

Help Line: (916) 264-5011 planning@cityofsacramento.org

Accessory Dwelling Unit (ADU) Optional Zoning Review Application

Review of Special Use Regulations (City Code Section <u>17.228.105</u>)

Pursuant to state law, a building permit is the only required approval¹ before Accessory Dwelling Unit (ADU) construction may begin. The purpose of this application is to offer an optional, low-cost process to verify your ADU meets applicable objective zoning standards before spending significant time and money on a complete building permit application.

For zoning purposes, ADUs are subject to either:

- <u>City of Sacramento Local ADU Ordinance</u>: See <u>City Code Section 17.228.105(B)</u> for applicable standards (and Pages 4-9 of this form); or
- <u>State ADU Standards</u>: See <u>City Code Section 17.228.105(C)</u> for applicable standards (and Pages 9-13 of this form).

Applicants must choose one set of standards (i.e., no pick/choose or mix/match) for their ADU. Applicants are encouraged to review each set of standards and determine which best meets their needs.

If your project proposes a new single-unit or multi-unit, primary dwelling to be built concurrently with the proposed ADU, you may choose to submit this ADU Optional Zoning Review Application (CDD-0009) with your Planning Entitlement Application (CDD-0063) for the new primary dwelling unit(s). If not, review of the ADU(s) will not begin until a building permit application is filed concurrent with the proposed primary dwelling unit(s).

If your project is located within a historic district or on a lot that includes a historic landmark or contributing resource structure, a Preservation application may be required. You may complete this form and submit it with the Preservation application.

For more information about ADUs, please review:

- City Code Section 17.228.105 (Click here)
- City of Sacramento ADU Resource Center (Click here)
- California Government Code Title 7, Division 1, Chapter 13 (Click here)

¹ Construction activities outside the ADU (e.g., utility trenching in public sidewalk/street, tree removal, etc. require separate approvals)

Application Submittal Requirements

All submittals shall include the following:

- 1. One full size set of plans, drawn to scale in PDF format, and which include:
 - a. <u>Site plan</u> which shows the main residential unit, the proposed ADU(s), any accessory building(s) located on the project site; and
 - b. <u>Floor plan</u> of the proposed ADU(s) which labels all rooms in the unit and shows the location of the front door; and
 - c. Building elevations of all four sides of the proposed ADU.
- Color photographs of the project site with labels to indicate the main dwelling unit and any accessory building(s); photos of development on either side of the project site and directly across the street from the project site; photos of all sides of structures proposed to be demolished. Please see guidelines for photographing a project site on page 8 of the Planning Entitlement Application (CDD-0063) (*click here*).
- 3. Completed "Accessory Dwelling Unit Optional Zoning Review Application (CDD-009)" (this form).
- 4. Fees as specified in Administrative Permit Fee sheet (form CDD-0028).
- 5. If submitted by someone other than the property owner, the letter of agency authorization.

Letter of Agency from Property Owner

This section of the application is required to be completed **<u>only if</u>** this application is submitted by someone other than the property owner.

I, the undersigned legal owner of record, hereby grant permission to:

Name of Applicant

to apply for a ministerial review of the accessory dwelling unit(s) proposed on my property.

Signature of Property Owner

Date

Certification

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial elevation to the best of my ability and that the facts, statements and information presented are true and correct to the best of my knowledge and belief.

I understand that if additional review fees need to be collected, additional payment will be required.

I understand that in the event of a dispute over the project, I am required to defend, indemnify, and hold harmless the City of Sacramento as follows:

- 1. Except as provided in paragraph 2, immediately below, I agree that in connection with any claim, action, or proceeding (collectively "claim") brought against the City of Sacramento and its City Council, agencies, commissions, boards, departments, officers, employees, and agents (collectively the "City") to attack, set aside, void, or annul any City action arising out of or in any way connected to the project, including any determination made pursuant to the California Environmental Quality Act, I will defend, indemnify, and hold harmless the City from and against all damages, costs, and attorneys' fees, excluding the City's staff attorneys' fees. I understand that the City, in its sole discretion, may decide to use outside counsel or its staff attorneys (or both) to defend the claim.
- 2. As a condition of a tentative, parcel, or final map application or approval, I agree to defend, indemnify, and hold harmless the City of Sacramento and its agents, officers, and employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void, or annul an approval of a tentative, parcel, or final map by the City, advisory agency, appeal board, or legislative body concerning a subdivision, which is brought within the time period provided for in Government Code section 66499.37, from and against all damages, costs, and attorneys' fees. The City will promptly notify me of any such claim and will cooperate fully in the defense. The City, in its sole discretion, may elect to defend any such action with attorneys of its own choice and, in such case, shall bear its own attorneys' fees and costs and will defend the action in good faith.

Signature of Applicant

Date

Please note that once this application is submitted to the City of Sacramento, your information may be subject to public record. However, the City will not sell your data or information for any purposes.

Applicant Information

Property Owner:	
Property Owner Address:	
Property Owner Phone Number:	E-Mail:
Name of Applicant (if different from property owner):	
Applicant's Address:	
Applicant's Phone Number:	E-Mail:

Project Information

1. Project Address: _____

2. Project APN:

3. Is the subject property located within a historic district or on a lot that includes a historic landmark or contributing resource structure? □ yes¹ □ no

Review Criteria

Please answer "yes", "no", or "N/A" (not applicable) to the items below and provide the requested information. For a building permit to be approved, the project must meet all the applicable objective standards below. If staff concurs with the answer, the 'staff' checkbox will be marked.

Revi	ew Criteria A or B (<u>Choose One</u>). For Review Criteria B, pleas	e see p	page 9			
	A. Application Review Criteria for ADU(s) Created Under the <u>City's Local Ordinance</u> 17.228.105(B)					
Gene	eral Requirements					
		Yes	No	N/A	Staff	
1.	Is there an existing dwelling on the subject property or is there a primary residence proposed to be built concurrently with the proposed ADU?					
2.	Are no more than 2 existing or proposed ADUs or JADUs on the lot? <i>Number of ADUs on lot:</i>					
3.	If located within the <u>EA-2 or EA-3 Overlay zone</u> , is only 1 ADU proposed on the lot?					
Juni	or Accessory Dwelling Units (JADUs)					
4a.	Is each JADU 500 square feet or less? Square footage of JADU 1:square feet Square footage of JADU 2:square feet					

		Yes	No	N/A	Staff
4b.	Is the JADU(s) located within the walls of an existing or proposed single-unit dwelling or attached garage?				
4c.	Owner Occupancy. Unless owned by another governmental agency, land trust, or housing organization, will the property owner reside on site?				
4d.	Deed Restriction. Will a deed restriction be recorded prior to final building permit inspection and state the following:				
	Sale of the JADU separate from the sale of the single- unit dwelling is prohibited; and				
	The deed restriction may be enforced against future purchasers; and				
	The JADU shall conform to issued building permits.				
4e.	Is there a separate entrance from the main entrance to the proposed or existing dwelling unit?				
4f.	If the JADU does not include a separate bathroom, is there a separate entrance from the main entrance to the structure, with an interior entry to the main living area?				
4g.	Does the JADU(s) contain an efficiency kitchen including a cooking facility with appliances, a food preparation counter, and storage cabinets?				
Maxi	mum Area	-			
	calculation of floor area for an ADU includes all floor area within th Iding garages and accessory structures per <u>City Code Section 17</u>			-	elope,
subo prima attac	essory structure" means a detached or attached structure, the use rdinate, and customarily incidental to that of the primary building of ary use of, the lot. Accessory structure includes a detached buildin hed covered patio, garage, trellis, solar panel, and swimming poo 08.020.	or struc ng, dec	cture o k, gaz	n, or th ebo,	ne
5.	Does each attached ADU(s) comply with the area allowed?				
	<u>Studio or 1 Bedroom:</u> Attached ADU may be up to 50% of the floor area of the existing primary dwelling or 850 square feet (whichever is greater).				
	<u>2+ Bedrooms</u> : Attached ADU may be up to 50% of the floor area of the existing primary dwelling or 1,000 square feet (whichever is greater).				
	Square footage of primary dwelling: square feet				
	Attached ADU 1 Number of Bedrooms:				
	Square footage of Attached ADU 1:square feet				
	Attached ADU 2 Number of Bedrooms:				
	Square footage of Attached ADU 2:square feet				

		Yes	No	N/A	Staff
6.	Does the detached ADU(s) comply with the area allowed?				
	The maximum combined total square footage of all detached ADU(s), excluding garages and accessory structures, is 1,200 square feet.				
	Square footage of Detached ADU 1: square feet				
	Square footage of Detached ADU 2:square feet				
	Total combined square footage of Detached ADU(s): square feet				
De	velopment Standards		<u> </u>	<u> </u>	
7.	Is the distance between the primary dwelling and detached ADU(s) at least 4 feet?				
	Distance between detached ADU 1 and primary dwelling: feet				
	Distance between detached ADU 2 and primary dwelling:				
8.	Does the height of the ADU(s) comply with the maximum height allowed by the zoning?				
	Maximum height allowed:feet				
	Height of ADU 1:feet				
	Height of ADU 2:feet				
9.	Does the ADU(s) occupy less than 800 square feet total in lot coverage or comply with the lot coverage requirements applicable to the lot?				
	A. Total square footage of the lot:				
	B. Total first floor square footage of all structures on the lot (include garages sheds, covered patios, and proposed ADU): 				
	Divide the total square footage in (B.) by the total square footage in (A.):%				
	Maximum lot coverage permitted in the zone:%				
10.	Does the ADU(s) occupy less than 800 square feet in total lot coverage or comply with the minimum open space requirements?				
	Minimum open space required:square feet				
	Minimum open space provided:square feet				

		Yes	No	N/A	Staff
11.	If any portion of the ADU(s) is located <u>within 60 feet</u> of the front property line, does it comply with the following setback requirements? ^{1, 2, 3} :				
	Front yard setback: Requirements applicable to the lot				
	Side-yard setback: 3 feet				
	Street side-yard setback: Requirements applicable to the lot				
	Rear-yard setback: 3 feet				
	ADU 1 Proposed Setbacks:				
	Front yard setback:feet				
	Side-yard setback:feet				
	Side-yard setback:feet				
	Rear-yard setback:feet				
	ADU 2 Proposed Setbacks:				
	Front yard setback:feet				
	Side-yard setback:feet				
	Side-yard setback:feet				
	Rear-yard setback:feet				
	¹ No setback is required for an existing living area or accessory structure, or a structure constructed in the same location and to the same dimensions as an existing structure that is converted to an ADU or to a portion of an ADU.				
	² An ADU unit may not project into the required setback from the landside toe of a levee				
	³ One ADU that does not exceed 800 square feet and complies with all development standards may be constructed within the front-yard setback if the lot area in the rear <u>and</u> side yards does not permit the construction of either:				
	 A detached ADU that is two stories in height and at least 800 square feet; OR 				
	 An attached ADU that is at least 800 square feet. 				

			Yes	No	N/A	Staff
12.	If the ADU(s) is located <u>further than 60 feet</u> from the front property line, does it comply with the following setback requirements? ^{1, 2} :					
	First floor:					
	Side-yard and Rear-yard setback: No requirement					
	Street side-yard setback: Requirements applicable to the lo	ot				
	Second floor:					
	Side-yard and Rear-yard setback: 3 feet					
	Street side-yard setback: Requirements applicable to the lo	ot				
	ADU 1 Proposed Setbacks:					
	Front yard setback:fe	eet				
	Side-yard setback:fee	ət				
	Side-yard setback:fee	ət				
	Rear-yard setback:fee	et				
	ADU 2 Proposed Setbacks:					
	Front yard setback:fe	eet				
	Side-yard setback:fee	et				
	Side-yard setback:fee	et				
	Rear-yard setback:fee	et				
	¹ An ADU may not project into the required setback from the landside toe of a levee	e				
	² No setback is required for an existing living area or access structure or a structure constructed in the same location and the same dimensions as an existing structure that is conver to an ADU or to a portion of an ADU	nd to				
13.	No portion of an ADU balcony, deck, or open-stair landing within 10 feet of the rear lot line or side lot line is higher tha feet from the ground unless the rear or side lot line abuts a nonresidential use, alley, public street, or approved private street.	a				
Ob	jective Infill Housing Design Standards Applicable to AD)U(s) (<u>click l</u>	<u>here</u>)		
14.	There are no publicly visible walls that contain blank area o greater than 400 square feet.	of				
15.	The main entrances to residential buildings face the adjace roadways and/or open space features.	ent				
16.	Mechanical equipment (e.g., heating, cooling, antennas, satellite dishes, air conditioners or similar mechanical devic are concealed with ground mounted walls or fencing if not r mounted, with mechanical screens or roof wells.					

		Yes	No	N/A	Staff			
17.	Utility equipment such as transformers, electric and gas meters, electrical panels and junction boxes on primary public street views are screened by walls and/or landscaping.							
18.	Fencing materials include tubular architectural metal, wrought iron/brick mix, hedges, brick, split faced concrete block, or wood. Chain link fencing, barbed wire, and security tops to metal tubular fencing are not allowed.							
19.	Upper story windows are recessed from the wall surface by a minimum of 2" or have surface trim and sills.							
Add	tional Objective Design Standards for Historic Districts (<u>click</u>	<u>(here</u>)						
20.	Droportion located within a historia district, containing a contributing resource, and/or a							

<u>lf yo</u>	If you selected Review Criteria A above, you do not need to fill out Review Criteria B.						
	B. Application Review Criteria for ADU(s) Created Under <u>State ADU Standards</u> 17.228.105(C)						
State	e ADU Standards for Properties with a Single-Unit Dwelling						
		Yes	No	N/A	Staff		
1.	Is there an existing single-unit dwelling on the subject property or proposed to be built concurrently with the proposed ADU?						
2.	Are no more than 3 ADUs, consisting of one attached ADU, one junior ADU, and/or one detached ADU proposed?						
	Type(s) of ADU(s) proposed: (Check all that apply)						
	ADU Converted from Existing Space (complete section 5 below)						
	Junior ADU (complete section 6 below)						
	Detached ADU (complete section 7 below)						
3.	If located within the <u>EA-2 or EA-3 Overlay zone</u> , is only 1 ADU proposed on the lot?						
4.	The ADU(s) will not be rented for terms less than 30 days.						

5. /	ADU Converted from Existing Space of a Single-Unit Dwelling				
		Yes	No	N/A	Staff
5a.	Is the ADU located within the space of a single-unit dwelling or accessory structure ¹ ?				
	¹ An expansion of 150 square feet or less beyond the physical dimensions of the accessory structure to accommodate ingress and egress is allowed.				
5b.	Does the space have exterior access from the proposed or existing single-unit dwelling?				
5c.	Side-yard and rear-yard setbacks will be determined through the building permit review process, but are not more than 4 feet.				
6	Junior ADU (JADU)				
6a.	Is the JADU located within the space of a single-unit dwelling or attached accessory structure ¹ ?				
	¹ An expansion of 150 square feet or less beyond the physical dimensions of the accessory structure to accommodate ingress and egress is allowed.				
6b.	Does the space have exterior access from the proposed or existing single-unit dwelling?				
6c.	Side-yard and rear-yard setbacks will be determined through the building permit review process but are not more than 4 feet.				
6d.	Does the junior accessory dwelling unit comply with <u>California</u> <u>Government Code Title 7, Division 1, Chapter 13, Article 3</u> ?				
	The JADU does not exceed 500 square feet. Size of proposed JADU: sq ft				
	Owner Occupancy. Unless owned by another governmental agency, land trust, or housing organization, will the property owner reside on site?				
	Deed Restriction. Will a deed restriction be recorded prior to final building permit inspection and state the following:				
	Sale of the JADU separate from the sale of the single-unit dwelling is prohibited; and				
	The deed restriction may be enforced against future purchasers; and				
	The junior accessory dwelling unit shall conform to issued building permits.				

		Yes	No	N/A	Staff
	Is there a separate entrance from the main entrance to the proposed or existing dwelling unit?				
	If the JADU does not include a separate bathroom, is there a separate entrance from the main entrance to the structure, with an interior entry to the main living area?				
	Does the JADU(s) contain an efficiency kitchen including a cooking facility with appliances. a food preparation counter, and storage cabinets?				
7. De	etached, New Construction ADU with a Single-Unit Dwelling				
7a.	Is the floor area of the ADU 800 square feet or less? Floor Area of Proposed ADU: sq ft				
7b.	Does the ADU have at least 4 foot side-yard and rear-yard setbacks?				
	ADU Proposed Setbacks:				
	Side-yard setback:feet				
	Side-yard setback: feet				
	Rear-yard setback:feet				
7c.	Does the ADU comply with the maximum height of 18 feet ¹ ?				
	Proposed height of ADU:feet				
	¹ An additional two feet in height is allowed for ADUs to accommodate a roof pitch aligned with the primary dwelling.				
State	e ADU Standards for Properties with Multi-Unit Dwellings				
1.	Is there an existing multi-unit dwelling already on the subject property or proposed to be built concurrently with the proposed ADU(s)? <i>Check below.</i> Existing multi-unit dwelling Proposed multi-unit dwelling				
2.	Does the number of ADU(s) comply with the maximum number of ADUs allowed? <u>Converted ADU(s) Allowed</u> : 1-25% of the number of existing multi-unit dwellings. <u>Detached ADUs Allowed</u> : Depends on whether there are existing or proposed multi-unit dwellings. (<i>See next page</i>)				

		Yes	No	N/A	Staff
	• <u>Existing multi-unit dwelling</u> : Up to 8, but the number of ADUs cannot exceed the number of existing dwelling units on the property.				
	<u>Proposed multi-unit dwelling</u> : 2				
	Type(s) of ADU(s) proposed: (Check all that apply)				
	Converted ADUs (complete section 5 below)				
	Number of existing units:				
	Number of ADUs proposed:				
	Detached ADU(s) (complete section 6 below) Number of existing dwelling units on property, excluding any ADUs (if applicable):				
	Number of ADUs proposed:				
3.	If located within the <u>EA-2 or EA-3 Overlay zone</u> , is only 1 ADU proposed on the lot?				
4.	The ADU(s) will not be rented for terms less than 30 days.				
5. AI	DU(s) Converted from Existing Space of a Multi-Unit Dwelling	Struc	ture	_ <u>_</u>	
5a.	Is the proposed ADU(s) located within the portions of existing multi-unit dwelling structures that are not used as livable space? Livable space means space in a dwelling intended for human habitation, including living, sleeping, eating, cooking, or sanitation. <i>Check all that apply</i> .				
	Storage Rooms				
	Boiler Rooms				
	Passageways				
	Attics				
	Basements				
	Garages				
	Other:				

6. De	6. Detached ADU(s) with New or Existing Multi-Unit Dwellings							
		Yes	No	N/A	Staff			
6a.	Does the ADU(s) have at least 4 foot side-yard and rear-yard setbacks?							
	ADU 1 Proposed Setbacks:							
	Side-yard setback:feet							
	Side-yard setback:fee							
	Rear-yard setback:feet							
	ADU 2 Proposed Setbacks:							
	Side-yard setback:feet							
	Side-yard setback: feet							
	Rear-yard setback: feet							
6b.	Does the ADU(s) comply with the maximum height of 18 feet ¹ ?							
	Proposed height of ADU 1:feet							
	Proposed height of ADU 2:feet							
	¹ An additional two feet in height is allowed for ADUs to							
	accommodate a roof pitch aligned with the primary dwelling.							

Parking Requirements (applicable to ADUs created under either A or B)

There are no minimum vehicle or bicycle parking requirements for ADUs.

If a garage or carport is provided, the following dimensions apply per <u>City Code Chapter 17.624:</u>

Minimum dimensions of attached garages and carports:

- Single-unit and duplex dwellings. Unless a parking pad that meets the requirements of section <u>17.624.060</u> is provided, the minimum interior dimensions for an attached garage or attached carport are 10 feet wide and 20 feet deep. The width may be reduced to 8 feet if the existing interior side-yard setback between the existing residence and the property line is 8 feet.
- Multi-unit dwellings. Minimum interior dimensions of an attached garage are 8 feet wide by 18 feet deep. Minimum dimensions of an attached carport are 10 feet wide and 20 feet deep. The width may be reduced to 8 feet if the existing interior side-yard setback between the existing residence and the property line is 8 feet.

Minimum dimensions of detached garages and carports:

- Single-unit or duplex dwellings. Unless a parking pad that meets the requirements of section <u>17.624.060</u> is provided, the minimum interior dimensions of a detached garage or attached carport are 10 feet wide and 20 feet deep. The width may be reduced to 8 feet if the existing interior side-yard setback between the existing residence and the property line is 8 feet.
- Multi-unit dwellings. The minimum interior dimensions of a detached garage are eight feet wide by 18 feet deep. The minimum dimensions of a detached carport are 10 feet wide and 20 feet deep. The width may be reduced to 8 feet if the existing interior side-yard setback between the existing residence and the property line is 8 feet.

FOR CITY STAFF USE ONLY

Application complies with all objective zoning standards: ves

es 🔤 no

Based on staff's review, the ADU(s) proposed to be created under the <u>Local Ordinance</u> (City Code Section 17.228.105(B)) <u>conforms</u> to all applicable zoning standards. The reviewed plans are attached hereto as Exhibit A.

Based on staff's review, the ADU(s) proposed to be created under <u>State Standards</u> (City Code Section 17.228.105(C) and Government Code Section 66323) <u>conforms</u> to all applicable zoning standards. The reviewed plans are attached hereto as Exhibit A.

Based on staff's review, the ADU(s) proposed to be created under the <u>Local Ordinance</u> (City Code Section 17.228.105(B)) <u>does not conform</u> to all applicable zoning standards. Please review this application form for the list of standards that are not met. The plans will need to be revised to conform or an application for Director level Site plan and Design Review to deviate from the subject standard will need to be filed per City Code Section 17.228.105(B)(5).

Based on staff's review, the ADU(s) proposed to be created under <u>State Standards</u> (City Code Section 17.228.105(C) and Government Code Section 66323) <u>does not conform</u> to all standards. Please review this application form for the list of standards that are not met. For the ADU(s) to be approved under State Standards, the plans must be revised to conform.

If no, describe reasons why:

__ Email __ Other

Date informed on:

Informed by:

ADVISORIES:

<u>Building Permit Required</u>: No construction may occur until a building permit is obtained. The accessory dwelling unit is subject to applicable provisions of City Code Title 15 (Buildings and Construction). Compliance with California Building Code Table 602 for one-hour fire rating may be required. Please see <u>https://www.cityofsacramento.gov/community-development/building</u> for information on how to submit a building permit application.

<u>SMUD Coordination</u>: Reach out to SMUD for a free consultation. Whether you're converting a garage or building a multilevel unit, each ADU has location and design parameters that pose a unique set of challenges. Working with SMUD early in the process can help you understand service options and determine if adjacent properties are affected. It can also help you avoid redesign costs and project delays. For more information on the SMUD new construction process, or to make an appointment to discuss your ADU project, please go to <u>smud.org/Construction</u>.

<u>Tree Advisory</u>: If the site has a Private Protected Tree within the construction area; removal of the tree requires discretionary approval in accordance with Sacramento City Code 12.56. In the event that the request to remove the tree is denied, additional accessory dwelling unit review and approval may be required. If there is a protected tree near to the construction area, tree protection measures may be required. For more information, please visit the City's Public Works Website: https://www.cityofsacramento.gov/public-works/maintenance-services/urban-forestry

NEXT STEPS:

If the application demonstrates compliance with all applicable objective standards, please submit a building permit application:

- 1. Log in to your <u>Public Permit Portal</u> account and select "Create Planning Application or Clearance to Submit to Building" via the Planning tab.
- 2. After entering the site information and contacts, select "Building Permit Submittal Clearance" as the application type. For assistance submitting through the Public Permit Portal, please see the <u>Electronic Plan</u> <u>Check (EPC) Building Permit Complete Submittal Guide</u>.

For ADUs created under the Local Ordinance (City Code Section 17.228.105(B)) only, a request to deviate from the development standards or objective design standards may be made by applying for Director level Site Plan and Design Review per City Code Section 17.228.105(B)(5). Note this requires a public hearing and there is no refund of fees if denied. For more information, please contact <u>Planning@cityofsacramento.org</u>. To submit an application requesting a deviation:

- 1. Log in to your <u>Public Permit Portal</u> account and select "Create Planning Application or Clearance to Submit to Building" via the Planning tab.
- 2. After entering the site information and contacts, select "Planning Entitlement" as the application type.
- 3. Upload the <u>Planning Entitlement Application (CDD-0063)</u>, along with the listed submittal requirements for Site Plan and Design Review on page 2. For assistance submitting through the Public Permit Portal, please see the <u>e-Planning Registration and Submittal Guide</u>.