



Interim Zoning Code Guidance To Implement Changes in State Legislation

Overview

In September of 2022, Governor Newsom signed into law several bills related to zoning and land use. The resulting changes to State statute take effect January 1, 2023 and result in portions of the County Zoning Code becoming noncompliant. In addition, staff has identified other legislative changes previously signed into law that also affect minor components of the County’s Zoning Code. To remedy this situation, Sacramento County must utilize applicable State Government Code (GOV) sections where conflicts arise between State law and the Sacramento County Zoning Code (SCZ).

This document has been created to provide guidance for County staff, applicants, and the public in this interim period. It incorporates the GOV code requirements and allowances into the current SZC, as understood by County staff at this time. This document will be updated as guidance from the State or new information regarding implementation of the various 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 apply.**

The topics covered in the interim guidance include:

- Temporary Concessions - Sidewalk Vendors (SZC Section 3.10.3)
- Family Day Cares (SZC Section 3.5.1.F and Section 5.9.2)
- Accessory Dwelling Units (SCZ Section 5.4.5.A. – Table 5.11)
- Off-Street Parking Requirements (SZC Section 5.9.2)
- State Density Bonus Law (SZC Section 6.5.4)

A Zoning Ordinance Amendment package (Control Number PLNP2022-00326) will be brought through the required public review process over the next several months, with a goal of adoption by late spring 2023.

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Temporary Concessions – Sidewalk Vendors

SB 946 (Lara): Sidewalk Vendors

This Bill was signed into law on September 17, 2018 and took effect on January 1, 2019. The Bill prevents cities and counties from restricting sidewalk vendors as defined in GOV Section 51036 from operating within public rights of ways outside of residential zone districts or within public parks owned by the city or county unless certain findings can be made related to public health and safety or where there is an exclusive concession agreements within a park.

Zoning Code Interim Guidance: Temporary Concessions

The SZC currently does not regulate activities within County Right of Way (County Department of Transportation responsibility), but does have some regulatory authority for allowable uses within parks. The interim guidance below further clarifies that sidewalk vendors operating within County Right of Way or within a public park are excluded from the SZC Chapter 3 Temporary Concession provisions as follows:

3.10.3.E Temporary Concessions

Excluding sidewalk vendors as defined in Government Code Section 51036 that are operating within County right of way (including sidewalk) or within public parks. Temporary concessions, shall comply with the standards of this Section. Temporary concessions are allowed only in specified commercial and industrial zoning districts subject to the conditional approval of a Temporary Use Permit by the Zoning Administrator. The permit shall include any conditions appropriate to assure compliance of the requirements of this Section, shall include time limits as to when the Temporary Use Permit is valid and may include additional conditions and requirements that are found appropriate to assure the use will not be detrimental to health, safety, peace, morals, comfort, or general welfare of persons residing or working in the neighborhood:

[The remainder of SZC Section 3.10.3.E *Temporary Concessions* remains unchanged]

Large Family Day Cares

Senate Bill 234 (Skinner): Family Daycare Homes

This Bill was signed into law on September 5, 2019 and took effect on January 1, 2020 with fire regulations applicable by no later than January 1, 2023 (when State Codes updated). The Bill requires cities and counties to treat small and large family day care homes as a residential use subject to the same standards applied to other residences with the same zoning designation. Prior legislation, only applied to small family day care homes (dwellings providing care for up to eight children for periods less than 24 hours per day). A Large family day care may provide care for up to 14 children (Public Health and Safety Code 1596.78).

Zoning Code Interim Guidance: Family Daycare Homes

Based on the changes to State legislation pertaining to family day care homes, the following interim guidance shall apply to the SZC:

Chapter 3: Use Regulations

TABLE 3.1--ALLOWED USES [AMENDED-06-22-2017][AMENDED-12-01-2017][AMENDED-01-12-2019][AMENDED-07-16-2020][AMENDED-02-25-2021][AMENDED-09-09-2022]

KEY

P = Permitted Primary Use
 UPP = Conditional Use Permit by the Planning Commission
 A = Permitted Accessory Use
 UPM = Minor Use Permit
 UPZ = Conditional Use Permit by the Zoning Administrator
 UPB = Conditional Use Permit by the Board of Supervisors
 TUZ = Temporary Use Permit by the Zoning Administrator

Grey Boxes = Refer to Applicable Use Standards in Sections Identified

Zoning Districts	Agricultural	Agricultural-Residential	Residential						Recreation			Mixed-Use			Commercial			Industrial			Use Standard		
Use, Service or Facility	AG-20 through AG-160	UR	IR	AR-10 AR-5	AR-21 AR-11	RD-1 RD-2	RD-3 RD-4	RD-5 through RD-10	RD-15 through RD-40	RM-2	RR	O	C-O	NMC	CMC	CMZ	BP	LC	GC	MP	M-1	M-2	Use Standard
RESIDENTIAL USES																							
A. Household Living Uses																							
8. Family Day Care Home ¹³	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	3.5.1.F

¹³ Permitted by right in zones that allow dwellings as a permitted primary use and when conducted in a legally permitted and occupied dwelling unit, Agricultural, Agricultural-Residential, and Recreation zoning districts, where it does not exceed a total of eight persons for small family day care homes and 14 persons for large family day care homes, including children 10 years of age or younger who reside in the home.

3.5.1.A. Family Day Care Home

1. Small Family Day Care Homes. The use of a lawfully occupied **single family** dwelling as a small family day care home shall be a permitted use in all zoning districts **that allow for a dwelling unit as a primary permitted use** and shall not require any permit pursuant to this ordinance.
- ~~2. Large Family Day Care Homes. The use of a lawfully occupied **single family** dwelling as a large family day care home **shall be a permitted use in all zoning districts that allow for a dwelling unit as a primary permitted use and shall not require any permit pursuant to this ordinance.** must comply with the following standards. In the event that these standards cannot be met, a Minor Use Permit shall be required.

 - ~~a. Provide a certified copy of the state license to operate a large family day care home on the property.~~
 - ~~b. The use shall not be located within 300 feet of any other existing or approved large family day care home, small family day care home, board and care home, group home, or halfway house, measured property line to property line.~~
 - ~~c. The property shall provide at least two off street parking spaces for use by customers. These parking spaces may include spaces provided to meet residential parking requirements, such as the driveway, provided these spaces are available for customers during normal business hours.~~
 - ~~d. The loading/unloading of vehicle occupants shall only occur on the driveway, a parking area approved by the Planning Director, or the area directly in front of the residence, and shall not unduly restrict traffic flows, or result in pedestrian hazards.~~
 - ~~e. If the property contains a swimming pool or spa, the pool or spa shall meet all current code regulations for fencing, gate latches, and alarms.~~
 - ~~f. Comply with all applicable State Fire Marshall regulations.~~
 - ~~g. No more than 14 children, including children under the age of 10 years who reside at the home, shall be cared for at any large family day care home.~~
 - ~~h. Only one large family day care home may be located on any parcel.~~~~

- i. ~~On-site identification signage is permitted in accordance with the provisions of this ordinance.~~

Chapter 5: Development Standards (affected portion of table 5.18 pertaining to Family Day Care Homes)

Table 5.18 Vehicle Parking Amounts for Residential Uses [1] [AMENDED 09-09-2022]	
Residential Use	Minimum Parking Amounts
Residential Unit Used As Family Day Care Home or Foster Home	Two spaces per dwelling unit, plus one additional space for every 10 or more persons receiving care in the home. The number of spaces as required for the dwelling unit type as provided for in Table 5.18.
Residential Unit Used As Family Day Care Home or Foster Home	Two spaces per dwelling unit, plus one additional space for every 10 or more persons receiving care in the home.
[1] Motorcycle and bicycle parking spaces shall also be required, and provided in accordance with Sections 5.9.8. and 5.9.9., respectively.	

Accessory Dwelling Units

AB 2221 (Quirk-Silva) and SB 897 (Wieckowski) – Accessory Dwelling Units (ADU)

These bills were signed into law on September 28, 2022 and took effect on January 1, 2023. Because SB 897 was chaptered after AB221 (since 664 appears after 650 in the statute): (i) Section 1 of AB2221 is operative and Section 1.5 is not; and (ii) Section 2.5 of SB 897 is operative and Section 2 is not. The new legislation allows for ADUs taller than 16 feet in height in certain circumstances; includes clarification that Junior ADUs (JADU) can be built within the walls of a proposed or existing primary dwelling (this includes attached garages and similar spaces); clarifies that in stances where a JADU shares a bathroom with the primary dwelling there must be interior access; and allows for deviations to front and street side yard setbacks or open space requirements (multifamily projects) in instances where an 800 square foot ADU cannot be accommodated within the buildable area of the lot.

Zoning Code Interim Guidance: Accessory Dwelling Units

Based on the changes to State legislation pertaining to ADUs, the [County’s Accessory Dwelling Unit handout](#) has been updated and provides information on frequently asked questions and all development standards pertaining to ADUs and JADUs. Only the portions of Zoning Code Table 5.11 affected by legislative changes are provided below (refer to handout for complete list of standards):

Chapter 5: Development Standards (affected portion of table 5.11)

Table 5.11 Development Standards for ADUs and JADUs in All Zones Where Permitted	
General Standards	
Bathroom Facilities	Attached and detached ADUs are required to have separate bathroom facilities from the primary dwelling.

	<u>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.</u>
Minimum Parking	<p>For ADUs, one (1) parking space shall be provided, except that parking is not required where:</p> <p>(i) The accessory dwelling unit is located within one-half mile walking distance of public transit.</p> <p>(ii) The accessory dwelling unit is located within an architecturally and historically significant historic district.</p> <p>(iii) The accessory dwelling unit is part of the proposed or existing primary residence or an existing accessory structure.</p> <p>(iv) When on-street parking permits are required but not offered to the occupant of the accessory dwelling unit.</p> <p>(v) Where there is a car share vehicle located within one block of the accessory dwelling unit.</p> <p>(vi) <u>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.</u></p>

Additional Standards - New Construction

Maximum Size – JADU [5]	500 sq. ft. of space within proposed primary dwelling <u>(including attached garages or attached storage areas)</u> , plus 150 sq. ft. for ingress/egress.
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Maximum Building Height <u>(Peak)</u> [6]	<p>Detached</p> <ul style="list-style-type: none"> • 16 ft • <u>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</u> • 20 ft if setback a minimum of 10 feet from rear property line and 5 feet from side property line <p>Attached</p> <ul style="list-style-type: none"> • <u>25 ft</u> <p>ADU in Multifamily</p> <ul style="list-style-type: none"> • <u>18 ft</u>
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Setbacks [7] [8]	<p>Front Yard – 20 Feet [11] <u>[12]</u></p> <p>Side Street Yard (corner) – 12.5 feet [11] <u>[12]</u></p>
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[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.

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

[6] Detached or attached ADUs ~~greater than 16 feet in height~~ may only be a single story. ~~ADUs attached to a two-story primary dwelling may match the roofline of the primary dwelling so long as they are single story~~

~~and maintain a minimum of a five foot side yard setback and 10 foot rear yard setback. 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.
- [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.

Off-street Parking

AB 2097 (Friedman) – Residential, Commercial, or Other Development Types: Parking Requirements

This Bill was signed into law on September 22, 2022 and takes effect January 1, 2023. AB 2097 applies to certain, residential, mixed-use and commercial projects located within one-half mile of a major transit stop that is existing or planned, if the planned stop is scheduled to be completed within the planning horizon of the adopted 2020 MTP/SCS (Metropolitan Transportation Plan/Sustainable Community Strategy). A major transit stop is defined in Section 21064.3 of the Public Resources Code, as a site containing a rail transit station or bus rapid transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods. Eligible projects are not required to provide automobile parking spaces with exception of any required electric vehicle spaces or space accessible to persons with disabilities. Eligible projects that voluntarily provide parking shall comply with the standards provided in the local zoning code. Eligible projects include:

- Residential (housing) projects that contain less than 20 units or at least 20 percent of the total units are restricted to lower income households, students, elderly or persons with disabilities as further defined in GOV 65863.2.
- Commercial and mixed-use projects with the exception of event centers, hotels, motels, bed and breakfast, inn or other transient lodging. Projects subject to a contractual parking agreement with a public agency executed before January 1, 2023 where all provided parking is shared with public are not considered a project under AB 2097.

AB 2244 (Wicks) Parking for Religious Institution – Affiliated Housing

This Bill was signed into law on July 19, 2022. The purpose of the bill is to clarify provisions of AB 1851. The Bill prohibits a local agency from requiring replacement parking when a religious institution (place of worship) removes existing or required parking spaces to build affiliated housing so long as no more than 50 percent of the existing spaces are removed. The local agency may require one parking space for each dwelling unit along with any required Electrical Vehicle or Accessible spaces required for the entire project. A religious institution housing development project means a housing development project that meets all of the following criteria:

- The housing development project is located on one or more contiguous parcels that are owned entirely, whether directly or through a wholly owned company or corporation, by a religious institution.
- The housing development project qualifies as being near collocated religious-use parking spaces by being any of the following:
 - Located on one or more parcels that collectively contain religious-use parking spaces.
 - Located adjacent to a parcel owned by the religious institution that contains religious-use parking spaces.
 - Located on one or more parcels separated by no more than 0.1 miles from a parcel owned by the religious institution that contains religious-use parking spaces.
- The housing development project qualifies for a density bonus under GOV Section 65915

Zoning Code Interim Guidance: Parking Reductions

Based on the changes to State legislation pertaining to parking reductions for certain uses, the following interim guidance shall apply to the SZC:

5.9.5. Parking Reductions

This Section provides the criteria, measures, and requirements for the reduction of off- street parking. Automatic parking reductions and those reductions approved through Design Review, either individually or on a cumulative basis, shall not exceed **the reduction provisions provided in Table 5.2625-percent of the required parking for the development.** Greater overall parking reductions may be approved by a Special Development Permit.

5.9.5.A. Criteria

Required parking may be reduced through the Design Review, subject to complying with the following requirements:

1. **No change.**
2. Parking demand generated by the project satisfies the requirements for the uses served and does not result in a negative impact on the supply of off-street parking in the surrounding area. **Projects**

utilizing the provisions of AB 2097 or AB 2244 are not subject to this finding.

3. Parking Management Plan. No change

5.9.5.B. Review of Parking

No change

5.9.5.C. Parking Reduction Measures

The number of off-street parking spaces may be reduced ~~to a maximum of 25 percent,~~ **administratively (staff level) as provided in Table 5.26** subject to meeting the criteria in Section A **above** and the following provisions. ~~Table 5.26 provides a summary of allowable staff level parking reductions.~~

Table 5.26 MAXIMUM STAFF LEVEL PARKING REDUCTION	
Type	Maximum Reduction
Maximum Staff Level Parking Reduction (except as listed below)	25%
Shared Parking	25%
Transit Accessibility	100%
Proximity to Class II or Class III bike lanes	10 %
Transit Supportive Plazas	10%
Tree Preservation	10% (not more than six spaces total)
Bicycle Parking (non-required)	10%
Provision of Electric Vehicle Charging Station above the number of spaces required by the California Green Building Standards Code	2:1
Places of Worship Affiliated Housing	50% (of required parking for place of worship)
Preferential Parking for Carpool/Vanpool	5%
Shower/Locker Facilities	5%
Transit Waiting Shelter	10%
Motorcycle Parking	1:1 (one space can be reduced for each motorcycle space provided)
Available on-street parking	1:1 (one space can be reduced for each available on-street parking)

1. **Multifamily, Residential, Mixed-Use, and Non-Residential Projects**

- a. Shared Parking. **No change.**
- b. Transit Accessibility. For development proposed within ~~a one-quarter (1/4)~~ **half (1/2)** mile of a **major transit stop as defined in Public Resources Code (PRC) Section 21064.3 that is existing or planned are not required to provide parking subject to the following:** ~~station or stop for enhanced transit service as defined in Section 5.2.3.C,~~ the following parking reductions may be granted.
 - (i) **For purposes of this section, a planned stop, is a major transit stop that is scheduled to be completed within the planning horizon of the adopted SACOG MTP/SCS (Sacramento Area Council of Governments Metropolitan Transportation Plan/Sustainable Community Strategy and meets the service requirements listed in PRC Section 21064.3:**
 - (ii) **Eligible projects include:**
 - **Residential (housing) projects that contain less than 20 units or at least 20 percent of the total units are restricted to lower income households, students, elderly or persons with disabilities as further defined in GOV 65863.2.**
 - **Commercial and mixed-use projects with the exception of event centers, hotels, motels, bed and breakfast, inn or other transient lodging.**
 - **Projects subject to a contractual parking agreement with a public agency executed before January 1, 2023 where all provided parking is shared with the public are not considered an eligible project under AB 2097.**
 - (iii) **Eligible projects shall provide the required electric vehicle spaces and space accessible to persons with disabilities based on the number of spaces typically required for the proposed use and pursuant to the applicable California Building Code as referenced in County Code Chapter 16.**
 - (iv) **Eligible projects that voluntarily provide parking shall comply with the standards provided in Chapter 5.9**
 - (i) ~~For all projects within one-quarter mile (1,320 linear feet) of a transit station or stop, or proximity to Class II or Class III bike lanes, a maximum 10 percent reduction in parking requirements may be granted when the reviewing authority determines that the parking management plan submitted by the applicant, justifies the parking reduction.~~
 - (ii) ~~For mixed use or non-residential development, adjacent to a transit station, a project proponent may request that some or all of the required off-street parking spaces be provided at the adjacent station, or that in-lieu fees or facilities be provided for use at the station. The request may be granted, subject to submittal of a parking management plan and the finding from the approval authority that the substitution will be an incentive to, and a benefit for, the project; and will facilitate access to the development by patrons of the adjacent transit services.~~
- c. **Proximity to Class II or Class III bike lanes. For all projects within one-quarter mile (1,320 linear feet) to Class II or Class III bike lanes, a maximum 10 percent reduction in parking requirements may be granted when the reviewing authority determines that the parking management plan submitted by the applicant, justifies the parking reduction.**
- d. Transit-supportive Plazas. **No change**
- e. Tree Preservation. **No change.**
- f. Provision of Bicycle Parking. **No change**
- g. Provision of Electric Vehicle Charging Station. **No change.**

2. Multifamily Residential and Mixed-Use Housing

No change

3. **Trip Reductions for Large Non-Residential or Employment Centers.** Some trip reduction requirements, described in Section 5.9.6, qualify for a reduction in parking requirements, subject to the criteria and minimum requirements for trip reduction measures **provided in Section 5.9.6 that follow.**

4. **Places of Worship Affiliated Housing Parking Reductions. Replacement parking shall not be required when a place of worship removes up to 50 percent of the existing or required parking spaces (excluding any required electric vehicle or accessible parking spaces) to build affiliated housing subject to the following criteria:**

- a. **The housing development project is located on one or more contiguous parcels that are owned entirely, whether directly or through a wholly owned company or corporation, by the place of worship.**
- b. **The housing development project qualifies as being near collocated religious-use parking spaces by being any of the following:**
 - (i) **Located on one or more parcels that collectively contain religious-use parking spaces.**
 - (ii) **Located adjacent to a parcel owned by the place of worship that contains religious-use parking spaces.**
 - (iii) **Located on one or more parcels separated by no more than 0.1 miles from a parcel owned by the place of worship that contains religious-use parking spaces.**
- c. **The housing development project qualifies for a density bonus under GOV Section 65915.**
 - (i) **A minimum of one parking space shall be required for each dwelling unit and any required electric vehicle or accessible spaces required by the current Building Code for the housing development.**

State Density Bonus Law

AB 682 (Bloom) – Density Bonuses: Shared Housing Buildings

This Bill was signed into law on September 28, 2022 and takes effect on January 1, 2023. AB 682 allows shared housing buildings (co-living housing projects) to be eligible for the State Density Bonus. A shared housing building is defined as a residential or mixed-use structure with five or more shared housing units with one or more common kitchens and dining areas designated for permanent residents. A shared housing building can have ground floor commercial and may include other dwelling units that are not shared housing units as long as it does not exceed 25% of the floor area of the shared housing building. The new bill prohibits jurisdictions from requiring any minimum unit size or bedroom requirements for eligible shared housing projects.

A shared housing project will now qualify for State Density Bonus Law if it meets one of the following:

- Contains 10% low-income units
- Contains 5% very low-income units
- Contains 100% low-income units

- Is a senior housing development or a mobilehome park that limits residency based on age requirements
- 10% of the housing development will be available for public purchase and sold to persons or families of moderate income
- Contains 10% of units for transitional foster youth, disabled veterans, homeless persons
 - Subject to recorded very low income affordability restriction of 55 years

Zoning Code Interim Guidance: Density Bonuses

Based on the changes to State legislation pertaining to density bonuses and shared housing, the following interim guidance shall apply to the SZC:

Chapter 6.5.4: Affordable Housing Incentive Program

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

This section is intended to provide incentives for the production of housing including projects with shared housing buildings for very low, low, and moderate income households, senior citizen households, transitional foster youth; disabled veterans; homeless; college students; and, Housing Developments that include child care facilities in accordance with Government Code Sections 65915 through 65917 (State Density Bonus Law). In enacting this Section, it is the intent of the Board of Supervisors to facilitate the development of affordable housing and to implement the goals, objectives, and policies of the County’s Housing Element.

6.5.4.B. Definitions

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

No change to definitions 1 through 23

- 24. “Shared Housing Building” is a residential or mixed-use structure with five or more shared housing units with one or more common kitchens and dining areas designated for permanent residence of more than 30 days by its tenants. The kitchens and dining areas with the shared housing building shall be adequate to accommodate all residents.**
- A shared housing building may include other dwelling units that are not shared housing units provided that those dwelling units (unshared units) do not occupy more than 25 percent of the floor area of the shared housing building.
 - A shared housing building may include incidental commercial uses, provided those uses are otherwise allowable in the zone district and are located only on the ground floor or the level of the shared housing building closest to the public street or sidewalk.
 - A shared housing unit means one or more habitable rooms, not within another dwelling unit, that includes a bathroom, sink, refrigerator, and microwave, is used for permanent residence, that meets the “minimum room area” specified in Section R304 of the California Residential Code and is part of the shared housing building with access to common kitchens and dining areas or other common amenities of the shared housing building.
- 24. 25** “Specific Adverse Impact” means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date of the application was deemed complete and as set forth in California Government Code Section 65589.5(d)(2).
- 25. 26** “Special Needs Housing” means any housing, including supportive housing, intended to benefit, in whole or in part, transitional foster youth, disabled veterans, homeless persons, or other persons

identified as having special needs as further defined in California Health and Safety Code Section 51312.

- ~~26.~~ **27** "Student Housing Unit" has the same meaning as set forth in California Government Code Section 654915(b)(1)(F)(ii).
- ~~27.~~ **28** "Target Unit" means a dwelling unit within a Housing Development which will be reserved for sale or rent to, and affordable to Very Low, Low or Moderate Income Households, or Qualifying Residents.
- ~~28.~~ **29** "Transitional Foster Youth" means a person in California whose dependency was established or continued by the court on or after the youth's 16th birthday and who is no older than 25 years of age as further defined in the California Education Code Section 66025.9.
- ~~29.~~ **30** "Very Low Income Household" means households whose income does not exceed the very low income limits applicable to Sacramento County, as published and periodically updated by the State Department of Community Development pursuant to Section 50105 of the California Health and Safety Code.
- ~~30.~~ **31** "Waiver" means a reduction or elimination of a development standard that if imposed would result in physically precluding the development of the proposed affordable Housing Development.

6.5.4.C. Eligibility Criteria

- 24.** 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:

[No additional changes to the ZC pertaining to density bonuses and Affordable Housing Incentive Program.]

I Have More Questions

No problem! Please email us at SacPlan@saccounty.net for any Planning and Zoning questions.