

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**

**SOUTH SACRAMENTO INDUSTRIAL NEIGHBORHOOD PRESERVATION AREA
(GERBER ROAD AND FLORIN ROAD)**

530-80. INTENT. It is the intent of the Board of Supervisors in adopting this Neighborhood Preservation Area Ordinance to provide for the continued and future industrial use of the property, described above, while at the same time protecting and preserving the existing and planned residential neighborhoods on abutting properties from adverse and incompatible impacts of said industrial uses. It is the further intent of the Board of Supervisors to provide the greatest protection possible to residential uses while recognizing the industrial use of abutting properties. Section 530-85 attached to this Ordinance is incorporated herein and made a part of this Ordinance for all purposes.

530-81. PERMITTED USES. Uses permitted in this Neighborhood Preservation Area shall include those permitted in the underlying industrial land use zones as described in Section 230-01 thru 230-13 of the Zoning Code of Sacramento County.

530-82. DEVELOPMENT PLAN REVIEW. No development shall take place on any property to which this Ordinance applies until final development plans have been approved by the Project Planning Commission as provided herein. The Planning Commission shall approve the development plan if the location and design of the proposed use mitigates potential adverse effects consistent with development standards established, below. The Planning Commission shall not approve development plans under provisions of this section unless it first finds that the proposed development will not create adverse noise, vibration, visual, air quality, health, or safety impacts on abutting residential uses.

530-83. DEVELOPMENT STANDARDS.

- (a) Reference to Underlying Land Use Zone. All lot requirements, building setbacks, sign regulations, or other regulations not specifically described herein, shall conform to those regulations outlined in the Zoning Code of Sacramento County for the particular underlying land use zone and where the underlying land use zone is more restrictive than the most restrictive regulation shall govern development.
- (b) Height Regulations. No building or structure on property in this Neighborhood Preservation Area shall have a height greater than 40 feet.
- (c) Industrial Setback Adjacent to Residential Zone. When abutting any residential or agricultural-residential land use zone, the abutting yard shall be at least 75 feet in width, except for office uses, which may be as close as 25 feet. The common boundary between said residential or agricultural-residential land use zone and the industrial land use zone to which this Ordinance applies shall be demarcated by an eight (8) foot high solid barrier wall constructed of wood, rock, brick or other masonry material. Chain-link fence with slats shall not be permitted. The required 75-foot setback (25 feet for office uses) shall be fully landscaped and shall include a combination of trees and shrubs designed to screen industrial uses from the view of abutting residential uses. The planter shall be provided

with a permanent irrigation system. Trees capable of reaching a height of at least 30 feet at maturity shall be planted at least every 30 feet on-center along the required barrier wall.

Residential Setback Adjacent to Industrial Zone. When abutting any Industrial land use zone, the abutting yard shall be at least 25 feet or greater as controlled by the underlying zone. The required 25-foot setback shall be fully landscaped, excepting driveways, and shall include a combination of trees and shrubs designed to screen the industrial uses from the view of residential properties. Trees capable of reaching a height of at least 30 feet at maturity shall be planted at least every 30 feet on-center along the common property line between the residential and industrial use areas.

- (d) **Industrial Area Landscaping.** Excluding driveways, all front yard and side street yard setbacks shall include a minimum four (4) foot wide landscaping planter abutting the public and private street rights-of-way. The planter shall include live landscaping and a permanent irrigation system. At least one tree shall be provided per fifty (50) feet of frontage on public and private streets. All plantings shall be kept in healthy and growing condition. Irrigation systems shall be kept in working order.
- (e) **Industrial Area Uncovered Storage.** Uncovered storage shall be permitted in the buildable portion of industrial land use zone areas, provided that stored materials will not be visible from abutting residential areas or public and private streets. Development standards for uncovered storage shall include but not be limited to the following:
 - (1) Storage areas shall be enclosed by a minimum six (6) foot high solid wood, rock, brick, or other masonry fence, excepting that storage areas which are located in an interior portion of the lot (i.e., not visible from the street) may be fenced with a chain-link fence. All required fences shall be maintained in a manner which provides the desired screening of stored materials.
 - (2) Stored materials shall not be stacked in such a manner that it extends above the height of the required fence.
- (f) **Loading Areas.** Loading areas shall be provided as required in Section 330-50 of the Sacramento County Zoning Code. Loading areas, including space necessary for maneuvering vehicles, shall not be located in the required 75-foot setback from abutting residential or agricultural-residential land use zones and shall not extend into required landscape areas. The Commission shall not approve a development plan which includes a loading area, unless it finds that the location will not result in a significant noise impact on abutting residential uses.
- (g) **Industrial Area Lighting.** No unshielded reflectors, spotlights, floodlights, or other sources of illumination shall be located and directed such that they shine toward or are directly visible from abutting residential or Agricultural-Residential property.

- (h) Industrial Area Signs. On-site signs shall be permitted as provided in Section 335-20 (Signs in Industrial Zones) of the Sacramento County Zoning Code. Off-site signs shall be permitted as provided in Section 335-12 (Standards for Off-site Signs) of the Sacramento County Zoning Code, except that no off-site sign shall be located such that it is visible from any abutting residential or agricultural-residential land use zone.

530-84. FINDINGS.

- (a) Residential neighborhoods and abutting industrial areas subject to this NPA Ordinance are unique in that the two uses are juxtaposed in a manner which does not provide the necessary buffering between uses normally provided by a gradual transition of compatible land use zones. Regulations and standards contained herein will provide sufficient buffering to preserve and protect both residential and industrial uses.
- (b) The area to which this NPA Ordinance applies encompasses and would affect numerous identifiable neighborhoods in the South Sacramento Community Plan area.
- (c) The NPA Ordinance provides for a reasonable use of industrial property abutting residential uses in a manner which will encourage its long-term individual use and, therefore, does not constitute undue hardship on property owners within the zone.

530-85 of the Zoning Code is hereby amended as shown on Exhibit "A" which is attached to this Ordinance and incorporated herein:

Amended June 17, 1992

Amended May 24, 2022

