

City of Sacramento Planning and Development Code
Accessory Dwelling Units
Effective: June 29, 2021

17.228.105 Accessory dwelling units.

A. General requirements.

1. The lot on which an accessory dwelling unit is located shall be improved with a single-unit, duplex, or multi-unit dwelling prior to or at the same time as the construction of the accessory dwelling unit.
2. A maximum of two accessory dwelling units are permitted on a lot developed with a single-unit, duplex, or multi-unit dwelling.
3. An accessory dwelling unit shall not be included in the calculation of the density of the lot on which the accessory dwelling unit is located. An accessory dwelling unit is a residential use that is consistent with the general plan and zoning designation for the lot on which the accessory dwelling unit is located.
4. An accessory dwelling unit may not be sold or otherwise conveyed separate from the primary residence, except as provided in California Government Code section 65852.26.
5. No passageway is required in conjunction with the construction of an accessory dwelling unit.

B. Maximum area.

1. Calculation. The calculation of floor area for an accessory dwelling unit includes all floor area within the accessory dwelling unit building envelope, excluding garages and accessory structures.
2. Attached accessory dwelling units. The total floor area for all attached accessory dwelling units on a lot shall not exceed the greater of the following:
 - a. 50% of the existing floor area of the primary dwelling; or
 - b. 850 square feet if the accessory dwelling unit has one bedroom or less, or 1,000 square feet if the accessory dwelling unit has more than one bedroom.
3. Detached accessory dwelling units. The floor area of one detached accessory dwelling unit may not exceed 1,200 square feet. In the case of two detached accessory dwelling units on one lot, the combined floor area of both detached accessory dwelling units may not exceed 1,200 square feet.

C. Development standards.

1. The minimum distance between the primary dwelling and a detached accessory dwelling unit is 4 feet. The minimum distance between two detached accessory dwelling units is 4 feet.
2. Height, lot coverage, and open space.
 - a. General rule. Except as provided below, the height, lot coverage, and minimum open-space requirements applicable to the lot on which the accessory dwelling unit is located apply to the accessory dwelling unit.
 - b. Exception. Accessory dwelling units that occupy less than 800 square feet total in lot coverage are exempt from maximum lot coverage and minimum open-space requirements.
3. Setbacks. All accessory dwelling units must comply with the street side-yard setbacks applicable to the lot on which the accessory dwelling unit is located. The other setback requirements are as follows:
 - a. If any portion of an accessory dwelling unit is within 60 feet of the front property line, the accessory dwelling unit must comply with the front-yard setback requirements applicable to the lot on which the accessory dwelling unit is located and maintain minimum interior side-yard and rear-yard setbacks of 3 feet each.
 - b. For an accessory dwelling unit that is further than 60 feet from the front property line, the unit must comply with the following:
 - i. First floor. No setback is required for a single-story accessory dwelling unit or the first floor of a multistory accessory dwelling unit.
 - ii. Second floor and above. The second floor and above of a multistory accessory dwelling unit must have minimum interior side-yard and rear-yard setbacks of 3 feet each.
 - c. Notwithstanding subsections C.3.a and C.3.b above—
 - i. 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 accessory dwelling unit or to a portion of an accessory dwelling unit.
 - ii. An accessory dwelling unit may not project into the required setback from the landside toe of a levee.

D. Design standards.

1. The design of the accessory dwelling unit must conform to the objective design guidelines applicable to the lot on which the accessory dwelling unit is located.

2. New accessory dwelling units should use universal access design features, including “no step” entrances, where topography and site constraints allow.

3. No portion of an accessory dwelling unit balcony, deck, or open-stair landing within 10 feet of the rear lot line or side lot line may be higher than three feet from the ground unless the rear lot line or side lot line abuts a nonresidential use, alley, public street, or approved private street.

E. Ministerial review.

1. Unless subsection F, below, applies, the city shall ministerially review all applications for accessory dwelling units submitted under this section.

2. The city shall act on an application to create an accessory dwelling unit under this section within 60 days of receipt of a complete application if there is an existing residential use on the lot.

3. If the permit application to create an accessory dwelling unit is submitted with a permit application to create a new residential development on the lot, the city may delay acting on the permit application for the accessory dwelling unit until the permit application to create the residential development is approved. If the applicant requests a delay, the 60-day time period shall be tolled for the period of the delay. If the city has not acted upon the completed application within 60 days, the application shall be deemed approved.

F. Deviations from development and design standards. A request to deviate from the development standards contained in subsection C and the design standards contained in subsection D may be made by application for site plan and design review under chapter 17.808.

G. Accessory dwelling units eligible for ministerial review under California Government Code section 65852.2.

1. Notwithstanding subsections A through D, above, the city shall ministerially approve an application for a building permit within a residential or mixed-use zone to create any of the following, as set forth in California Government Code section 65852.2:

a. One accessory dwelling unit and one junior accessory dwelling unit per lot with a proposed or existing single-unit dwelling if all the following are met:

i. The accessory dwelling unit or junior accessory dwelling unit is within the proposed space of a single-unit dwelling or existing space of a single-unit dwelling or accessory structure and may include an expansion of not more than 150 square feet beyond the same physical dimensions as the existing accessory structure. An expansion beyond the physical dimensions of the existing accessory structure shall be limited to accommodating ingress and egress.

ii. The space has exterior access from the proposed or existing single-family dwelling.

iii. The side-yard and rear-yard setbacks are sufficient for fire and safety.

iv. The junior accessory dwelling unit complies with California Government Code section 65852.22.

b. One detached, new construction, accessory dwelling unit that does not exceed 4-foot side-yard and rear-yard setbacks for a lot with a proposed or existing single-unit dwelling. The accessory dwelling unit may be combined with a junior accessory dwelling unit that meets the requirements set forth in subsection G.1.a, above. The accessory dwelling unit may not exceed a floor area of 800 square feet and a height of 16 feet.

c. Multiple accessory dwelling units within the portions of existing multi-unit dwellings that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages, if each unit complies with state building standards for dwellings. The number of accessory dwelling units shall not exceed one or 25% of the existing multi-unit dwellings, whichever is greater.

d. Not more than two accessory dwelling units that are located on a lot that has an existing multi-unit dwelling, but are detached from that multi-unit dwelling and do not exceed 16 feet in height and maintain 4-foot rear-yard and side-yard setbacks.

2. An accessory dwelling unit or junior accessory dwelling unit approved under this subsection G may not be rented for a term less than 30 days.