - 12.5 Feet [11] [12] Side and Rear Yard- 4 Feet
Maximum Non-Habitable Square Footage Attached to Detached ADU [9]	Maximum shall be as listed for Residential Accessory Structures in Table 5.10.A, and shall be counted towards that square footage limit.
Additional Standards - Conversion of Existing Space/Structure [10]	
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 [5]	500 sq. ft. of existing space within 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.
[1] 'Multifamily' for purposes of compliance with State ADU regulations shall mean two or more units on a parcel. [2] Non-livable space can include storage rooms, boiler rooms, passageways, attics, basements, or	

garages.

- [3] Maximum size limit of a detached ADU is 1,200 square feet for new construction, no further increases allowed.
- [4] If the applicable Zoning Category includes limits on lot coverage or floor area ratios, an ADU (where allowed), not to exceed 800 sq. ft., may be allowed that deviates from these standards. A Planning Director's Determination will be required to review and authorize the deviation.
- [5] Deviations from maximum JADU size are not permitted.
- [6] Detached or attached ADUs may only be a single story. Detached ADUs requesting a height above 16 feet up to 18 feet in height (peak) due to proximity to major transit pursuant to Public Resources Code Section 21155 or to match roof pitch of the primary dwelling shall submit a [Zoning Verification application](#) request to determine compliance prior to submitting building permits. For height increases to accommodate roof pitch alignment with primary dwelling, documentation shall be provided with Zoning Verification application demonstrating both the existing roof pitch of primary dwelling and proposed ADU. Height requests above those provided in the table and other deviations may be approved through a Minor Special Development Permit.
- [7] 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.
- [8] 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 so long as there is at least three feet from property line.
- [9] Habitable square footage of an ADU shall not be counted towards the Accessory Structure space maximum of Table 5.10.A.
- [10] Conversions of existing dwellings to Accessory Dwelling Units in conjunction with development of a new primary dwelling may utilize these standards.
- [11] 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.
- [12] In instances where an 800 square foot attached or detached ADU cannot be accommodated within the required buildable area of the lot (outside the front/street side, side, and/or rear setbacks), the property owner may request a minor deviation to the front yard and/or street side yard setback (or open space requirement in multifamily projects) from the Planning Director (or designee) by filing a Zoning Verification application along with documentation demonstrating the required development standard would physically preclude the development of up to an 800 square foot ADU. To request an ADU larger than 800 square feet that cannot meet required front/street side yard setbacks or to allow a side or rear yard setback less than required may be permitted with approval of a Minor Special Development Permit.

What if I want to Build an ADU or JADU that Doesn't Meet Standards?

Minor height or setback deviations as provided for in Table 1 footnotes 6 and 12 may be authorized by the Planning Director by filing a [Zoning Verification \(ZVL\) Application](#). ZVL requests will be reviewed for compliance with the requirements stipulated in State law for minor height increases or deviations to front and street side yard setbacks. The application fee for a ZVL is \$165.11 and takes approximately three weeks to process from receipt of a complete application. If it is determined that the request does not comply with requirements, the request will be denied. Modifications to the design as provided in the ZVL can be made and submitted with building permit application or an application for a Minor Special Development Permit may be applied for.

All other deviations from the standards, except for maximum sizes, may be permitted with approval of a [Minor Special Development Permit \(SPM\)](#). This is an administrative entitlement process, meaning that the request will be reviewed for compliance with the SPM provisions and required findings. While there is no public hearing, if the applicable findings for approval cannot be made then the request may not be approved. Current costs run approximately \$1,337.60 and timelines can range from 3 to 4 months. Contact us through the email address below if you would like more information on this option.

Will Converting an Existing Accessory Structure to an ADU Require a Building Permit?

Yes. A conversion of this type is considered a change in use under the building code and requires the structure to be brought into compliance with current residential building standards. See the information provided by the Building Permits and Inspections Division at <https://building.saccounty.net/HomeOwner/Pages/default.aspx>.

I'd like to Learn More about Impact and Improvement Fee Reductions, Requirements for Solar Panels, Utility Service Requirements, and Related Topics.

The California Department of Housing and Community Development (HCD) has developed a helpful booklet that provides a thorough FAQ of developing ADUs and JADUs in California. The booklet is available at [this link](#) or by going to www.hcd.ca.gov, choosing 'Policy & Research,' and then 'Accessory Dwelling Units'.

You can also request an impact and improvement fee estimate from the County Engineering, Site Improvement and Permits (SIP) Section. More information can be found at <https://engineering.saccounty.net/sips/Pages/Development-Impact-Fees.aspx>.

For more information, please contact Planning and Environmental Review (PER) staff at sacplan@saccounty.gov or go to the PER website: <https://planning.saccounty.gov>.