ZONING CODE

1983 EDITION

COUNTY OF SACRAMENTO

ORDINANCE NO. SZC 83-10

AN ORDINANCE AMENDING AND READOPTING THE ZONING CODE OF SACRAMENTO COUNTY, ORDINANCE NO. SZC 77-110, AS AMENDED, ESTABLISHING ZONES WITHIN SACRAMENTO COUNTY, CLASSIFICATIONS AND REGULATIONS OF LAND USES, HEIGHT, BULK AND SETBACK OF BUILDINGS WITHIN SUCH ZONES; PROCEDURES FOR ADMINISTRATIVE HEARINGS; REGULATIONS OF NONCONFORMING LOTS, USES, STRUCTURES, AND SIGNS; DEFINITIONS; DEVELOPMENT STANDARDS FOR VARIOUS USES OF PROPERTY; AND REPEALING OF CERTAIN ORDINANCES IN CONFLICT HEREWITH

The Board of Supervisors of the County of Sacramento, State of California, do ordain as follows:

SECTION 1. It is the purpose of this ordinance to adopt updated zoning regulations for the unincorporated area of Sacramento County. The regulations as set forth in the attached document entitled "The Zoning Code of Sacramento County" and all Comprehensive Zoning Plans referred to therein are hereby made a part of this ordinance as if the same were fully set forth herein.

SECTION 2. The document entitled "The Zoning Code of Sacramento Counnty", three copies of which are on file in the Office of the Clerk of the Board of Supervisors, and a copy of which is attached to this ordinance, is the Zoning Code of Sacramento County, and is hereby adopted by reference thereto.

SECTION 3. Three copies of the Zoning Code of Sacramento County shall be permanently retained on file with the Clerk of the Board of Supervisors for use and examination by the public.

SECTION 4. Ordinance No. SZC 77-110 and Ordinances numbered SZC 77-128, SZC 78-12, Urgency Ordinance No. 1208, SZC 78-19, SZC 78-21, SZC 78-51, SZC 78-83; SZC 78-89, SZC 78-101, SZC 78-107, SZC 78-108, SZC 78-112, SZC 78-124, SZC 78-157; SZC 78-163, SZC 78-164, SZC 78-165, SZC 79-13, SZC 79-16, SZC 79-18, SZC 79-25,

SZC 79-28, SZC 79-41, SZC 79-43, SZC 80-15, SZC 80-32, SZC 80-38, SZC 80-46, SZC 80-54, SZC 80-55, SZC 81-10, SZC 81-33, SZC 81-43, SZC 81-44, SZC 81-45, SZC 81-46, SZC 81-56, SZC 81-68, SZC 81-69, SZC 81-86, SZC 81-87, SZC 82-46, SZC 82-57 and any other ordinances or provisions of the Zoning Code of Sacramento County in conflict with the provisions of this Ordinance are hereby repealed except that as to offenses committed, or rights or liabilities incurred, prior to the effective date of such repeal, the provisions of such ordinance and the Zoning Code of Sacramento County and any regulations, orders, and requirements thereunder shall be treated as still remaining in force for the purpose of maintaining any proper suit, action or prosecution with respect to such right, liability, or offense unless expressly provided otherwise.

SECTION 5. This ordinance shall take effect and be in full force on and after thirty days from the date of its passage hereof, and before the expiration of fifteen (15) days from the date of its passage, it shall be published once with the names of the members of the Board of Supervisors voting for and against the same, said publication to be made in a newspaper of general circulation published in the County of Sacramento.

On a motion by Supervisor Johnson, seconded by Supervisor Sheedy, the foregoing ordinance was passed and adopted by the Board of Supervisors of the County of Sacramento, State of California, at a regular meeting thereof, this 20th day

of January, 1983, by the following vote, to wit:

AYES: Supervisors, Bryan, Johnson, Sheedy, Smoley

NOES: Supervisors, None

ABSENT: Supervisors, Collin

Ted Sheedy
Chairperson of the Board of Supervisors
of Sacramento County, California

(SEAL)

ATTEST: Emily A. Williams
Clerk of the
Board of Supervisors

Publish in the Daily Recorder on or before 2//3/83.
Send one affidavit and two publication bills
with notice attached to each.
Run 1 time.

FILED

JAN 20 1983

BOARD OF SUPERVISORS

BY Emily A. Williams
CLERK OF THE BOARD

In accordance with Section 25103 of the Government Code of the State of California, a copy of this document has been delivered to the Chairman of the Board of Supervisors, County of Sacramento, on

JAN 20 1983

By Christine L Zanni
Deputy Clerk, Board of Supervisors

COUNTY OF SACRAMENTO
SUMMARY OF ORDINANCE NO. SZC 83-10
PUBLISHED PURSUANT TO GOVERNMENT CODE SECTION 25124 (a) (2)

An Ordinance passed by the Board of Supervisors of the County of Sacramento, State of California, on January 20, 1983, amending the Zoning Code of Sacramento County and adopting a new Code. The amendments include rewording, corrections, renumbering of sections, deletions, and additions to the entire Zoning Code.

A summary of the amendments as adopted are as follows:

* Insert

Additional sections not specifically listed may have been amended for technical accuracey.

Copies of this ordinance may be obtained at the County Board of Supervisors office, Room 2450, County Administration Building, 700 "H" Street, Sacramento, California.

A certified copy of the entire ordinance is available for review in the County Clerk's office, 720 - 9th Street, Sacramento, CA

This ordinance is to take effect thirty days from the date of passage, by the following vote:

AYES: Supervisors, Bryan, Johnson, Sheedy, Smoley

NOES: Supervisors, none

ABSENT: Supervisors, Collin

Publish in the Daily Recorder on or before 2/3/83.
Send one affidavit and two publication bills
with notice attached to each.
Run 1 time.

The following is an index of the changes that were made preparatory to publishing this edition 5

SUMMARY OF PROPOSED ZONING CODE AMENDMENTS

An ordinance amending:

1. Section 101-23 - adds RD-7 Residential Land Use Zone.

2. Section 101-43 - adds RD-7 Residential Land Use Zone to sequence of zones.

3. Section 101-61 - replaces Secretary of the Planning Commission with Planning Director

4. Section 105-04- deletes "F" Flood zone as an open space zone.

5. Section 110-01 - replaces Secretary of the Planning Commission with Planning Director.

6. Section 110-08 - replaces Secretary of the Planning Commission with Planning Director.

7. Section 110-30 - deletes requirement for hearing bodies to file reports of findings with the Secretary of the Planning Commission.

8. Section 110-31 - aggregates required findings for specified types of use permits, previously shown in Section 201-04.

9. Section 110-32 - adds references to the Commercial and Industrial Use Tables to the existing Residential Use Table reference.

10. Section 110-69 - renumbers the listing of materials required for submittal of a Special Development Permit and adds a requirement for a study substantiating energy savings when a density bonus is requested under Section 110-65 (e).

11. Section 110-70 - provides for findings relating to substantial energy savings.

12. Section 110-73 - replaces Secretary of the Planning Commission with Planning Director.

13. Section 110-84 - clarifies the time period allowed for review of development plans.

14. Section 110-98 - adds the word "Criteria" to the titles of paragraphs (a) and (b).

15. Section 112-10 - deletes subparagraph (7) which is a repetition of the following paragraph.

16. Sections 115-01, 115-03, 115-04, 115-08, and 115-09 - replaces administrative official designated by the Board of Supervisors with Planning Director.

17. Section 115-12 - replaces Secretary of the Planning Commission with Planning Director and deletes a reference to the Secretary

18. Section 115-20 - replaces Secretary of the Planning Commission with Planning Director and adds a reference to the Policy Planning Commission.

19. Section 115-39.5 - modifies the hearing procedure so that applications receiving a 2-2 tie vote are automatically forwarded to the Board of Supervisors for a public hearing.

20. Section 115-42 - replaces Secretary of the Planning Commission with Planning Director.

21. Section 115-56 - relocates former Section 110-31 (wording remains the same).

Section 130-47.5 - expands definition of"temporary concession"stand to prohibit the sale of food for on-site consumption.

23. Section 130-51 - clarifies the definition of "court".

24. Section 130-51.3 - renumbers and clarifies the definition of "court, enclosed" (formerly 130-52)

25. Section 130-52 - adds a definition for "courtyard".

26. Section 130-53 - adds a definition for "data processing services".

27. Section 130-57.3 - adds a definition for "dwelling, agricultural accessory".

28. Section 130-68.5 - adds a definition for "family contractor's business".

29. Section 130-70.5 - adds a definition for "flea market".

30. Section 130-73.8 - adds a definition for "fraternal hall".

31. Section 130-94.5 - adds a definition for "incidental use".

32. Section 130-103.2 - adds a definition for "labor intensive use".

33. Section 130-106.5 - adds a definition for "live theater".

34. Section 130-108 - amends the definition for "lodge".

35. Section 130-115.2 - adds a definition for "lot width".

36. Section 130-132.5 - adds a definition for "photocopy service".

37. Section 130-137.2 - adds a definition for "printing plant".

38. Section 130-137.3 - adds a definition for "print shop".

39. Section 130-137.5 - adds a definition for "private social center".

40. Section 130-143.5 - adds a definition for "recycling center".

41. Section 130-143.6 - adds a definition for "recycling collection point".

42. Section 130-143.7 - adds a definition for "recycling plant".

43. Section 130-146.5 - adds a definition for "resort".

44. Section 130-153.8 - adds a definition for "school, business".

45. Section 130-154.3 - adds a definition for "school, vocational".

Section 130-198.9.a - adds a definition for "wholesale store".

47. Section 130-203.5 - adds a definition for "zero sideyard".

48. Section 201-02, Residential Use Tables - adds RD-7 zone with same uses as permitted in the RD-5 zone; deletes some institutional uses from the AR-1 through AR-10 zones; provides for lodges in agricultural and agricultural-residential zones; permits residential accessory dwellings in agricultural-residential and additional residential zones; and other changes as appropriate.

49. Section 201-03 - corrects Section reference.

50. Section 201-04(1) - provides that the Board of Supervisors is the reviewing body for projects submitted by the Housing Authority.

51. Section 201-04(2) - clarifies wording and deletes references to development standards now found in Sections 305-50 through 305-59.

52. Section 201-04(5) - refers to findings required by Sections 110-30 and 110-31.

53. Section 201-04(6) - refers to findings required by Sections 110-30 and 110-31.

54. Section 201-04(18) - refers to findings required by Sections 110-30 and 110-31.

55. Section 201-04(22) - standardizes wording.

56. Sections 215-55 through 215-57 - adds RD-7 Residential Land Use Zone.

57. Section 225-12 - corrects Section reference.

58. Section 225-11, Table II, Commercial Use Tables - adds several new commercial uses including data processing services and recycling facilities; adds use permit requirement for certain uses in the CO zone; corrects some inconsistencies; and other changes as appropriate.

59. Section 225-13, Table III - adds recycling collection point as a permitted use or a use permitted subject to issuance of a use permit by the Zoning Administrator.

60. Section 225-14 (11) - deletes reference to items which may be considering during a public hearing.

61. Section 225-14(12) - standardizes wording.

62. Section 225-14(13) - deletes repetitious condition (same as (12)).

63. Section 225-14(14) - standardizes wording.

64. Section 225-14(15) - standardizes wording.

65. Section 225-14(16) - standardizes wording.

66. Section 225-14 (18) - clarifies wording.

67. Section 225-14(21) - clarifies hearing body.

68. Section 225-14(22) - clarifies hearing body.

69. Section 225-14(23) - corrects Section reference.

70. Section 225-14(24) - standardizes wording.

71. Section 225-14(25) - standardizes wording.

72. Section 225-14(36) - adds reference to remote tellers.

73. Section 225-14(43) - deletes this condition which pertained only to card rooms; parking standard is now shown in Section 330-35.1.

74. Section 225-14(44) - corrects Section reference.

75. Section 225-22 - adds reference to development standards in Title III.

76. Sections 225-23, 225-24, and 225-25 - deletes these sections; now found in Sections 315-30 through 315-36.

77. Section 225-32 - adds reference to development standards in Title III.

78. Sections 225-33, 225-34, and 225-35 - deletes these sections; now found in Sections 315-30 through 315-36.

79. Section 225-42 - adds reference to development standards in Title III.

~~77.~~ Sections 225-43, 225-44, and 225-45 - deletes these sections; now found in Sections 315-30 through 315-36.

Section 225-52 - adds reference to development standards in Title III.

~~79.~~ Sections 225-53, 225-54, and 225-55 - deletes these sections; now found in Sections 315-30 through 315-36.

80. Section 225-62 - adds reference to development standards in Title III.

81. Sections 225-63, 225-64 and 225-65 - deletes these sections; now found in Sections 315-30 through 315-36.

82. Section 225-72 - adds reference to development standards in Title III.

83. Sections 225-73 and 225-74 - sections deleted; standards added to Section 225-72.

84. Sections 225-75, 225-76, 225-77, 225-78, 225-79, and 225-80 - deletes these sections; now found in Sections 315-30 through 315-36.

85. Section 225-90 - adds "Purpose" section to CO zone.

86. Section 225-91 - renumbers former Section 225-92.

87. Section 225-92 - renumbers and clarifies wording in former Section 225-92.

88. Sections 225-93, 225-94, and 225-95 - deletes these sections; now found in Sections 315-30 through 315-36.

Section 230-12 - corrects Section reference.

90. Section 230-11, Table IV, Industrial Use Tables - adds several new industrial uses; clarifies description of some uses; corrects inconsistencies; and other changes as appropriate.

91. Section 230-13(2) - standardizes wording.

92. Section 230-13(3) - standardizes wording.

93. Section 230-13(4) - clarifies procedures for coordinating approval of other agencies.

94. Section 230-13(7) - standardizes wording.

95. Sections 230-23 and 230-32 - deletes these sections; now found in Section 325-02.

96. Section 230-48 - eliminates use permit requirement for loading dock in MP zone.

97. Section 235-13 - eliminates increased lot size requirement in (F) combining zone.

98. Section 235-14 - eliminates increased lot width requirement in (F) combining zone.

99. Section 235-47 - corrects Section reference.

100. Sections 235-102, 235-109, and 235-129 - corrects Section references.

101. Section 301-14 - provides for security lights and signs in bus shelters.

10[illegible] Section 301-15 - provides for dish antennas on property, requiring a use permit if rebroadcast to other locations is proposed.

103. Section 301-22 - expands the height exceptions provisions to allow the appropriate authority to review architectural features of multi-story buildings and their effects on adjacent parcels.

104. Section 301-32 - clarifies wording.

105. Section 305-01 - deletes reference to two-family structures and corrects Section and Commission reference; renumbers subparagraph (f).

106. Section 305-02(b) - clarifies wording of rear yard provisions.

107. Section 305-02(c) - adds provisions for zero side yards.

108. Section 305-04 - deletes reference to two-family structures.

109. Section 305-10(j) - adds reference to stock cooperatives.

110. Section 305-10(k) - corrects Commission and Section references.

111. Section 305-15 - adds provision allowing appropriate authority to reduce distance between buildings if warranted by the design of the project.

11[illegible] Section 305-18 - clarifies wording to prohibit lighting glare on adjacent properties.

113. Section 305-20 - adds reference to stock cooperatives.

114. Section 305-21 - clarifies Section title.

115. Sections 305-50 through 305-59 - expands existing Article 4 to include development standards for duplexes. This is not new material, just an aggregation of the standards which existed in various other portions of the Code.

116. Section 305-101 - corrects minimum payments which must be offered to tenants in condominium conversions as required by recent State law.

117. Section 305-200 through 305-202 - clarification of the home occupation provisions.

118. Sections 305-210 through 305-212 - adds new sections relating to family contractor's businesses.

119. Section 315-02 - prohibits sale of food items for consumption on-site and establishes time limits on permits.

120. Sections 315-20 through 315-22 - clarifies wording and adds provisions for remote tellers.

121. Sections 315-30 through 315-36 - adds a new Article to include development standards for commercial and office projects. This is not new material, just an aggregation of the standards which existed in various other portions of the Code.

122. Section 320-01 - adds Title, clarifies wording in subparagraph (h), and corrects Commission and Section references in subparagraph (p).

123. Section 320-02 - clarifies wording.

124. Section 320-05 - corrects Article references in subparagraph (c) and (e) and changes percentage and materials requirements for planter areas to be consistent with commercial standards.

125. Section 320-06(b) - clarifies and standardizes wording.

126. Section 320-10 - adds title and corrects Commission and Section references.

127. Section 320-11 - deletes minimum public street frontage and area requirements for churches.

128. Section 320-14 - corrects Commission and Section references.

129. Sections 325-01 through 325-04, 325-20 through 325-22 - reorganizes industrial development standards; no new provisions are included.

130. Sections 325-30 and 325-31 - adds new provisions for auto wrecking yards located within floodplains.

131. Section 330-07 - clarifies wording to specify which types of projects may be considered.

132. Section 330-35.1 - adds provision for card room parking (formerly included in Section 225-14(43)).

133. Section 330-61 - reduces required parking space size to correspond with general standards.

134. Section 330-62 - increases minimum parking requirements for residential care homes.

135. Section 330-69 - reduces parking requirements for multi-family projects, reduces required parking space size to correspond with general standards, and clarifies wording.

136. Section 330-82 - increases handicapped parking space size to correspond to State requirements.

137. Section 330-94 - clarifies the percentage of parking area to be shaded with covered or underground parking is provided.

138. Section 330-120 - clarifies loading space size.

139. Section 335-04 - clarifies wording, provides for a minimum spacing between signs (b), and provides for the use of flags at model home complexes subject to approval of a temporary use permit.

140. Section 335-09.5 (h) - provides for the use of flags and banners for grand openings and special sales events subject to approval of a temporary use permit.

141. Section 335-09.5(i) - adds reference to Handicapped Access Regulations pertaining to signs.

142. Section 335-11(a) - includes parks in the uses which are permitted identification signs.

143. Section 335-11(c) - establishes standards for signs advertising commercial uses in residential zones (Code now requires a use permit for all such signs).

144. Section 335-12 - clarifies wording and corrects Section reference.

145. Section 335-20 - clarifies wording relating to sign entitlement for corner parcels.

146. Section 335-33 - clarifies wording and adds finding that signs may not exceed the limits established by zones not within a Special Sign District.

147. Section 340-38 - deletes Section reference.

148. Section 401-05 - deletes reference to"conflicting provisions".

149. Section 402-11 - amended to allow uses permitted in the AG-80 land use zone.

150. Sections 402-12 through 402-14 - deleted; replaced with Sections 402-11 and 402-17.

151. Section 402-17 - amended to allow the development standards contained in Title III.

152. Section 402-21 - amended to allow uses permitted in the AG-20 land use zone.

153. Section 402-22 through 402-24 - deleted; replaced with Sections 402-21 and 402-27.

154. Section 402-27 - amended to allow the development standards contained in Title III.

155. Section 402-31 - amended to allow uses permitted in the AR-10 land use zone.

156. Sections 402-32 through 402-34 - deleted; replaced with Sections 402-31 and 402-38.

157. Section 402-38 - amended to allow the development standards contained in Title III.

158. Section 403-11 - amended to allow uses permitted in the AR-5 land use zone.

159. Sections 403-12 through 403-14 - deleted; replaced with Sections 403-11 and 403-18.

160. Section 403-18 - amended to allow the development standards contained in Title III.

161. Section 403-21 - amended to allow uses permitted in the AR-2 land use zone.

162. Sections 403-22 through 403-24 - deleted; replaced with Sections 403-21 and 403-28.

163. Section 403-28 - amended to allow the development standards contained in Title III.

164. Section 403-31 - amended to allow uses permitted in the AR-1 land use zone.

165. Sections 403-32, 403-36, and 403-37 - deleted; replaced with Sections 403-31 and 403-38.

166. Section 403-38 - amended to allow the development standards contained in Title III.

167. Section 403-41 - amended to allow the uses permitted in the RD-2 land use zone.

168. Sections 403-42 through 403-45 - deleted; replaced with Sections 403-41 and 403-49.

169. Section 403-49 - amended to allow the development standards contained in Title III.

170. Section 403-51 - amended to allow the uses permitted in the AR-2 land use zone.

171. Sections 403-52 through 403-54 - deleted; replaced with Sections 403-51 and 403-58.

172. Section 403-58 - amended to allow the development standards contained in Title III.

173. Section 405-11 - amended to allow the uses permitted in the RD-5 land use zone.

174. Sections 405-12 through 405-16 - deleted; replaced with Sections 405-11 and 405-18.

175. Sections 405-17 - combines old Sections 405-15 through 405-17 and references Section 215-50.

176. Section 405-18 - amended to allow the development standards contained in Title III.

177. Section 405-21 - amended to allow the uses permitted in the RD-5 land use zone.

178. Sections 405-22 through 405-24 - deleted, replaced with Sections 405-21 and 405-29.

179. Section 405-29 - amended to allow the development standards contained in Title III.

180. Section 405-31 - amended to allow the uses permitted in the RD-10 land use zone.

181. Sections 405-32 through 405-36 - deleted; replaced with Section 405-31 and 405-41.

182. Section 405-37 - deletes subparagraphs relating to bungalow courts and renumbers subparagraph (g) to (e).

183. Section 405-38 - deletes bungalow court regulations.

184. Section 405-41 - amended to allow the development standards contained in Title III.

185. Section 405-51 - amended to allow the uses permitted in the RD-20 land use zone.

186. Sections 405-52 through 405-59 - deleted; replaced with Section 405-51 and 405-65.

187. Section 405-65 - amended to allow the development standards contained in Title III.

188. Section 405-71 - amended to allow the uses permitted in the RD-30 land use zone.

189. Sections 405-72 through 405-79 - deletes; replaced with Section 405-71 and 405-86.

190. Section 405-86 - amended to allow the development standards contained in Title III.

191. Sections 406-01 through 406-42 - R-TH zone deleted.

192. Section 407-03 - corrects land use zone reference.

193. Section 409-02 - replaces Secretary of the Planning Commission with Planning Director.

194. Section 409-11 - amended to allow the uses permitted in the LC land use zone.

195. Sections 409-12 through 409-27 - deleted; replaced with Sections 409-11 and 409-29.1.

196. Section 409-29.1 - amended to allow the development standards contained in Title III with an exception to setback from public streets in established commercial areas.

197. Section 409-31 - amended to allow the uses permitted in the GC land use zone.

198. Sections 409-32 through 409-44 and 409-47 through 409-50 - deleted; replaced with Sections 409-31 and 409-51.

199. Section 409-51 - amended to allow the development standards contained in Title III with an exception to setback from public streets in established commercial areas.

NOTE: The hearing bodies will also consider appropriate amendments to the Zoning Code to bring the Code into conformity with State law, recently enacted, which addresses condominiums and condominium conversions, second dwellings on individual lots, and other items if appropriate.

ORDINANCE SZC 83-10

Adopted – January 20, 1983

THE ZONING CODE OF SACRAMENTO COUNTY

Compiled By

Sacramento County

Department of Planning and Community Development

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TITLE I

General Provisions

GENERAL PROVISIONS
INTRODUCTORY PROVISIONS

101-01. CITATION. This Code shall be known as, and may be cited and referred to as the "Zoning Code of Sacramento County."

101-02. APPLICATION OF CODE TO COUNTY. This Code applies to all of the area of the County of Sacramento outside of the incorporated cities within the County of Sacramento.

101-03. PURPOSE. The purpose of this Code is to:

(a) Regulate the use of buildings, structures and land as between agriculture, industry, business, residence and open space including agriculture, recreation, enjoyment of scenic beauty and use of natural resources, and other purposes.

(b) Regulate signs and billboards.

(c) Regulate the location, height, bulk, number of stories, and size of buildings and structures.

(d) Regulate the size and use of lots, yards, courts and other open spaces.

(e) Regulate the percentage of a lot which may be occupied by a building or structure.

(f) Regulate the intensity of land use.

(g) Establish requirements for off-street parking and loading.

(h) Establish and maintain building setback lines.

(i) Permit the creation of civic districts around civic centers, publicly owned parks, buildings, or grounds, and establish the regulations therefor.

(j) Divide the County of Sacramento into zoning districts of such number, shape and area as may be deemed best suited to carry out the purpose of this Code.

(k) To provide for the enforcement of the regulations of this Code.

(l) To provide for open space zoning.

101-04. NEED FOR CODE. The purposes set forth herein are deemed necessary in order to encourage the most appropriate use of land; to conserve, protect and stabilize the value of property; to provide adequate open spaces for light and air; to prevent undue concentration of population; to lessen congestion on the streets; to facilitate adequate provisions for community utilities such as transportation, water, sewerage, schools, parks and other publicly owned facilities; and to promote the public health, safety and general welfare.

101-05. SUITABILITY OF ZONES. It is hereby declared that in the creation by this Code of the respective zones set forth herein, the Board of Supervisors has given due and special consideration to the peculiar suitability of each and every such zone herein created for the particular uses enumerated therefor, the area requirements, density of land occupancy, and the necessary, proper and comprehensive grouping arrangements of the various industries, businesses and population of the unincorporated areas of the County of Sacramento and in relation with established plans in the incorporated areas of said County in accordance with a well-considered General Plan for the development of the entire County.

101-06. DELEGATION. Whenever a power is granted to, or a duty imposed upon a public officer by this Code, the power may be exercised or the duty may be performed by a deputy or other person designated by the officer, unless expressly provided otherwise by this Code.

101-07. VALIDITY. If any Chapter, Article, Section and subdivision thereof, sentence, clause or phrase of this Code is for any reason held to be unconstitutional, such decision shall not affect the remaining provisions of this Code. The Board of Supervisors hereby declares that it would have enacted this Code and each Chapter, Article, Section and subdivision, sentences, clauses or phrases hereof irrespective of the fact that one or more Chapters, Articles, Sections and subdivision hereof, sentences, clauses, or phrases be declared unconstitutional.

101-08. REFERENCE. Whenever reference is made to any portion of this Code, the reference applies to this Code as adopted and any amendments or additions hereafter made.

101-09. CONTINUITY OF PROVISIONS. The provisions of this Code, insofar as they are substantially the same as previously existing ordinance provisions relating to the same subject matter, shall be construed as restatements and continuations thereof and not new enactments. Any actions or proceedings commenced, or permit issued pursuant to any previously existing ordinance shall not be affected by the enactment of this Code; but such actions, proceedings, and permits shall hereafter conform to this Code.

101-10. APPLICATION OF THIS CODE TO NEW COMPREHENSIVE ZONING PLANS. All provisions of this Code shall be applicable and effective as to any Comprehensive Zoning Plan, as of the date that such plan or unit is adopted and made a part of this Code, as amended, as if this Code in its entirety has been initially passed and adopted as of the date of the adoption of such Comprehensive Zoning Plan.

101-11. APPLICATION TO GOVERNMENT PROPERTY. Property Owned, Leased or Operated by Public Agencies. Property leased or operated by the State of California or the United States, and property owned, leased or operated by the County of Sacramento, or any other public or governmental body or agency shall be subject to the provisions of this Code, as follows:

(a) Where such public or governmental uses are specifically listed, they shall be governed as indicated.

(b) Where such public or governmental uses are not specifically listed, they shall be permitted only in zones permitting private uses of a substantially similar nature. The Planning Commission shall determine if the governmental use is substantially similar to the permitted private use.

(c) Property owned by the State of California or the United States or any other governmental agency shall be exempt from the provisions of this Code only to the extent that said property may not be lawfully regulated by the County of Sacramento.

101-12. UNIFORMITY OF APPLICATION. The regulations set by this Code within each zone shall be minimum regulations and shall be uniform for each class or kind of building, structure or use of land throughout said zone.

101-13. CONFORMITY TO BE MAINTAINED. No lot area, lot width, yard or court width or depth, or street frontage shall be so reduced or diminished that the lot area, lot width, yard or court width or depth, or street frontage shall be less than required by this Code or be further reduced if already less than prescribed by this Code.

LAND USE ZONES

101-20. DIVISION INTO LAND USE ZONES. To carry out the purpose and provisions of this Code, the County is divided into Land Use Zones as specified in this Article.

101-21. AGRICULTURAL LAND USE ZONES.

(a) AG-160 Permanent Agricultural Extensive Land Use Zone.

(b) AG-80 Permanent Agricultural Extensive Land Use Zone.

(c) AG-40 Permanent Agricultural Intensive Land Use Zone.

(d) AG-20 Permanent Agricultural Intensive Land Use Zone.

(e) UR Urban Reserve Land Use Zone.

(f) IR Industrial Reserve Land Use Zone.

101-22. AGRICULTURAL-RESIDENTIAL LAND USE ZONES.

(a) AR-10 Agricultural-Residential Land Use Zone.

(b) AR-5 Agricultural-Residential Land Use Zone.

(c) AR-2 Agricultural-Residential Land Use Zone.

(d) AR-1 Agricultural-Residential Land Use Zone.

101-23. RESIDENTIAL LAND USE ZONES.

(a) RD-1 Residential Land Use Zone.

(b) RD-2 Residential Land Use Zone.

(c) RD-3 Residential Land Use Zone.

(d) RD-4 Residential Land Use Zone.

(e) RD-5 Residential Land Use Zone.

(f) RD-7 Residential Land Use Zone.

(g) RD-10 Residential Land Use Zone.

(h) RD-20 Residential Land Use Zone.

(i) RD-30 Residential Land Use Zone.

(j) RD-40 Residential Land Use Zone.

(k) RM-1 Mobile Home Park Residential Land use Zone.

(l) RM-2 Mobile Home Subdivision Residential Land Use Zone.

101-24. RECREATION LAND USE ZONES.

(a) O Recreation Land Use Zone.

(b) RR Recreation Reserve Land Use Zone.

101-25. COMMERCIAL LAND USE ZONES.

(a) BP Business and Professional Land Use Zone.

(b) SC Shopping Center Land Use Zone.

(c) LC Limited Commercial Land Use Zone.

(d) GC General Commercial Land Use Zone.

(e) AC Auto Commercial Land Use Zone.

(f) TC Travel Commercial Land Use Zone.

(g) CO Commercial Recreation Land Use Zone.

101-26. INDUSTRIAL LAND USE ZONES.

(a) MP Industrial Office Park Zone

(b) M-1 Light Industrial Land Use Zone.

(c) M-2 Heavy Industrial Land Use Zone.

101-27. SPECIAL LAND USE ZONES.

(a) SPA Special Planning Area Land use Zone.

(b) DW Delta Waterways Land Use Zone.

101-28. COMBINING LAND USE ZONES

(a) (F) Flood Combining Land Use Zone.

(b) (PC) Parkway Corridor Combining Land Use Zone.

(c) (SM) Surface Mining Combining Land Use Zone.

(d) (NPA) Neighborhood Preservation Area Combining Land Use Zone.

(e) (FP) Food Processing Combining Zone.

(f) (NS) Natural Streams Combining Land Use Zone.

(g) (MHP) Mobilehome Park Combining Land Use Zone.

101-28.5. ABBREVIATIONS. Any zone listed in this Article may be referred to and cited by use of only the abbreviation thereof.

101-29. INTERIM AGRICULTURAL HOLDING ZONES.

(a) A-80 Agricultural Holding Zone.

(b) A-20 Agricultural Holding Zone.

(c) A-10 Agricultural Holding Zone.

101-30. INTERIM GENERAL AND LIMITED AGRICULTURAL ZONES.

(a) A-5 General Agricultural Zone.

(b) A-2 General Agricultural Zone.

(c) A-2-B General Agricultural Zone.

(d) A-1-A Limited Agricultural Zone.

(e) A-1-B Limited Agricultural Zone.

101-31. INTERIM ESTATE ZONES.

(a) RE-3 Estate Zone.

(b) RE-2A Estate Zone.

(c) RE-2 Estate Zone.

(d) RE-1 Estate Zone.

101-32. INTERIM RESIDENTIAL ZONES.

(a) R-1-A Single Family Residential Zone.

(b) R-1-B Single Family Residential and Duplex Zone.

(c) R-2 Two Family Residential Zone.

(d) R-2A Multiple Family Residential Zone.

(e) R-3 Multiple Family Residential Zone.

(f) Deleted.

101-33. INTERIM COMBINING ZONES.

(a) (PD) Planned Development Combining Zone.

(b) (PDC) Planned Development Combining Zone - County Initiated.

101-34. OBSOLETE ZONES.

(a) C-1 Limited Commercial Zone.

(b) C-2 General Commercial Zone.

(c) Deleted.

101-35. OPEN SPACE ZONES.

(a) AG-160 Permanent Agricultural Extensive Zone.

(b) AG-80 Permanent Agricultural Extensive Zone.

(c) AG-40 Permanent Agricultural Intensive Zone.

(d) AG-20 Permanent Agricultural Intensive Zone.

(e) A-80 Agricultural Holding Zone.

(f) A-20 Agricultural Holding Zone.

(g) UR Urban Reserve Land Use Zone.

(h) A-10 Agricultural Holding Zone.

(i) AR-10 Agricultural-Residential Land Use Zone.

(j) A-5 Agricultural Zone.

(k) AR-5 Agricultural-Residential Land Use Zone.

(l) A-2 Agricultural Zone.

(m) AR-2 Agricultural-Residential Land Use Zone.

(n) A-2-B Agricultural Zone.

(o) AR-1 Agricultural-Residential Land Use Zone.

(p) O Recreation Zone.

(q) C-O Commercial Recreation Land Use Zone.

(r) Deleted.

(s) The (PD) Planned Development Combining Zone, the (PC) Parkway Corridor Combining Land Use Zone, the (PDC) Planned Development Combining Zone, and the (FP) Food Processing Combining Zone, are open space zones if combined with zones listed in subdivisions (a) through (q) of this Section.

SEQUENCE OF ZONES

101-40. PURPOSE. The sequence of zones in this Article are for the purpose of determining the intermediate zone classifications only. As provided in Section 115-16 the Planning Commission may recommend a Zone Classification to the Board of Supervisors intermediate to the existing classification and the Zone Classification sought by the applicant. The several sequences in this Article are independent and are in the order of intensity, ranging from the least intense at the top of each sequence to the most intense at the bottom. The Planning Commission may recommend an intermediate zone classification between two (2) zones within a particular sequence, or may recommend a less intense zone in the sequence containing the zone advertised in the notice of public hearing. For example: R-2A is intermediate to R-2 and R-3; BP is intermediate to R-1-A and LC; R-3 however, is not intermediate to R-2A and BP since the latter is in a different sequence from the advertised zone.

101-41. AGRICULTURAL LAND USE ZONES.

AG-160
AG-80
AG-40
AG-20

101-42. AGRICULTURAL-RESIDENTIAL LAND USE ZONES SEQUENCE.

AR-10
AR-5
AR-2
AR-1

101-43. RESIDENTIAL LAND USE ZONES SEQUENCE.

RD-1
RD-2
RD-3
RD-4
RD-5
RD-7
RD-10
RD-20
RD-30
RD-40

101-44. COMMERCIAL LAND USE ZONES SEQUENCE.

BP
SC
LC
AC
GC

101-45. INDUSTRIAL LAND USE ZONES SEQUENCE.

M-1
M-2

101-46. FLOOD COMBINING LAND USE ZONE (F). The (F) Flood Combining Zone may be recommended to the Board if during the hearing before the Planning Commission evidence is produced which indicates that all or part of the property falls within a recognized floodplain.

101-47. NONINTERMEDIATE LAND USE ZONES. The Land Use Zones listed in this Section are not intermediate to any other Zoning Classification and the Planning Commission shall not recommend any of the following zones to the Board of Supervisors unless the Zone Classification was included in the public notice: TC, O, CO, RM-1, RM-2, (F), (PC), (SM), (NPA), SPA, DW, UR, RR, IR, (FP), (NS), (MHP), and MP.

101-48. INTERIM ZONES SEQUENCES. The following sequences apply to interim zones only. No interim zone shall be considered intermediate to any land use zone, nor vice versa.

101-49. AGRICULTURAL SEQUENCE.

A-80
A-20
A-10
A-5
A-2
A-1-A

101-50. ESTATE AND RESIDENTIAL SEQUENCE.

RE-3
RE-2A
RE-2
RE-1
R-1-A
R-2
R-2A
R-3

101-51. NONINTERMEDIATE ZONES. The zones listed in this Section are not intermediate to any other zoning classification and the Planning Commission shall not recommend any of the following zones to the Board unless the zone classification was included in the public notice: A-1-B, A-2-B, R-1-B, and CC.

COMPREHENSIVE ZONING PLANS

101-60. BOUNDARIES OF ZONES. The boundaries of the zones described in Article 2 of this Chapter are shown upon the Comprehensive Zoning Plans and Planned Unit Development Ordinance described in this Article beginning with Section 101-65. Said plans, all notations, references and other information are incorporated as though set forth herein and are declared to be part of the Zoning Code. Each Comprehensive Zoning Plan and Planned Unit Development Ordinance shall be identified by the Section number of this Article incorporating said Plan and Ordinance as part of the Zoning Code.

101-61. SIGNATURE AND LOCATION OF COMPREHENSIVE ZONING PLANS. The Comprehensive Zoning Plans shall be identified by the signature of the Chairman of the Board of Supervisors attested by the Clerk of the Board of Supervisors. Said plans shall be located in the office of the Director of the Planning and Community Development Department, and regardless of the existence of purported copies of said plans, which from time to time may be published, shall be the final authority as to the current zoning status of land, water areas, buildings, and other structures in the unincorporated area of the County.

101-62. REPLACEMENT OF PLANS. In the event any Comprehensive Zoning Plan becomes damaged, destroyed, lost or difficult to interpret, the Board of Supervisors after approval by the Project Planning Commission pursuant to procedures in Title I, Chapter 15, Article 2, may adopt a new Comprehensive Zoning Plan, which shall supersede the prior plan.

101-63. PLANNED UNIT DEVELOPMENT ORDINANCES. Planned Unit Development Ordinances which amend the boundaries of the zones described in Article 2 of this Chapter shall be adopted in the manner prescribed for amendments to zoning ordinances as prescribed in the Government Code.

101-64. PLANNED UNIT DEVELOPMENT ORDINANCE LIST. Planned Unit Development Ordinances shall be filed with the Clerk of the Board of Supervisors. Copies of the Ordinances may be filed with the Secretary of the Planning Commission.

101-65. Comprehensive zoning plan, Unit No. 3, dated July 12, 1978
101-66. Comprehensive zoning plan, Unit No. 5, dated July 19, 1979
101-67. Comprehensive zoning plan, Unit No. 6, dated February 28, 1980
101-68. Comprehensive zoning plan, Unit No. 11, dated September 13, 1979
101-69. Comprehensive zoning plan, Unit No. 12, dated September 13, 1979
101-70. Comprehensive zoning plan, Unit No. 14, dated February 28, 1980
101-71. Comprehensive zoning plan, Unit No. 15, dated July 19, 1979
101-72. Comprehensive zoning plan, Unit No. 16, dated July 19, 1979
101-73. Comprehensive zoning plan, Unit No. 17, dated July 17, 1980
101-74. Comprehensive zoning plan, Unit No. 18, dated July 17, 1980

101-75. Comprehensive zoning plan, Unit No. 19, dated July 19, 1979
101-76. Comprehensive zoning plan, Unit No. 20, dated July 19, 1979
101-77. Comprehensive zoning plan, Unit No. 21, dated September 6, 1979
101-78. Comprehensive zoning plan, Unit No. 22, dated September 6, 1979
101-79. Comprehensive zoning plan, Unit No. 23, dated September 6, 1979
101-80. Comprehensive zoning plan, Unit No. 24, dated September 6, 1979
101-81. Comprehensive zoning plan, Unit No. 25, dated July 19, 1979
101-82. Comprehensive zoning plan, Unit No. 26, dated July 19, 1979
101-83. Comprehensive zoning plan, Unit No. 27, dated September 6, 1979
101-84. Comprehensive zoning plan, Unit No. 28, dated September 6, 1979
101-85. Comprehensive zoning plan, Unit No. 29, dated September 6, 1979
101-86. Comprehensive zoning plan, Unit No. 30, dated September 6, 1979
101-87. Comprehensive zoning plan, Unit No. 31, dated September 6, 1979
101-88. Comprehensive zoning plan, Unit No. 32, dated September 6, 1979
101-89. Comprehensive zoning plan, Unit No. 276/128, dated September 6, 1979
101-90. Comprehensive zoning plan, Unit No. 276/140, dated September 6, 1979
101-91. Comprehensive zoning plan, Unit No. 284/140, dated September 6, 1979
101-92. Comprehensive zoning plan, Unit No. 300/140, dated December 27, 1978
101-93. Comprehensive zoning plan, Unit No. 308/140, dated December 27, 1978
101-94. Comprehensive zoning plan, Unit No. 348/140, dated September 13, 1979
101-95. Comprehensive zoning plan, Unit No. 356/140, dated September 13, 1979
101-96. Comprehensive zoning plan, Unit No. 364/140, dated September 13, 1979
101-97. Comprehensive zoning plan, Unit No. 372/140, dated September 13, 1979
101-98. Comprehensive zoning plan, Unit No. 380/140, dated September 13, 1979
101-99. Comprehensive zoning plan, Unit No. 388/140, dated September 13, 1979
101-100. Comprehensive zoning plan, Unit No. 276/152, dated December 13, 1978
101-101. Comprehensive zoning plan, Unit No. 284/152, dated December 13, 1978
101-102. Comprehensive zoning plan, Unit No. 292/152, dated December 27, 1978
101-103. Comprehensive zoning plan, Unit No. 300/152, dated October 18, 1979
101-104. Comprehensive zoning plan, Unit No. 308/152, dated October 18, 1979
101-105. Comprehensive zoning plan, Unit No. 316/152, dated October 18, 1979
101-106. Comprehensive zoning plan, Unit No. 364/152, dated July 12, 1978
101-107. Comprehensive zoning plan, Unit No. 372/152, dated July 12, 1978
101-108. Comprehensive zoning plan, Unit No. 380/152, dated July 12, 1978
101-109. Comprehensive zoning plan, Unit No. 388/152, dated July 12, 1978
101-110. Comprehensive zoning plan, Unit No. 276/164, dated December 27, 1978
101-111. Comprehensive zoning plan, Unit No. 284/164, dated October 18, 1979
101-112. Comprehensive zoning plan, Unit No. 292/164, dated October 18, 1979
101-113. Comprehensive zoning plan, Unit No. 300/164, dated October 18, 1979
101-114. Comprehensive zoning plan, Unit No. 324/164, dated November 6, 1980
101-115. Comprehensive zoning plan, Unit No. 332/164, dated November 6, 1980
101-116. Comprehensive zoning plan, Unit No. 340/164, dated November 6, 1980
101-117. Comprehensive zoning plan, Unit No. 348/164, dated November 6, 1980
101-118. Comprehensive zoning plan, Unit No. 356/164, dated May 3, 1979
101-119. Comprehensive zoning plan, Unit No. 364/164, dated May 3, 1979
101-120. Comprehensive zoning plan, Unit No. 372/164, dated May 3, 1979
101-121. Comprehensive zoning plan, Unit No. 380/164, dated May 3, 1979

101-122. Comprehensive zoning plan, Unit No. 276/176, dated August 2,1978
101-123. Comprehensive zoning plan, Unit No. 284/176, dated October 18, 1979
101-124. Comprehensive zoning plan, Unit No. 292/176, dated October 18, 1979
101-125. Comprehensive zoning plan, Unit No. 300/176, dated October 18, 1979
101-126. Comprehensive zoning plan, Unit No. 324/176, dated November 6, 1980
101-127. Comprehensive zoning plan, Unit No. 332/176, dated November 6, 1980
101-128. Comprehensive zoning plan, Unit No. 340/176, dated November 6, 1980
101-129. Comprehensive zoning plan, Unit No. 348/176, dated November 6, 1980
101-130. Comprehensive zoning plan, Unit No. 356/176, dated July 31, 1980
101-131. Comprehensive zoning plan, Unit No. 364/176, dated May 3, 1979
101-132. Comprehensive zoning plan, Unit No. 372/176, dated May 3, 1979
101-133. Comprehensive zoning plan, Unit No. 380/176, dated May 3, 1979
101-134. Comprehensive zoning plan, Unit No. 332/188, dated November 6, 1980
101-135. Comprehensive zoning plan, Unit No. 340/188, dated July 31, 1980
101-136. Comprehensive zoning plan, Unit No. 348/188, dated July 31, 1980
101-137. Comprehensive zoning plan, Unit No. 356/188, dated July 31, 1980
101-138. Comprehensive zoning plan, Unit No. 364/188, dated July 31, 1980
101-139. Comprehensive zoning plan, Unit No. 372/188, dated July 31, 1980
101-140. Comprehensive zoning plan, Unit No. 380/188, dated May 3, 1979
101-141. Comprehensive zoning plan, Unit No. 332/200, dated July 12, 1978
101-142. Comprehensive zoning plan, Unit No. 340/200, dated July 12, 1978
101-143. Comprehensive zoning plan, Unit No. 348/200, dated July 31, 1980
101-144. Comprehensive zoning plan, Unit No. 356/200, dated July 31, 1980
101-145. Comprehensive zoning plan, Unit No. 364/200, dated July 31, 1980
101-146. Comprehensive zoning plan, Unit No. 372/200, dated July 31, 1980
101-147. Comprehensive zoning plan, Unit No. 380/200, dated July 31, 1980
101-148. Comprehensive zoning plan, Unit No. 340/212, dated July 12, 1978
101-149. Comprehensive zoning plan, Unit No. 348/212, dated February 21, 1979
101-150. Comprehensive zoning plan, Unit No. 356/212, dated February 21, 1979
101-151. Comprehensive zoning plan, Unit No. 364/212, dated July 31, 1980
101-152. Comprehensive zoning plan, Unit No. 372/212, dated July 31, 1980
101-153. Comprehensive zoning plan, Unit No. 380/212, dated July 31, 1980
101-154. Comprehensive zoning plan, Unit No. 356/224, dated February 21, 1979
101-155. Comprehensive zoning plan, Unit No. 364/224, dated February 21, 1979
101-156. Comprehensive zoning plan, Unit No. 372/224, dated July 31, 1980
101-157. Comprehensive zoning plan, Unit No. 380/224, dated July 31, 1980
101-158. Comprehensive zoning plan, Unit No. 356/236, dated July 12, 1978
101-159. Comprehensive zoning plan, Unit No. 372/236, dated July 27, 1977
101-160. Comprehensive zoning plan, Unit No. 268/164, dated December 13, 1978
101-161. Comprehensive zoning plan, Unit No. 268/176, dated August 2, 1978
101-162. Comprehensive zoning plan, Unit No. 324/188, dated July 12, 1978
101-163. Comprehensive zoning plan, Unit No. 316/188, dated February 28, 1980
101-164. Comprehensive zoning plan, Unit No. 308/188, dated February 28, 1980

101-165. Comprehensive zoning plan, Unit No. 316/176, dated February 28, 1980
101-166. Comprehensive zoning plan, Unit No. 308/176, dated February 28, 1980
101-167. Comprehensive zoning plan, Unit No. 324/200, dated July 12, 1978
101-168. Comprehensive zoning plan, Unit No. 348/224, dated July 12, 1978
101-169. Comprehensive zoning plan, Unit No. 316/200, dated February 28, 1980
101-170. Comprehensive zoning plan, Unit No. 308/200, dated February 28, 1980
101-171. Comprehensive zoning plan, Unit No. 260/152, dated July 17, 1980
101-172. Comprehensive zoning plan, Unit No. 268/152, dated July 17, 1980
101-173. Comprehensive zoning plan, Unit No. 260/164, dated July 17, 1980
101-174. Comprehensive zoning plan, Unit No. 260/176, dated July 17, 1980

101-200. Planned Unit Development Ordinance 69-PD-1 commonly known as "Ardendale P.D."

101-201. Planned Unit Development Ordinance 69-PD-2 commonly known as "Riverwood P.D." as amended by Ordinance 69-PD-2A.

101-202. Planned Unit Development Ordinance 60-PD-3 amends Ordinance Z-69-43, commonly known as "Florin Mobile Estates P.D."

101-203. Planned Unit Development Ordinance 70-PD-1 commonly known as "Casitas Manzanita P.D."

101-204. Planned Unit Development Ordinance 70-PD-2 commonly known as "Madison Villa P.D."

101-205. Planned Unit Development Ordinance 70-PD-3 commonly known as "Glenbrook East P.D." as amended by Ordinances 70-PD-3A, 70-PD-3B, 70-PD-3C, and 73-PD-4.

101-206. Planned Unit Development Ordinance 70-PD-4 commonly known as "Evergreen Commons P.D."

101-207. Planned Unit Development Ordinance 70-PD-5 commonly known as "Sabre City Mobile Home Estates P.D." as amended by Ordinances 70-PD-5A, 70-PD-5B, and 72-PD-1.

101-208. Planned Unit Development Ordinance 70-PD-6 commonly known as "Oak Knoll P.D."

101-209. Planned Unit Development Ordinance 70-PD-7 commonly known as "Greenback Townhomes P.D." as amended by Ordinance No. 70-PD-7A.

101-210. Planned Unit Development Ordinance 70-PD-8 commonly known as "Greentree P.D."

101-211. Planned Unit Development Ordinance 71-PD-1 commonly known as "Shadow Creek North P.D." as amended by Ordinances No. 71-PD-1A and 71-PD-1B.

101-212. Planned Unit Development Ordinance 71-PD-2 commonly known as "Briarwood Coloma P.D." as amended by Ordinances No. 71-PD-2A, 71-PD-2A1, 71-PD-2C and 71-PD-2D.

101-213. Planned Unit Development Ordinance 71-PD-3 commonly known as "Larchmont Homes P.D."

101-214. Planned Unit Development Ordinance 71-PD-4 commonly known as "Casitas El Camino P.D."

101-215. Planned Unit Development Ordinance 71-PD-5 commonly known as "Lake Knoll Estates P.D." as amended by Ordinances No. 71-PD-5A, 71-PD-5B, 71-PD-5C and 71-PD-5D.

101-216. Planned Unit Development Ordinance 71-PD-6, amends Ordinance Z-69-62, commonly known as "Rancho Murieta P.D." as amended by Ordinances 71-PD-6A, 73-PD-2, 73-PD-2A, 73-PD-2B, 75-PD-5, 77-PD-10, and 77-PD-10A.

101-217. Planned Unit Development Ordinance 71-PD-7 commonly known as "Crosswoods P.D." as amended by Ordinances No. 72-PD-2, 75-PD-6, 75-PD-7, 75-PD7A and 75-PD-7B.

101-218. Planned Unit Development Ordinance 71-PD-8 commonly known as "Oak Knoll P.D."

101-219. Planned Unit Development Ordinance 71-PD-9 commonly known as "Madison Villa P.D."

101-220. Planned Unit Development Ordinance 71-PD-10 commonly known as "Hillsvilla P.D."

101-221. Planned Unit Development Ordinance 71-PD-11 commonly known as "Shadowwood P.D." as amended by Ordinance No. 71-PD-11A.

101-222. Planned Unit Development Ordinance 72-PD-3 commonly known as "Pacific Highlands P.D."

101-223. Planned Unit Development Ordinance 72-PD-4 commonly known as "Oak Hill P.D."

101-224. Planned Unit Development Ordinance 72-PD-5 commonly known as "Edgewood P.D."

101-225. Planned Unit Development Ordinance 72-PD-6 commonly known as "Casitas Manzanita P.D."

101-226. Planned Unit Development Ordinance 72-PD-7 commonly known as "Kings Way P.D."

101-227. Planned Unit Development Ordinance 72-PD-8 commonly known as "Cripple Creek P.D."

101-228. Planned Unit Development Ordinance 72-PD-9 commonly known as "Casitas Arden P.D."

101-229. Planned Unit Development Ordinance 72-PD-10 commonly known as "Rustic Woods P.D."

101-230. Planned Unit Development Ordinance 73-PD-1 commonly known as "College Greens East P.D."

101-231. Planned Unit Development Ordinance 73-PD-3 commonly known as "White Rock P.D."

101-232. Planned Unit Development Ordinance 73-PD-4 commonly known as "Glenbrook #3 P.D."

101-233. Planned Unit Development Ordinance 73-PD-5 commonly known as "Franciscan P.D."

101-234. Planned Unit Development Ordinance 74-PD-1 commonly known as "Twin Creeks P.D."

101-235. Planned Unit Development Ordinance 74-PD-2 commonly known "Sunrise Village P.D."

101-236. Planned Unit Development Ordinance 74-PD-3 commonly known as "Parkside Commons P.D."

101-237. Planned Unit Development Ordinance 74-PD-4 commonly known as "Wilhaggin Lake Estates P.D."

101-238. Planned Unit Development Ordinance 75-PD-1 commonly known as "Sunrise Hills P.D."

101-239. Planned Unit Development Ordinance 75-PD-2 commonly known as "Pasatiempo II P.D."

101-240. Planned Unit Development Ordinance 75-PD-3 commonly known as "Rollingwood P.D."

101-241. Planned Unit Development Ordinance 75-PD-4 commonly known as "American River Office Park P.D."

101-242. Planned Unit Development Ordinance 75-PD-8 commonly known as "Brittany Hills P.D."

101-243. Planned Unit Development Ordinance 76-PD-1 commonly known as "Fair Oaks Village P.D."

101-244. Planned Unit Development Ordinance 76-PD-2 commonly known as "Kenneth Hills P.D."

101-245. Planned Unit Development Ordinance 76-PD-3 commonly known as "Rollingwood Commercial P.D."

101-246. Planned Unit Development Ordinance 76-PD-4 commonly known as "Florin Center Recreation Vehicle P.D."

101-247. Planned Unit Development Ordinance 76-PD-5 commonly known as "Timberwood Estates P.D."

101-248. Planned Unit Development Ordinance 76-PD-6 commonly known as "Rollinghills Estates #7 P.D."

101-249. Planned Unit Development Ordinance 76-PD-7 commonly known as "Sundance P.D."

101-250. Planned Unit Development Ordinance 76-PD-8 commonly known as "Curragh Oaks P.D."

101-251. Planned Unit Development Ordinance 77-PD-1 commonly known as "Sunrise Art Center P.D."

101-252. Planned Unit Development Ordinance 77-PD-2 commonly known as "Sunrise Knoll P.D."

101-253. Planned Unit Development Ordinance 77-PD-3 commonly known as "Linda Creek Estates P.D."

101-254. Planned Unit Development Ordinance 77-PD-4 commonly known as "Mitchel Farms P.D."

101-255. Planned Unit Development Ordinance 77-PD-5 commonly known as "Winding Woods P.D."

101-256. Planned Unit Development Ordinance 77-PD-6 commonly known as "Woodbridge Ranch P.D."

101-357. Planned Unit Development Ordinance 77-PD-7 commonly known as "Vista Del Verde P.D."

101-358. Planned Unit Development Ordinance 77-PD-8 commonly known as "Church Hill Downs P.D."

101-360. Planned Unit Development Ordinance 77-PD-9 commonly known as "Ox-Bow Marina P.D."

101-400. County Initiated Planned Development Ordinance No. 76-PDC-1 commonly known as "Sunrise Boulevard Office PD."

101-401. County Initiated Planned Development Ordinance 76-PDC-2 commonly known as "Madison-Fair Oaks Boulevard PD."

101-402. County Initiated Planned Development Ordinance 76-PDC-3 commonly known as "Fair Oaks Village" as amended by Ordinances 76-PDC-3A 76-PDC-3B, and 76-PDC-3C.

101-402(a). 77-PDC-1, 77-PDC-2, 77-PDC-3, omitted.

101-402(b). County Initiated Planned Development Ordinance 77-PDC-4 commonly known as "Sunriver PD."

101-402(c). County Initiated Planned Unit Development Ordinance 81-PDC-1 commonly known as "Laguna Community/Elk Grove Boulevard PD".

101-403. 78-SPA-1, Citrus Heights Community Area.

101-404. 78-SPA-2, Citrus Heights Community Area.

101-405. 78-SPA-3, Citrus Heights Community Area.

78-SPA-4, Skipped in Error

101-406. 78-SPA-5, Citrus Heights Community Area.

101-407. 78-SPA-6, Citrus Heights Community Area.

101-408. 78-SPA-7, Citrus Heights Community Area.

101-409. 78-SPA-8, Citrus Heights Community Area.

101-410. 78-SPA-9, Citrus Heights Community Area.

101-411. 78-SPA-10, Citrus Heights Community Area.

101-412. 78-SPA-11, Citrus Road Property SPA.

101-413. 78-SPA-12, Natomas Property SPA.

101-414. 78-SPA-13, Folsom-Mather Field Road SPA.

101-415. 78-SPA-14, Williamson Ranch SPA.

101-416. 78-SPA-15, Edward Kelley School SPA.

101-417(1). 78-SPA-16, Folsom Boulevard SPA.

101-417(2). 78-SPA-17, Cherry Island.

101-419. 78-SPA-18, Elk Grove Community Plan Area.

101-420. 78-SPA-19, Carmichael Community Plan Area.

101-421. 78-SPA-20, Laguna Community/Floodplain SPA

101-422. 78-SPA-21, property south of Gerber Road, east of Southern Pacific Railroad tracks.

101-423. 78-SPA-22, Bruceville Road/Calvine Road Area.

101-424. 78-SPA-23, north side of Florin Road at Florin Perkins Road.

101-425. 78-SPA-24, property on Stockton Boulevard, at Gerber Road known as AAA Auto Parts and Auto Wreckers.

SZC-78-142, Garden Highway.

101-426. 79-SPA-1, Fair Oaks Village (Fair Oaks hearing).

101-427. 79-SPA-2, Sunrise/Sunset (Fair Oaks hearing).

101-428. 79-SPA-3, Locke.

101-429. 80-SPA-1, White Rock Road (Cemo Industrial Tract, Inc.)

101-430. 80-SPA-2, Gerber Road.

101-431. 80-SPA-3, Loma Vista.

101-432. 80-SPA-4, Eskaton.

101-433. 80-SPA-5, Gibson Ranch.

101-434. 81-SPA-1, Watt Avenue.

101-435. 81-SPA-2, Walnut Grove.

101-436. 81-SPA-3 Donsing Ranch.

101-600. NPA-78-1, Beyerford Heights NPA.

101-601. NPA-78-2, Industrial uses in Cordova Community Plan Area.

101-602. NPA-78-3, Industrial uses in South Sacramento Plan Area (52nd Avenue Area).

101-603. NPA-78-4, Specific commercial and residential uses in South Sacramento Community (Victory Avenue Area).

101-604. NPA-78-5, Residential uses in South Sacramento Plan Area (66th Avenue Area).

101-605. NPA-78-6, Industrial uses in South Sacramento (Florin and Florin-Perkins Road Area).

101-606. NPA-78-7, SMUD sub-station location in South Sacramento (Sacramento Boulevard Area).

101-607. NPA-78-8, Gerber Road and Florin Road Industrial Area for South Sacramento Area.

101-608. NPA-78-9, Stockton Boulevard Area, specific commercial and residential uses in South Sacramento Area.

101-609. NPA-78-10, South Citrus Road Area, residential uses in South Sacramento.

101-610. NPA-78-11, Sierra Oaks Vista.

101-611. NPA-80-1, Arden Oaks.

101-612. NPA-80-2, Mariemont/Gordon Heights NPA.

101-613. NPA-80-3, Arden Park.

OPEN SPACE LAND USE ZONES
PURPOSE

105-01. INTENT. The Board of Supervisors hereby creates, as part of the Zoning Code of Sacramento County, this Open Space Zoning Chapter. It is the express intent of the Board of Supervisors in so doing to comply with the requirements of Article 4, Chapter 4, Title 7, of the Government Code of the State of California (Sections 65910 through 65912) added by Chapter 1590 of the 1970 Statutes.

105-02. CONSTRUCTION OF PROVISIONS. The provisions of this Chapter and of other provisions of this Code which relate to open space use shall be liberally construed insofar as they relate to open space pursuits to the end that conflicting uses shall not be permitted.

OPEN SPACE LAND USE ZONES

105-03. OPEN SPACE ZONES. The Board of Supervisors hereby designate the following Chapters, Articles, and Zones to be the Open Space Zones for Sacramento County:

(a) Title II, Chapter 5, Article 2; AG-160 Permanent Agricultural Extensive Land Use Zone.

(b) Title II, Chapter 5, Article 3; AG-80 Permanent Agricultural Extensive Land Use Zone.

(c) Title II, Chapter 5, Article 4; AG-40 Permanent Agricultural Extensive Land Use Zone.

(d) Title II, Chapter 5, Article 5; AG-20 Permanent Agricultural Intensive Land Use Zone.

(e) Title IV, Chapter 2, Article 2; A-80 Agricultural Holding Zone.

(f) Title IV, Chapter 2, Article 3; A-20 Agricultural Holding Zone.

(g) Title II, Chapter 5, Article 6; UR Urban Reserve Land Use Zone.

(h) Title IV, Chapter 2, Article 4; A-10 Agricultural Holding Land Use Zone.

(i) Title II, Chapter 10, Article 2; AR-10 Agricultural-Residential Land Use Zone.

(j) Title IV, Chapter 3, Article 1; A-5 Agricultural Land Use Zone.

(k) Title II, Chapter 10, Article 3; AR-5 Agricultural-Residential Land Use Zone.

(l) Title IV, Chapter 3, Article 2; A-2 Agricultural Land Use Zone.

(m) Title II, Chapter 10, Article 4; AR-2 Agricultural-Residential Land Use Zone.

(n) Title IV, Chapter 3, Article 5; A-2B Agricultural Land Use Zone.

(o) Title II, Chapter 10, Article 5; AR-1 Agricultural-Residential Land Use Zone.

(p) Title II, Chapter 20, Article 3; O Recreation Land Use Zone.

(q) Title II, Chapter 25, Article 9; CO Commercial Recreation Land Use Zone.

(continued)

105-04. DELETED.

105-05. OPEN SPACE COMBINING LAND USE ZONES. The Board of Supervisors designates that the (F) Flood Combining Land Use Zone, the (PD) Planned Development Combining Zone, (PDC) Planned Development Combining Zone-County Initiated, and the (PC) Parkway Corridor Combining Land Use Zone, and the (FP) Food Processing Zone, shall be open space zones if the land use zones are combined with any of the zones specified in Section 105-03.

VARIANCES

105-06. VARIANCES. The provisions for the grant of variances to the Zoning Code of Sacramento County set forth in Title I, Chapter 10 of this Code shall govern the issuance of variances to open space zones.

SPECIAL PERMITS
PERMITS GENERALLY

110-01. APPLICATION. Application for a variance, conditional use permit, lot reduction permit, special development permit, exception, or mobilehome certificate of compatibility shall be made in writing by the property owner or his agent or lessee to the Planning and Community Development Department on a form prescribed by the Director. The application shall include the following data.

(a) A map drawn to scale showing the property for which the permit is requested and the property lines for the properties within five hundred (500) feet of the exterior boundary lines of the subject property.

(b) A clear indication of the names of all the streets and of the Assessor's Parcel Numbers of each parcel shown on said map.

(c) The names and mailing addresses as listed on the latest assessment roll of the owners of the property shown on the map.

(d) An indication of the precise interest of the applicant in the property.

(e) The legal description of the subject property.

(f) The Assessor's Parcel Number and the street address of the subject property.

(g) The proposed use.

(h) Such other information as the Director may require.

110-02. WITHDRAWAL OF APPLICATION. The appropriate authority may permit the withdrawal of an application for a conditional use permit, variance lot reduction permit, exception, special development permit or mobilehome certificate of compatibility filed pursuant to this Article. Any fee accompanying the application shall not be returnable to the applicant.

110-03. ADMINISTRATIVE HEARINGS, WHEN REQUIRED. For the purposes of this Article public hearings before the Zoning Administrator Project Planning Commission, Policy Planning Commission and Board of Supervisors involving the following types of requests shall be designated as Administrative Hearings.

(a) Conditional Use permits.

(b) Variances.

(c) Lot Reduction Permits.

(continued)

(d) Exceptions.

(e) Special Development Permits.

(f) Mobilehome Certificates of Compatibility.

(g) Appeals of actions on conditional use permits, variances, lot reduction permits, exceptions, special development permits, and mobilehome certificates of compatibility.

(h) Revocation hearings for conditional use permits, variances, lot reduction permits, exceptions, special development permits, and mobilehome certificates of compatibility.

110-04. NOTICE. Whenever a public hearing is required pursuant to Section 110-03, the Secretary shall, not less than ten (10) days prior to the said hearing, give notice thereof by mail, postage prepaid, to all property owners shown on the list of property owners furnished by the applicant. The notice shall include the name of the applicant, owner, agent, if any, address, parcel number, zoning classification of the property, proposed use, the nature of the application, and the date, hour and place of hearing.

When an application is for a use permit for a residential condominium and the subject property is occupied by residential units, the occupants or tenants of such units shall be included in the list of property owners furnished by the applicant.

Where an application for a use permit for a use by a local public agency requests a reduction in area or width pursuant to Section 301-41 of this Code, the notice, in addition to the matters set forth above, shall include a statement that the appropriate authority may permit such a use on a lot of less area or width than required in said zones pursuant to Section 301-41 of the Zoning Code.

110-05. ADMINISTRATIVE HEARING PROCEDURES.

(a) All testimony at the hearing shall be under oath or affirmation. The Clerk of the Board of Supervisors, the Secretary of the Planning Commission or designee shall administer oaths and retain relevant records and all exhibits and documents presented at said hearing.

(b) A party shall be afforded the opportunity to present evidence and testimony on all relevant issues. The Chairman or hearing officer may impose reasonable limitations on the number of witnesses heard, and on the nature and length of the testimony. The Chairman or hearing officer may call witnesses and introduce papers on his own volition.

(c) The hearing body shall make a full record of the hearing, which may be transcribed on order of the Chairman or hearing officer.

(d) Decisions of the hearing body shall be based strictly upon evidence presented during the public hearing. The hearing body shall not rely upon any communications reports staff memoranda, or other materials prepared in connection with the particular case unless made a part of the record.

(e) The hearing body or officer shall make its decision based on the evidence presented at the hearing and may approve conditionally, approve, or disapprove the application.

(f) The hearing body or officer shall issue the decision in writing within thirty (30) days after the conclusion of the hearing and shall include written findings of fact, conclusions and relevant conditions and stipulations.

110-06. ADDITIONAL HEARING PROCEDURES. The Policy Planning Commission, the Project Planning Commission and the Zoning Administrator shall adopt by resolution hearing procedures and rules necessary to carry out business in an orderly and fair manner. The procedures and rules shall provide for, among other matters, the preparation and adoption of necessary findings. The procedures and rules shall be published as an appendix to this Code.

110-07. NOTICE OF GRANT. Upon the grant of a variance, conditional use permit, lot reduction permit, exception, or mobilehome certificate of compatibility, the Secretary of the Planning Commission shall prepare and deliver to the applicant a written statement thereof stating the fact of the grant and any conditions attached thereto. A copy shall be delivered also to the Chief Building Inspector and the other concerned County officials. No decision of the appropriate authority shall become final upon such grant, nor shall a permit or license of any kind be issued by any County office, until the time in which an appeal may be filed has elapsed without an appeal having been filed.

110-08. NEW APPLICATIONS. The Director of the Planning and Community Development Department, except upon the approval of the Project Planning Commission or the Board of Supervisors, shall not accept any application for a variance, conditional use permit, lot reduction permit, or exception for a period of one year following the denial or revocation of any such permit for the same premises.

110-09. APPEALS. Appeals from a decision of the appropriate authority may be taken as provided in this Chapter.

110-10. REVOCATION AND MODIFICATION.

(a) INITIATION OF PROCEEDINGS. The Project Planning Commission on its own motion may, and if directed by the Board of Supervisors shall hold a public hearing for modifying or revoking any variance, exception, lot reduction permit, special development permit, mobilehome certificate of compatibility, or conditional use permit which has been granted pursuant to the provisions of this Article or any ordinance superseded by this Article. Public hearings shall be held and notice given in accordance with Sections 110-03 and 110-04 of this Article.

(b) DECISION OF COMMISSION. After a public hearing, as provided in Section 110-03, the Commission may revoke or modify a conditional use permit, special development permit, lot reduction permit, mobilehome certificate of compatibility, exception or variance on one or more of the following grounds:

(1) That such approval was obtained by fraud or misrepresentation; or

(2) That any person making use of or relying upon the conditional use permit, special development permit, lot reduction permit, mobilehome certificate of compatibility, exception, or variance is violating or has violated any conditions thereof, or that the use for which the conditional use permit, special development permit, lot reduction permit, mobilehome certificate of compatibility, exception, or variance was granted is being, or has been exercised contrary to the terms or conditions of such approval, or that the use for which the approval was granted is so exercised as to be detrimental to the public health, safety, or general welfare so as to be a nuisance.

110-11. ISSUANCE OF BUILDING PERMITS IN EMERGENCIES. Notwithstanding any provision to the contrary in this Code, the Director of the Department of Public Works may issue a building permit, an electrical permit, or other form of construction permit, prior to the grant of a conditional use permit, or variance, or both, subject to all of the following conditions and criteria:

(a) The applicant for the building permit, electrical permit, or other form of construction permit shall have completed an application for a conditional use permit or variance, or both.

(b) The applications for the conditional use permit, or variance, or both are to replace, rebuild, or reconstruct a structure or facility destroyed or made inoperable or unusable due to a natural disaster such as a flood, earthquake, or other soil or geologic movement; fire; or the occurrence of a riot, accident, or sabotage.

(c) There is a demonstrated urgency to replace, rebuild or reconstruct the structure or facility involving one or more of the following:

(1) A clear and imminent danger demanding immediate action to prevent or mitigate loss or damage to life, health, or property; or

(2) The threat of loss of services for which there is an overriding public concern.

(d) The completed applications filed for the conditional use permit, the variance, or both, qualify as an emergency or categorical exemption as defined and regulated pursuant to the State Guidelines promulgated in Title 14, California Administrative Code, Section 15000 et seq. implementing the provisions of the California Environmental Quality Act.

(e) The applicant files with the Director of Public Works a letter, executed before a notary public, indicating that the applicant understands that:

(1) the structure or facility shall be removed by the applicant in the event the conditional use permit, variance, or both, are not granted;

(2) the issuance of a building permit, electrical permit, or other construction permit in advance of the grant of the conditional use permit, variance, or both, does not vest in the applicant or successor to the applicant, any right to continue construction or use of the structure or facility, if the conditional use permit, variance, or both, are not granted by the appropriate authority;

(3) If the County is required to remove the structure or facility due to the applicant's refusal or inability to do so, the applicant shall pay reasonable attorneys' fees and administrative expenses incurred by the County in removing or contracting to remove the structure or facility; and

(4) A cash deposit or bond shall be required, in an amount to be determined by the Director of Public Works, sufficient to pay the costs of the removal of the structure or facility, including reasonable attorneys' fees and administrative expenses; said deposit or bond to be held, or to remain in force, until released by the Director of Public Works.

VARIANCES

110-20. GENERALLY. Variances from the terms of this Code may be granted when the appropriate authority, as provided by this Article, finds that:

(a) The applicant has shown that because of special circumstances peculiar to the subject property, including size, shape, topography, location, or surroundings; or because of the location of Heritage or Land Mark Trees as defined and regulated by Chapter 19.04 of the Sacramento County Code the strict application of the requirements of this Code would deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classifications.

(b) The grant of the variance would not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone, in which the subject property is situated.

110-21. LIMITATIONS. The appropriate authority shall not grant a variance which authorizes a use or activity which is not otherwise expressly authorized by the zoning regulation governing the parcel of property for which the variance is requested.

110-22. INTERPRETATION IN OPEN SPACE ZONES. The requirements of this Article shall be literally and strictly interpreted and enforced as to all open space zones so as to protect the interest of the public in the orderly growth and development of cities and counties and in the preservation and conservation of open space lands.

110-23. APPLICATION TO PLANNED DEVELOPMENTS. The provisions of this Article which relate to variances shall not be applicable to a planned development processed and approved pursuant to the provisions of Title 4, Chapter 13, Article 2 of this Code unless authorized in the ordinance adopting the planned development.

110-24. APPROPRIATE AUTHORITY EMPOWERED TO GRANT VARIANCES.

(a) ZONING ADMINISTRATOR. The Zoning Administrator shall be the appropriate authority to hear and decide all applications for variances except as otherwise specified in this Article.

(b) PROJECT PLANNING COMMISSION. The Project Planning Commission shall be the appropriate authority to hear and decide applications for variances whenever said applications are filed contemporaneously with an application to change property from one zone to another, or for a conditional use permit, or any other permit, where such application would be heard by the Project Planning Commission pursuant to the provisions of Title 22 of the Sacramento County Code.

(c) POLICY PLANNING COMMISSION. The Policy Planning Commission shall be the appropriate authority to hear and decide applications for variances whenever said applications are filed contemporaneously with an application to amend a community plan as provided in Title 21 of the Sacramento County Code.

110-25. VARIANCE TERM. Any variance granted involving the erection, alteration or enlargement of a building or structure for which a building permit is required shall be null and void after the expiration of one year from the date of issuance or upon the expiration date of a valid building permit obtained after grant of the variance which ever date is last to occur, unless by condition of the variance a greater time is allowed. All other variances are valid for an indefinite period unless a specified term was a condition thereto.

110-26. CONDITIONS. The appropriate authority may designate such conditions in connection with variances as it deems necessary to protect the purposes of this Code, or to avoid the granting of a special privilege. Such conditions may include, but are not limited to:

(a) Dedications of right-of-way.

(b) Improvements of vehicle accesses to the subject property to County standards.

(c) Regulation of the placement of the use or building on the subject property.

(d) Regulations of height, number of stories.

(e) Regulation of the nature, hours of operation, extent of use.

(f) Regulation of landscaping for the protection of adjoining and nearby properties.

(g) Term of the variance.

The appropriate authority may require guarantees in the form of bonds, cash deposits or other evidence of good faith so as to secure compliance with imposed conditions.

CONDITIONAL USE PERMITS

110-30. GENERALLY. Use permits, revocable, conditional or valid for a term may be granted by the appropriate authority for any of the uses or purposes for which such permits are required or permitted by the terms of this Code. Because of their unusual characteristics, conditional uses require special consideration so that they may be located and developed properly with respect to the objectives of the Zoning Code and with respect to their effect on surrounding properties. To grant a conditional use permit, the appropriate authority shall find and record in writing that the establishment, maintenance or operation of the use, building, or structure applied for will not under the circumstances of the particular case be detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing or working in the neighborhood of such proposed use or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.

110-31. FINDINGS FOR NONRESIDENTIAL USES. In addition to the findings required pursuant to Section 110-30, the following findings shall be considered in order to approve a conditional use permit for the indicated use:

(a) Office uses permitted pursuant to Section 201-01, subject to approval of a conditional use permit:

(1) The proposed use will be compatible in design and size with the surrounding residential area.

(2) The project complies with all the requirements of Title III, Chapter 15, Article 2 (Development Standards for Business and Professional Uses and Convenience Centers in Residential Zones).

(b) Convenience centers permitted pursuant to Section 201-01, subject to approval of a conditional use permit:

(1) The proposed use is intended to serve only the needs of the surrounding residents in terms of area, design, and location of the project.

(2) The proposed use would be compatible in design and size with the surrounding residential area.

(3) The project complies with all the requirements of Title III, Chapter 15, Article 2 (Development Standards for Business and Professional Uses and Convenience Centers in Residential Zones).

(c) Agricultural supplies and services permitted pursuant to Section 201-01, subject to approval of a conditional use permit:

(1) The proposed use is intended to serve only the needs of the surrounding agricultural uses in terms of the area, design and location of the project.

(2) The proposed use would be compatible in design and size with the surrounding agricultural area.

110-32. APPROPRIATE AUTHORITY EMPOWERED TO GRANT USE PERMITS.

(a) PROJECT PLANNING COMMISSION. The Project Planning Commission shall be the appropriate authority to hear and decide all applications for use permits except as otherwise specified in this Article.

(b) POLICY PLANNING COMMISSION. The Policy Planning Commission shall be the appropriate authority to hear and decide applications for use permits whenever said applications are filed contemporaneously with an application to amend a community plan as provided in Title 21 of the Sacramento County Code.

(c) BOARD OF SUPERVISORS. The Board of Supervisors shall be the appropriate authority to hear and decide applications for a use permit when so indicated on the Use Tables incorporated in Title II, Chapter 1, Article 1; Chapter 25, Article 2; and Chapter 30, Article 2 of this Code, or when an application has been filed contemporaneously with an application for any other zoning matter for which a hearing is to be held by the Board of Supervisors.

(d) ZONING ADMINISTRATOR. The Zoning Administrator shall be the appropriate authority to hear and decide all applications for use permits for the following uses where an application therefor has not been filed contemporaneously with an application for any other zoning matter for which a hearing is to be held by the Project Planning Commission, or with an application to amend a community plan as provided in Title 21 of the Sacramento County Code:

(1) Those uses indicated on the Use Tables incorporated in Title II, Chapter 1, Article 1; Chapter 25, Article 2; and Chapter 30, Article 2 of this Code, as requiring a use permit by the Zoning Administrator.

(2) Subdivision signs as provided for in Section 335-04.

110-33. LAPSE OF CONDITIONAL USE PERMIT. A conditional use permit if not used for the purpose for which it was granted shall lapse and shall become void three years following the date on which the permit became effective, unless by conditions of the permit, a greater time is allowed, or upon the expiration date of a valid building permit obtained after the grant of the conditional use permit, whichever date is last to occur.

110-34. CONDITIONS. The appropriate authority may designate such conditions in connection with conditional use permits as it deems necessary to protect the purposes of this Code. Such conditions may include, but are not limited to:

(a) Dedications of rights-of-way.

(b) Improvements of vehicle access to the subject property to County standards.

(c) Regulation of the placement of the use or building on the subject property.

(d) Regulation of height, number of stories.

(e) Regulation of the nature, hours of operation, extent of use.

(f) Regulation of landscaping for the protection of adjoining and nearby properties.

The appropriate authority may require guarantees in the form of bonds, cash deposits or other evidence of good faith so as to secure compliance with imposed conditions.

LOT REDUCTION PERMITS

110-40. GENERALLY. Lot reduction permits may be granted by the appropriate authority for lots of less area or width than otherwise required in any Agricultural Land Use Zone, Interim Agricultural Holding Zone, and in the Recreation Reserve Land Use Zone, as provided in this Article. Whenever such permits are issued, the lots as approved shall be considered conforming lots for all purposes. Notwithstanding any other provision in this Code, one single family detached dwelling or mobile-home shall be permitted in any Agricultural Land Use Zone, Interim Agricultural Holding Zone, or in the Recreation Reserve Land Use Zone on a lot of less area or width than required in said zones provided that a Lot Reduction Permit is obtained from the appropriate authority.

110-41. APPROPRIATE AUTHORITY EMPOWERED TO GRANT LOT REDUCTION PERMITS.

(a) PROJECT PLANNING COMMISSION. The Project Planning Commission shall be the appropriate authority to hear and decide all applications for lot reduction permits except as otherwise specified in this Article.

(b) POLICY PLANNING COMMISSION. The Policy Planning Commission shall be the appropriate authority to hear and decide applications for lot reduction permits whenever said applications are filed contemporaneously with an application to amend a community plan as provided in Title 21 of the Sacramento County Code.

110-42. CONDITIONS. The appropriate authority shall require as a condition in connection with the granting of a lot reduction permit:

(a) That the applicant apply for a parcel map showing the lots approved by the appropriate authority. The appropriate authority shall specify the minimum area and width of the proposed lot, provided that said lot shall not have an area of less than one (1) acre nor a width of less than 150 feet.

(b) That the owner or owners of the property convey to the County the right to develop or construct additional principal residences on a sufficient portion of the remainder of the property to guarantee that the reduction in the lot area will not result in an increase in the density of residential uses than otherwise permitted in the zone in which the property is located. Such conveyance may be terminated upon the rezoning of the property or upon the merger of the parcels into lots of sufficient area and width to comply with the lot requirements of the zone.

EXCEPTIONS

110-50. GENERALLY. Exceptions may be granted by the appropriate authority from the development standards set forth in this Code to the extent such exceptions are expressly authorized by the provision of this Article.

110-51. EXCEPTIONS FROM THE REQUIREMENTS OF MINIMUM LOT AREA AND LOT WIDTH. In any Land Use Zone the appropriate authority may authorize an exception from the minimum lot area or minimum lot width requirement of the Land Use Zone provided that the lot at the time of its creation and recordation with the County Recorder's Office conformed to the zoning requirements in effect at that time and further provide that a certificate of compliance has been issued in accordance with Title 22 of the Sacramento County Code.

110-52. EXCEPTIONS FROM THE REQUIREMENTS FOR PUBLIC STREET FRONTAGE. The appropriate authority may authorize an exception from the public street frontage provisions in any zone to permit a single family dwelling or mobilehome and accessory buildings to be erected and used. The appropriate authority shall require as a condition to the granting of the exception that:

(a) Adequate provisions are made for the prevention of dust or other nuisances or hazards to surrounding properties resulting from the use of private streets and drives.

(b) Adequate provision can be made for future street rights-of-way and improvements.

(c) The owner or owners dedicate or irrevocably offer to dedicate any rights-of-way necessary to provide for future streets, and agree to install street improvements.

110-53. APPROPRIATE AUTHORITY EMPOWERED TO GRANT EXCEPTIONS.

(a) SUBDIVISION REVIEW COMMITTEE. The Subdivision Review Committee shall be the appropriate authority to hear and decide all applications for exceptions except as otherwise specified in this Article.

(b) PROJECT PLANNING COMMISSION. The Project Planning Commission shall be the appropriate authority to hear and decide applications for exceptions whenever said applications are filed contemporaneously with an application to change property from one zone to another, or for a conditional use permit, or any other permit where such application would be heard by the Project Planning Commission pursuant to the provisions of this Code, or for a tentative subdivision map pursuant to the provisions of Title 22 of the Sacramento County Code.

(c) POLICY PLANNING COMMISSION. The Policy Planning Commission shall be the appropriate authority to hear and decide applications for exceptions whenever said applications are filed contemporaneously with an application to amend a community plan as provided in Title 21 of the Sacramento County Code.

110-54. CONDITIONS. The appropriate authority may impose conditions upon the granting of an exception where necessary to satisfy the requirements set forth in this Article, or to limit the extent or scope of the exception, or to insure the eventual compliance with the development standards set forth in this Code.

SPECIAL DEVELOPMENT PERMITS

110-60. GENERALLY. A Special Development Permit may be granted by the appropriate authority in any zone, when necessary to carry out the purposes of this Article, subject to the provisions of this Article.

110-61. PURPOSE. The purpose for which Special Development Permits may be issued is to encourage a creative and more efficient approach to the use of the land; to maximize the choice in the type of environment available to the people in the unincorporated area of Sacramento County; to encourage more efficient allocation and maintenance of privately controlled common open space through the redistribution of overall density where such arrangement is desirable and feasible; and to provide a means for greater creativity and flexibility in design than is provided under the strict application of the zone design standards while at the same time providing adequate protection of the environment and of the health, safety, and comfort of the residents of the development and the County.

110-62. APPROPRIATE AUTHORITY EMPOWERED TO GRANT SPECIAL DEVELOPMENT PERMITS.

(a) PROJECT PLANNING COMMISSION. The Project Planning Commission shall be the appropriate authority to hear and decide all applications for special development permits except as otherwise specified in this Article.

(b) POLICY PLANNING COMMISSION. The Policy Planning Commission shall be the appropriate authority to hear and decide applications for special development permits whenever said applications are filed contemporaneously with an application to amend a community plan as provided in Title 21 of the Sacramento County Code.

110-63. EFFECT OF PERMIT. Upon the issuance of the Special Development Permit, the property may be developed either pursuant to the development standards set forth in Title III of this Code or in the alternative, pursuant to the development standards set forth in the Special Development Permit and the requirements set forth in this Article; provided, however, that upon the issuance of any building permit for the construction of buildings, or the commencement of construction of streets, utilities, and other facilities, pursuant to the development standards set forth in the Special Development Permit, the standards set forth in the Special Development Permit shall regulate the property, and the Special Development Permit shall remain in full force and effect until revoked pursuant to the provisions of Section 110-10.

110-64. LIMITATIONS OF USES. No uses may be authorized by the permit which are not authorized in the Land Use Zone or permitted in the Land Use Zone with a use permit. The Special Development Permit may limit the uses permitted to those enumerated in the permit and made a part of the development plan provided for in Section 110-69.

110-65. LIMITATION OF LAND USE DENSITY. The development permitted by the Special Development Permit shall not exceed a land use density which conforms to the requirments of the Land Use Zone in which the project is located, except that the appropriate authority may permit increased densities up to 50 percent over the maximum permitted by the Land Use Zone if it finds:

(a) That certain environmentally sensitive or significant physical features exist on the proposed site that are worthy of preservation; and in order to preserve and protect these features careful planning in the design of the development and in measures of treating the land is necessary.

(b) That the design of the project, including the proposed grading, construction techniques and practices will preserve the aforementioned features.

(c) That adequate measures are proposed which will to the extent possible, protect these features from future uses and activities which may be inconsistent with their preservation.

-or-

(d) That the project will provide at least 15% of all housing units in the project affordable to buyers with incomes below 100% of the median income for the County as defined by Housing & Urban Development (HUD), and will not result in significant damage to environmentally sensitive or significant physical features that may exist on the site.

-or-

(e) That the project will result in energy savings beyond those obtained with conventional design and construction techniques.

-and-

(f) In addition to (a) thru (c) or (d) or (e), the appropriate authority must find that the project will not be a hazard or nuisance in the community at large nor establish a use or development inconsistent with the goals, objectives, and policies of the General Plan and the appropriate community plan.

110-66. LIMITATION OF DESIGN STANDARDS. The appropriate authority may by provision in the Special Development Permit, permit deviations from the standards in the Land Use Zone, provided the developer demonstrates by his design proposal that the objectives of the General Plan, the appropriate community plan, and this Ordinance will be achieved.

110-67. REGULATION OF COMMON OPEN SPACE. The appropriate authority may, by provisions in the Special Development Permit, regulate the amount, use and location of open space on the proposed site. The appropriate authority may require the dedication of development rights or scenic easements to assure that open space will be maintained or may require that instruments of conveyance or covenants or deed restrictions provide adequate means to assure the commonly owned open space is maintained in a condition consistent with the approved development plan.

110-68. PRELIMINARY SITE PLAN.

(a) PURPOSE. The purpose of the preliminary site plan is to require the applicant to demonstrate the feasibility and general design concept of a proposed development to the Planning and Community Development Department or Project Planning Commission.

(b) PROCEDURE. The initial step to be taken by the applicant is to submit a preliminary site plan to the Planning and Community Development Department. The site plan shall include:

(1) Maps and drawings which may be schematic in form.

(2) Proposed land uses; approximate number of dwelling units; acres and population density for each area of land; existing uses of surrounding property.

(3) Proposed circulation system, indicating both public and private streets.

(4) Public uses including schools, parks, recreation areas and other open spaces.

(5) The use and general class of each different type of structure.

(6) Nature of applicant's interest in the land proposed to be developed.

(7) Written explanation of the nature of the proposed development and the deviations from regulations otherwise applicable to the property.

(8) Proposed sequence and schedule of development.

(9) Projects including a density bonus pursuant to Section 110-65 (d) of the Zoning Code must also indicate those specific lots where units will be provided at below market price.

(c) ACTION BY THE PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT OR THE PROJECT PLANNING COMMISSION. Within thirty (30) days after submission the Planning Department shall review said preliminary site plan and meet with the applicant for the purpose of presenting its comments. The Planning and Community Development Department shall either grant approval in principle of the plan as submitted, grant approval in principle subject to specified modifications which shall be included in any application for the Special Development Permit, or deny approval of the plan stating reasons for denial. The Planning Department or the applicant may request the Project Planning Commission to review the preliminary site plan and approve, approve with modification, or disapprove the plan as submitted.

110-69. PROPOSED DEVELOPMENT PLAN AND REQUEST FOR SPECIAL PERMIT. Within one (1) year after the approval of the preliminary plan an application may be filed with the Director of the Planning and Community Development Department for a Special Development Permit. The applicant shall, in addition to the requirements of Section 110-01, include with the application his proposed development plan for all or a portion of the property included within the preliminary plan, and any additional information or materials required by the Director of the Planning and Community Development Department, which may include:

(a) Maps showing existing topography, tree cover, buildings, streets, and other existing physical features.

(b) Details of the proposed land use showing: lot lines, location of buildings, parking areas, common grounds, recreation improvements and structures, and open spaces around buildings and structures.

(c) Projects including a density bonus pursuant to Section 110-65 (d) of the Zoning Code must also indicate those specific lots where units will be provided at below market price.

(d) Projects including a density bonus pursuant to Section 110-65 (e) of the Zoning Code shall provide a study substantiating the stated energy savings.

(e) Elevation drawings of typical proposed structures and improvements for each proposed use except detached single family dwellings.

(f) At least one perspective drawing or model which will demonstrate the architectural character of the project.

(g) Proposed agreements, deed restrictions, bylaws and Articles of Incorporation which relate to the preservation or maintenance of open space and associations created to preserve and maintain said open space.

(h) A schedule and sequence of development for all of the property included in the preliminary development plan even though the applicant elects to include only a portion of the property in the proposed tentative development plan.

110-70. FINDINGS. The appropriate authority shall not issue the Special Development Permit unless it finds:

(a) That the proposed development will carry out the intent of the General Plan and the appropriate community plan.

(b) That the proposed development is of sufficient size and is designed so as to provide a desirable environment within its own boundaries.

(c) That the proposed development is compatible with existing and proposed land uses in the surrounding area.

(d) That any exceptions to or deviation from the use, density requirements or design standards of the Land Use Zone in which the property is located, or of Title III of this Code are justified by the design of the development, by the provision of housing units at Below Market Price pursuant to Section 110-65 (d), or by the substantial energy savings proposed pursuant to Section 110-65 (e). In the case of a residential area, the rearrangement of dwellings and the mixing of dwelling types shall be justified by larger and more usable open spaces.

(e) That there is adequate assurance that all public improvements will be installed at the scheduled times as required by the Public Works Department.

(f) That there is adequate assurance that the development schedule will be met.

(g) That the existing or proposed utility services are adequate for the uses and population densities proposed.

110-71. ISSUANCE OF PERMIT. The Special Development Permit when approved by the appropriate authority shall incorporate the approved plans and detailed regulations setting forth the requirements for development of the site. The permit may in addition specify that the appropriate authority or the Planning Department may review and approve details of the development plan, provided that standards for such review are set forth in the permit.

110-71.5. CONDITIONS. In addition to any other conditions which may be imposed lawfully, any Special Development Permit issued pursuant to Section 110-65 (d) shall include the following conditions:

(a) Sign and record an agreement for the Below Market Priced units which includes the following provisions:

(1) The initial purchaser of a Below Market Price unit shall be qualified by Sacramento Housing and Redevelopment Agency.

(2) The resale price of any Below Market Price unit shall not exceed two and one-half (2-1/2) times the median income at the time of resale.

(3) The Sacramento Housing & Redevelopment Agency shall be offered the first right of refusal to purchase any Below Market Price unit upon resale, said option to run for a period of 90 days commencing with the date of notice to SHRA.

(4) If the Sacramento Housing and Redevelopment Agency declines to purchase the unit, it may be offered to any potential buyer with an income level below 100% of median, adjusted for family size. The Sacramento Housing and Redevelopment Agency will be responsible for verifying the qualifications of the purchaser.

(5) A "non-rental" clause shall be required stating that the owner and any successors in interest of a Below Market Price unit must reside in the unit and shall not rent, lease, sublet, assign or otherwise alienate any interests therein, to insure that the buyers actually reside in the Below Market Priced units and do not use the units as income property, except on a temporary basis as approved by the appropriate authority.

(6) Provisions two (2) through five (5) shall become null and void if:

a) The owner has occupied the unit for five consecutive years.

b) The owner defaults on an FHA or VA insured loan and the Federal Agency acquires the property.

(b) The Below Market Priced units shall be dispersed throughout the project and will be of similar quality, appearance, size, and number of bedrooms as market priced units in the same development.

110-72. LAPSE OF SPECIAL DEVELOPMENT PERMIT. If construction of the project has not commenced within three (3) years after adoption of the Special Permit or as otherwise provided in the approved development plan, the permit shall lapse and become void.

110-73. DESIGNATION. Each special permit which is issued shall be identified by a specific control number on the Comprehensive Zoning Map of Sacramento County. An official copy of said permit should be on file with the Director of the Planning and Community Development Department, and shall be available for public review.

DEVELOPMENT PLAN REVIEW

110-80. GENERAL. Where a development plan review is required by provisions of this Code or by the action of the Board, or Planning Commission, the Zoning Administrator, Director, or Board of Zoning Appeals, the procedures in this Article shall apply. The review shall not be used to change existing Code regulations or conditions of approval by granting authorities, nor may the reviewing authority impose conditions of approval unrelated to elements reviewed pursuant to this Article.

110-81. DEPARTMENT REGULATIONS. The Director of Planning and Community Development is authorized to issue regulations to implement the requirement of this Article. Copies of the regulations shall be made available to the public for a reasonable charge. Copies shall also be available at the Department Office and the Office of the Secretary of the Planning Commission.

110-82. DEVELOPMENT PLAN. A development plan shall be drawn to scale and indicate with full dimensioning the following:

(a) Lot dimensions.

(b) The location, height, size, elevations of all structures on the lot.

(c) Yards, courts or other open spaces between structures.

(d) Location, height, and construction materials of all fences and walls.

(e) Off-street parking and internal circulation pattern.

(f) Vehicular ingress and egress and circulation.

(g) Pedestrian ingress, egress and circulation.

(h) The location, size, height and construction materials of all on-site and off-site signs.

(i) The location of pedestrian and vehicular entrances to all buildings.

(j) Location of loading spaces, outside storage of merchandise or materials.

(k) Lighting; location, general nature, shielding devices.

(l) Landscaping plans.

(m) Grading plans.

(n) Location of all existing tree cover by size and type of tree.

(o) Domestic fire protection and irrigation water sources.

(p) Sewage disposal methods.

(q) Existing and proposed uses.

(r) Location of proposed loading areas and docks.

110-83. WAIVER. The Director may waive any of the requirements enumerated in Section 110-82 if in his opinion the information is not needed to present a development plan for review.

110-84. REVIEW PROCEDURES. Unless otherwise specified by a granting authority or other Code provision, the review of development plans shall conform to these procedures:

(a) REVIEWER - Director, Planning and Community Development Department.

(b) TIME FOR REVIEW - Review shall be completed within fifteen calendar days after the plans are accepted by the Department as complete.

(c) FINDINGS - The Director, or other approving agency shall find that the final development plan complies with the provisions of this Code and any action of a granting authority which required the presentation and approval of a development plan.

(d) SIGNATURE APPROVAL - The Director or other appropriate person shall sign and date the final development plan indicating the approval thereof.

(e) FILES - The Director shall provide for retention of the approved development plan. Copies of the plan shall be distributed to other departments and offices per department regulations.

(f) APPEAL OF DECISION OF REVIEWER - Appeals of decisions of the Director or other reviewing agency shall be taken as provided in Article 3, Chapter 15, Title I, of this Code.

110-85. REVISIONS. A revision to an approved development plan shall be accomplished in the same manner as the initial approval thereof.

110-86. LAPSE OF APPROVAL. Unless otherwise specified as a condition of approval of the development plan, the approval thereof shall lapse three years following the date the plan was approved. For good cause, the Director may extend the term of approval for one additional year.

MOBILEHOME
CERTIFICATE OF COMPATIBILITY

110-90. INTENT AND PURPOSE. Mobilehomes are a part of the solution for meeting the housing needs of the residents of Sacramento County. It is the intent of the Board of Supervisors to widen the opportunities for the placement of mobilehomes within areas zoned for single family dwellings. It is the further intent of the Board that any such mobilehomes are designed and sited so as to be harmonious with surrounding conventionally-built homes. Commensurate with these intentions, the purpose of this Article is to set forth the conditions and processes by which mobilehomes may be placed on lots in areas zoned for single family dwellings.

110-91. GENERALLY. Where a mobilehome certificate of compatibility is required for a mobilehome certified under the National Manufactured Housing Construction and Safety Standards Act of 1974, and to be placed on a foundation system, the provisions of this Article will apply.

110-92. REQUIRED AREAS. A mobilehome certificate of compatibility shall be required for those zones indicated on the Use Tables incorporated in Title II, Chapter 1, Article 1, of this Code.

110-93. APPLICATION. Application for a mobilehome certificate of compatibility will be on forms developed and procedures adopted pursuant to Title I, Chapter 10, Article 1, of this Code. Additional information may be required when deemed necessary for evaluation of the proposal.

110-94. PUBLIC HEARING REQUIRED. Public hearings shall be held pursuant to the procedures specified in Title I, Chapter 10, Article 1 of this Code.

110-95. APPROPRIATE AUTHORITY EMPOWERED TO APPROVE MOBILEHOME CERTIFICATES OF COMPATIBILITY. The Zoning Administrator shall be the appropriate authority to hear and decide all applications for mobilehome certificates of compatibility.

110-96. APPEALS. Appeals from a decision by the Zoning Administrator may be made to the Board of Supervisors under procedures adopted pursuant to Title I, Chapter 15, Article 3, of this Code.

110-97. FINDINGS. The Zoning Administrator shall issue a mobilehome certificate of compatibility upon a finding that the proposed mobilehome meets the criteria set forth in Section 110-98 of this Article. One or more of the compatibility criteria may be waived when the overall effect of the proposed mobilehome remains compatible with the area. The Zoning Administrator may not impose more stringent conditions or criteria.

110-98. CRITERIA.

(a) ELIGIBILITY CRITERIA. A mobilehome shall be eligible if it:

(1) Is to be occupied only for residential purposes.

(2) Conforms to all of the residential use development standards for single family and two family structures applicable to the zone.

(3) Is certified under the National Manufactured Housing Construction and Safety Standards Act of 1974, and has been constructed after June 15, 1976.

(4) Is to be attached to a permanent foundation system approved by the Chief, Building Inspection Division of Sacramento County.

(b) COMPATIBILITY CRITERIA. A mobilehome shall be compatible if:

(1) It is a double-wide or larger multi-sectional unit.

(2) It is covered with an exterior material commonly found in new conventionally-built residential structures in the surrounding area.

(3) The exterior covering material extends to the ground. If a solid concrete or masonry perimeter foundation is used, the exterior covering material need not extend below the top of the foundation. Alternative skirting materials commonly found on conventionally-built residential structures will be considered compatible.

(4) The roofing material is composition shingles or other materials commonly found on conventionally-built residential structures in the surrounding area.

(5) The roof has a pitch of not less than 2-1/2 inches of vertical rise for each 12 inches of horizontal run.

(6) The roof has eave and gable overhangs of not less than one foot measured from the vertical side of the mobilehome.

(7) The mobilehome has an enclosed garage (either attached or detached) or a carport if either is commonly found with new conventionally-built residential structures in the surrounding area.

(8) The exterior covering and roofing materials of the garage or carport are the same as the mobilehome.

(9) The finish floor is a maximum of 24 inches above the exterior finish grade of the lot.

110-99. LAPSE OF MOBILEHOME CERTIFICATE OF COMPATIBILITY. A mobilehome certificate of compatibility, if not used for the purpose for which it was granted, shall lapse and shall become void three years following the date on which the certificate became effective or upon the expiration date of a valid building permit obtained after the grant of the certificate, whichever date is last to occur.

DEVELOPMENT AGREEMENTS

112-01. AUTHORITY. This Article is adopted pursuant to the authority of Government Code Sections 65864 through 65869.5.

112-04. LIMITATION. Unless otherwise expressed in this Code, the provisions in this Article are the exclusive procedures and rules relating to development agreements and, in the event of conflict, these provisions shall prevail over any other provisions throughout this Code.

112-07. INITIATION. A development agreement may be initiated by:

(a) an application of one or more qualified applicants;

(b) by Resolution of Intention of the Board of Supervisors;

(c) by Resolution of Intention of the Project Planning Commission;

(d) by Resolution of Intention by the Policy Planning Commission when adopted contemporaneously with a Resolution of Intention to adopt or amend a general plan or community plan as provided in Title 21 of the Sacramento County Code.

112-10. APPLICATION.

(a) Application for a development agreement shall be made in writing by a qualified applicant to the Department of Planning and Community Development on a form prescribed by the Director of the Department. The application shall include the following data:

(1) a map drawn to scale showing the property for which the development agreement is requested and the property lines for the properties within five hundred (500) feet of the exterior boundary lines of the subject property;

(2) a clear indication of the names of all the streets and of the Assessor's parcel numbers of each parcel shown on said map;

(3) the names and mailing addresses as listed on the latest assessment roll of the owners of the property shown on the map;

(4) the legal description of the subject property;

(5) the Assessor's parcel number or numbers and the street address of the subject property;

(6) the proposed use or uses, density or intensity of use of the property, the maximum height and size of any proposed buildings, the proposed duration of the agreement, and any proposed covenants, conditions and restrictions or tract restrictions;

(b) In addition to the information above, the Director may require a qualified applicant to submit additional information and supporting data as the Director considers necessary to process the application.

112-113. FEES. A fee may be established by the Board of Supervisors pursuant to Section 115-40 of this Code which fee shall be paid by the applicant at the time of filing the application.

112-116. WITHDRAWAL OF APPLICATION. An applicant may withdraw an application filed pursuant to this Article. Any fee required for processing the application shall not be returnable to the applicant.

112-119. QUALIFICATION OF APPLICANT. Only a qualified applicant may file an application pursuant to this Article. A qualified applicant is a person who (which) has legal or equitable interest in the real property which is the subject of the development agreement. Applicant includes authorized agent. The Secretary of the Planning Commission or the Director may require an applicant to submit proof of his (its) interest in the real property and of the authority of the agent to act for the applicant. The Director or the Secretary may obtain the opinion of the County Counsel as to the sufficiency of the applicant's interest in the real property to enter into the agreement. The County Counsel may require an applicant or agent to submit a title report or other evidence to verify the applicant's legal or equitable interests in the subject property.

112-122. FORM OF AGREEMENT.

(a) The County Counsel shall propose a form of development agreement which may be adopted by resolution of the Board of Supervisors as a standard form for development agreements. The proposed agreement shall contain all of the elements required by Government Code Section 65865.2 and may include any other provisions permitted by law.

(b) The agreement shall be drafted upon 8-1/2 x 11 inch bond paper and any exhibits to the agreement shall be of a size that the same can be recorded as required by Section 112-154.

(c) An applicant may submit a proposed form of agreement.

112-125. REVIEW OF APPLICATION.

(a) The Director shall review the application and shall accept if for filing if it is complete and accurate.

(b) The Director shall review the application and shall prepare a staff report and recommendation to the appropriate Planning Commission with regard to the proposed agreement.

(c) The Director shall forward a copy of an agreement form proposed by an applicant to the County Counsel for review. The County Counsel shall prepare a report and recommendation to the appropriate Planning Commission on the proposed agreement form.

112-128. ENVIRONMENTAL REVIEW. A development agreement, if it qualifies as a project under the California Environmental Quality Act and implementing regulations, shall be subject to environmental review as required by Chapter 20 of the Sacramento County Code.

112-131. TRANSMITTAL TO THE SECRETARY OF THE PLANNING COMMISSION. The Director shall transmit the application to the Secretary of the Planning Commission for a public hearing when all of the necessary reports and recommendations are complete. Notice of the public hearing shall be given as provided in this Article. The application for a development agreement shall be considered concurrently with other discretionary permits or approvals for the project.

112-134. RESPONSIBLE PLANNING COMMISSION.

(a) If the application is accompanied by an application for a general plan amendment, a specific plan or specific plan amendment, or community plan amendment, or if the project contemplated by the application will require a general plan or community plan amendment prior to development, it shall be considered by the Policy Planning Commission; otherwise, the application shall be considered by the Project Planning Commission.

(b) Either the Policy Planning Commission or the Project Planning Commission may serve as the advisory agency on applications as authorized in Government Code Section 65867.

112-137. PLANNING COMMISSION ACTION. After a public hearing has been held by the appropriate Planning Commission, it shall render its decision in the form of a written recommendation to the Board of Supervisors. The report and recommendation shall include proposed findings on the matters stated in Section 112-140. The report and recommendation shall be forwarded to the Board of Supervisors.

112-140. ACTION BY THE BOARD OF SUPERVISORS.

(a) The Clerk of the Board of Supervisors shall set the matter for public hearing before the Board.

(b) After the Board completes the public hearing, it may approve, modify, or disapprove the development agreement. Matters not previously considered by a Planning Commission during its hearing may be referred back to the Commission for report and recommendation. The Commission need not hold a public hearing on such referrals.

(c) The Board shall not approve the development agreement unless it finds, in writing, that the agreement:

(1) is consistent with the objectives, policies, general land uses and programs specified in the County General Plan and any applicable specific plan;

(2) is consistent with the goals and objectives and general land uses specified in any applicable community plan;

(3) is in conformity with public convenience, general welfare, and good land use practices;

(4) will not be detrimental to the health, safety, and general welfare of persons residing in the immediate area nor be detrimental or injurious to property or persons in the general neighborhood or to the general welfare of the residents of the County as a whole;

(5) will not adversely affect the orderly development of property or the preservation of property values;

(6) is consistent with the provisions of Government Code Sections 65864 through 65869.5.

(d) The agreement may provide that the rules, regulations, and official policies governing the permitted uses of land, density, design, improvement, construction standards and specifications, improvement and construction standards, or any one of these, shall be those rules, regulations and official policies in force at the date of execution of the agreement.

112-143. APPROVAL OF DEVELOPMENT AGREEMENTS. If the Board approves the development agreement, it shall adopt an amendment to the Zoning Code approving the agreement and directing the Chairman of the Board to execute the agreement after the effective date of the amendment to the Code. The development agreement shall be identified as a separate section of this Code and be included within the list of such sections set forth in Chapter 1, Article 4 of Title I.

112-146. REQUIRED NOTICE FOR PUBLIC HEARINGS.

(a) Notice of public hearings required by this Article shall be given as provided in Section 115-14.

(b) The notice requirements referred to in subdivision (a), above, are declaratory of existing law (Government Code Sections 65867, 65854, 65854.5 and 65856). If state law prescribes a different notice requirement, notice shall be given in that manner.

(c) The failure of any person to receive notice required by law of any hearing as required by this Article, shall not affect the authority of the Board to enter into a development agreement.

112-149. IRREGULARITY IN PROCEEDINGS. No action, inaction, or recommendation regarding a proposed development agreement shall be held void or invalid or be set aside by a court by reason of any error or irregularity as more specifically set forth in Government Code Section 65801.

112-151. AMENDMENT OR CANCELLATION.

(a) Either party may propose an amendment to or cancellation in whole or in part of any development agreement. Any amendment or cancellation shall be by mutual consent of the parties.

(b) Except as otherwise provided in this Section, the procedure proposing and adopting an amendment to or the cancelling in whole or in part of the development agreement shall be the same as the procedure for entering into an agreement in the first instance. However, if the County initiates a proposed amendment to or a cancellation in whole or in part of the agreement, County shall first give written notice to the party executing the agreement of its intention to initiate such proceedings not less than thirty (30) days in advance of the giving of public notice of the hearing to consider an amendment or cancellation.

(c) Any amendment to the development agreement which does not relate to the duration of the agreement, permitted uses of the property, density or intensity of use, height or size of proposed buildings, provisions for reservation or dedication of land, or to any conditions, terms, restrictions and requirements relating to subsequent discretionary actions related to design, improvement, construction standards and specifications, improvement and construction standards or any other condition or covenant relating to the use of the property shall not require a noticed public hearing before the parties may execute an amendment to the agreement.

112-154. RECORDATION. Within ten (10) days after the effective date of a development agreement, or any modification or the cancellation thereof, the Clerk of the Board shall have the agreement, the modification or cancellation notice recorded with the County Recorder.

112-157. AGREEMENT FILE. The Clerk of the Board shall be the official custodian of the agreement file. Said file shall include an executed copy of the agreement and the originals of all exhibits, reports of periodic review, amendments, cancellations, to the agreement.

112-160. PERIODIC REVIEW.

(a) The Clerk of the Board of Supervisors, or its designee by the terms of the development agreement, shall review the development every twelve (12) months from the date the agreement is entered into. The Clerk of the Board shall be responsible for setting the date for said review.

(b) The Board may refer the matter of the periodic review to the Planning Commission which initially heard the agreement.

112-163. PROCEDURE FOR PERIODIC REVIEW.

(a) The Board, or person charged in the agreement, shall conduct a public review hearing at which time the property owner must demonstrate good faith compliance with the terms of the agreement. The burden of proof on this issue is upon the property owner.

(b) The Board, or any person charged with review, shall determine, upon the basis of substantial evidence, whether or not the property owner has, for the period under review, complied in good faith with the terms and conditions of the agreement.

(c) If the Board, or person charged with review, finds and determines, on the basis of substantial evidence, that the property owner has complied in good faith with the terms and conditions of the agreement during the period under review, no further action is required.

(d) If the Board, or person charged with the review, determines, on the basis of substantial evidence, that the property owner has not complied in good faith with the terms and conditions of the agreement during the period under review, the Board, on its own motion, or upon the application of the party charged with the review, may initiate proceedings to modify or terminate the agreement.

(e) The procedure herein for periodic review is an administrative hearing and shall be conducted according to the provisions of Section 110-05.

112-167. MODIFICATION OR TERMINATION.

(a) If, upon a finding pursuant to Subdivision (d) of Section 112-163, the Board determines that modification of the agreement is appropriate or that the agreement should be terminated, the Board shall give notice to the other party of its intention to do so. Such notice shall provide:

(1) the time and place of the public hearing;

(2) a statement as to whether the Board proposes to terminate or to modify the agreement;

(3) Such other information which the Board considers appropriate to inform the other party of the nature of the proceeding.

Such notice may be given at the conclusion of the hearing held according to Section 112-163.

(b) A public hearing for termination or for modification shall be conducted on the proposed modification or termination according to the provisions of Section 110-05, except that any amendment or modification which does not relate to the duration of the agreement,

permitted uses of the property, density or intensity of use, height or size of proposed buildings, provisions for reservation or dedication of land, or to any conditions, terms, restrictions and requirements relating to subsequent discretionary actions relating to design, improvement, construction standards and specifications, improvement and construction standards or any other condition or covenant relating to the use of the property shall not require a noticed public hearing before the Board.

(c) At the conclusion of the hearing, the Board may refer the matter to the Planning Commission which heard the application for further proceedings or for a report and recommendation. Upon receipt of any such report or recommendation, the Board will take final action on the modification or termination. As part of that final determination, the Board may impose conditions which it considers necessary and appropriate to protect the interest of the County. The decision of the Board shall be final and any court action or proceeding to attack, review, set aside, void or annul any decision of the determination by the Board shall be commenced within thirty (30) days as set forth in Section 115-39.

ADMINISTRATION
ENFORCEMENT

115-01. ADMINISTRATIVE OFFICIAL. This Code shall be administered and enforced by the Director of the Planning and Community Development Department. The Director may be provided with the assistance of such other persons as he may designate. If the Director shall find that any provision of this Code is being violated, the Director shall notify in writing the person responsible for such violation indicating the nature of the violation and ordering the action necessary to correct it.

115-02. Deleted.

115-03. COMPLAINTS REGARDING VIOLATION. Whenever a violation of this Code occurs or is alleged to have occurred, any person may file a written complaint, stating fully the causes and basis thereof, with the Director. The Director shall record such complaint, investigate, and take such action thereon as provided by this Code as he deems appropriate.

115-04. INSPECTION. The Director and authorized representative may upon the presentation of credentials to the occupant or owner enter any premises, building, or structure at any reasonable time for the purpose of investigating and inspecting said premises, building, or structure to determine if the same are being used in compliance with the provisions of this Code. If admission or entry is refused, the Director may apply to the County Counsel to obtain an inspection warrant.

115-05. VOID PERMITS. Officers and employees of the County vested with the duty or authority to issue permits or licenses shall conform to the provisions of this Code. Any permit or license which would purport to authorize the permittee or licensee to erect, alter, or enlarge any building or structure or to use property in any manner in conflict with the provisions of this Code, intentionally or otherwise, shall be null and void.

115-06. BUILDING PERMITS. All applicants for building permits or other permits shall meet the filing and processing requirements established in the Uniform Building Code, and other Uniform Codes adopted by the County in addition to meeting the requirements of this Code.

115-07. MISDEMEANOR. Violation of the provisions of this Code or failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with grants of variances, conditional use permits, special development permits, or exceptions) shall constitute a misdemeanor. Any person, firm, or corporation whether as principal, agent, employee or otherwise who violates this Code or fails to comply with any of its requirements shall upon conviction thereof be fined not more than $500 or imprisoned for not more than six (6) months in the County Jail, or both. Each day such violation continues shall be considered a separate offense.

The owner or tenant of any building, structure, premises, or part thereof, and any architect, builder, contractor, agent, or other person who commits, participates in, assists, or maintains such violation may each be found guilty of a separate offense and suffer the penalties herein provided.

115-08. ABATEMENT PROCEDURE. Any building, structure, or recreation vehicle, set up, erected, constructed, altered, enlarged, converted, moved or maintained contrary to the provisions of this Code or any use of land, building or premises conducted, operated or maintained contrary to the provisions of this Ordinance or contrary to a permit or variance or the terms and conditions imposed therein shall be, and the same is hereby declared to be unlawful and a public nuisance, and the Director shall commence action or proceedings for the abatement and removal and enjoinment thereof in the manner provided by law and shall take such other steps and shall apply to such court or courts as may have jurisdiction to grant relief as will abate and remove such building, structure or vehicle and restrain and enjoin any person, firm or corporation from setting up, erecting, building, maintaining, or using any such building, structure, or vehicle or using any property contrary to the provisions of this Code.

115-09. AUTHORITY TO ARREST. In the performance of his duties, the Director shall have the authority and impunities of a public officer and employee as set forth in Penal Code Section 836.5 to make arrests without a warrant whenever the Director has reasonable cause to believe that the person to be arrested has committed a misdemeanor in his presence which is a violation of this Code.

AMENDMENTS AND RECLASSIFICATION

115-10. GENERAL. This Code may be amended by changing provisions thereof or by changing the boundaries of zones whenever the public necessity and convenience and general welfare requires such amendment.

(a) Except as otherwise provided any amendment to this Code may be initiated and adopted as other ordinances are initiated and adopted.

(b) An amendment to this Code which changes any property from one zone to another or imposes any regulation listed in Section 65850 of the Government Code, State of California, not theretofore imposed, or removes or modifies any such regulation theretofore imposed shall be adopted in the manner described in this Article.

115-11. INITIATION. An amendment may be initiated by:

(a) The petition of one or more owners, or their authorized agents, of property which is the subject of the proposed amendment as provided by this Article.

(b) Resolution of Intention by the Board of Supervisors.

(c) Resolution of Intention by the Project Planning Commission.

(d) Resolution of Intention by the Policy Planning Commission when adopted contemporaneously with a Resolution of Intention to adopt or amend a community plan as provided in Title 21 of the Sacramento County Code.

(e) The petition of any person, group, or agency, provided that the petitioner or petitioners first obtain authorization to file said petition from the Project Planning Commission. The Secretary shall, not less than ten (10) days prior to the hearing to consider the request for the authorization to file, give notice of said hearing by mail, postage prepaid, to all owners of the property subject to the proposed amendment. Upon approval of the authorization to file, the secretary may accept said petition, provided such petition is complete and complies with the requirements of this Article, and shall thereafter process such petition as provided in this Article. Approval of the authorization to file shall not be deemed to be an approval, favorable recommendation, or predisposition of the proposed amendment.

115-12. PETITION FOR RECLASSIFICATION OF PROPERTY. The Director of the Planning and Community Development Department shall prescribe the form of petitions filed to change property from one zone to another. The verified petition shall be filed with the Planning and Community Development Department and shall be accompanied by the following:

(a) A map drawn to scale showing the property for which the reclassification is requested and the exterior property lines of the properties within 500 feet of the exterior boundary lines of the subject property. In any case the map shall show the exterior boundary lines of the ten (10) nearest properties.

(b) The names and adresses of the property owners for the properties shown on the map as listed on the latest assessment roll.

(c) The legal description and street address of the subject property.

(d) A filing and investigation fee as specified in Article 4 of this Chapter.

(e) The existing land use for the properties shown on the map.

(f) The proposed use of the land for which the reclassification is requested.

(g) The Director of the Planning and Community Development Department may require additional information such as proposed development plans, proposed street plans, and information of a similar nature.

115-13. Deleted.

115-14. HEARING AND NOTICE. The Policy Planning Commission shall hold a public hearing on any proposed amendment whenever the petition for reclassification or the Resolution of Intention has been filed or adopted, as the case may be, contemporaneously with an application for or Resolution of Intention to amend a community plan, pursuant to the provisions of Title 21 of the Sacramento County Code.

The Project Planning Commission shall hold a public hearing on any proposed amendment whenever the petition or Resolution of Intention has not been filed or adopted as the case may be, contemporaneously with an application for or Resolution of Intention to amend a community plan.

The Secretary of the Planning Commission shall cause a notice of the time and place of said hearing to be given as provided in Sections 65854 and 65854.5 of the Government Code. In addition to such notice the Secretary of the Planning Commission may give notice of the hearing in such other manner as the Project Planning Commission, or the Policy Planning Commission where the Policy Planning Commission has jurisdiction in the matter, may deem necessary or desirable. Any failure by the Secretary to give such additional notice shall not invalidate any proceeding for amendment of this Code.

Any public hearing before a Planning Commission may be continued from time to time.

115-15. ABANDONMENT OF PROCEEDING. A Planning Commission may abandon any proceeding which the Commission has initiated.

115-16. REPORT OF PLANNING COMMISSION'S RECOMMENDATION TO BOARD OF SUPERVISORS. After a public hearing has been held by the Commission, the Planning Commission shall render its decision in the form of a written recommendation to the Board of Supervisors. Such recommendations shall include the reasons for the recommendation and be transmitted to the Board of Supervisors by letter. The Commission may recommend an intermediate zone classification as provided in Title I, Chapter 1, Article 3 of this Code. If the recommendation is to change property from one zone to another, the Commission may recommend that conditions be imposed so as not to create problems inimical to the public health, safety and general welfare of the residents of Sacramento County.

115-17. PUBLIC HEARING BY BOARD OF SUPERVISORS. Upon receipt of the recommendation of the Planning Commission, the Board of Supervisors shall hold a public hearing; provided, however, that if the matter under consideration is an amendment of this Code to change property from one zone to another, and the Planning Commission has recommended against the adoption of the amendment, the Board of Supervisors shall not take any further action thereon unless an interested party requests such a public hearing by filing a notice of appeal pursuant to the provisions of Article 3, Chapter 15, Title I of this Code, with the Secretary of the Planning Commission as agent for the Clerk of the Board of Supervisors within ten (10) calendar days after the public hearing at which time the Planning Commission made its recommendation, or within five (5) days after the Planning Commission files its recommendation, whichever date is last to occur.

115-18. ACTION BY THE BOARD OF SUPERVISORS. The Board of Supervisors may approve, modify or disapprove the recommendation of either Planning Commission, provided that any modification of the proposed ordinance or amendment by the Board of Supervisors which had not been considered by the Planning Commission at its hearing shall first be referred to the Planning Commission which previously heard the matter for a report and recommendation on the proposed modification, but the Planning Commission shall not be required to hold a public hearing thereon. Failure of the Planning Commission to report within forty (40) days after the reference, or such longer period as may be designated by the Board of Supervisors, shall be deemed to be approval of the proposed modification. The Board of Supervisors may impose conditions to the zoning reclassification of the property where it finds that said conditions must be imposed so as not to create problems inimical to the public health, safety and general welfare of the County of Sacramento. If conditions are imposed to a zoning reclassification, said conditions shall run with the land and shall not automatically be removed by a subsequent reclassification of the property. Said conditions may be removed only by the Board of Supervisors after recommendation by the Planning Commission.

115-19. WITHDRAWAL OF PETITION. The Planning Commission or the Board of Supervisors may prior to action thereon by the Planning Commission or Board of Supervisors permit the withdrawal of any petition or part thereof filed pursuant to this Article.

115-20. RENEWAL OF PETITION. If rezoning application is denied, another petition for the same zone classification shall not be accepted by the Director of the Planning and Community Development Department within a one-year period unless specific approval for such filing is given by the Project Planning Commission, Policy Planning Commission, or the Board of Supervisors.

115-21. REPORT BY PLANNING DIRECTOR. On any amendment to the Zoning Code changing property from one zone classification to another, the Planning Director shall inform the Planning Commission and the Board of Supervisors of any conditions attached to previous zoning reclassifications as a result of action taken pursuant to Section 115-18 of this Title, Section 23.18.067 of Ordinance No. 1111, or pursuant to Section 23 of the Basic Zoning Ordinance of Sacramento County, Ordinance No. 534, as amended.

APPEALS

115-30. APPEALS. Any person dissatisfied with an act or determination of the Project Planning Commission, the Policy Planning Commission, the Subdivision Review Committee, Zoning Administrator, Chief Building Inspector, Planning Director, or the Secretary of the Planning Commission, relating to the provision of this Code may appeal such act or determination as provided in this Article, provided that when any determination made by the aforementioned is given in the form of a recommendation or report addressed to the Board of Supervisors, or such other commission, board or officer, no appeal may be taken; but any interested party, unless otherwise provided in this Code, shall be entitled to appear at the time of consideration of such recommendation or report and to be heard thereon.

115-31. NOTICE OF APPEAL. Appeals of determination or actions of the officers or agencies mentioned in Section 115-30 may be taken by filing written notice thereof with the Secretary of the Planning Commission not later than ten (10) calendar days after the day on which the act or determination appealed from was made. A filing fee set by resolution of the Board of Supervisors shall accompany the Notice of Appeal. In computing the time within which the Notice of Appeal shall be filed, the day on which the act of determination was made shall include the next working day. The ten (10) day period for filing the notice of appeal shall not be waived.

115-32. EFFECT OF FILING NOTICE. The filing of the notice of appeal shall have the effect of staying the issuance of any permit, variance, or mobilehome certificate of compatibility until such time as the matter is disposed of on appeal, and all records relating to the decision or act appealed shall be transmitted to the Secretary of the Planning Commisssion.

115-33. CONTENTS OF NOTICE. The Notice of Appeal shall state the act or determination which is being appealed, the identity of the applicant and his interest in the matter, and shall set forth in a concise statement the reasons which, in the opinion of the appellant, render the decision made unjustified or inappropriate.

115-34. JURISDICTION OF THE BOARD OF ZONING APPEALS. The Board of Zoning Appeals shall hear and decide all appeals from the actions of the Subdivision Review Committee, Zoning Administrator, Chief Building Inspector, Planning Director, or Secretary of the Planning Commission relating to the provisions of this Code; provided however, that if the notice of Appeal indicates that:

(a) The action appealed may have a significant effect upon the environment, or

(b) An Environmental Impact Report has not been prepared or is deficient in any manner;

then the appeal shall be heard by the Board of Supervisors rather than the Board of Zoning Appeals.

115-35. HEARINGS BEFORE BOARD OF ZONING APPEALS. Upon receipt of a Notice of Appeal of a decision or act to be heard by the Board of Zoning Appeals, the Secretary of the Planning Commission shall set the same for hearing not later than thirty (30) days following the date the Notice of Appeal was received.

Notice of the hearing shall be given as provided in Section 110-04, provided, however, that if the act or determination being appealed did not require a notice hearing, no notice other than notice to the appellant shall be required. In addition to any other matters set forth in the notice, the notice of the hearing shall contain the following statement:

"The decision of the Board of Zoning Appeals shall be final for all purposes unless a court review thereof is commenced within thirty (30) days after such decision becomes final."

115-36. ACTION BY THE BOARD OF ZONING APPEALS. The Board of Zoning Appeals may review the entire proceeding or proceedings relating to the act or decision being appealed, and in the process of such review may re-hear the matter de novo and make any order it deems just and equitable, including the granting of any permit. Any hearing may be continued from time to time. All actions of the Board of Zoning Appeals shall be final for all purposes.

115-37. APPEALS TO THE BOARD OF SUPERVISORS. The Board of Supervisors shall hear all appeals from the actions of the Project or Policy Planning Commission. Upon receipt of a notice of appeal of a decision of either Planning Commission, the Secretary shall transmit to the Clerk of the Board of Supervisors all records relating to the appeal. The Clerk of the Board of Supervisors shall set a date for a public hearing before the Board of Supervisors, not later than thirty (30) days following the date the Notice of Appeal was received.

Notice of the hearing shall be given as provided in Section 110-04, provided however, where the matter being appealed is a recommendation by the Planning Commission against the adoption of an amendment of this Code to change property from one zone to another the only notice given shall be the notice required by Section 65854 of the Government Code unless additional notice is directed by the Board of Supervisors.

In addition to any other matters set forth in the notice, the notice of the hearing shall contain the following statement:

"The decision of the Board of Supervisors shall be final for all purposes unless a court review thereof is commenced within thirty (30) days after such a decision becomes final."

115-38. ACTION OF THE BOARD OF SUPERVISORS. The Board of Supervisors may review the entire proceeding held before the Planning Commission and in the process of such review may re-hear the matter de novo, and may make any order it deems just and equitable including the granting of any permit.

Any hearing may be continued from time to time. An appeal, once decided by the Board of Supervisors, shall be final for all purposes.

115-39. LIMITATION OF ACTIONS. Any court action or proceeding to attack, review, set aside, void, or annul any decision, proceeding, act or determination by the Board of Zoning Appeals or by the Board of Supervisors concerning any matter provided for in this Code, or to determine the reasonableness, legibility or validity of any condition attached thereto, shall not be maintained unless such action or proceeding is commenced within thirty (30) days after the date such decision became final.

115-39.5. REQUEST FOR HEARING. Notwithstanding any provisions to the contrary in this Code, if a vote of the members of the Planning Commission results in a 2-2 tie vote, the matter shall be referred to the Board of Supervisors, without a recommendation, for public hearing. Notice of the hearing shall be given as provided in Section 110-04. The hearing before the Board pursuant to this Section shall be de novo and the Board may make any order it deems just and equitable, including the granting of any permit. Any hearing of the Board may be continued from time to time. Any decision of the Board pursuant to this Section shall be final for all purposes and shall be subject to the limitations of actions established in Section 115-39.

FEES

115-40. PURPOSE. For the purpose of defraying the expense involved with the filing of any application or petition, the Board of Supervisors shall establish by resolution a schedule of fees, charges and expenses and a collection procedure for amendments to this Code, variances, conditional use and other permits, exceptions, appeals, requests for hearings, notices, mobilehome certificates of compatibility, and other matters relating to this Code. The schedule may be amended by subsequent resolution.

No fee shall be charged for a hearing of a decision of the Planning Commission if the vote of the Commissioners resulted in a tie (2-2) vote, nor shall any fee be charged persons whose properties are included in Resolutions of Intention adopted by the Planning Commission or the Board of Supervisors initiating a procedure to amend this Code. The fee schedule shall be printed as an appendix to this Code, and shall be posted in the office of the Secretary of the Planning Commission.

115-41. PAYMENT. No action shall be taken on any application or petition until all applicable fees, charges and expenses have been paid in full.

115-42. REFUND. Fees are not refundable except when all of the following conditions exist:

(a) Expenditures have not been made by the County with regard to the application or petition.

(b) Investigation has not been made as a result of the application or petition.

(c) The application or petition has not been set for public hearing.

The determination of the Director of the Planning and Community Development Department shall be final in all questions relating to refunds.

115-43. WAIVER OF FEES. The Board of Supervisors may waive any fee, charge or expense as to any applicant or petitioner for variances, mobilehome certificates of compatibility, conditional use or other permits, or amendments to this Code. No fee will be required or charged to persons whose properties are included in the Resolution of Intention adopted by the Planning Commission or the Board of Supervisors initiating procedures to amend this Code.

RULES OF INTERPRETATION

115-50. GENERAL. The Project Planning Commission shall decide any questions involving the interpretation or application of any provision of this Code, pursuant to the rules, standards, and requirements of this Article.

The Commission may seek the advice of any County Department or Office before deciding on any question of interpretation.

115-51. MINIMUM REQUIREMENTS. Unless clearly shown to the contrary in a particular zone, the listing of uses, buildings, or structures which are expressly permitted implies the exclusion of all other uses, buildings or structures. The regulations and development standards set forth in this Code are the minimum requirements for the promotion of the public safety, health, convenience, comfort, or general welfare, and the Project Planning Commission shall be bound by any such standards in interpreting and applying the provisions of this Code. It is not intended by this Code to interfere with or abrogate or annul any easements, covenants, or other agreements between parties, provided, however, that where this Code imposes a greater restriction upon the use of buildings or premises, or upon the height of buildings, or requires larger open spaces than are required by other ordinances, rules, regulations, or by easements, covenants or agreements, the regulations of this Code shall govern. In the event of a difference or conflict between the text of this Code and the zoning districts shown on the Comprehensive Zoning Plans, the designation on such zoning plans shall prevail.

115-52. ZONE BOUNDARIES. Where uncertainty exists with respect to the boundaries of the various zones as shown on the Comprehensive Zoning Plans, the following rules shall apply:

(a) Zone boundaries are either streets or alleys unless otherwise shown, and where the designations on said map indicating the various zones are approximately bounded by street or alley lines, said street or alley shall be construed to be the boundary of such Zone.

(b) Where doubt exists as to the location of a zone boundary in the interior of a block, the boundary shall be the nearest interior lot line existing at the effective date of this Code or at the date when the property may have been subsequently rezoned.

(c) In unsubdivided property, the Zone boundary lines on said map shall be determined by use of the scale on the map unless dimensions are shown thereon by figures.

(d) Where the street layout on the ground or the lot lines differ from such layout or lines shown on the Comprehensive Zoning Plan, the matter shall be referred to the Project Planning Commission to determine the exact boundary, and the map shall be amended to conform to the layout on the ground.

(e) Zoning boundaries of the Flood (F) combining and (NS) Natural Streams combining land use zones are intended to represent the 100-year floodplain based on data from the Federal Flood Insurance Program. Where doubt exists regarding the location of the (F) or (NS) zoning boundary, the Project Planning Commission shall determine the exact boundary based on a topographic survey of the property at one foot intervals and floodplain data from the Federal Flood Insurance Study. The Commission may solicit input from any County department or office in making this determination.

115-53. LANGUAGE. Where used in this Code the word "shall" is always mandatory and not discretionary or directory. The word "may" is permissive. The present tense includes the past and future tenses; and the future tense includes the present. The masculine gender includes the feminine and neuter. The singular number includes the plural, and the plural the singular. The word "includes" shall not limit a term to the specific examples, but is intended to extend its meaning to all other instances or circumstances of like kind or character.

115-54. DIFFERENCES OF MEANING. In case of difference of meaning or implication between the text of this Code and the text of the Sacramento County Code, or any ordinance now in effect or hereafter adopted, or any caption, illustration or table within this Code, the text of this Code shall prevail. In case of any difference of meaning or implication between portions of the text of this Code, the particular shall control the general.

115-55. TIME OF DAY. Whenever a certain hour or time of day is specified in this Code or any permit, agreement, or condition of approval of any permit, or any notice given pursuant to the provisions of this Code, such hour or time shall be standard time or daylight savings time, whichever is in current use in the County.

115-56. USES NOT OTHERWISE PROVIDED FOR. The Board of Supervisors is aware that from time to time persons in possession of property desire to use property for purposes which are not permitted or conditionally permitted. In order to carry out the intent of this ordinance and to accommodate such use, the Board of Supervisors authorizes the Project Planning Commission to make findings on requests for interpretations of how the use is to be considered. In determining how the use is to be processed, the Commission must find that the use is substantially similar in characteristics, intensity and compatibility to a use or uses within the zoning classification applicable to the property. Based on this finding, the use shall be processed in the same manner as the similar use, and shall be subject to the same standards and regulations. In such instances, the Planning Commission shall also initiate proceedings to amend the Code to add the specific use under consideration.

NONCONFORMING LOTS, USES, STRUCTURES AND SIGNS
GENERAL PROVISIONS

120-01. INTENT. Within the zones established by this Code or amendments that may later be adopted there exist lots, structures, and uses of land and structures, which were lawful before this Code was passed or amended, but which would be prohibited, regulated, or restricted under the terms of this Code or future amendment. The Board of Supervisors declares that nonconforming uses and structures are incompatible with permitted uses in the zones involved and shall not be enlarged, expanded or extended. Further, nonconforming uses are to be eliminated as soon as possible and that such nonconforming uses are not to be used as grounds for adding other structures or uses prohibited by this Code.

120-02. ISSUANCE OF BUILDING PERMIT. To avoid undue hardship, nothing in this Code shall be deemed to require a change in the plans, construction, or designated use of any building for which a valid, unrevoked building permit has been issued by the Department of Public Works. In all cases construction or designated use of buildings shall begin no later than sixty (60) days after the building permit has been first issued.

120-03. LEGAL NONCONFORMING USES. Regardless of any other provision of this Code the following shall without further action be deemed legal nonconforming uses:

(a) Any use for which a use permit or use variance has been granted pursuant to any ordinance of the County subject to any conditions imposed at the time of said grant.

(b) Any use for which a conditional use permit has been granted as provided by this Code.

120-04. EFFECT OF PRINCIPAL ZONING ORDINANCES. The passage and adoption of this Code shall not be construed to make conforming a use of land, building or structure which was non-conforming as determined by the regulations of the Basic Zoning Ordinance of Sacramento County, Ordinance No. 534, as amended, or Ordinance No. 1111, as amended.

NONCONFORMING LOTS OF RECORD

120-10. RESIDENTIAL LOTS, AREA. In any residential zone, as defined in this Code, a single family dwelling may be erected on an interior lot with an area of less than 5200 square feet and a corner lot of less than 6200 square feet subject to the following conditions:

(a) Said lot was recorded prior to July 11, 1956.

(b) All yard requirements of the zone in which the lot is located are met.

(c) Public water supply and public sewerage facilities are in use.

120-11. RESIDENTIAL LOTS, PUBLIC STREET FRONTAGE. In any residential zone, as defined in this Code, a single family dwelling may be erected on an interior lot which has less than 52 feet of width or street frontage or on a corner lot with less than 62 feet of street frontage or width subject to the following conditions:

(a) Said lot was recorded prior to July 11, 1956.

(b) All yard requirements of the zone in which the lot is located are met.

(c) Public water supply and public sewerage facilities are in use.

120-12. DELETED.

120-13. C-1 AND C-2 COMMERCIAL ZONES. In the C-1 Limited Commercial and C-2 General Commercial Zones a side street yard may be less than fifty (50) feet in depth subject to the following conditions:

(a) Said lot is less than ninety (90) feet in width.

(b) The lot was recorded as a separate parcel of property prior to July 11, 1956.

(c) The lot abuts on a lot which is in the C-1, C-2, M-1 or M-2 zone.

(d) The side street yard depth shall not be less than twenty-five (25) feet.

120-14. AGRICULTURAL AND RESIDENTIAL ZONES. In any Agricultural Land Use Zone, Residential Land Use Zone, Agricultural-Residential Land Use Zone, Recreation Zone, Interim Agricultural Holding Zone, or Interim Agricultural Zone as defined in this Code, a single family dwelling and accessory uses may be erected on a single lot which was legally created and recorded prior to the effective date of the ordinance changing the property to one of said zones, notwithstanding the required lot area or lot width provisions of this Code, provided all yard requirements of the zone in which the lot is located are met, and that the lot contains a minimum one acre gross area if neither public sewer nor public water is available. Accessory buildings, private stables and corrals, and accessory residential buildings shall be regulated as provided in Title III, Chapter 5, Article 6, and Chapter 10, Article 2.

120-15. Any lot or parcel which has been zoned from A-1-A Zoning Classification to the A-1-B Zoning Classification on or after April 17, 1974, and which said lot or parcel at the time of the change in classification complied with all of the requirements of the A-1-A Zoning Classificaiton shall be deemed to conform to the requirements of the A-1-B Zoning Classification. The Board of Supervisors may adopt a resolution indicating the parcels or lots which are deemed to be conforming to the A-1-B Zoning Classification pursuant to this Section. Upon adoption, the Resolution shall be binding on the administrative official designated by the Board pursuant to Section 115-01.

120-16. Any lot or parcel which has been zoned from the A-1-B Zoning Classification to the A-2-B Zoning Classification on or after April 17, 1974, and which said lot or parcel at the time of the change in classification complied with all of the requirements of the A-1-B Zoning Classification shall be deemed to conform to the requirements of the A-2-B Zoning Classification. The Board of Supervisors may adopt a resolution indicating the parcels of lots which are deemed to be conforming to the A-2-B Zoning Classification pursuant to this Section. Upon adoption, the Resolution shall be binding on the administrative official designated by the Board pursuant to Section 115-01.

NONCONFORMING USE OF LAND

120-20. CONTINUATION. Except as provided in Section 120-21 of this Article the nonconforming use of land may be continued, provided however:

(a) Such use shall not be expanded or extended in any way either on the same or adjoining land;

(b) Such use shall not be changed, except to a use which conforms to the regulations of the zone in which such land is located;

(c) If such use is discontinued for a period of twelve (12) months or more it shall not thereafter be re-established.

120-21. LIMITATION. The nonconforming use of land shall be discontinued within five (5) years from the effective date the use becomes noncomforming in each of the following cases:

(a) Where no buildings are employed in connection with such use;

(b) Where the only buildings employed are accessory or incidental to the principal use of the land and the replacement cost thereof does not exceed $1,000.00.

(c) Where such use is maintained in connection with a conforming building.

120-22. LACK OF REQUIRED OFFSTREET PARKING SPACE. Where the automobile parking space maintained on a lot in connection with a building or structure at the time this Code became effective is insufficient to meet the requirements of Title III, Chapter 30 of this Code, or where no parking space has been provided, said building or structure shall not be altered or enlarged to create additional dwelling units, seating capacity, floor area or guest rooms, as the case may be unless additional automobile parking space is supplied and maintained to meet the requirements of Title III, Chapter 30 of this Code for additional dwelling units, seating capacity, floor area or guest rooms.

120-23. CONTINUED OCCUPANCY OF MOBILEHOMES AND TRAVEL TRAILERS. Persons who have been authorized to occupy mobilehomes or travel trailers on property in the unincorporated area of Sacramento County pursuant to Chapter 20.04 of the Sacramento County Code or other County Code or Ordinance and who on September 22, 1971, lawfully occupied said mobilehome or travel trailer shall be permitted to continue said occupancy at the same location on the property on which mobilehome or travel trailer is located provided they secure the annual occupancy permit prescribed in Section 301-57.

120-24. DOG KENNELS AND VETERINARIAN HOSPITALS. Dog kennels and veterinarian hospitals lawfully in place and located in the then A-1-A, A-2, A-5, and A-10 zones on June 30, 1972, shall be considered a "permitted use" of property within said zone. As a "permitted use", the use shall be subject to all regulations applicable to such "permitted use" within said zone. Proof may be required that the establishment was lawfully in place as of June 30, 1972 in order to attain a "permitted use" status.

NONCONFORMING BUILDINGS

120-30. REPAIR AND MAINTENANCE. A nonconforming building or structure may be maintained or repaired subject however that for any period of twelve (12) consecutive months such repair and maintenance shall not exceed twenty-five (25) percent of the current replacement cost of the nonconforming building or structure.

120-31. ENLARGEMENTS. A building or structure nonconforming as to use, lot area, or yard width or depth regulations, may not be added to or enlarged unless such nonconforming building or structure and the additions and enlargements thereto and the use thereof are all made to conform to the regulations of the zone in which it is located.

120-32. RELOCATION. A nonconforming building shall not be moved to any other lot or to any other portion of the lot on which it is presently located unless as a result of the move the building shall conform to the regulation of the zone in which it will be located after the move.

120-33. RESTORATION. A nonconforming building or structure which is damaged or partially destroyed by any reason to the extent of not more than fifty (50) percent of its value at that time, may be restored and the occupancy or use of such building, structure or part thereof, which existed at the time of such partial destruction, may be continued or resumed, provided the total cost of such restoration does not exceed fifty (50) percent of the value of the building or structure at the time of such damage and that such restoration is started within a period of one (1) year and is diligently prosecuted to completion. In the event such damage or destruction exceeds fifty (50) percent of the value of such nonconforming building or structure, no repair or reconstruction shall be made unless every portion of such building or structure is made to conform to all regulations for new buildings in the zone in which it is located. The value shall be determined by the administrative official as prescribed in Title 16 of the Sacramento County Code.

120-34. SINGLE FAMILY RESIDENCES WITHOUT PUBLIC STREET FRONTAGE. Any single family residence constructed prior to January 1, 1979, on a lot or parcel without the required public street frontage shall be a legal conforming building, provided that such building conforms in all other respects to the provisions of this Code, and the Sacramento County Code in effect on that date.

NONCONFORMING USE OF BUILDINGS

120-40. CONTINUATION. The nonconforming use of a conforming building or structure may be continued except as otherwise provided in this Article.

120-41. LIMITATION. In any zone the non-conforming use of a conforming building shall be discontinued within five (5) years from the effective date of this Code or five (5) years from the date the use first became non-conforming, whichever date is later.

120-42. EXTENSION OF USE. A nonconforming use may be extended throughout the building provided no structural alterations except those required by law are made therein. If no structural alterations are made, the nonconforming use of a building may be changed to another nonconforming use, which, in the opinion of the Planning Commission, is of the same or of a more restrictive nature.

120-43. VACANCY. A structure, or portion thereof, nonconforming as to use, which is, or hereafter becomes vacant and remains unoccupied for a continuous period of not less than twelve (12) months shall not thereafter be occupied except by a use which conforms to the use regulations of the zone in which it is located.

NONCONFORMING SIGNS

120-50. APPLICATION. Nonconforming signs shall be regulated by the provisions of this Article.

120-51. EXTENT OF REGULATION. The provisions of this Article shall apply to all zones and Special Sign Corridors established at the effective date of this Code or thereafter established by amendment.

120-52. CONTINUATION. Except as otherwise provided in this Article, any sign lawfully in use on the effective date of this Code may continue to be used for a period of five (5) years. Any sign which becomes nonconforming because of an amendment of this Code may continue to be used for a period of five (5) years from the effective date of such amendment.

Exception. Signs for nonconforming uses of land continuing beyond five (5) years under the provisions of Section 120-21, Limitation, and nonconforming use of building continued under the provisions of Section 120-40, which are now located in an Agricultural, Agricultural-Residential, Residential, Interim Agricultural Holding, Interim Agricultural, Interim Estate, Interim Residential, or Interim Residential Townhouse zones, may have signs subject to a use permit by the Zoning Administrator.

120-53. ALTERATION AND MAINTENANCE OF NONCONFORMING SIGNS. Nonconforming signs shall be kept in good repair and visual appearance during the five (5) year period the sign may be used. Structural alterations or modifications of any nonconforming sign are prohibited. Structural repair resulting in same size and shape is permitted subject to the provisions of Title 18 of the Sacramento County Code.

120-54. REMOVAL OR MODIFICATION AS A CONDITION OF REZONING. The Board of Supervisors may, as a condition of rezoning, require any nonconforming sign to be removed or altered so as to comply with the provisions of the new zone classification.

120-55. NONCONFORMING DIRECTORY POLE SIGNS. A directory pole sign which becomes nonconforming because of the removal of advertising copy may be made a conforming nondirectory pole sign if a use permit is granted by the Project Planning Commission after application and public hearing as provided in Title I, Chapter 10, of this Code.

120-56. ABATEMENT. Nonconforming signs in existence beyond five (5) years, as provided for by Section 120-52 of this Article, are hereby illegal signs and a public nuisance and shall be abated as provided for in Title 18 of the Sacramento County Code.

GENERAL TERMINOLOGY AND DEFINITIONS

130-01. ACCESSORY BUILDING. A detached subordinate building located on the same premises as the main building or buildings, the use of which is customarily incidental to that of the main building or to the use of the land.

130-02. ACCESSORY STRUCTURE. A subordinate structure located on the premises the use of which is incidental to the principal use of the premises.

130-03. ACCESSORY USE. A use customarily incidental, related, and clearly subordinate to the main use of the lot or building, which accessory use does not alter the principal use of the subject lot or adversely affect other properties in the district.

130-03.5. ADULT BOOKSTORE. Adult bookstore is a building or portion thereof used by an establishment having a substantial or significant part of its stock in trade for sale to the public or certain members thereof, books, magazines, and other publications which are distinguished or characterized by their emphasis on matters explicitly depicting, describing or relating to "Specified Sexual Activities" as defined in Section 130-171.5; and which establishment restricts admission to such building or portion thereof to adults only.

130-03.6. ADULT MOTION PICTURE THEATER. Adult motion picture theater is a building or portion thereof or area, open or enclosed, used for the presentation of motion pictures distinguished or characterized by an emphasis on matters explicitly depicting, describing or relating to "Specified Sexual Activities" as defined in Section 130-171.5, for observation by patrons or customers; and which establishment restricts admission to such building or portion thereof or area to adults only.

130-03.7. ADULT THEATER, LIVE. Adult live theater is a building or portion thereof, or area open or enclosed, which features live performances distinguished or characterized by an emphasis on matters depicting, describing or relating to "Specified Sexual Activities" as defined in Section 130-171.5 or "Specified Anatomical Areas" as defined in Section 130-171.4 for observation by patrons or customers; and which establishment restricts admission to such building or portion thereof or area to adults only.

130-04. AGENT. A person authorized by a property owner to act on his behalf relating to matters arising out of this Code.

130-04.1. AGRICULTURAL PRODUCTS, STORAGE AND PACKING. The placement of fresh or dried fruit, vegetable, grain or seed crops in suitable storage units and the subsequent boxing, crating, packing or bulk loading of such fresh or dried crops for the purpose of transporting them for fresh distribution or for processing into other agricultural products.

130-04.3. AGRICULTURAL SUPPLIES AND SERVICES. Agricultural services and supplies as used in this Code shall mean retail sales of agricultural chemicals, fertilizer, feed, grain and farm supplies, not including trucks, tractors, combines, and similar heavy equipment; and rental and incidental storage of farming equipment, not including trucks, tractors, combines, and similar heavy equipment.

130-05. AGRICULTURAL-RESIDENTIAL ZONES. (Agricultural-Residential Land Use Zones): Agricultural-Residential Zone, or Agricultural-Residential Land Use Zones, as used in this Code, shall mean all of the zones listed in Section 101-22.

130-06. AGRICULTURAL USES, GENERAL. The use of the premises for agriculture, which includes the cultivation of the soil for the production and harvesting of crops, the care and breeding of livestock, pastureland, horticulture, dairying, beekeeping, viticulture, and the storage and minor repair of agricultural vehicle and equipment used for the processing and transportation of the products grown on the premises. Hog farms, kennels, and feed-lots are excluded.

130-07. AGRICULTURAL USES, INCIDENTAL. Row crop cultivation and animal husbandry other than kennels, hog farms, and feed-lots provided the activity is conducted on a hobby type basis for personal use or consumption and further provided that such activity is not a primary use of the premises. Accessory structures for such uses include, but are not limited to, any stable, shed, corral, coop, hutch, pen or similar structure which is related to the incidental agricultural use of the premises.

130-08. AGRICULTURAL ZONES. (Agricultural Land Use Zones): Agricultural Zones, or Agricultural Land Use Zones, as used in this Code, shall mean all of the zones listed in Section 101-21.

130-09. AGRICULTURAL ZONES, INTERIM. Interim Agricultural Zones, as used in this Code, shall mean all of the zones listed in Sections 101-29 and 101-30.

130-09.5 AIRPORT. As used in this Code, airport shall mean any area of land or water used or intended for use for the landing and takeoff of aircraft, airport buildings, or other appurtenant facilities. Airport shall not include any area located in a Permanent Agricultural Zone, used exclusively as a landing or takeoff area by a crop duster or exclusively as a private landing or takeoff area by the landowner.

130-10. ALLEY. A public thoroughfare less than thirty (30) feet in width, which affords only a secondary means of access to abutting property.

130-11. ALTERATION. Alteration is any change, addition, or modification in construction or occupancy.

130-12. APARTMENT. Apartment is a room or suite of rooms which is occupied or which is intended or designed to be occupied by one family for living and sleeping purposes.

130-13. APARTMENT HOTEL. A building or portion thereof designed for or containing both individual guest rooms or suites of rooms and dwelling units.

130-14. APARTMENT HOUSE. Apartment House is any building, or portion thereof, which is designed, built, rented, leased, let or hired out to be occupied, or which is occupied as the home or residence of three or more families living independently of each other and doing their own cooking in the said building and shall include flats and apartments.

130-15. APPROPRIATE AUTHORITY. The responsible office or board for hearing and deciding variances and other permit applications as provided in Chapter 10 of this Title.

130-15.5 ARCADE. A single use facility which provides electronic, mechanical, or video game machines for use of patrons.

130-16. ARTERIAL, MAJOR. A major arterial is a street having a right-of-way of eighty (80) feet or more as shown on the major streets and highways plan of the circulation element of the General Plan adopted by the Board.

130-17. ARTICLE. A subdivision of a Chapter within the Zoning Code.

130-18. ASSESSMENT ROLL. The latest adopted assessment roll of the County of Sacramento.

130-19. AUTOMOBILE, MOBILEHOME, AND TRAILER SALES AREA. An open area, other than a street or alley, used for the display, sale or rental of new or used automobiles, mobilehomes, or trailers.

130-20. AUTOMOBILE REPAIR GARAGE. An automobile repair garage is a facility devoted to the repair, reconditioning, or repainting of automobiles or trucks or the rebuilding of automobile engines.

130-21. AUTOMOBILE SERVICE STATION. A retail commercial establishment selling gas and similar motor fuels to the public on the premises, either as a primary or secondary use. An automobile service station does not include any commercial, business or governmental establishment having on the premises a gas pump or pumps from which gasoline or other motor fuels are not sold at retail to the public on a regular basis.

130-22. AUTOMOBILE SERVICE STATION, PRIMARY. An automobile service station devoted primarily to the retail sales of gasoline and similar motor fuels, and which may also include retail sales of motor oils, lubricants, travel aids, minor automobile accessories, and minor automobile servicing, repairs, and maintenance.

130-23. AUTOMOBILE SERVICE STATION, SECONDARY. An automobile service station where the retail sale of gasoline and similar motor fuels is an incidental and secondary use to another commercial establishment such as, but not limited to, car washes and grocery stores that also sell gas from gas pumps, limited to one gas pump service island with a maximum of four fuel pumps.

130-24. AUTOMOBILE WRECKING YARD. Any lot, or the use of any portion of a lot, for the dismantling or wrecking of automobiles or other motor vehicles, or for the storage or keeping for sale of parts and equipment resulting from such dismantling or wrecking.

130-25. BASEMENT. That portion of a building included between the upper surface of any floor and the upper surface of the floor next above which is partly below grade, but so located that the vertical distance from grade to the floor below is less than the vertical distance from grade to the floor above.

130-25.5. BELOW-MARKET PRICE HOUSING. A unit of housing, either single or attached, available for purchase at a sale price equal to no more than 2-1/2 times the HUD established median income for Sacramento County for a family of four prevailing at the time of sale of units.

130-26. BILLBOARD, OFF-SITE. Same as SIGN, OFF-SITE, Section 130-167.

130-27. BOARD. Board shall mean the Board of Supervisors of Sacramento County.

130-28. BOARD OF ZONING APPEALS. The term refers to the Board of Zoning Appeals established pursuant to Chapter 2.38 Sacramento County Code.

130-29. BOARDING HOUSE. Boarding house shall mean a building containing not more than five (5) guest rooms where lodging or meals are provided for three (3) or more guests for compensation. The term boarding house shall not include a residential care facility providing care to six or fewer persons, exclusive of the operator of the residential care facility, members of the operator's family or persons employed as facility staff.

130-29.5. BORROW SITES AND PITS. A Borrow Site or Pit is any excavation where soil is removed from the land without further processing for the purpose of sale or transfer to a location outside the boundaries of the property in which the borrow site is located, other than sand and aggregate mining operations.

130-30. BUILDABLE AREA. The portion of the lot remaining after allowing for all required yard areas and other required open spaces.

130-31. BUILDING. Any structure or any part thereof having a roof supported by columns or walls for the housing or enclosure of persons, animals, or chattels. Trailers, with or without wheels, shall not be considered as buildings.

130-32. BUILDING, ACCESSORY. See Accessory Building, Section 130-01.

130-33. BUILDING CODE, UNIFORM. The Uniform Building Code currently in use and adopted by Sacramento County.

130-34. BUILDING, HEIGHT OF. The vertical distance measured from the adjoining curb level to the highest point of the ceiling of the top story in the case of a flat roof; to the deck line of a mansard roof; and to the average level between the eaves and the ridges of a gable, hip or gambrel roof; provided, however, that buildings may be measured from the average elevation of the finished grade at the front of the building.

130-35. BUILDING LINE. A line located within a property at the minimum distance prescribed by this Code from any street, highway, canal, lake, river, park, stream, slough, parkway, floodway or portion thereof.

130-36. BUILDING, NONCONFORMING. A building or portion thereof which was never lawful or was lawful when established but which does not conform to currently established zone regulations.

130-36.5. BUILDING OF SIMILAR SIZE. All residential buildings with two (2), three (3), or four (4) dwelling units shall be deemed to be of similar size. All residential buildings with five (5) or more dwelling units shall be deemed to be of similar size.

130-37. CAMPER. A camper is a device designed to be mounted upon a motor vehicle to provide facilities for human habitation or camping purposes. For the purposes of this Code, camper also includes camp car, motor home and tent trailer.

130-38. CANOPY. Roof-like structure that provides shelter and which projects from a wall or is supported by columns.

130-39. CELLAR. That portion of a building included between the upper surface of any floor and the upper surface of the floor next above which is partly or wholly below grade, but so located that the vertical distance from grade to the floor below is greater than or equal to the vertical distance from grade to the floor above.

130-40. CEMETERY. Land used or intended to be used for the burial of the dead and dedicated for cemetery purposes including columbariums, crematories, mausoleums and funeral establishments, when incidental to and operated in conjunction with and within the boundary of such cemetery.

130-41. CHILD DAY CARE CENTER. A facility providing a program for social development, preacademic, or group training; a facility providing care and supervision of children, with or without compensation or on a cooperative basis. A child day care center does not include any facility providing over-night care. Included within the definition are the following types of facilities:

(a) Day nursery
(b) Nursery schools
(c) Group day care facilities
(d) Day center for the mentally retarded or emotionally disturbed.

130-42. CHURCH. A permanently located building commonly used for religious worship.

130-43. CLUSTER DEVELOPMENT. A development in which dwelling units are grouped together in several clusters being separated from each other by intervening open space giving visual definition to each group.

130-43.5 COIN-OPERATED AMUSEMENT MACHINE. Any machine, apparatus or device which may be operated by depositing a coin, token or similar device, which is used for amusement purposes such as a juke box, children's rides, or other equipment, where no competition, score, skill, or chance is involved.

130-44. COLLEGES. An educational institution offering advanced instruction in any academic field, beyond the secondary level, not including trade schools or business colleges.

130-45. COMBINING ZONES (Combining Land Use Zones). Combining Zones, or Combining Land Use Zones, shall mean all of those zones listed in Sections 101-28 and 101-33.

130-46. COMMERCIAL ZONES. As used in this Code, the term shall include all of the zones listed in Sections 101-25 and 101-34 excluding therefrom the F Zone.

130-46.5. COMMERCIAL COACH. A vehicle, with or without motive power, designed and equipped for human occupancy for industrial, professional or commercial purposes.

130-47. COMMISSION. Shall mean the Sacramento County Project Planning Commission.

130-47.05. COMMONLY FOUND. As used in Section 110-98, an architectural feature that occurs or appears frequently on conventionally-built homes within 500 feet from the boundaries of a parcel on which a mobilehome is proposed.

130-47.1. COMPARABLE HOUSING. In determining whether the housing to which the applicant proposes relocation is "comparable" the Commission must find that the housing is decent, safe, and sanitary, and in compliance with all local and state housing codes; and, that the housing is open to all persons regardless of race, creed, national origin, ancestry, religion, marital status, or gender. In addition, the Commission shall consider the following factors in determining whether the relocation housing is comparable:

(a) Whether the housing is provided with facilities equivalent to that provided by the landlord in the dwelling unit in which the tenant then resides in regard to each of the following: a) apartment size including number of rooms; b) rent range; c) major kitchen and bathroom facilities; d) special facilities for the handicapped, infirmed or senior citizens; e) willingness to accept families with children;

(b) Whether the housing is located in an area not less desirable than the area in which the tenant then resides in regard to a) accessibility to the tenant's place of employment; b) accessibility to community and commercial facilities; c) accessibility to schools; and d) accessibility to public transportation.

A unit is not comparable if it is located in a building for which a notice of intent to convert has been given, except where the rental units of the building will not be offered for sale as condominium units within two (2) years.

130-47.5. CONCESSION, TEMPORARY. A temporary concession is any individual retail sales operation from a location not involving a permanent building for the purpose of housing or conducting the sales of flowers, fresh produce, or similar perishable items, using a temporary table, stand, cart, or similar equipment; but not including a mobile vending vehicle licensed and operated pursuant to the provisions of Sacramento County Code Sections 5.04.460 to 5.04.490 inclusive. The sale of food for on-site consumption is prohibited. The operation of the temporary concession stand is subject to the development standards in Section 315.02.

130-48. CONDITIONAL USE PERMIT. Same as a Use Permit, See Section 130-195.

130-48.5. CONDOMINIUMS. A condominium is a residential dwelling unit, the title or ownership of which consists of an undivided interest in common in a portion of a parcel of real property together with a separate interest in space in a building located on such real property.

130-48.6. CONDOMINIUM CONVERSION - shall mean a change in ownership of a parcel or parcels of property, together with structures thereon, whereby the parcel or parcels and structures previously used as rental units are changed to ownership.

130-48.8. CONVENIENCE STORE A market with a sales area of 3,000 square feet or less, frequently located near residential development, which offers a limited variety of food, household, and sundry items and which is operated primarily for the convenience of the walk-in shopper or someone purchasing just a few items, perhaps during the hours before or after larger facilities are open.

130-49. CORRAL. A pen, fenced or enclosed area, other than a pasture, used for riding, keeping, capturing, or holding horses or other livestock which does not contain growing vegetation sufficient to support the animals grazing off that vegetation.

130-50. COUNTY. As used in this Code, County shall mean the County of Sacramento.

130-51. COURT. An open space enclosed wholly or partly by buildings.

130-51.3. COURT, ENCLOSED. A court surrounded on all sides by a building or buildings.

130-52. COURTYARD. An open unoccupied space, not including required yard areas, on the same lot with a building and bounded on two (2) or more sides by such building or buildings.

130-53. DATA PROCESSING SERVICES. A business providing services such as complete processing and preparation of reports from data supplied by customers; specialized services such as data key entry; or making data processing and computer equipment available to others on a time share basis.

130-53.5. DEVELOPMENT AGREEMENT. As used in this Code, development agreement shall be an agreement adopted pursuant to Government Code Section 65865.

130-54. DIRECTOR. As used in this Code, Director shall mean the Director of Planning and Community Development of Sacramento County or his designee.

130-54.1. DOMESTIC EMPLOYEE QUARTERS. Same as a Guest House, see Section 130-87.

130-55. DRIVEWAY, PRIVATE. A private way for vehicular travel which provides access from an off-street parking area to a public or private street.

130-56. DUPLEX. A two-family dwelling.

130-57. DWELLING. A building or portion thereof used or designed for residential occupancy.

130-57.3 DWELLING, AGRICULTURAL ACCESSORY. Single family detached accessory structure which provides living quarters for an on-site agricultural employee receiving a major portion of his/her income from such employment.

130-58. DWELLING GROUP. Two (2) or more buildings, each containing one (1) or more dwelling units and arranged around one (1), two (2) or three (3) sides of a court which open onto a street.

130-59. DWELLING, MULTIPLE FAMILY. A building other than a townhouse, rowhouse, or cluster development, designed and intended for occupancy by three (3) or more families living independently of each other, each in a separate dwelling unit.

130-60. DWELLING, SINGLE FAMILY (One Family). Single family dwelling shall mean a detached building designed exclusively for occupancy by one (1) family. The term single family dwelling includes a residential care home or facility which serves six or fewer persons not including the operator of the facility or members of the operator's family or persons employed as facility staff.

130-61. DWELLING, TWO-FAMILY (Duplex). A building designed for occupancy by two (2) families living independently of each other, each in a separate dwelling unit.

130-62. DWELLING, TWO-FAMILY (Halfplex). A building designed for occupancy by two (2) families living independently of each other, where each dwelling unit is located on a lot which may be separately owned or conveyed.

130-63. DWELLING UNIT. One (1) or more rooms in a dwelling, apartment house or apartment hotel designed for or occupied by one (1) family for living or sleeping purposes and having only one (1) kitchen and separate toilet facilities.

130-64. EARTH TONES. Earth Tones are muted shades of gray and muted shades and medium to dark tones of the following colors: burnt umber, raw umber, raw sienna, burnt sienna, Indian red, English red, yellow ochre, chrome green and terra verts.

130-64.5 ELECTRONIC, MECHANICAL OR VIDEO GAMES. Any machine, apparatus, contrivance, appliance, or device which may be operated or played upon the placing or depositing therein of any coin, check, token, slug, ball, or any other article or device, or by paying therefor either in advance of or after use, involving in its use either skill or chance, including, but not limited to tape machine, card machine, pinball machine, bowling game machine, shuffleboard machine, marble game machine, horse racing machine, basketball game machine, baseball game machine, football game machine, electronic video game, or any other similar machine or device. This does not include computer and/or electronic devices which are sample or "demonstrator" machines in a retail sales, rental, or service facility.

130-65. ELEMENTARY SCHOOL. A school, kindergarten through the eighth grade.

130-65.5. ELIGIBLE TENANT. Eligible tenant shall mean any tenant who was a resident of the project proposed for conversion or eligible as a special category tenant on the date the use permit request was filed.

130-66. ENTRANCE, PRIMARY. The main entrance to a dwelling or dwelling unit.

130-67. ESTATE ZONES. As used in this Code the term Estate Zones or Interim Estate Zone shall include the zones described by Section 101-31.

130-67.5. FACTORY-BUILT HOME. A residential building constructed in conformance with the State of California Factory-Built Housing Code. A factory-built home shall not be deemed to include a mobilehome as defined in Section 130-122 of this Chapter.

130-68. FAMILY. As used in this Code, "family" shall mean a group of individuals, not necessarily related by blood or marriage, residing together in a single household."

130-68.5. FAMILY CONTRACTOR'S BUSINESS. A business operated at or from a person's residence which employs only members of the resident's family and which complies with the provisions of Section 201-02, Table I, and Sections 305-210 through 305-212, FAMILY CONTRACTOR'S BUSINESSES.

130-69. FAMILY DAY CARE HOME. A family home, non-institutional in character which provides day care only, with or without compensation.

130-70. FEEDLOT.

(a) "Feed lot" shall mean any premises used principally for the raising or keeping of animals in a confined feeding area.

(b) "Confined feeding area" shall mean any livestock feeding, handling, or holding operation or feed yard where animals are concentrated in an area:

(1) Which is not normally used for pasture or for growing crops and in which animal wastes may accumulate; and

(2) Where the space per animal unit is less than 600 square feet.

(c) "Feed lot" is not intended to otherwise preclude the raising of animals as part of a general farming and/or livestock operation or as an FFA, 4-H, or other student project in an agricultural zone.

(d) "General farming and/or livestock operation" shall mean one in which the confined feeding of animals is an incidental part of the total livestock operation.

130-70.5. FLEA MARKET. An open air area not enclosed in a building where space is rented or leased to, or used by, one or more vendors of new or used merchandise.

130-71. FLOOR AREA, GROSS. The area within surrounding walls of a building (or portion thereof) exclusive of vent shafts and courts.

130-72. FLOOR AREA, NET. The gross floor area of a building less public areas such as hallways, stairs, lobbies and storage or service areas.

130-72.5. FOOD PROCESSING INDUSTRY. Any activity involving:

(a) The storage, primary processing, or primary manufacturing of raw agricultural products or by-products, or

(b) The secondary reprocessing, conversion, or compounding of previously processed bulk agricultural products so long as it occurs on the same site and in conjunction with an operation also involved in the primary process.

130-73. FOSTER HOME. Same as a Residential Care Home, see Section 130-144.

130-73.5. FOUNDATION SYSTEM. An assembly of materials constructed below, or partially below grade, not intended to be removed from its installation site, which is designed to support the structure and engineered to resist the imposition of external natural forces, as defined by Section 18551 of the Health and Safety Code.

130-73.8. FRATERNAL HALL. A structure used for individuals to meet and socialize for mutual aid or benefit, those individuals all being members of a common organization.

130-74. FRATERNITY HOUSE. A building or structure housing a group of persons associated for their common interest, including eating, sleeping, and other such facilities.

130-74.5. FREEBOARD. The vertical height distance between the water surface elevation of the 100-year flood and typically the lowest habitable floor of a building or accessory structure. Freeboard represents a safety factor for flood protection and, as such, is also used in the design of levees and altered stream channels.

130-75. FREEWAY. A highway where the owners of abutting properties have no right or easement of access between the abutting lands and the highway or in which such owners have only limited or restricted right or easement of access to the highway.

130-76. FREEWAY, COUNTY DESIGNATED. A county designated freeway is a freeway designated as such on the major streets and highways plan of the circulation element of the General Plan adopted by the Board.

130-77. FRONTAGE, BLOCK. All the property on one (1) side of a street between intersecting or intercepting streets, or between a street and a right-of-way, waterway, end of a dead-end street, or city boundary measured along the street line. An intercepting street shall determine only the boundary of the frontage on the side of the street which it intercepts.

130-78. FRONTAGE, LOT OR PARCEL. The portion of a property that abuts one side of a public street which allows primary access to the property.

130-79. FUNERAL ESTABLISHMENTS. A funeral establishment is a place of business devoted exclusively to activities related to the preparation and arrangements for the funeral, transportation, burial or other disposition of human dead bodies and including but not limited to:

(a) A chapel in which memorial, funeral or religious services may be conducted, and

(b) A preparation room equipped for the preparations and embalming of human dead bodies for burial or transportation.

130-80. GARAGE, PRIVATE. A detached accessory building on the same lot as a dwelling, a portion of a main building, or a carport, for the housing of non-commercial vehicles of the occupants of the dwelling.

130-81. GARAGE, PUBLIC. A public garage is any garage other than a private garage.

130-82. GARBAGE. Any waste food material whether from an animal, vegetable, bakery goods or dairy products.

130-83. GENERAL PLAN. As used in this Code the term General Plan means the Sacramento County General Plan adopted by the Board of Supervisors on April 18, 1973, and all revisions and amendments thereto.

130-84. GOLF COURSE. A lot or portion of a lot used for the playing of golf, but shall not include miniature golf courses or similar commercial enterprises.

130-85. GOVERNMENT BUILDINGS AND USES. All buildings and uses owned and operated by a public entity, including but not limited to libraries, museums, and community centers.

130-86. GRADE. Grade (Adjacent Ground Elevations) is the lowest point of elevation of the finished surface of the ground between the exterior wall of a building and a point five (5) feet distant from said wall, or the lowest point of elevation on the finished surface of the ground between the exterior wall of a building and the property line if it is less than five (5) feet distant from said wall. In case walls are parallel to and within five (5) feet of a public sidewalk, alley or other public way, the grade shall be the elevation of the sidewalk, alley or public way. In the case of signs, grade is the lowest point of elevation of the finished surface of the ground at the base of the sign, or in the case of a double support, the lowest point of elevation of the finished surface of the ground at the supports.

130-87. GUEST HOUSE. A detached accessory building located on the same premises with the main building, providing living quarters for the use by temporary guests of the occupants of the premises. Such quarters may have a bath and toilet facilities but no kitchen facilities (permanent cooking facilities) and may not be rented or otherwise used as a separate dwelling.

130-87.5. HABITABLE FLOOR AREA. That portion of the floor area of a residential structure that is used for normal residential activities, such as living rooms, bedrooms, kitchens, bathrooms, and so on. Basements, storage rooms, and other incidental use areas are not included.

130-88. HALF-PLEX. See Dwelling, Two-Family (Halfplex), Section 130-62.

130-89. HIGH SCHOOL. Any school, public or private other than a trade school, in which instruction is given in the ninth to twelfth grade inclusive, or in any one or more of such grades.

130-90. HOG FARM. Any place where two or more head of swine are maintained, raised, fed or fattened.

130-91. HOME OCCUPATION. A use conducted in a dwelling unit which is clearly incidental and subordinate to the use of the dwelling for residential purposes. Such use shall not be considered to be incidental and subordinate unless all of the criteria outlined in Section 305-201 are met.

130-92. HOSPITAL. Shall mean a health facility other than a facility for the mentally retarded, having a duly constituted governing body with overall administrative and professional responsibility and having an organized medical staff which provides twenty-four (24) hour in-patient care including the following basic services: medical, nursing, surgical, anesthesia, laboratory, radiology, pharmacy, dietary services, or psychiatric care and treatment. Hospital shall not include the use of land devoted exclusively to house personnel or private activities not related to hospital patients such as classrooms, or private physicians and other professional offices.

130-93. HOSPITAL, CONVALESCENT. A convalescent hospital is an institution providing skilled care for the recently hospitalized patient, or a facility providing skilled nursing care to persons needing care and attention on a twenty-four (24) hour basis. Included within the definition are the following types of facilities:

(a) Nursery or non-ambulatory mentally retarded patients requiring nursing services.

(b) Nursing care facility.

(c) Nursing home.

(d) Convalescent home.

(e) Intermediate care facility.

(f) Short term respite care facility.

(g) Resident schools for the mentally retarded.

(h) Treatment center for emotionally disturbed or mentally ill children.

(i) Group care facility.

(j) Day treatment centers for persons with mental illness or emotional disorders.

The term "convalescent hospital" shall not include a residential care home or residential care facility which serves six or fewer persons not including the operator or members of the operator's family or persons employed as facility staff.

130-94. HOTEL. A building designed for occupancy as the more or less temporary place of abode for individuals who are lodged with or without meals, in which there are six (6) or more guest rooms, and in which no provision is made for cooking in the individual rooms or suites provided that an owner or manager may reside in the hotel in an apartment or penthouse with cooking facilities.

130-94.5. INCIDENTAL USE. A use which is subordinate and of minor consequence to the primary use on the same site and occupies not more than 25% of the gross floor area and less than 25% of the outdoor storage area.

130-95. INDUSTRIAL PARK. A tract of land subdivided and developed according to a comprehensive plan for the use of a community of industries.

130-96. INDUSTRIAL USES. Industrial or related uses, conditionally implied by or expressly authorized in the Industrial Zones.

130-97. INDUSTRIAL ZONES. As used in this Code, the term shall include all of the Zones listed in Section 101-26.

130-98. INTERCHANGE, FREEWAY. A freeway interchange is the area where a major arterial connects with a freeway by means of an on-ramp, off-ramp, cloverleaf, or any other means providing for access to the freeway from a major arterial and egress from a freeway to a major arterial. A freeway interchange shall include all the area within the boundaries of the scenic corridor as defined in Section 335-36, where the freeway is located within a scenic corridor.

130-99. INTERSECTION. An intersection is the area embraced within the prolongation of the lateral curb lines, or if no curbs, within the prolongation of the boundary lines of two or more streets where any street joins another at an angle regardless of whether the streets cross one another. An intersection may be in the form of an "X", "T", "+", "Λ", or in any other form produced by the joining of one street with another at an angle as set forth herein.

130-99.1. IRRIGATION DISPOSAL. The application of liquid waste onto land by sprinklers, flooding, overland flows, or other suitable means for the purpose of irrigating marketable crops.

130-100. JUNIOR HIGH SCHOOL. Any school, public or private other than a trade school in which instruction is given in the sixth through the ninth grades inclusive or in any one of grades seven through nine.

130-101. JUNK. Any worn out, cast off, or discarded article or material which is ready for destruction or has been collected or stored for salvage or conversion to some use. Any article or material which unaltered or unchanged and without further reconditioning, can be used for its original purpose as readily as when new shall not be considered junk.

130-102. JUNK YARD. Any lot, or the use of any portion of a lot other than for an automobile wrecking yard, for the dismantling of machinery other than motor vehicles or for the storage or keeping for sale of parts and equipment resulting from such dismantling or wrecking, or for the storage or keeping of junk, including scrap metals or other scrap materials, with no burning permitted.

130-103. KENNEL. Any lot, building, structure, enclosure or premises whereupon or wherein are kept five (5) or more dogs of six (6) months of age or older for more than five (5) days.

130-103.2. LABOR INTENSIVE USE. Any use which requires ten (10) or more employees per net acre on any one shift.

130-103.5. LAGOON DISPOSAL. The storage of liquid waste in ponds or other suitable basins such that disposal occurs by evaporation and percolation with no surface discharge of wastewater from the disposal area.

130-104. LAND USE ZONE. Same as Zone.

130-105. LANDSCAPED AREA. An area devoted to soft live landscaping such as lawn, ground cover, trees or shrubs, the area of which is at least the minimum width specified in the applicable zone, excluding any perimeter curbing that may be necessary or desired.

130-106. LEVEE, PROJECT. A levee which has been constructed or reconstructed to standards of the U.S. Army Corps of Engineers and which is included in an authorized Corps project.

130-106.5. LIVE THEATER. An establishment primarily engaged in providing live theatrical productions which are intended for persons of all ages and which do not emphasize "Specified Sexual Activities".

130-107. LOCAL AGENCY. An agency of the State for the local performance of governmental or proprietary functions within limited boundaries as defined in Section 53090 of the Government Code. In the event "Local Agency" as defined in Section 53090 of the Government Code is changed, the definition of Local Agency as used in this Code shall be deemed changed accordingly.

130-108. LODGE. The meeting place of a branch of a fraternal organization.

130-109. LODGING HOUSE. Same as Boarding House, Section 130-29.

130-110. LOT. A parcel of land shown on a subdivision map, parcel map, certificate of compliance, or a record of survey map or described by metes and bounds and recorded in the office of the County Recorder of Sacramento County, or a site in one ownership having an area for each main building or use as required in the applicable zone and having a frontage upon or access by adequate public easement to a public street, road, or highway.

130-111. LOT AREA, GROSS. Gross lot area is the horizontal area within the lines of a lot or parcel including streets, highways, roads, and alleys.

130-112. LOT AREA, NET. Net lot area is the total horizontal net area within the lot lines of a lot or parcel exclusive of existing or proposed public streets, highways, roads and alleys, or proposed streets and highways as shown on the Circulation Plan, General Plan, or community plan.

130-113. LOT, CORNER. A lot situated at the intersection of two (2) or more public streets having an angle of intersection of not more than one hundred thirty-five (135) degrees.

130-114. LOT DEPTH. The horizontal distance between the front and rear lot lines measured on the longitudinal center line.

130-115. LOT, INTERIOR. A lot other than a corner lot.

130-115.2. LOT WIDTH. The horizontal distance between the side lot lines, measured at right angles to the lot depth at a point midway between the front and rear lot lines.

130-115.5. LOW INCOME. Low income, when used by itself or as a modifier of person or household or other term shall mean 80% or less of the median income as established annually by the U.S. Department of Housing and Urban Development for the Sacramento Standard Metropolitan Statistical Area as adjusted for the number of members of the household.

130-116. LOT LINE, FRONT. In the case of an interior lot, a line separating the lot from the street or place; and in the case of a corner lot, a line separating the narrowest street frontage of the lot from the street. In the case of a square, or nearly square-shaped corner lot, the owner may choose which street he shall designate as the front of the lot. Once the choice of frontage has been made, it cannot be changed unless all requirements for yard space are complied with.

130-117. LOT LINE, REAR. A lot line which is opposite and most distant from the front lot line and, in case of an irregular, triangular or goreshaped lot, a line ten (10) feet in length within the lot, parallel to and at the maximum distance from the front lot line.

130-118. LOT LINE, SIDE. Any lot boundary line not a front lot line or a rear lot line.

130-119. LOT, NONCONFORMING. A lot which was never lawful or was lawful when recorded, but which does not conform to subsequently established zone regulations.

130-120. LOT, THROUGH. A lot having a frontage on two (2) parallel or approximately parallel streets.

130-120.1. MANUFACTURED HOME. For purposes of this ordinance, a manufactured home is the same as a mobilehome as defined in Section 130-122 of this Chapter.

130-120.5. MASSAGE PARLOR. Massage parlor is a building or portion thereof or a place where massage is administered for compensation as a principal use of the premises or from which a massage business for compensation is operated as a principal use of the premises.

130-121. MEDICAL CLINIC. A facility under the supervision of a physician or group of physicians providing diagnosis and treatment of outpatients.

130-122. MOBILEHOME. A structure, transportable in one or more sections, which, in the travelling mode, is eight body feet or more in width or forty body feet in length, or, when erected on site, is three hundred twenty or more square feet and which is built on a permanent chassis and designed to be used as a dwelling with or without a foundation system when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein.

130-122.5. METHOD OF QUALIFICATION AS LOW-INCOME TENANTS. Low income tenants eligible for life or long-term leases shall meet the qualification criteria used for HUD's Section 8 program (Title 24 CFR, Chapter VIII, Part 812, 882, 889). Sacramento Housing & Redevelopment Agency will determine whether a tenant is eligible as low income. The cost of the certification process may be required to be paid by the tenant.

130-122.6. MOBILEHOME CERTIFICATE OF COMPATIBILITY. A certificate granted by the appropriate authority pursuant to the provisions of Article 8, Chapter 10, Title I of this Code authorizing placement of mobilehomes on lots zoned for residential purposes.

130-123. DELETED.

130-124. DELETED.

130-125. DELETED.

130-125.6. MOBILEHOME, DOUBLE-WIDE. A mobilehome built and transported in two or more sections on separate chasses, designed to be joined together at the point of use to form a single dwelling.

130-125.8. MOBILEHOME LOT. Any area or tract of land or portion of a mobilehome park which is rented, leased, or held out for rent or lease and which is designated or used for the occupancy of one mobilehome.

130-126. MOBILEHOME PARK. Any parcel, area, or tract of land, or portion thereof where two or more mobilehome lots are rented, leased, or held out for rent or lease to accommodate mobilehomes used for human habitation.

130-126.1. MODERATE INCOME - Moderate income, when used by itself or as a modifier of person or household or other term shall mean 80% - 120% of the median income as established annually by the U.S. Department of Housing and Urban Development for the Sacramento Standard Metropolitan Statistical Area as adjusted for the number of members of the household.

130-126.1a. MODULAR HOME. A factory-built home as defined in Section 130-67.5 of this Chapter.

130-126.1b. NATIONAL MANUFACTURED HOUSING CONSTRUCTION AND SAFETY STANDARDS ACT OF 1974. The federal act which governs the standards for construction, design, and performance of manufactured homes or mobilehomes built in the United States since June 15, 1976.

130-126.2. NATURAL AMENITIES. Naturally occurring features such as native oaks, rock outcroppings, ponds, marshes, and other riparian vegetation.

130-126.3. 100-YEAR FLOOD. A flood having a one percent statistical chance of being equaled or exceeded in any given year. (Commonly described as a flood event that could occur once in 100 years, although such a flood could occur more than once in 100 years, or less frequenlty than once.) The 100-year flood data is based upon the Federal Flood Insurance Study of 1976 for Sacramento County prepared by the Army Corps of Engineers.

130-126.4. 100-YEAR FLOODPLAIN. The area adjoining a river, stream, or watercourse which is subject to inundation by the 100-year flood.

130-126.5. 100-YEAR FLOODWAY. The channel of stream or body of water, and those portions of the floodplain which are reasonably required to carry and discharge the 100-year floodwater or flood flow.

130-126.6. 100-YEAR FLOODWAY FRINGE. The area of the 100-year floodplain which is not within the 100-year floodway.

130-127. OPEN SPACE ZONES. Open Space Zones shall mean all of the zones listed in Section 101-35.

130-127.5. PADDOCK. A small fenced enclosure attached or incidental to a stall used for the keeping of horses.

130-128. PARCEL. Parcel as used in this Code shall mean an area or tract of land assigned a separate parcel number and shown as a separate unit of property on the Assessment Roll of Sacramento County.

130-129. PARKING AREA, OFF-STREET. An area, building or space exclusive of street or alley rights-of-way, used for the parking of automobiles.

130-130. PARKING AREA, PUBLIC. An off-street parking area publicly or privately owned available for public use whether free, for compensation or as an accommodation for clients or customers.

130-131. PARKING SPACE. Space in the open or within a structure designed for the parking of one automobile.

130-131.5. PASTURE. A fenced or enclosed area other than a corral or paddock, used for the keeping and pasturing of livestock which contains growing vegetation sufficient to support the animals grazing therein.

130-132. PERSON. An individual, firm, co-partnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, receiver, syndicate, city, local agency, or any other group or combination acting as an entity.

130-132.5. PHOTOCOPY SERVICE. A business which reproduces drawings, plans, maps, or other copy by means of blueprinting or photocopying.

130-133. PLANTER. Same as Landscaped Area, Section 130-105.

130-134. PLACE OF PUBLIC ASSEMBLY. A location, auditorium, hall or similar facility publicly or privately owned, developed for the principal purpose of accommodating groups of persons for meetings, exhibitions, shows, and other public interest events.

130-135. PLANNING COMMISSION. As used in this Code, the term Planning Commission shall mean the Sacramento County Project Planning Commission.

130-136. PLANNING COMMISSION, POLICY. Policy Planning Commission shall mean the Policy Planning Commission established pursuant to the provisions of Chapter 2.30 of the Sacramento County Code.

130-137. PLANNING COMMISSION, PROJECT. Project Planning Commission shall mean the Project Planning Commission established pursuant to the provisions of Chapter 2.30 of the Sacramento County Code.

130-137.2. PRINTING PLANT. An establishment which produces large quantities of printed items, such as newspapers and books, including specialty printing, posters, and multi-color copies using advanced printing techniques.

130-137.3. PRINT SHOP. A retail establishment that provides duplicating services utilizing photocopy, blueprint and offset printing equipment, including collating of booklets and reports.

130-137.5. PRIVATE SOCIAL CENTER. A structure which is rented to groups or individuals for meetings, receptions, parties, or other private gatherings.

130-138. PROPERTY OWNER. A person or persons having a possessory interest in the property, other than a periodic tenancy, estate at will, or sufferance, or a person having a contractual right which will ripen into such a possessory interest in the property.

130-139. RECREATION ZONES (Recreation Land Use Zones). Recreation Zones or Recreation Land Use Zones, shall mean all those zones described in Section 101-24.

130-140. RECREATIONAL VEHICLE. A camp car, motorhome, travel trailer, or tent trailer, with or without motor power, designed for human habitation for recreational or emergency occupancy, having less than three hundred twenty (320) square feet.

130-141. RECREATIONAL VEHICLE, DEPENDENT. A recreational vehicle not equipped with a toilet and sewage holding tank.

130-142. RECREATIONAL VEHICLE, INDEPENDENT. A recreational vehicle equipped with a toilet and a sewage holding tank.

130-143. RECREATIONAL VEHICLE, SELF-CONTAINED. A recreational vehicle equipped with a toilet, sewage holding tank, and a storage tank for potable water.

130-143.5. RECYCLING CENTER. A facility which is not a junkyard and in which recoverable resources are collected, stored ,flattened, crushed, or bundled, essentially by hand or within a completely enclosed building, such as newspapers, glassware and metal cans.

130-143.6. RECYCLING COLLECTION POINT. An incidental use which serves as a neighborhood drop-off point for temporary storage of recoverable resources. No processing of such items would be allowed. This facility would generally be located in a shopping center parking lot or in other public/quasi-public areas such as churches or schools.

130-143.7. RECYCLING PLANT. A facility which is not a junkyard and in which recoverable resources such as newspapers, magazines, books and other paper products, glass, metal cans, and other products are recycled, reprocessed and treated to return such products to a condition in which they may again be used for production.

130-144. RESIDENTIAL CARE HOME. A residential care home, for residential care facilities is a family home, non-institutional in character, which provides twenty-four (24) hour care, with or without compensation. Included in the definition are the following types of facilities:

(a) Nursery or non-ambulatory mentally retarded individuals.

(b) Family home for mentally ill, emotionally disordered or mentally retarded individuals.

(c) Boarding homes for children.

(d) Foster home.

(e) Certified family care home, certified by the Secretary of the Human Relations Agency, or other appropriate State or County agency.

130-145. RESIDENTIAL ZONE (Residential Land Use Zone). A Residential Zone or Residential Land Use Zone shall mean all of the zones described in Section 101-23.

130-146. RESIDENTIAL ZONE, INTERIM. Interim Residential Zone shall mean all of the zones described in Section 101-32.

130-146.5. RESORT. A place providing recreation and entertainment for vacationers.

130-147. RIGHT-OF-WAY LINE. The future right-of-way line or plan lines of any highway or streets as shown on the current Master Plan for Streets and Highways adopted by the Board of Supervisors.

130-147.3. ROADWAY, ENTRANCE. A private drive providing access to a public street from a mobilehome park.

130-147.5. ROADWAY, INTERIOR ACCESS. A private drive designed for primary use for vehicular traffic in a mobilehome park and for providing direct access to mobilehome lots.

130-148. ROWHOUSE. Same as Townhouse, Section 130-182.

130-149. SALES AREA, UNCOVERED. See Uncovered Sales Area.

130-150. SANITARY SEWER FACILITY, PUBLIC. A sanitary sewerage facility provided by a government agency.

130-151. SCENIC CORRIDOR. A strip of land on each side of a stream or roadway which is generally visible to the public traveling on such route. The scenic corridor for a freeway shall include a horizontal distance of 660 feet beyond the right-of-way. The scenic corridor for a scenic highway or scenic country route shall include a horizontal distance of 500 feet on each side of the center line with a minimum distance of 300 feet beyond the right-of-way or the edge of the stream.

130-152. SCENIC COUNTY ROUTE. A County road, State highway, or navigable river which is part of a scenic travel system within Sacramento County and so designated by the Board of Supervisors.

130-153. SCENIC HIGHWAY. A highway so designated by the State of California pursuant to provisions of the Streets and Highways Code.

130-153.8. SCHOOL, BUSINESS. A school offering instruction in clerical, bookkeeping, stenographic, office and data processing machine or computer skills.

130-154. SCHOOL, TRADE. Schools offering preponderant instruction in the technical, commercial, or trade skills, such as electronic schools, automotive and aircraft technicians schools and similar commercial establishments operated by a nongovernmental organization.

130-154.3. SCHOOL, VOCATIONAL. A school offering training and instruction in vocations including, but not limited to, medical, dental, and animal health technicians, barbers, and beauty operators.

130-155. SEATING CAPACITY. The actual seating capacity of an area based upon the number of seats or one seat per 18 inches of bench or pew length. For other areas where seats are not fixed, the seating capacity shall be determined as indicated by the Uniform Building Code.

130-156. SEATS. Same as Seating Capacity.

130-157. SECRETARY. As used in this Code, the term Secretary shall mean the Secretary of the Sacramento County Planning Commission.

130-158. SHOPPING CENTER. A group of stores, service facilities, and related uses predominantly commercial and utilizing common facilities such as parking, landscaping, signing, and loading areas. Separate buildings and parcels of land may be considered a part of the shopping center if they are served by mutual parking agreements. For purposes of this ordinance, where gross floor area exceeds 350,000 square feet, the shopping center shall be considered a regional shopping center.

130-159. SIGN. Any structure, part thereof, or device or inscription which is located upon, attached to, or painted or represented on any land, or on the outside of any building or structure, or on an awning, canopy, marquee or similar appendage, or permanently affixed to the glass on the outside or inside of a window so as to be seen from the outside of the building, and which displays or includes any numeral, letter, word, model, banner, emblem, insignia, symbol, device, light, trademark, or other representation used as, or in the nature of, an announcement, advertisement, attention-arrester, direction, warning, or designation of any person, firm, group, organization, place, commodity, product, service, business, profession, enterprise or industry. This definition shall not include official notices issued by a court or public body or officer or directional, warning or information sign or structures required by or authorized by law or by Federal, State, County or City authority.

130-160. SIGN, AREA OF. The area of a sign or other advertising device as determined by measurements to the outside of a simple boundary perimeter including any voids within such perimeter. Where a sign has more than one face, the area shall be calculated as equal to the maximum projected area.

130-161. SIGN, DIRECTORY POLE. An on-site or off-site sign supported by a sign structure from the ground which directs attention to three (3) or more businesses, professions, services, or entertainments located on the same or an adjacent parcel on which the sign is located. Sign copy, excluding shopping center or building identification name, shall be reasonably equal.

130-162. SIGN, DIRECTIONAL. Signs informing the motoring public of the location of or direction to commercial or recreational establishments.

130-163. SIGN GROUP, DIRECTIONAL. A group of directional signs placed at a location within a scenic corridor.

130-164. SIGN, HEIGHT OF. Height of a sign is the vertical distance from the "Grade" to the highest point of the structure.

130-165. SIGN, MONUMENT. A sign constructed upon a solid appearing base or pedestal, the total width of which is at least 50 percent of the overall width of the sign.

130-166. SIGN, NONCONFORMING. A sign which was lawful when erected, but which does not conform to currently established zone regulations.

130-167. SIGN, OFF-SITE. A sign which directs attention to a business, profession, commodity, service or entertainment conducted, sold, or offered elsewhere than upon the same lot or parcel on which said sign is located. This definition shall include billboards, posters, panels, painted bulletins, and similar advertising displays.

130-168. SIGN, ON-SITE. A sign which directs attention to a business, profession, commodity, service or entertainment conducted, sold, or offered upon the lot or parcel on which the sign is placed.

130-169. SIGN, NON-DIRECTORY POLE. An on-site supported sign, supported by a sign structure from the ground which directs attention to not more than two (2) businesses, professions, services or entertainments located on the same parcel on which the sign is located.

130-169.5. SIGN, REAL ESTATE. A sign, advertising the property, its use, owner or tenant, the sale or lease of the property, or agents representing the owner or tenant.

130-170. SIGN, SUBDIVISION. A sign pertaining exclusively to the development and sale of land subdivisions and located within the same recorded subdivision.

130-170.1. SIGN, SUBDIVISION DIRECTIONAL. A sign located outside the subdivision for the purpose of providing direction to a subdivision. Signs that are off-site but less than 800 feet from the point of the property or entrance to the site are considered as on-site signs under the Outdoor Advertising Act, Section 5272(c).

130-170.2. SIGN, SUBDIVISION PERMANENT IDENTIFICATION. A sign located at the entrance to the subdivision for the purpose of a permanent identification of the subdivision.

130-171. SOCIAL REHABILITATION CENTER. An institution that provides services or training in a group setting to persons who temporarily need assistance, guidance, or counseling for the physical, emotional, social, and vocational rehabilitation of handicapped persons, whether on an in-patient or out-patient basis. Included within the definition are the following types of facilities:

(a) Rehabilitation center for the handicapped.

(b) Halfway house providing experience in community living.

(c) Day training and activity center.

(d) Workshops for the handicapped.

130-171.1. SOLID WASTE. Any organic putrescible solid; including but not limited to pulp, skin, seeds, and pits; which is derived from the processing of food products.

130-171.2. SPECIAL CATEGORY. Special category refers to persons or tenants who fall within one or more of the following categories:

(a) Elderly, defined as individuals 62 years of age or older who are retired.

(b) Handicapped or disabled, as defined in Section 50072 of the California Health and Safety Code or Section 223 of the United States Social Security Act, 42 USC 423.

(c) Low income, as defined in Section 130-115.5 above.

(d) Moderate income, as defined in Section 130-126.5 above.

(e) Single heads of households residing with one or more minor children and qualified under one of Items One through Four above.

130-171.4. SPECIFIED ANATOMICAL AREAS. Specified anatomical areas are:

(a) Less than completely and opaquely covered human genitals; pubic region, buttock and female breast below a point immediately above the top of the areola; and

(b) Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

130-171.5. SPECIFIED SEXUAL ACTIVITIES. Specified sexual activities are:

(a) Display or manipulation of human genitals in a state of sexual stimulation or arousal;

(b) Acts of human masturbation, sexual intercourse or sodomy; and

(c) Fondling or other erotic touching of human genitals, pubic region, buttock or female breast.

130-172. STABLE, COMMERCIAL OR PUBLIC. A building, structure, or parcel occupied or used for the keeping, training, or pasturing of six or more horses not belonging to the owner, a riding stable or academy; or where six or more horses are kept for hire or sale or kept as a business with the intention of gain or profit.

130-173. STABLE, PRIVATE. Any stable other than a commercial or public stable.

130-173.5. STOCK COOPERATIVE. A stock cooperative is a corporation owned by residents through shares, the corporation in turn owns the housing complex. The shareholder-owners have the right to exclusive long-term leases in specific individual units of the complex instead of direct ownership of the units. The common property adjacent to the units is also owned by the corporation, with the shareholder owners enjoying the right to use the area.

130-174. STORY. Story is that portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. If the finished floor level directly above a basement, cellar or unused under-floor space is more than 6 feet above grade as defined herein for more than 50 percent of the total perimeter or is more than 12 feet above grade as defined herein at any point, such basement, cellar or unused under-floor space shall be considered as a story.

130-175. STORY, HALF. A story, the floor area of which does not exceed two-thirds (2/3) of the floor area immediately below it.

130-176. STREET. A public thoroughfare including public roads or highways thirty (30) feet or more in width, which affords a principal means of access to abutting property.

130.176.5. STREET FRONTAGE, PUBLIC. The portion of a lot or parcel frontage on a public street other than a freeway or expressway, affording the principal means of access.

130-177. STREET, PRIVATE. A street owned and maintained by the abutting property owners, or by an association of property owners, excluding off-street parking areas, driveways, and driveways to off-street parking areas.

130-178. STREET, PUBLIC. A street or road shall not be a public street until and unless the said street or road shall have been accepted into a street or road system maintained by a city, county, or the State. Streets and roads in public parks, public airports, public schools and similar public grounds shall not be construed to be public streets for the purposes of this Code.

130-179. STRUCTURE. Anything constructed or erected which requires location on the ground or attached to something having location on the ground, but not including fences or walls used as fences.

130-180. STRUCTURE, NONCONFORMING. A structure which was never lawful or was lawful when erected, but which does not conform to currently established zone regulations.

130-181. SUBDIVISION COMMITTEE (Subdivision Review Committee). As used in this Code, the term "Subdivision Committee" or the term "Subdivision Review Committee" shall mean the Sacramento County Subdivision Review Committee appointed pursuant to the provisions of the Subdivision Ordinance.

130-181.5. SWALE. A low-lying depression that collects water and has an indistinct drainage course.

130-182. TOWNHOUSE. A building with three or more attached dwelling units, each with its own roof, oriented in a common wall relationship, as one building.

130-183. TRANSIENT. A person who is receiving accommodations for a price, with or without meals, for a period of not more than one hundred eighty (180) continuous days in any one (1) year.

130-184. TRAILER, TRAVEL. A vehicle other than a motor vehicle which is designed or used for human habitation which may be moved upon a public highway without a special permit or chauffeur's license or both issued by the State.

130-185. TRAILER, DEPENDENT TRAVEL. A travel trailer not equipped with a toilet and a sewage holding tank.

130-186. TRAILER, INDEPENDENT TRAVEL. A travel trailer equipped with a toilet and a sewage holding tank.

130-187. TRAILER, SELF-CONTAINED TRAVEL. Self-Contained Recreational Vehicle. A travel trailer or recreational vehicle equipped with a toilet, a storage tank for potable water, and a sewage holding tank.

130-188. TRAILER PARK, RECREATION. A park where one or more sites are rented or leased, used, or held out for rent, lease or use to owners or users of recreational vehicles and tents and which is occupied for temporary recreational purposes.

130-189. TRAILER PARK, TRAVEL. An area or tract of land or a separate designated section within a mobilehome park rented or leased or held out for rent or lease to owners or users of recreational vehicles used for travel or recreational purposes.

130-190. TWO-FAMILY DWELLING. See: Dwelling, two-family.

130-191. UNCOVERED SALES AREA. The space used for merchandise display or storage as allowed under the zoning regulations, outside of a building on the property.

130-191.4. UNJUST EVICTION. An unjust eviction is an eviction for other than one or more of the following reasons:

(a) The tenant has failed to pay the rent to which the landlord is entitled.

(b) The tenant has violated an obligation or covenant of the tenancy other than the obligation to surrender possession upon proper notice and has failed to cure such violation after receiving written notice thereof from the landlord.

(c) The tenant is committing or permitting to exist a nuisance in or is causing damage to, the rental unit or to the appurtenance thereof, or to the common areas of the property containing the rental unit, or is creating an unreasonable interference with the comfort, safety, or enjoyment of any of the other residents of the same or any adjacent building.

(d) The tenant is using or permitting a rental unit to be used for any illegal purpose.

(e) The tenant who had a written lease or rental agreement which terminated on or after the effective date of this provision, has refused, after written request or demand by the landlord, to execute a written extension or renewal thereof for a further term of like duration with similar provisions and in such terms as are not inconsistent with or violative of any provision of this Section.

(f) The tenant has refused the landlord reasonable access to the unit for the purpose of making repairs or improvements, or for the purpose of inspection as permitted or required by the lease or by law, or for the purpose of showing the rental unit to any prospective purchaser or mortgagee.

(g) The person in possession of the rental unit at the end of a lease term is a subtenant not approved by the landlord.

130-191.5. UNREASONABLE RENT INCREASE. Unreasonable rent increases refer to increases in rent that substantially exceed the housing component of the Housing & Urban Development's Fair Market Rate on an annualized basis and which cannot otherwise be justified by costs of physical improvements to the building or site, repairs for damage, taxes, or other expenses attributable to the operation of the building, or by changes in the market demand for rental housing.

130-191.6. UNIFORM FIRE CODE (UFC). The most recently adopted code approved by the Board of Supervisors.

130-192. USE. The purpose for which land or a building is arranged, designed, or intended, or for which either land or a building is or may be occupied or maintained.

130-193. USED FOR. The phrase "used for" includes "arranged for", "designed for", "intended for", "maintained for" or "occupied for".

130-194. USE, NONCONFORMING. A use which was never lawful or was lawful when established but which does not conform to currently established zone regulations.

130-195. USE PERMIT. A permit granted by the appropriate authority pursuant to the provisions of Chapter 10, Title I of this Code authorizing uses not allowed as a matter of right in a district.

130-196. USE VARIANCE. A variance which permits the establishment or expansion of a use not permitted in a zone or which would cause a nonconforming use to become a conforming use. (Under the provisions of the State Law, a use variance may not be granted by the County.)

130-197. VARIANCE. A type of exception which authorizes the owner to use his property in a manner different from that prescribed for the zone in which the property is located.

130-198. WATER SUPPLY, PUBLIC. A water supply provided by a local agency, publicly owned corporation, or approved utility company.

130-198.5. WATER SURFACE ELEVATION. The elevation in feet above mean sea level of the surface of a body of water or watercourse.

130-198.9. WATERSHED. A region or area bounded peripherally by a water parting and draining ultimately to a particular watercourse or body of water.

130-198.9.a. WHOLESALE STORE. An outlet for the sale of commodities and goods for further resale.

130-199. YARD. An open space other than a court, on a lot, unoccupied and unobstructed from the ground upward, except as otherwise provided in this Code.

130-200. YARD, FRONT. A yard extending across the full width of the lot between the front of the main building and the front lot line. The depth of the required front yard shall be measured horizontally between the nearest part of the closest building and the nearest point of the front lot line.

130-201. YARD, REAR. A yard extended across the full width of the lot between the most rear main building and the rear lot line. The depth of the required rear yard shall be measured horizontally from the nearest part of a main building toward the nearest point of the rear lot line.

130-202. YARD, SIDE. A yard, between a building and the side lot line, extending from the front yard to the rear yard. The width of the required side yard shall be measured horizontally from the nearest point of the side lot line toward the nearest part of the closest building.

130-203. YARD, SIDE STREET. A yard, between a building and the side lot line adjacent to the street right-of-way, extending from the front yard to the rear yard. The depth of the required side street yard shall be measured horizontally between the nearest part of the closest building and the nearest point of the side lot line adjacent to the street.

130-203.5. ZERO SIDEYARD. A design which allows a residential structure to be constructed up to one of the interior side property lines of a parcel.

130-204. ZONE. As used in this Code "Zone" shall mean any of the zones or land use zones specified in Title I, Chapter 1, Article 2, of this Code.

130-205. ZONE CLASSIFICATION. Same as Zone.

130-206. ZONING DISTRICT. Same as Zone.

130-207. ZONE, LAND USE. Same as Zone.

130-208. ZONE, UNDERLYING. The zone with which a combining zone has been combined.

TITLE II

Land Use Zones

RESIDENTIAL--OPEN SPACE LAND USE TABLE

201-01 PURPOSE The purpose of the Residential-Open Space Land Use Table is to designate the uses permitted within each of the following zones, subject to the development standards for such uses set forth in Title III of this Code.

(a) AG-160 PERMANENT AGRICULTURAL-EXTENSIVE LAND USE ZONE as further regulated in Chapter 5, Article 1.5 of this Title.

(b) AG-80 PERMANENT AGRICULTURAL-EXTENSIVE LAND USE ZONE as further regulated in Chapter 5, Article 2 of this Title.

(c) AG-40 PERMANENT AGRICULTURAL INTENSIVE LAND USE ZONE as further regulated in Chapter 5, Article 2.5 of this Title.

(d) AG-20 PERMANENT AGRICULTURAL INTENSIVE LAND USE ZONE as further regulated in Chapter 5, Article 3 of this Title.

(e) UR-URBAN RESERVE LAND USE ZONE as further regulated in Chapter 5, Article 4 of this Title.

(f) IR-INDUSTRIAL RESERVE LAND USE ZONE as further regulated in Chapter 5, Article 5 of this Title.

(g) AR-10 AGRICULTURAL-RESIDENTIAL LAND USE ZONE as further regulated in Chapter 10, Article 2 of this Title.

(h) AR-5 AGRICULTURAL-RESIDENTIAL LAND USE ZONE as further regulated in Chapter 10, Article 3 of this Title.

(i) AR-2 AGRICULTURAL-RESIDENTIAL LAND USE ZONE as further regulated in Chapter 10, Article 4 of this Title.

(j) AR-1 AGRICULTURAL-RESIDENTIAL LAND USE ZONE, as further regulated in Chapter 10, Article 5 of this Title.

(k) RD-1 RESIDENTIAL LAND USE ZONE as further regulated in Chapter 15, Article 2 of this Title.

(l) RD-2 RESIDENTIAL LAND USE ZONE, as further regulated in Chapter 15, Article 3 of this Title.

(m) RD-3 RESIDENTIAL LAND USE ZONE as further regulated in Chapter 15, Article 4 of this Title.

(n) RD-4 RESIDENTIAL LAND USE ZONE as further regulated in Chapter 15, Article 5 of this Title.

(o) RD-5 RESIDENTIAL LAND USE ZONE as further regulated in Chapter 15, Article 6 of this Title.

(p) RD-7 RESIDENTIAL LAND USE ZONE as further regulated in Chapter 15, Article 6.5 of this Title.

(q) RD-10 RESIDENTIAL LAND USE ZONE as further regulated in Chapter 15, Article 7 of this Title.

(r) RD-20 RESIDENTIAL LAND USE ZONE as further regulated in Chapter 15, Article 8 of this Title.

(s) RD-30 RESIDENTIAL LAND USE ZONE as further regulated in Chapter 15, Article 9 of this Title.

(t) RD-40 RESIDENTIAL LAND USE ZONE as further regulated in Chapter 15, Article 10 of this Title.

(u) RM-1 MOBILEHOME PARK LAND USE ZONE as further regulated in Chapter 15, Article 11 of this Title.

(v) RM-2 MOBILEHOME SUBDIVISION LAND USE ZONE as further regulated in Chapter 15, Article 12 of this Title.

(w) RR RECREATION RESERVE LAND USE ZONE as further regulated in Chapter 20, Article 2 of this Title.

(x) O RECREATION LAND USE ZONE as further regulated in Chapter 20, Article 3 of this Title.

201-02. TABLE I

PERMITTED USES WITHIN THE BUILDABLE AREA OF RESIDENTIAL-OPEN SPACE LOTS. An X indicates that the described use is permitted in the zone represented by the symbol appearing at the top of the column. A number indicates that the described use is permitted in that zone upon compliance and maintenance of the special condition referenced by the corresponding number in Section 201-04 of this Article. The special condition requirements shall be in addition to all other requirements of this Code and any other Ordinance governing the described use.

TABLE I

PERMITTED USES WITHIN THE BUILDABLE AREA OF RESIDENTIAL-OPEN SPACE LOTS

USES	ZONING DISTRICT																							
	AG-160	AG-80	AG-40	AG-20	UR	IR	AR-10	AR-5	AR-2	AR-1	RD-1	RD-2	RD-3	RD-4	RD-5	RD-7	RD-10	RD-20	RD-30	RD-40	(MHP)	RM-2	RR	O
RESIDENTIAL																								
Single Family Dwelling (Except Mobilehome)	X	X	X	X	X	13	X	X	X	X	X	X	X	X	X	X	X	X	X	X		X	X	13
Two Family Dwelling-Duplex and Halfplex															2	2	2	2	2	2		2		
Multiple Family-Apartments																	12	1	1	1				
Boarding House																	13	1	1	1				
Single Family Dwelling. 3 Story	X	X	X	X	13	13	X	X	X	X	13	13	13	13	13	13	X	X	X	X	13	13	13	13
Two Family Dwelling. 3 Story															13	13	X	X	X	X				
Townhouse, Row House, or Cluster Development											12	12	12	12	12	12	12	12	12	12				
Lodge, Fraternal Hall, Fraternity House, Etc,	12	12	12	12	12		12	12	12	12							12	X	X	X				
Residential Care Home for More than 6 Children	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	14	14	14	13	13	13	13
Residential Care Home for More than 6 Adults	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	14	14	14	13	13	13	13
Condominiums											12	12	12	12	12	12	12	12	12	12				
Child Day Care Center for More than 6 Children	13	13	13	13	13		13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13
Social Rehabilitation Center							12	12			12	12	12	12	12	12	12	12	12	13				
Family Day Care Home	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15
Accessory Uses and Structures	X	X	X	X	X	13	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	13
Accessory Buildings as Guest Houses or Employee Quarters	13	13	13	13	13	13	13	13	13	13	13	13	13										13	13
Agricultural Accessory Dwellings	X	X	X	X	13	13	13	13	13	13														
Residential Accessory Dwelling							25	25	25	25	25	25	25	25	25	25	25	25	25	25				

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TABLE I (Continued)

PERMITTED USES WITHIN THE BUILDABLE AREA OF RESIDENTIAL-OPEN SPACE LOTS

USES	ZONING DISTRICT																							
	AG-160	AG-80	AG-40	AG-20	UR	IR	AR-10	AR-5	AR-2	AR-1	RD-1	RD-2	RD-3	RD-4	RD-5	RD-7	RD-10	RD-20	RD-30	RD-40	(MHP)	RM-2	RR	O
Recreation Travel Trailer Parks																					13		12	12
Mobilehomes as Primary Residence on Single Lot	4	4	4	4	4	13	4	4	4	4												X	13	13
Mobilehomes, pursuant to the National Manufactured Housing Construction Safety Standards Act of 1974, operative June 15, 1976, as primary residence on a single lot with an approved foundation system	X	X	X	X		13	X	X	X	26	26	26	26	26	26	26	26	26	26	26		X	13	13
Duplex, halfplex and multiple family mobilehomes, pursuant to the National Manufactured Housing Construction and Safety Standards Act of 1974, operative June 15, 1976, on a single lot with an approved foundation system															27	27	27	27	27	27				
Mobilehome Park and Ancillary Uses																					1			
Mobilehome as an Accessory Dwelling (1) For Persons in Need of Care and Supervision	19	19	19	19	19	19	19	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13
(2) Hunting Club	3	3	3	3	3	3																	3	13
(3) Construction Sites	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	13
(4) Night Watchmen	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13
(5) Agricultural Employees Dwellings	3	3	3	3	13	13	13	13	13	13													13	13
(6) Commercial Coaches for Temporary Classrooms	13	13	13	13	13		13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	
(7) Mobilehomes, Travel Trailers, Commercial Coaches for Temporary Offices	13	13	13	13	13		13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	
COMMERCIAL																								
Home Occupation	X	X	X	X	X	13	X	X	X	X	X	X	X	X	X	X	X	X	X	X	11	11	X	13
Business and Professional Office Real Estate, Legal, Medical and Dental, Insurance Accountant, Bookkeeper, Counseling Service															5	5	5	5	5	5				
Parking for Adjacent Commercial Uses																	13	13	13	13				
Convenience Center: Self Service Laundromat, Neighborhood Market, Food Store, Barber/Beauty Shop, Newspaper Stand, Secondary Service Station															6	6	6	6	6	6				
Stand for Display & Sale of Crops Grown on Premises	X	X	X	X	X	X	X	X	X	X	13	13	13										X	13
Stand for Display & Sale of Crops Not Grown on Premises	13	13	13	13	13	13	13	13	13	13	13	13											13	13
Family Contractor's Business							12	12	12	12	12	12												

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TABLE I (Continued)

PERMITTED USES WITHIN THE BUILDABLE AREA OF RESIDENTIAL-OPEN SPACE LOTS

USES	ZONING DISTRICT																							
	AG-160	AG-80	AG-40	AG-20	UR	IR	AR-10	AR-5	AR-2	AR-1	RD-1	RD-2	RD-3	RD-4	RD-5	RD-7	RD-10	RD-20	RD-30	RD-40	(MHP)	RM-2	RR	O
AGRICULTURAL																								
Feed Lots	X	X	X	X	X	X	X																	
Hog Farms	20	20	20	20	20	20	20	20	21														X	12
General Agriculture (Except Hog Farm & Feed Lots)	X	X	X	X	X	X	X	X	X	X													X	12
Incidental Agriculture, Including Private Stables and Corrals	X	X	X	X	X	X	X	X	X	X	X	X	9	9	9	9							X	X
Irrigation Disposal of Wastewater	16	16	16	16																				
Commercial Riding Stables, Boarding Stables & Riding Academy	X	X	X	X	X	X	X	X	10	10	10	10											X	X
Forestry	X	X	X	X	X	X	X																X	12
Drying, Storing or Packing Agricultural Products Grown on Property	X	X	X	X	X	X																	X	
Drying, Storing or Packing Agricultural Products Not Grown on Property	12	12	12	12	12	12																	12	
Wildlife Preserve	X	X	X	X	X	X	X	X	X	X													X	X
Field, Vegetable and Horticultural Crops	X	X	X	X	X	X	X	X	X	X	13	13											X	13
Agricultural Supplies and Services	18	18	18	18																				
INSTITUTIONAL																								
Convalescent Hospital					12		12	12			12	12	12	12	12	12	12	12	12	12				
Animal Hospital and Veterinarian Office	13	13	13	13	13		12	12			12	12											12	
Kennel	13	13	13	13	13	13	12	12	12	12	12	12											12	
Hospital	12	12	12	12	12		12	12			12	12	12	12	12	12	12	12	12	12			12	12
Cemetery	13	13	13	13	13	13	13	13			12	12	12	12	12	12	12	12	12	12			12	12
Medical Offices	22	22	22	22	22	22	22	22			22	22	22	22	5	5	5	5	5	5			12	
Church	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13
Public or Private School K-12	13	13	13	13	13		X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	12	
College or University							12	12			12	12	12	12	12	12	12	12	12	12				
Other Private Schools	13	13	13	13	13		13	13			12	12	12	12	12	12	12	12	12	12	12	12	12	

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TABLE I (Continued)

PERMITTED USES WITHIN THE BUILDABLE AREA OF RESIDENTIAL-OPEN SPACE LOTS

USES	ZONING DISTRICT																							
	AG-160	AG-80	AG-40	AG-20	UR	IR	AR-10	AR-5	AR-2	AR-1	RD-1	RD-2	RD-3	RD-4	RD-5	RD-7	RD-10	RD-20	RD-30	RD-40	(MHP)	RM-2	RR	O
Public Parks & Ancillary Uses	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Public and Government-Owned Buildings and Facilities, Federal and State	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Public and Government-Owned Buildings and Facilities, Other Than Federal and State	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12
Public and Government Uses Within Privately-Owned Buildings, Facilities, and Grounds	23	23	23	23	23	23	23	23	23	23	23	23	23	23	23	23	23	23	23	23	23	23	23	23
Privately-Owned Uses Within Public and Government-Owned Buildings, Facilities, and Grounds	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24
Private Social Center	13	13	13	13	13		12	12			12	12	12	12	12	12	12	12	12	12	12	12	12	
Airport (See Section 130-09.5)	12	12	12	12	12	12	12	12	12	12													12	12
Public Utilities and Public Service Facilities	17	17	17	17	17	17	17	17	17	17	17	17	17	17	17	17	17	17	17	17	17	17	17	17
Hunting Clubs, Gun Clubs, Shooting Clubs	13	13	13	13	13	13																	12	12
Boat Docks Private	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13
Boat Harbors, Marinas & Incidental Accessory Uses																							12	12
Stadiums and Race Tracks																								12
Other Outdoor Recreation Facilities	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12
OTHER																								
Special Permits	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7	7
Gas or Oil Well	13	13	13	13	13	13	13	13	13	13													13	13
Signs (See Title III, Chapter 35)																								
Temporary Uses (See Title III, Chapter 1, Article 1)																								
Food Processing Industry	8	8	8	8	8	8																		
Delta Waterways DW Zone (For Permitted Uses and Other Requirements in the Delta Waterways DW Zone, See Title II, Chapter 35, Article 8).																								

201-03. SIMILAR AND LIKE USES. If a use is not listed in Table I, or shown as a permitted use in any other zone the appropriate authority may grant a use permit for such use as provided in Section 115.56.

201-04. SPECIAL CONDITIONS-AGRICULTURAL AND RESIDENTIAL USES. The following special conditions apply to the uses indicated by the corresponding number on the table set forth in Section 201-02.

(1) Permitted subject to development plan review by the Project Planning Commission, pursuant to the provisions of Article 7, Chapter 10, Title I of this Code. Projects submitted by the Sacramento Housing and Redevelopment Agency are subject to review by the Board of Supervisors.

(2) Duplexes and halfplexes are permitted:

(a) On corner lots with a maximum of 10 or fewer units in a single project.

(b) On interior lots with a maximum of eight or fewer units in a single project, as follows:

(i) In the RD-5 and RD-7 zones, subject to issuance of a use permit by the appropriate authority.

(ii) In the RD-10, RD-20, RD-30, and RD-40 zones as permitted uses.

(c) In proposed projects of 10 or more units, subject to issuance of a use permit by the Board of Supervisors.

(d) Conversion of existing duplex units to halfplexes is subject to issuance of a use permit by the appropriate authority.

(e) Subject to compliance with development standards in Title III, Chapter 5, Article 4.

(3) Permitted subject to issuance of an occupancy permit by the Chief Building Inspector, pursuant to the provisions of Section 301-57.

(4) Permitted subject to issuance of an occupancy permit by the Department of Public Works pursuant to the provisions of Section 301-57 provided the lot area shall be not less than ten (10) acres.

(5) Permitted for projects not to exceed one (1) net acre in size subject to issuance of a conditional use permit by the appropriate authority and the findings required by Sections 110-30 and 110-31.

(6) Permitted for projects not to exceed three (3) gross acres in size subject to issuance of a conditional use permit by the appropriate authority and the findings required by Sections 110-30 and 110-31.

(7) Special Development Permit: Any use or combination of uses permitted in the basic land use zone in which the proposed project is located may be developed as a Special Development subject to the issuance of a Special permit by the appropriate authority in accordance with the provisions of Article 6, Chapter 10, Title I of this Code.

(8) Permitted provided that an (FP) Food Processing Combining Zone has been established and a conditional use permit has been issued by the Board upon a recommendation by the Planning Commission, .subject to the provisions of Sections 235-100 through 235-129.

(9) Permitted on a lot with a minimum net area of 20,000 square feet subject to the provisions of Title III, Chapter 10, Article 2.

(10) Permitted on a lot with a minimum net area of three (3) acres subject to the provisions of Section 310-14.

(11) Any home occupation conducted in a mobilehome shall be limited to office type uses only, subject to approval by the Chief Building Inspector.

(12) Permitted subject to the issuance of a conditional use permit by the appropriate authority.

(13) Permitted subject to issuance of a conditional use permit by the Zoning Administrator.

(14) Permitted not to exceed twenty (20) persons receiving care. Permitted for over twenty (20) persons receiving care subject to issuance of a conditional use permit by the Zoning Administrator.

(15) Permitted not to exceed a total of twelve (12) persons including those receiving day care and children of the resident family who are under twelve (12) years of age. Permitted for over twelve (12) persons subject to issuance of a conditional use permit by the Zoning Administrator.

(16) Permitted subject to the issuance of a conditional use permit by the Board upon a recommendation from the Planning Commission pursuant to the provisions of Title II, Chapter 35, Article 7.

(17) Permitted, subject to the provisions of Section 301-10 through 301-13.

(18) Permitted subject to issuance of a conditional use permit by the appropriate authority and the findings required by Sections 110-30 and 110-31.

(19) Permitted subject to issuance of an occupancy permit by the Chief Building Inspector, pursuant to the provisions of Section 301-57 and the findings of Section 301-51 (a), (b), and (c).

(20) Hog farms are permitted subject to compliance with all requirements of the County Health Department.

(21) A maximum of 3 adult hogs are permitted subject to compliance with all requirements of the County Health Department.

(22) Medical offices providing diagnosis and treatment of outpatients when the office is incidental to a hospital or convalescent hospital subject to issuance of a use permit by the appropriate authority.

(23) All government and publicly-owned and/or operated uses within privately-owned buildings, facilities and property will be regulated as provided for in this Code for the proposed use as if it were a private use.

(24) All privately-owned and/or operated uses within government-owned buildings and grounds will be regulated as provided for elsewhere in this Code for that type of use. A use which is located within a government-owned and operated facility such as a state park or office building and is regulated by that agency will be a permitted use.

(25) Permitted subject to the issuance of a conditional use permit by the Zoning Administrator and subject to the regulation of Section 305-88.

(26) Permitted subject to issuance of a mobilehome certificate of compatibility, pursuant to the provisions of Title I, Chapter 10, Article 8 of this Code.

(27) Permitted subject to issuance of a special development permit pursuant to the provisions of Title I, Chapter 10, Article 6 of this Code.

AGRICULTURAL LAND USE ZONES
GENERAL PURPOSES

205-01. The Agricultural Land Use Zones established in this Chapter are designed to promote and protect the public health, safety and general welfare. The Board of Supervisors in establishing these zones finds that these zones with the uses and regulations provided in this Code are consistent and compatible with the objectives, policies, general land uses and programs specified in the Sacramento County General Plan, and are adopted for the following purposes:

(a) To eliminate the encroachment of land uses which are incompatible with the long-term agricultural use of land.

(b) To preserve the maximum amount of the limited supply of agricultural land in order to conserve the County's economic resources which are vital for a healthy agricultural economy within the County.

(c) To discourage the premature and unnecessary conversion of agricultural land to urban uses, which will benefit the residents of urban areas and which will prevent unnecessary increases in the costs of providing community services to urban residents.

(d) To assure the preservation of agricultural lands which have a definite value as open space and for the production of agricultural products, so as to preserve an important physical, social, esthetic and economic asset of the residents of the County.

(e) To encourage the retention of sufficiently large agricultural lots to assure maintenance of viable agricultural units.

205-02. CONSTRUCTION OF PROVISIONS. The provisions of this Article shall be liberally construed insofar as they apply to agricultural pursuits and services to the end that conflicting uses shall not be permitted.

205-03. PROHIBITION. No building, structure, vehicle, sign or area in any Agricultural Land Use Zone shall be used, nor shall any building, structure, sign or vehicle be erected, altered, moved, enlarged or stored in any Agricultural Land Use Zone except as hereinafter specifically provided in this Chapter or elsewhere in this Code; nor shall any area, building, structure, vehicle or sign be used in any manner so as to create problems inimical to the public health, safety or general welfare or so as to constitute a public nuisance. Off-site signs are prohibited in any Agricultural Land Use Zone. Any building, structure, vehicle, sign or lot or the use of any building, structure, vehicle or lot in any Agricultural Land Use Zone shall be regulated and governed by the provisions of this Chapter and the regulations and conditions for each use in Title III of this Code.

AG-160 PERMANENT AGRICULTURAL--EXTENSIVE LAND USE ZONE

205-07. LOT AREA.

(a) Each lot or parcel in the AG-160 zone shall contain a minimum gross area of one hundred sixty (160) acres.

(b) Each lot or parcel in the AG-160 zone shall contain a minimum gross area of five (5) acres per accessory dwelling unit located thereon.

205-08. LOT WIDTH. Each lot or parcel in the AG-160 zone shall have a minimum width of one thousand (1,000) feet.

205-09. PERMITTED USES. The uses permitted in the AG-160 zone shall be those uses specified in the Residential and Open Space Use Table, Section 201-02 of this Title, subject to the special conditions set forth in Section 201-04 and subject to the regulations governing such uses set forth in Title III of this Code.

AG-80 PERMANENT AGRICULTURAL-EXTENSIVE LAND USE ZONE

205-10. LOT AREA.

(a) Each lot or parcel in the AG-80 zone shall contain a minimum gross area of eighty (80) acres.

(b) Each lot or parcel in the AG-80 zone shall contain a minimum gross area of five (5) acres per accessory dwelling unit located thereon.

205-11. LOT WIDTH. Each lot or parcel in the AG-80 zone shall have a minimum width of one thousand (1,000) feet.

205-12. PERMITTED USES. The uses permitted in the AG-80 zone shall be those uses specified in the Residential and Open Space Use Table, Section 201-02 of this Title, subject to the special conditions set forth in Section 201-04 and subject to the regulations governing such uses set forth in Title III of this Code.

AG-40 PERMANENT AGRICULTURAL--INTENSIVE LAND USE ZONE

205-15. LOT AREA.

(a) Each lot or parcel in the AG-40 zone shall contain a minimum gross area of forty (40) acres.

(b) Each lot or parcel in the AG-40 zone shall contain a minimum gross area of five (5) acres per accessary dwelling unit located thereon.

205-16. LOT WIDTH. Each lot or parcel in the AG-40 zone shall have a minimum width of five hundred (500) feet.

205-17. PERMITTED USES. The uses permitted in the AG-40 zone shall be those uses specified in the Residential and Open Space Use Table, Section 201-02 of this Title, subject to the special conditions set forth in Section 201-04 and subject to the regulations governing such uses set forth in Title III of this Code.

AG-20 PERMANENT AGRICULTURAL--INTENSIVE LAND USE ZONE

205-20. LOT AREA.

(a) Each lot or parcel in the AG-20 zone shall contain a minimum gross area of twenty (20) acres.

(b) Each lot or parcel in the AG-20 zone shall contain a minimum gross area of five (5) acres per accessory dwelling unit located thereon.

205-21. LOT WIDTH. Each lot or parcel on the AG-20 zone shall have a minimum width of five hundred (500) feet.

205-22. PERMITTED USES. The uses permitted in the AG-20 zone shall be those uses specified in the Residential and Open Space Use Table, Section 201-02 of this Title, subject to the special conditions set forth in Section 201-04 and subject to the regulations governing such uses set forth in Title III of this Code.

UR URBAN RESERVE LAND USE ZONE

205-30. LOT AREA.

(a) Each lot or parcel in the UR zone shall contain a minimum gross area of twenty (20) acres.

(b) Each lot or parcel in the UR zone shall contain a minimum gross area of five (5) acres per accessory dwelling unit located thereon.

205-31. LOT WIDTH. Each lot or parcel in the UR zone shall have a minimum width of five hundred (500) feet.

205-32. PERMITTED USES. The uses permitted in the UR zone shall be those uses specified in the Residential and Open Space Use Tables, Section 201-02 of this Title, subject to the special conditions set forth in Section 201-04 and subject to the regulations governing such uses set forth in Title III of this Code.

IR INDUSTRIAL RESERVE LAND USE ZONE

205-40. LOT AREA.

(a) Each lot or parcel in the IR zone shall contain a minimum gross area of twenty (20) acres.

(b) Each lot or parcel in the IR zone shall contain a minimum gross area of five (5) acres per accessory dwelling unit located thereon.

205-41. LOT WIDTH. Each lot or parcel in the IR zone shall have a minimum width of two hundred fifty (250) feet.

205-42. PERMITTED USES. The uses permitted in the IR zone shall be those uses specified in the Residential and Open Space Use Table, Section 201-02 of this Title, subject to the special conditions set forth in Section 201-04 and subject to the regulations governing such uses set forth in Title III of this Code.

AGRICULTURAL-RESIDENTIAL LAND USE ZONES
GENERAL PURPOSES

210-01. PURPOSE. The Agricultural-Residential Land Use Zones established in this Chapter are designed to promote and protect the public health, safety and general welfare. The Board of Supervisors in establishing these zones finds that these zones, with the uses and regulations provided in this Code, are consistent and compatible with the objectives, policies, general land uses and programs specified in the Sacramento County General Plan; and are adopted for the following purposes:

(a) To establish living areas within the County where development is limited to low density concentrations of one-family dwellings.

(b) To limit the number of permitted nonresidential uses so as to promote and encourage a suitable environment for family life on parcels of land larger than generally is provided in residential zones.

(c) To protect estate areas against fire, explosions and other hazards, and against offensive noises, odors, glare and other objectionable influences.

(d) To provide adequate open space and access of light and air for privacy by controls over the spacing and height of buildings.

(e) To permit those religious, educational, recreational and public cultural facilities which serve the needs of the nearby residents and which generally perform their own activities more effectively in a residential environment and which do not create objectionable influences.

(f) To promote the most desirable use of land and direction of building development in accord with the General Plan, to promote stability of land development, to conserve the value of land and improvements and to protect the County's tax revenues.

(g) To regulate the development of land when not served with both public water supply and public sewerage facilities.

(h) To avoid undue concentration of population and overcrowding of land to lessen congestion in the streets.

210-02. PROHIBITION. No building, structure, vehicle, sign or area in any Agricultural-Residential Land Use Zone shall be used, nor shall any building, structure, sign or vehicle be erected, altered, moved, enlarged or stored in any Agricultural-Residential Land Use Zone except as hereinafter specifically provided in this Chapter or elsewhere in this Code; nor

shall any area, building, structure, vehicle, or sign be used in any manner so as to create problems inimical to the public health, safety, or general welfare, or so as to constitute a public nuisance. Off-site signs are prohibited in any Agricultural-Residential Land Use Zone. Any building, structure, vehicle, sign, or lot, or the use of any building, structure, vehicle, or lot in any Agricultural-Residential Land Use Zone shall be regulated and governed by the provisions of this Chapter and the regulations and conditions for each use in Title III of this Code.

AR-10 AGRICULTURAL-RESIDENTIAL LAND USE ZONE

210-10. LOT AREA.

(a) Each lot or parcel in the AR-10 zone shall have a minimum gross area of ten (10) acres.

(b) Each lot or parcel in the AR-10 zone shall contain a minimum gross area of five (5) acres per accessory dwelling unit located thereon.

210-11. PUBLIC STREET FRONTAGE. Each lot or parcel in the AR-10 zone shall have a public street frontage of not less than three hundred (300) feet except public street frontage shall not be required if there is on file with the County an irrevocable offer to dedicate right-of-way to a width satisfactory to the County to provide access from the lot to a public street. The County will not be required to maintain said right-of-way until improvements are installed to County standards.

210-12. LOT WIDTH. Each lot or parcel in the AR-10 zone shall have a minimum width of three hundred (300) feet.

210-13. PERMITTED USES. The uses permitted in the AR-10 zone shall be those uses specified in the Residential and Open Space Use Table, Section 201-02 of this Title, subject to the special conditions set forth in Section 201-04 and subject to the regulations governing such uses set forth in Title III of this Code.

AR-5 AGRICULTURAL-RESIDENTIAL LAND USE ZONE

210-20. LOT AREA.

(a) Each lot or parcel in the AR-5 zone shall have a minimum gross area of five (5) acres.

(b) Each lot or parcel in the AR-5 zone shall contain a minimum gross area of five (5) acres per accessory dwelling unit located thereon.

210-21. LOT WIDTH. Each lot or parcel in the AR-5 zone shall have a minimum width of two hundred fifty (250) feet.

210-22. PUBLIC STREET FRONTAGE. Each lot or parcel in the AR-5 zone shall have a public street frontage of not less than two hundred fifty (250) feet.

210-23. PERMITTED USES. The uses permitted in the AR-5 zone shall be those uses specified in the Residential and Open Space Use Table, Section 201-02 of this Title, subject to the special conditions set forth in Section 201-04 and subject to the regulations governing such uses set forth in Title III of this Code.

AR-2 AGRICULTURAL-RESIDENTIAL LAND USE ZONE

210-30. LOT AREA.

(a) Each lot or parcel in the AR-2 zone shall have a minimum gross area of two (2) acres.

(b) Each lot or parcel in the AR-2 zone shall have a minimum gross area of one (1) acre per accessory dwelling unit located thereon.

210-31. LOT WIDTH. Each lot or parcel in the AR-2 zone shall have a minimum width of one hundred fifty (150) feet.

210-32. PUBLIC STREET FRONTAGE. Each lot or parcel in the AR-2 zone shall have a public street frontage of not less than one hundred fifty (150) feet.

210-33. PERMITTED USES. The uses permitted in the AR-2 zone shall be those uses specified in the Residential and Open Space Use Table, Section 201-02 of this Title, subject to the special conditions set forth in Section 201-04 and subject to the regulations governing such uses set forth in Title III of this Code.

AR-1 AGRICULTURAL-RESIDENTIAL LAND USE ZONE

210-40. LOT AREA.

(a) Each lot or parcel in the AR-1 zone shall have a minimum gross area of one (1) acre.

(b) Each lot or parcel in the AR-1 zone shall have a minimum net area of one (1) acre per accessory dwelling unit located thereon.

210-41. LOT WIDTH. Each lot or parcel in the AR-1 zone shall have a minimum width of seventy-five (75) feet.

210-42. PUBLIC STREET FRONTAGE. Each lot or parcel in the AR-1 zone shall have a public street frontage of not less than seventy-five (75) feet.

210-43. PERMITTED USES. The uses permitted in the AR-1 zone shall be those uses specified in the Residential and Open Space Use Table, Section 201-02 of this Title, subject to the special conditions set forth in Section 201-04 and subject to the regulations governing such uses set forth in Title III of this Code.

RESIDENTIAL LAND USE ZONES
GENERAL PURPOSES

215-01. PURPOSE. The Residential Land Use Zones established in this Chapter are designed to promote and protect the public health, safety, and general welfare. The Board of Supervisors in establishing these zones finds that these zones with the uses and regulations provided in this Code are consistent and compatible with the objectives, policies, general land uses and programs specified in the Sacramento County General Plan; and are adopted for the following purposes:

(a) To provide sufficient space in appropriate locations for residential development to meet the housing needs of the County's present and expected future population with due allowance for the need for a choice of sites.

(b) To protect residential areas against fire, explosions, toxic and noxious matter, and other hazards, and against offensive noise, odorous matter, glare, and other objectionable influences.

(c) To protect residential areas, as far as possible, against heavy and through traffic.

(d) To protect residential areas against congestion, by regulating the density of population and the bulk of buildings in relation to the land around them and to one another, and by providing for off-street parking spaces; to require the provisions of open space in residential areas wherever practicable; and thereby to provide a more desirable environment for urban living in a metropolitan area.

(e) To provide for access of light and air and for privacy, by controls over the spacing and height of buildings and other structures.

(f) To provide appropriate space for those educational, religious, recreational, health, and similar facilities which serve the needs of the nearby residents, which generally perform their own activities more effectively in a residential environment, and which do not create objectionable influences.

(g) To encourage the development of more attractive and economic building forms.

(h) To promote the most desirable use of land and direction of building development in accord with the General Plan; to promote stability of residential development so as to protect the character of a district and its peculiar suitability for particular uses; to conserve the values of land and buildings; and to protect the County's tax revenues.

(i) To provide for the parking and storage of major recreational equipment within designated open spaces.

(j) To provide for State authorized, certified or licensed family care homes, foster homes or group homes as a residential use of property.

215-02. PROHIBITION. No building, structure, vehicle, sign, or area in any Residential Land Use Zone shall be used, nor shall any building, structure, sign, or vehicle be erected, altered, moved, enlarged, or stored in any Residential Land Use Zone except as hereinafter specifically provided in this Chapter or elsewhere in this Code; nor shall any area, building, structure, vehicle, or sign be used in any manner so as to create problems inimical to the public health, safety, or general welfare, or so as to constitute a public nuisance. Off-site signs are prohibited in any Residential Land Use Zone. Any building, structure, vehicle, sign, or lot, or the use of any building, structure, vehicle, or lot in any Residential Land Use Zone shall be regulated and governed by the provisions of this Chapter and the regulations and conditions for each use in Title III of this Code.

RD-1 RESIDENTIAL LAND USE ZONE

215-10. LOT AREA. Each lot in the RD-1 zone shall have a minimum net area of one (1) acre.

215-11. LOT WIDTH. Each lot in the RD-1 zone shall have a minimum width of seventy-five (75) feet. The width of lots fronting on a curved street or the curved portion of a cul-de-sac street shall be measured along a chord located twenty-five (25) feet from the edge of the street right-of-way.

215-12. PUBLIC STREET FRONTAGE. Each lot in the RD-1 zone shall have a minimum public street frontage of seventy-five (75) feet. The public street frontage for lots fronting on a curved street or on the curved portion of a cul-de-sac street shall be measured along a chord located twenty-five (25) feet from the edge of the street right-of-way.

215-13. PERMITTED USES. The uses permitted in the RD-1 zone shall be those uses specified in the Residential and Open Space Use Table, Section 201-02 of this Title, subject to the special conditions set forth in Section 201-04 and subject to the regulations governing such uses set forth in Title III of this Code.

215-14. RD-1 DENSITY REQUIREMENTS. The maximum density shall not exceed one (1) dwelling unit per gross acre of land. In calculating the maximum number of dwelling units, the total number shall be rounded down to the nearest whole number.

RD-2 RESIDENTIAL LAND USE ZONE

215-20. LOT AREA. The minimum net area of each lot in the RD-2 zone shall be as follows:

(a) Twenty thousand (20,000) square feet if either a public water supply or a public sewerage facility or both is in use.

(b) One (1) acre if neither a public water supply nor a public sewerage facility is in use.

215-21. LOT WIDTH. Each lot in the RD-2 zone shall have a minimum width of seventy-five (75) feet. The width of lots fronting on a curved street or the curved portion of a cul-de-sac street shall be measured along a chord located twenty-five (25) feet from the edge of the street right-of-way.

215-22. PUBLIC STREET FRONTAGE. Each lot in the RD-2 zone shall have a minimum public street frontage of seventy-five (75) feet. The public street frontage for lots fronting on a curved street or on the curved portion of a cul-de-sac street shall be measured along a chord located twenty-five (25) feet from the edge of the street right-of-way.

215-23. PERMITTED USES. The uses permitted in the RD-2 zone shall be those uses specified in the Residential and Open Space Use Table, Section 201-02 of this Title, subject to the special conditions set forth in Section 201-04 and subject to the regulations governing such uses set forth in Title III of this Code.

215-24. RD-2 DENSITY REQUIREMENTS. The maximum density shall not exceed two (2) dwelling units per gross acre of land. In calculating the maximum number of dwelling units, the total number shall be rounded down to the nearest whole number.

RD-3 RESIDENTIAL LAND USE ZONE

215-30. LOT AREA. The minimum net area of each lot in the RD-3 zone shall be as follows:

(a) Ten thousand (10,000) square feet if either a public water supply or a public sewerage facility or both is in use.

(b) One (1) acre if neither a public water supply nor a public sewerage facility is in use.

215-31. LOT WIDTH. Each lot in the RD-3 zone shall have a minimum width of sixty-five (65) feet. The width for lots fronting on a curved street or the curved portion of a cul-de-sac street shall be measured along a chord located twenty-five (25) feet from the edge of the street right-of-way.

215-32. PUBLIC STREET FRONTAGE. Each lot in the RD-3 zone shall have a minimum public street frontage of sixty-five (65) feet. The public street frontage for lots fronting on a curved street or on the curved portion of a cul-de-sac street shall be measured along a chord located twenty-five (25) feet from the edge of the street right-of-way.

215-33. PERMITTED USES. The uses permitted in the RD-3 zone shall be those uses specified in the Residential and Open Space Use Table, Section 201-02 of this Title, subject to the special conditions set forth in Section 201-04 and subject to the regulations governing such uses set forth in Title III of this Code.

215-34. RD-3 DENSITY REQUIREMENTS. The maximum density shall not exceed three (3) dwelling units per gross acre of land. In calculating the maximum number of dwelling units, the total number shall be rounded down to the nearest whole number.

RD-4 RESIDENTIAL LAND USE ZONE

215-40. LOT AREA. The minimum net area of each lot in the RD-4 zone shall be as follows:

(a) Eight thousand five hundred (8500) square feet where a public water supply and public sewerage facility are both in use.

(b) Ten thousand (10,000) square feet where either a public water supply or a public sewerage facility, but not both, is in use.

(c) One (1) acre if neither a public water supply nor a public sewerage facility is in use.

215-41. LOT WIDTH. Each lot in the RD-4 zone shall have a minimum width of sixty-five (65) feet. The width for lots fronting on a curved street or curved portion of cul-de-sac street shall be measured along a chord located twenty-five (25) feet from the edge of the street right-of-way.

215-42. PUBLIC STREET FRONTAGE. Each lot in the RD-4 zone shall have a minimum public street frontage of sixty-five (65) feet. The public street frontage for lots fronting on a curved street or on the curved portion of a cul-de-sac street shall be measured along a chord located twenty-five (25) feet from the edge of the street right-of-way.

215-43. PERMITTED USES. The uses permitted in the RD-4 zone shall be those uses specified in the Residential and Open Space Use Table, Section 201-02 of this Title, subject to the special conditions set forth in Section 201-04 and subject to the regulations governing such uses set forth in Title III of this Code.

215-44. RD-4 DENSITY REQUIREMENT. The maximum density shall not exceed four (4) dwellings per gross acre of land. In calculating the maximum number of dwelling units, the total number shall be rounded down to the lowest whole number.

RD-5 RESIDENTIAL LAND USE ZONE

215-50. LOT AREA, WIDTH, AND PUBLIC STREET FRONTAGE. The minimum net area, lot width, and public street frontage of each lot in the RD-5 zone shall be as set forth below. The lot width and public street frontage for lots fronting on a curved street or on the curved portion of a cul-de-sac street shall be measured along the chord located twenty-five (25) feet from the edge of the street right-of-way.

	NET LOT AREA	LOT WIDTH	PUBLIC STREET FRONTAGE
Single Family			
(1) Where a Public Water Supply and Public Sewerage Facility are both in use:			
(a) Interior Lots	5,200 sq. ft.	52 ft.	52 ft.
(b) Corner Lots	6,200 sq. ft.	62 ft.	62 ft.
(2) Where either a Public Water Supply or a Public Sewerage Facility, but not both, is in use:			
(a) Interior Lots	10,000 sq. ft.	52 ft.	52 ft.
(b) Corner Lots	10,000 sq. ft.	62 ft.	62 ft.
(3) Where neither a Public Water Supply nor a Public Sewerage Facility is in use:			
(a) Interior Lots	1 acre	52 ft.	52 ft.
(b) Corner Lots	1 acre	62 ft.	62 ft.
Two Family			
(1) Where a Public Water Supply and Public Sewerage Facility are both in use:			
(a) Interior Lots	8,500 sq. ft.	80 ft.	80 ft.
(b) Corner Lots	8,500 sq. ft.	80 ft.	80 ft.
(2) Where either a Public Water Supply or a Public Sewerage Facility, but not both, is in use:			
(a) Interior Lots	15,000 sq. ft.	100 ft.	100 ft.
(b) Corner Lots	15,000 sq. ft.	100 ft.	100 ft.
(3) Where neither a Public Water Supply nor a Public Sewerage Facility is in use:			
(a) Interior Lots	1 acre	100 ft.	100 ft.
(b) Corner Lots	1 acre	100 ft.	100 ft.

215-51. PERMITTED USES. The uses permitted in the RD-5 zone shall be those uses specified in the Residential and Open Space Use Table, Section 201-02 of this Title, subject to the special conditions set forth in Section 201-04 and subject to the regulations governing such uses set forth in Title III of this Code.

215-52. RD-5 DENSITY REQUIREMENTS. The maximum density shall not exceed five (5) dwelling units per gross acre of land. In calculating the maximum number of dwelling units, the total number shall be rounded down to the nearest whole number.

RD-7 RESIDENTIAL LAND USE ZONE

215-55. LOT AREA, WIDTH, AND PUBLIC STREET FRONTAGE. The minimum net area, lot width, and public street frontage of each lot in the RD-7 zone shall be as set forth below. The lot width and public street frontage for lots fronting on a curved street or on the curved portion of a cul-de-sac street shall be measured along the chord located twenty-five (25) feet from the edge of the street right-of-way.

	NET LOT AREA	LOT WIDTH	PUBLIC STREET FRONTAGE
Single Family			
(1) Where a Public Water Supply and Public Sewerage Facility are both in use:			
(a) Interior Lots	4,000 sq. ft.	40 ft.	40 ft.
(b) Corner Lots	5,200 sq. ft.	52 ft.	52 ft.
(2) Where either a Public Water Supply or a Public Sewerage Facility, but not both, is in use:			
(a) Interior Lots	10,000 sq. ft.	52 ft.	52 ft.
(b) Corner Lots	10,000 sq. ft.	62 ft.	62 ft.
(3) Where neither a Public Water Supply nor a Public Sewerage Facility is in use:			
(a) Interior Lots	1 acre	52 ft.	52 ft.
(b) Corner Lots	1 acre	62 ft.	62 ft.
Two Family			
(1) Where a Public Water Supply and Public Sewerage Facility are both in use:			
(a) Interior Lots	6,200 sq. ft.	62 ft.	62 ft.
(b) Corner Lots	6,200 sq. ft.	62 ft.	62 ft.
(2) Where either a Public Water Supply or a Public Sewerage Facility, but not both, is in use:			
(a) Interior Lots	15,000 sq. ft.	100 ft.	100 ft.
(b) Corner Lots	15,000 sq. ft.	100 ft.	100 ft.
(3) Where neither a Public Water Supply nor a Public Sewerage Facility is in use:			
(a) Interior Lots	1 acre	100 ft.	100 ft.
(b) Corner Lots	1 acre	100 ft.	100 ft.

215-56. PERMITTED USES. The uses permitted in the RD-7 zone shall be those uses specified in the Residential and Open Space Use Table, Section 201-02 of this Title, subject to the special conditions set forth in Section 201-04 and subject to the regulations governing such uses set forth in Title III of this Code.

215-57. RD-7 DENSITY REQUIREMENTS. The maximum density shall not exceed seven (7) dwelling units per gross acre of land. In calculating the maximum number of dwelling units, the total number shall be rounded down to the nearest whole number.

RD-10 RESIDENTIAL LAND USE ZONE

215-60. LOT AREA, WIDTH AND PUBLIC STREET FRONTAGE. The minimum net area, lot width, and public street frontage of each lot in the RD-10 zone shall be as set forth below. The lot width and public street frontage for lots fronting on the curved street or on the curved portion of a cul-de-sac street shall be measured along a chord located twenty-five (25) feet from the edge of the street right-of-way.

	NET LOT AREA	LOT WIDTH	PUBLIC STREET FRONTAGE
(1) Where a Public Water Supply and Public Sewerage Facility are both in use:			
Single Family			
(a) Interior Lots	4,000 sq. ft.	40 ft.	40 ft.
(b) Corner Lots	5,200 sq. ft.	52 ft.	52 ft.
Multiple Family			
(a) Interior Lots	5,200 sq. ft.	52 ft.	52 ft.
(b) Corner Lots	6,200 sq. ft.	62 ft.	62 ft.
(2) Where either a Public Water Supply or a Public Sewerage Facility, but not both, is in use:			
(a) Interior Lots	10,000 sq. ft.	52 ft.	52 ft.
(b) Corner Lots	10,000 sq. ft.	62 ft.	62 ft.
(3) Where neither a Public Water Supply nor a Public Sewerage Facility is in use:			
(a) Interior Lots	1 acre	52 ft.	52 ft.
(b) Corner Lots	1 acre	62 ft.	62 ft.

215-61. DENSITY REQUIREMENT--MULTIPLE FAMILY DWELLINGS. Every lot used for a multiple family dwelling shall have a maximum number of dwelling units not to exceed ten (10) dwellings per net acre of land. In calculating the maximum number of dwelling units, the total number shall be rounded down to the lowest whole number.

215-62. PERMITTED USES. The uses permitted in the RD-10 zone shall be those uses specified in the Residential and Open Space Use Table, Section 201-02 of this Title, subject to the special conditions set forth in Section 201-04 and subject to the regulations governing such uses set forth in Title III of this Code.

RD-20 MULTIPLE FAMILY RESIDENTIAL LAND USE ZONE

215-70. LOT AREA, WIDTH AND PUBLIC STREET FRONTAGE. The minimum net area, lot width, and public street frontage of each lot in the RD-20 zone shall be as set forth below. The lot width and public street frontage for lots fronting on a curved street or on the curved portion of a cul-de-sac street shall be measured along a chord located twenty-five (25) feet from the edge of the street right-of-way.

	NET LOT AREA	LOT WIDTH	PUBLIC STREET FRONTAGE
(1) Where a Public Water Supply and Public Sewerage Facility are both in use:			
Single Family			
(a) Interior Lots	4,000 sq. ft.	40 ft.	40 ft.
(b) Corner Lots	5,200 sq. ft.	52 ft.	52 ft.
Multiple Family			
(a) Interior Lots, used for Residential Purposes	5,200 sq. ft.	52 ft.	52 ft.
(b) Interior Lots, used for Non-Residential Purposes	6,200 sq. ft.	52 ft.	52 ft.
(c) Corner Lots	6,200 sq. ft.	62 ft.	62 ft.
(2) Where either a Public Water Supply or a Public Sewerage Facility, but not both, is in use:			
(a) Interior Lots, used for Residential Purposes	10,000 sq. ft.	52 ft.	52 ft.
(b) Corner Lots, used for Residential Purposes	10,000 sq. ft.	62 ft.	62 ft.
(c) Interior Lots, used for Non-Residential Purposes	15,000 sq. ft.	52 ft.	52 ft.
(d) Corner Lots, used for Non-Residential Purposes	15,000 sq. ft.	62 ft.	62 ft.
(3) Where neither a Public Water Supply nor a Public Sewerage Facility is in use:			
(a) Interior Lots	1 acre	52 ft.	52 ft.
(b) Corner Lots	1 acre	62 ft.	62 ft.

215-71. DENSITY REQUIREMENTS--MULTIPLE FAMILY DWELLING. Every lot used for a multiple family dwelling shall have a maximum density not to exceed twenty (20) dwelling units per net acre of land. In calculating the maximum number of dwelling units, the total number shall be rounded down to the nearest whole number.

215-72. PERMITTED USES. The uses permitted in the RD-20 zone shall be those uses specified in the Residential and Open Space Use Table, Section 201-02 of this Title, subject to the special conditions set forth in Section 201-04 and subject to the regulations governing such uses set forth in Title III of this Code.

RD-30 MULTIPLE FAMILY RESIDENTIAL LAND USE ZONE

215-80. LOT AREA, WIDTH AND PUBLIC STREET FRONTAGE. The minimum net area, lot width and public street frontage of each lot in the RD-30 zone shall be as set forth below. The lot width and public street frontage for lots fronting on a curved street or on the curved portion of a cul-de-sac street shall be measured along a chord located twenty-five (25) feet from the edge of the street right-of-way.

	NET LOT AREA	LOT WIDTH	PUBLIC STREET FRONTAGE
(1) Where a Public Water Supply and Public Sewerage Facility are both in use:			
Single Family			
(a) Interior Lots	4,000 sq. ft.	40 ft.	40 ft.
(b) Corner Lots	5,200 sq. ft.	52 ft.	52 ft.
Multiple Family			
(a) Interior Lots, used for Residential Purposes	5,200 sq. ft.	52 ft.	52 ft.
(b) Interior Lots, used for Non-Residential Purposes	6,200 sq. ft.	52 ft.	52 ft.
(c) Corner Lots	6,200 sq. ft.	62 ft.	62 ft.
(2) Where either a Public Water Supply or a Public Sewerage Facility, but not both, is in use:			
(a) Interior Lots, used for a Single Family Dwelling or Non-Residential Purposes	10,000 sq. ft.	52 ft.	52 ft.
(b) Corner Lots, used for a Single Family Dwelling or Non-Residential Purposes	10,000 sq. ft.	62 ft.	62 ft.
(c) Interior Lots, used for a Multiple Family Dwelling	15,000 sq. ft.	52 ft.	52 ft.
(d) Corner Lots, used for a Multiple Family Dwelling	15,000 sq. ft.	62 ft.	62 ft.

(3) Where neither a Public Water Supply nor a Public Sewerage Facility is in use:

(a) Interior Lots	1 acre	52 ft.	52 ft.
(b) Corner Lots	1 acre	62 ft.	62 ft.

215-81. DENSITY REQUIREMENTS--MULTIPLE FAMILY DWELLING. Every lot used for a multiple family dwelling shall have a maximum density not to exceed thirty (30) dwelling units per net acre of land. In calculating the maximum number of dwelling units, the total number shall be rounded down to the nearest whole number.

215-82. PERMITTED USES. The uses permitted in the RD-30 zone shall be those uses specified in the Residential and Open Space Use Table, Section 201-02 of this Title, subject to the special conditions set forth in Section 201-04 and subject to the regulations governing such uses set forth in Title III of this Code.

RD-40 MULTIPLE FAMILY RESIDENTIAL LAND USE ZONE

215-90. LOT AREA, WIDTH AND PUBLIC STREET FRONTAGE. The minimum net area, lot width, and public street frontage of each lot in the RD-40 zone shall be as set forth below. The lot width and public street frontage for lots fronting on a curved street or on the curved portion of a cul-de-sac street shall be measured along a chord located twenty-five (25) feet from the edge of the street right-of-way.

	NET LOT AREA	LOT WIDTH	PUBLIC STREET FRONTAGE
(1) Where a Public Water Supply and Public Sewerage Facility are both in use:			
Single Family			
(a) Interior Lots	4,000 sq. ft.	40 ft.	40 ft.
(b) Corner Lots	5,200 sq. ft.	52 ft.	52 ft.
Multiple Family			
(a) Interior Lots, used for Residential Purposes	5,200 sq. ft.	52 ft.	52 ft.
(b) Interior Lots, used for Non-Residential Purposes	6,200 sq. ft.	52 ft.	52 ft.
(c) Corner Lots	6,200 sq. ft.	62 ft.	62 ft.
(2) Where either a Public Water Supply or a Public Sewerage facility, but not both, is in use:			
(a) Interior Lots, used for Single Family Dwelling or Non-Residential Purposes	10,000 sq. ft.	52 ft.	52 ft.
(b) Corner Lots, used for Single Family Dwelling or Non-Residential Purposes	10,000 sq. ft.	62 ft.	62 ft.
(c) Interior Lots, used for a Multiple Family Dwelling	15,000 sq. ft.	52 ft.	52 ft.
(d) Corner Lots, used for a Multiple Family Dwelling	15,000 sq. ft.	62 ft.	62 ft.

(3) Where neither a Public Water Supply nor a Public Sewerage Facility is in use:

(a)	Interior Lots	1 acre	52 ft.	52 ft.
(b)	Corner Lots	1 acre	62 ft.	62 ft.

215-91. DENSITY REQUIREMENTS--MULTIPLE FAMILY DWELLING. Every lot used for a multiple family dwelling shall have a maximum density not to exceed forty (40) dwelling units per net acre of land. In calculating the maximum number of dwelling units, the total number shall be rounded down to the nearest whole number.

215-92. PERMITTED USES. The uses permitted in the RD-40 zone shall be those uses specified in the Residential and Open Space Use Table, Section 201-02 of this Title, subject to the special conditions set forth in Section 201-04 and subject to the regulations governing such uses as set forth in Title III of this Code.

Article 11 deleted by SZC 81-87.

RM-2 MOBILEHOME SUBDIVISION LAND USE ZONE

215-110. INTENT. It is the intent of this Article to provide regulations for the placement of mobilehomes on individual lots within an approved subdivision specifically designed and designated for the sale, not rental, of lots to accommodate mobilehomes as the dwelling unit.

215-111. LOT AREA, WIDTH AND PUBLIC STREET FRONTAGE. The minimum net area, lot width and public street frontage of each lot in the RM-2 zone shall be as set forth below. The lot width and public street frontage for lots fronting on a curved street or on the curved portion of a cul-de-sac street shall be measured along a chord located twenty-five (25) feet from the edge of the street right-of-way.

	NET LOT AREA	LOT WIDTH	PUBLIC STREET FRONTAGE
(1) Where a Public Water Supply and Public Sewerage Facility are both in use.			
(a) Interior Lots	5,200 sq. ft.	52 ft.	52 ft.
(b) Corner Lots	6,200 sq. ft.	62 ft.	62 ft.
(2) Where either a Public Water Supply or a Public Sewerage Facility, but not both, is in use:			
(a) Interior Lots	10,000 sq. ft.	52 ft.	52 ft.
(b) Corner Lots	10,000 sq. ft.	62 ft.	62 ft.
(3) Where neither a Public Water Supply nor a Public Sewerage Facility is in use:			
(a) Interior Lots	1 acre	52 ft.	52 ft.
(b) Corner Lots	1 acre	62 ft.	62 ft.

215-112. PERMITTED USES. The uses permitted in the RM-2 zone shall be those uses specified in the Residential and Open Space Use Table, Section 201-02 of this Title, subject to the special conditions set forth in Section 201-04 and subject to the regulations governing such uses set forth in Title III of this Code.

215-113. Deleted.

215-114. YARDS. No building, structure or mobilehome nor the enlargement of any building, structure or mobilehome shall hereafter be erected or moved onto property in the RM-2 zone unless the following yards are provided and maintained.

(a) FRONT YARD. There shall be a front yard depth of not less than twenty (20) feet. No recreation vehicles, trailers or boats shall be stored in said front yard.

(b) REAR YARD. There shall be a rear yard depth of not less than twenty (20) feet. On a corner lot the rear yard may be provided opposite the side street yard instead of at the narrow end of the lot provided the combined area of the substituted rear yard and the interior side yard shall not be less than the area which would be required for the area of a normal rear yard and interior side yard. The resulting interior side yard at the narrow end of the lot shall not be less than ten (10) feet. On an interior lot the minimum depth of the required rear yard may be reduced to ten (10) feet if an equivalent or greater amount of space is added to the required side yard area so that the combined total area of the rear and side yards is equal to or greater than the minimum area which would otherwise be required for the combined rear and side yards.

(c) SIDE YARD. There shall be a side yard of not less than five (5) feet for one-story buildings and mobilehomes and seven and one-half (7-1/2) feet for two-story buildings and mobilehomes.

(d) SIDE STREET YARD. On corner lots there shall be a side street yard of not less than fifteen (15) feet for all single family detached mobilehomes and accessory structures. All other buildings shall provide side street yards of not less than twenty-five (25) feet.

215-115. ROOFED AREA. The total roofed area including mobilehomes, accessory buildings, ramadas, canopies, carports, and awnings shall not exceed fifty (50) percent of the net area of the lot.

215-116. Deleted.

RECREATION LAND USE ZONES
GENERAL PURPOSES

220-01. PURPOSE. The Recreation Land Use Zones established in this Chapter are designed to promote and protect the public health, safety, and general welfare. The Board of Supervisors in establishing these zones finds that these zones, with the uses and regulations provided in this Code, are consistent and compatible with the objectives, policies, general land uses and programs specified in the Sacramento County General Plan, and are adopted for the following purposes:

(a) To preserve the open space and other areas of unusual scenic beauty and recreational potential which are unique to Sacramento County and California and to protect the physical, social, recreational, aesthetic, and economic resources which are of great value to the people of Sacramento County and to the public generally.

(b) To protect the scenic and recreational areas within Sacramento County, whenever feasible, from urban development and other types of development that jeopardize the values of these areas.

(c) To apply the regulations hereby established in this Chapter to such open space and scenic areas, waterways and other areas of recreational value and to promote and protect the general welfare by contributing to the physical, social and economic well-being of the people of Sacramento County.

(d) To encourage and protect the County's growing tourist and recreation resources.

220-02. PROHIBITION. No building, structure, vehicle, sign or area in any Recreation Land Use Zone shall be used, nor shall any building, structure, sign, or vehicle be erected, altered, moved, enlarged, or stored in any Recreation Land Use Zone except as hereinafter specifically provided in this Chapter or elsewhere in this Code; nor shall any area, building, structure, vehicle, or sign be used in any manner so as to create problems inimical to the public health, safety, or general welfare, or so as to constitute a public nuisance. Off-site signs are prohibited in any Recreation Land Use Zone. Any building, structure, vehicle, sign, or lot, or the use of any building, structure, vehicle, or lot in any Recreation Land Use Zone shall be regulated and governed by the provisions of this Chapter and the regulations and conditions for each use in Title III of this Code.

RR RECREATION RESERVE LAND USE ZONE

220-10. LOT AREA.

(a) Each lot or parcel in RR zone shall have a minimum net area of twenty (20) acres.

(b) Each lot or parcel in the RR zone shall have a minimum net area of five (5) acres per accessory dwelling unit located thereon.

220-11. LOT WIDTH. Each lot or parcel in the RR zone shall have a minimum width of three hundred (300) feet.

220-12. PERMITTED USES. The uses permitted in the RR zone shall be those uses specified in the Residential and Open Space Use Table, Section 201-02 of this Title, subject to the special conditions set forth in Section 201-02 and subject to the regulations governing such uses set forth in Title III of this Code.

"O" RECREATION LAND USE ZONE

220-20. LOT WIDTH. Each lot or parcel in the "O" zone shall have a minimum width of two hundred (200) feet.

220-21. PERMITTED USES. The uses permitted in the "O" zone shall be those uses specified in the Residential and Open Space Use Table, Section 201-02 of this Title, subject to the special conditions set forth in Section 201-04 and subject to the regulations governing such uses set forth in Title III of this Code.

220-22. LOT AREA. The minimum net land area for each lot shall be three (3) acres.

COMMERCIAL LAND USE ZONES
GENERAL PURPOSES

225-01. PURPOSE. The Commercial Land Use Zones established in this Chapter are designed to promote and protect the public health, safety, and general welfare. The Board of Supervisors in establishing these zones finds that these zones with the uses and regulations provided in this Code are consistent and compatible with the objectives, policies, general land uses and programs specified in the Sacramento County General Plan; and are adopted for the following purposes:

(a) To provide sufficient space, in appropriate locations in proximity to residential areas, for local retail development catering to the regular shopping needs of the occupants of nearby residences with due allowance for the need for a choice of sites.

(b) To provide appropriate space to satisfy the needs of modern local retail development, including the need for off-street parking spaces in areas to which a large proportion of shoppers come by automobile.

(c) To protect both local retail development and nearby residences against congestion, particularly in areas where the established pattern is predominantly residential but includes local retail uses by regulating the intensity of local retail development.

(d) To provide sufficient and appropriate space, and in particular sufficient depth from the street, to meet the needs of the County's expected future economy for modern commercial floor space in major commercial centers, including the need for off-street parking space in areas where a large proportion of customers come by automobile.

(e) To protect commercial development against fire, explosions, toxic and noxious matter, radiation, and other hazards, and against offensive noise, vibration, smoke, dust and other particulate matter, odorous matter, heat, humidity, glare, and other objectionable influences.

(f) To provide freedom of architectural design.

(g) To promote the most desirable use of land and direction of building development in accord with the General Plan, to promote stability of commercial development, to strengthen the economic base of the County, to protect the character of the zone and its peculiar suitability for particular uses, to conserve the value of land and buildings, and to protect the County's tax revenues.

(h) To protect residential areas from incompatible commercial uses by controlling the locations and design of commercial areas.

225-02. PROHIBITION. No building, structure, vehicle, sign, or area in any Commercial Land Use Zone shall be used, nor shall any building, structure, sign, or vehicle be erected, altered, moved, enlarged, or stored in any Commercial Land Use Zone except as hereinafter specifically provided in this Chapter or elsewhere in this Code; nor shall any area, building, structure, vehicle, or sign be used in any manner so as to create problems inimical to the public health, safety, or general welfare, or so as to constitute a public nuisance. Any building, structure, vehicle, sign, or lot, or the use of any building, structure, vehicle, or lot in any Commercial Land Use Zone shall be regulated and governed by the provisions of this Chapter and the regulations and conditions for each use in Title III of this Code.

COMMERCIAL USE TABLES

225-10. PURPOSE. The purpose of the Commercial Use Tables is to designate the uses permitted within the buildable area and within the yard areas in each of the following zones:

(a) BP Business and Professional Office Zone as further regulated in Article 3 of this Chapter.

(b) SC Shopping Center Zone as further regulated in Article 4 of this Chapter.

(c) LC Limited Commercial Zone as further regulated in Article 5 of this Chapter.

(d) GC General Commercial Zone as further regulated in Article 6 of this Chapter.

(e) AC Auto Commercial Zone as further regulated in Article 7 of this Chapter.

(f) TC Highway Travel Commercial Zone as further regulated in Article 8 of this Chapter.

(g) CO Commercial Recreation Zone as further regulated in Article 9 of this Chapter.

(h) MP Industrial Office Park Zone as further regulated in Article 2.5 of Chapter 30. Additional uses are designated in Industrial Use Tables, Chapter 30, Article 2.

225-11. TABLE II

PERMITTED USES WITHIN THE BUILDABLE AREA OF COMMERCIAL LOTS. An X indicates that the described use is permitted in the zone represented by the symbol appearing at the top of the column. A number indicates that the described use is permitted in that zone upon compliance and maintenance of the special condition referenced by the corresponding number in Section 225-14 of this Article. The special condition requirements shall be in addition to all other requirements of this Code and any other Ordinance governing the described use.

225-12. SIMILAR AND LIKE USES. If a use is not listed in Table II, or shown as a permitted use in any other zone, the appropriate authority may grant a use permit for such use as provided in Section 115-56.

TABLE II

PERMITTED USES WITHIN THE BUILDABLE AREA OF COMMERCIAL LOTS

USE, SERVICE OR FACILITY Unless otherwise indicated listings denote retail sales operations	* MP	BP	SC	LC	GC	AC	TC	CO
1. Addressing and mailing service	X		2	X	X	2		
1.5 Advertising business	X	X	X	X	X	X		
2. Airports								14
2.5 Alarm and warning systems-sales and services	X			10	10			
3. Ambulance service				X	X	X	X	
4. Animal hospital - veterinarian	X		14	14	14	14	14	
5. Antique store			1	X	X		X	
6. Apartment hotel			15	15				
7. Apartment - multiple family dwelling		15	15	15				
8. Appliance store			X	X	X			
9. Appliance repair shop	X		2	X	X			
9.5 Arcade - electronic, mechanical or video games			47	47	47	47	47	47
10. Armored car service					10	10		
11. Art gallery		X	X	X	X		X	
12. Art studio			X	X	X		X	
12.5 Assembly, light manufacturing					40			
13. Athletic equipment & sporting goods store			X	X	X		14	
14. Auto sales; new and used					14	X		
15. Auto rental or lease agency			37	37	X	X	X	
15.1 Auto wholesaler - office only (no on-site storage of vehicles)		X	X	X	X	X	X	
16. Auto service station, primary			21	21	21	21	21	
17. Auto service station, secondary			21	21	21	21	21	
18. AUTO, MINOR SERVICE-REPAIR-REPLACEMENT								
a) Automatic transmission			3	3	X	X	3	
b) Auto tire, sales-services			3	3	X	X	3	
c) Auto seat covers, reupholstery shop			3	3	X	X	3	
d) Auto battery and ignition			3	3	X	X	3	
e) Auto radio, stereo, CB			3	10	X	X	10	
f) Auto radiator, replacement-service			3	3	X	X	3	
g) Auto muffler, replacement-service			3	3	X	X	3	
h) Auto electric (starter-gen) replacement service			3	3	X	X	3	
i) Auto brake, replacement-service			3	3	X	X	3	
j) Auto minor repair, services, adjustments			3	10	X	X	10	
k) Auto trailer hitch installation			3	3	X	X	10	
l) Auto diagnosis and tune-up			3	10	X	X	10	
m) Auto detailing (servicing & cleaning for resale)			10	10	X	X	10	
n) Auto glass installation and sales			3	10	X	X	10	

*See Industrial Tables for additional uses.

USE, SERVICE OR FACILITY Unless otherwise indicated listings denote retail sales operations	MP*	BP	SC	LC	GC	AC	TC	CO
19. AUTO, MAJOR								
a) Auto, major repair					10	10	10	
b) Auto, transmission rebuild					10	10	10	
c) Auto, radiators rebuild					10	10	10	
d) Auto, starter- gen rebuilding					10	10	10	
e) Auto, body repair					10	10	10	
f) Auto, paint shop					10	10	10	
g) Auto, machine shop					10	10	10	
20. Auto, storage-antique					10	10		
21. Auto parts and accessory store			10	10	X	X	10	
22. Auto wash, self-service or automatic			37	X	X	X	14	
23. Baggage transfer service			14	X	X	X	X	
24. Bakery - pastry shop			X	X	X	X	X	
25. Bakery, wholesale					X			
26. Bar - tavern			X	X	X	X	X	X
27. Bath house; sauna, turkish, steam, spa & tanning			X	X	X		7	
28. Barber shop		5	X	X	X		X	
29. Beauty shop		5	X	X	X		X	
30. Beverage bottling works					14			
31. Bicycle sale, rent, service			X	X	X	X	X	
32. Billboard, off-site			23	23	44	44	44	
33. Billboard sign agency; service yard & workshop					10			
34. Blacksmith shop					10	10		
35. Blueprinting - photostating service	X		X	X	X			
35.5 Boat docks-private								37
36. Boat sale, rent, service			14	14	14	14	14	37
37. Boat building & major repair of boats					14			14
38. Boat parts & accessories store			4	4	X	X	14	14
39. Book - record store		5	X	X	X			
39.5 Bookstore, Adult				35	35			
40. Bottled gas sale and related storage					37		37	
41. Building trades contractors office	X	X		X	X			
42. Building trades service yard & workshop					10			
43. Building material & lumber sales			1	1	10			
44. Bus depot			11		11		11	
45. Business school		X	X	X	X			

*See Industrial Tables for additional uses.

TABLE II. (Continued) PERMITTED USES WITHIN THE BUILDABLE AREA OF COMMERCIAL LOTS

USE, SERVICE OR FACILITY Unless otherwise indicated listings denote retail sales operations	* MP	BP	SC	LC	GC	AC	TC	CO
46. Butcher & meat market			X	X	X	X		
47. Butcher; wholesale, excluding slaughterhouse					10			
48. Cabinet shop	14				14			
49. Cafe - restaurant	14	5	36	36	36	36	36	37
50. Deleted								
51. Candy store			X	X	X	X	14	
52. Card room			14	14	14	14	14	14
53. Carnival			6	6	6	6	6	6
54. Carpet cleaning plant					10			
54.5 Certified farmer's market			37	37	37	37	37	37
55. Child care center	37	X	X	X	X		7	
56. Church		X	X	X	X	X	X	
57. Circus			6	6	6	6	6	6
58. Citizens improvement club - community center		X	X	X	X			
59. Clinic, child - family guidance		X	X	X	X			
60. Clinic, physical therapy		X	X	X	X			
61. Clothing & apparel store			X	X	X			
62. Coffee shop	5	5	X	X	X	X	X	
63. Coin-operated amusement machine, as defined in Section 130-43.5 of this Code, incidental to a permitted use		X	X	X	X	X	X	X
64. Coin operated dispenser		X	X	X	X	X	X	
65. Cold storage - frozen food locker				10	10			
66. Community center - citizens improvement club		X	X	X	X			
66.3 Computer Programming/software and system design	X	X	X	X	X	X	X	
66.4 Computer sales, rental, lease and service, and training			X	X	X	X	X	
66.5 Concession - Temporary			38	38	38	38	38	38
67. Concrete batch plant					24			
67.2 Condominium, commercial	X	X	X	X	X	X	X	X
67.5 Convenience store/neighborhood market			X	45	45	45	45	
68. Costume shop, sale & rent			X	X	X			
69. Creamery					14			
70. Curio - novelty shop		5	X	X	X		7	

*See Industrial Tables for additional uses.

USE, SERVICE OR FACILITY Unless otherwise indicated listings denote retail sales operations	MP*	BP	SC	LC	GC	AC	TC	CO
71. Dance hall - ballroom - Discoteque			12	12	12	12	12	
72. Dancing as an incidental use in a bar or restaurant			12	12	12	12	12	
72.1 Data processing service (see 130-52.5)	X	X	X	X	X			
73. Delicatessen		5	X	X	X	X	X	
74. Delivery service	X		14	X	X	X		
75. Disinfecting - fumigating service	X				10			
76. Drafting service, including incidental Whiteprint	X	X	X	X	X			
77. Dressmaker - tailor	X		X	X	X			
78. Drive-in cafe			37	X	X	X	X	
79. Drive-in dairy, excluding creamery			37	X	X	X	X	
80. Drive-in food market or stand			37	X	X	X	X	
81. Driving school	X			X	X	X		
82. Drug store; non-prescriptive drugs & sundries		5	X	X	X			
83. Egg procesing facility					10			
84. Electronic equipment store	X	5	X	X	X			
84.5 Electronic, mechanical or video games			46	46	46	46	46	46
85. Equipment rental agency		5	10	14	10	10	7	
86. Eye glasses & frames & contact lens sales and service	X	X	X	X	X			
87. Firewood - fuel sales			1	1	X	1	1	
87.5 Flea Market					14			
88. Floor covering, drapery or upholstery store	37		X	X	X			
89. Florist	X	5	X	X	X		7	
90. Food store - supermarket			X	X	X	X	14	
90.5 Food market ancillary to service station			45	45	45	45	45	
91. Freight depot, excluding draying & truck terminal			10		10			
92. Frozen food locker - cold storage plant			10	10	10			
93. Fuel - firewood sales			1	1	X	1	1	
94. Funeral establishment		14		14	X			
95. Furniture store			X	X	X			

*See Industrial Tables for additional uses.

USE, SERVICE OR FACILITY Unless otherwise indicated listings denote retail sales operations	* MP	BP	SC	LC	GC	AC	TC	CO
96. Furniture cleaning, refinishing or reupholstery shop	37			14	10			
97. Furniture rental agency			10	X	X	X		
98. Garage equipment & tool sales			1	1	X	X		
99. Gardening - landscaping; service yard & workshop					10			
100. Gardening - landscaping supply store			1	X	X			
101. Gift - card shop	X	5	X	X	X		X	
102. Grinding - sharpening service				14	10	X		
103. Grooming service, such as poodle grooming			X	X	X	X		
104. Gun shop - gunsmith	X		X	X	X	X		
104.5 Hang glider - sales & service			3	37	4	4	37	37
105. Hardware store			X	X	X			
106. Hay, seed, & grain store					X			
107. Hearing aids sales & service	X	5	X	X	X			
107.5 Home Occupation	X	X	X	X	X	X	X	X
108. Hospital		14		14	14			14
109. Hotel				14	14		X	14
110. Hotel - restaurant equipment sales	X				X			
111. Household moving & storage service					10			
112. Hunting preserves								X
113. Ice manufacturing plant					14			
114. Interior decorator's office	X	X	X	X	X			
115. Interior decorator's service yard & workshop	14				10			
116. Janitor service	X				10			
117. Jewelry store - sales, repair			X	X	X		7	
118. Kennels, boarding or training			14	14	14	14	14	
119. Labor union temple	37	14	14	X	X			
120. Laboratory; medical, dental or optical	X	5	X	X	X			
121. Laboratory; research, analysis	14			10	10			
122. Laboratory, materials testing	14				14			
123. Lapidary shop	X		X	X	X			
124. Laundromat, self-service	X		X	X	X		X	
125. Laundry or cleaning agency, retail (on-site cleaning permitted)	X		X	X	X			

*See Industrial Tables for additional uses.

USE, SERVICE OR FACILITY Unless otherwise indicated listings denote retail sales operations	* MP	BP	SC	LC	GC	AC	TC	CO
126. Laundry or cleaning pick-up station	X	5	X	X	X			
127. Laundry or cleaning plant, wholesale facility	14				10			
127.5 Lawn mower engine & garden power tool repair			3	37	4	4	37	
128. Library		X	X	X	X			
129. Liquor store			X	X	X		1	
129.5 Live Theater			37	37	X			
129.6 Live Theater, Adult				35	35			
130. Locksmith; safe repair shop	X			10	10			
131. Locksmith; key & lock shop	X		X	X	X	X		
132. Lodge - fraternal hall	37	37	X	X	X			
133. Lumber & building material sales			1	1	10			
134. Machine shop	14				10	10		
134.5 Mail order business	X		X	X	X	X		
135. Marinas and ancillary facilities								37
136. Massage parlor		35		35	35		35	
137. Messenger service	X	X	X	X	X			
138. Military surplus store				X	X			
138.2 Motion Picture Theater			37	37	X	37	37	
138.5 Motion picture theater, adult				35	35			
139. Motel				14	14		X	14
140. Motorcycle, sports cycles, trail bikes, jet skis, snowmobile and moped sales and rent, service repair & dismantling			3	37	4	4	37	37
141. Museum		X	X	X	X		X	
142. Music store, including instrument repair	X		X	X	X			
142.5 Neighborhood market, convenience store			X	45	45	45	45	
143. Newspaper-magazine-book printing plant	X		2	14	X	X		
144. Newspaper-magazine stand	X	5	X	X	X	X	X	
145. Novelty-curio shop		5	X	X	X		7	

*See Industrial Tables for additional uses.

TABLE II. (Continued) PERMITTED USES WITHIN THE BUILDABLE AREA OF COMMERCIAL LOTS

USE, SERVICE OR FACILITY Unless otherwise indicated listings denote retail sales operations	* MP	BP	SC	LC	GC	AC	TC	CO
146. Nursery, plants			14	10	10			
147. Office building trades contractor	X	X		X	X			
148. Office, business or professional	X	X	X	X	X	X		
149. Office, collection, counseling, personnel	X	X	X	X	X	X		
150. Office, bank, savings & loan, finance, loan, credit	X	36	36	36	36	36		
151. Office, insurance	X	X	X	X	X	X		
152. Office, medical or dental	X	14	X	X	X	X		
152.5 Office, public relations or advertising	X	X	X	X	X	X		
153. Office, real estate	X	X	X	X	X	X		
154. Office; accountants, bookkeepers	X	X	X	X	X	X		
155. Office machines & equipment sales	X		X	X	X			
156. Ornamental rock sales & related storage					10			
157. Paint & wallpaper store			X	X	X			
158. Pawn shop				X	X			
159. Pest control service	X				10			
160. Pet store, no kennel			X	X	X	X		
160.5 Photocopy service	X	X	X	X	X	X	X	
161. Photographic supply - camera store	X		X	X	X		X	
162. Photographic processing plant, wholesale facility	X			X	X			
163. Photography studio, including incidental processing	X	X	X	X	X			
163.5 Physical fitness studio			X	X	X	X	X	
164. Picture framing shop	X		X	X	X			
165. Pool table sale & repair service	X		X	X	X			
166. Portable swimming pool-supply sales			1	X	X			
167. Power tool-sales, repair			X	X	X	X	X	
168. Prescription pharmacy	X	5	X	X	X		X	
169. Printing plant	X				X			
169.5 Print shop	X		X	X	X	X	X	
170. Psychiatric facility				14	14			

* See Industrial Tables for additional uses.

USE, SERVICE OR FACILITY Unless otherwise indicated listings denote retail sales operations	MP*	BP	SC	LC	GC	AC	TC	CO
171. Public auction or flea market					14			
172. Public and government-owned building & facility, federal & state	X	X	X	X	X	X	X	X
172.1 Public & government-owned buildings & facilities other than federal & state	14	14	14	14	14	14	14	14
172.2 Public and government uses within privately-owned buildings, facilities, and grounds	41	41	41	41	41	41	41	41
173. Public utility and public service facility	39	39	39	39	39	39	39	39
173.5 Privately-owned uses within public and government-owned buildings, facilities, and grounds	42	42	42	42	42	42	42	42
174. Race track								14
175. Record-book store		5	X	X	X			
176. Recreation facility, indoor	37	5	37	37	37	37	37	37
177. Recreation facility, outdoor				14	14	14	14	14
178. Recreational vehicle storage			14	14	14	14	14	37
178.5 Recycling center	X		X	X	X	X	X	
179. Reducing - body building studio		5	X	X	X		7	
179.5 Remote teller, for pedestrian use		14	14	14	14	14	14	
180. Residence of a caretaker, proprietor or owner of a permitted use	37	X	X	X	X	X	X	X
181. Residential care homes for adults or children		X	X	X	X			
182. Resorts								14
183. Residential uses, other		25		25				25
184. Restaurant-cafe	14	5	36	36	36	36	36	37
184.5 Retail store			X	X	X	X	X	
185. Saddlery shop	X		X	X	X			
186. Sanitarium		14		14	14			
186.8 School, business		X	X	X	X			
187. School; charm, culture	X	37	X	X	X			
187.1 School; college and university		14	14	14	14	14		
187.2 School, private K-12		14	14	14	14	14		
187.3 School; public K-12		X	X	X	X	X		
187.4 School; trade			14	14	X	X		
188. School; self-defense, judo, boxing gymnastics	X	14	X	X	X			

*See Industrial Tables for additional uses.

TABLE II. (Continued) PERMITTED USES WITHIN THE BUILDABLE AREA OF COMMERCIAL LOTS

USE, SERVICE OR FACILITY Unless otherwise indicated listings denote retail sales operations	* MP	BP	SC	LC	GC	AC	TC	CO
188.1 School; other private	14	14	14	14	14	14		
188.2 School; vocational		X	X	X	X			
189. Shoe repair shop	X		X	X	X			
190. Shoe shine parlor	X	5	X	X	X	X	7	
191. Social rehabilitation center		14		14	14			
192. Shoe store			X	X	X			
193. Sideshow			6	6	6	6	6	
193.3 Sign, on-site	X	X	X	X	X	X	X	X
194. Soda fountain-ice cream parlor	37	5	X	X	X	X	X	
195. Special development permit	14	14	14	14	14	14	14	
196. Sporting goods & athletic equipment store			X	X	X		14	
197. Stadiums								14
198. Stamp-coin store	X		X	X	X			
199. Stationery store	X	5	X	X	X		7	
200. Stenographic service	X	X	X	X	X		7	
201. Storage building - mini	X			14	X	14	14	
202. Studio; dance, voice, music, gymnastics	X	14	X	X	X			
203. Studio; radio, television, recording	X		X	X	X			
204. Supermarket-food store			X	X	X	X	14	
205. Swimming pool, spa - sales and service			X	X	X			
206. Tailor-dressmaker	X		X	X	X			
206.5 Tattoo shop				14	X			
207. Taxi cab service & storage facility				10	10	X		
208. Taxidermist				X	X			
209. Telegraph office	X	X	X	X	X		X	
210. Telephone answering service	X	X	X	X	X		7	
211. Television & radio sales			X	X	X			
212. Television & radio repair shop	X		2	X	X			
213. Temporary uses	8	8	8	8	8	8	8	8
214. Ticket agency	X	X	X	X	X	X	X	

*See Industrial Tables for additional uses.

USE, SERVICE OR FACILITY Unless otherwise indicated listings denote retail sales operations	MP*	BP	SC	LC	GC	AC	TC	CO
215. Tobacco shop	X	5	X	X	X		7	
215.5 Tool reconditioning			4	4	4	4	4	
216. Towing service				3	X	X	3	
217. Toy store		5	X	X	X		7	
218. Travel trailer-mobilehome, motor home, camper, sale, rent, storage,			14	14	14	14	14	37
219. Travel trailer-mobilehome, camper, motor home, repair or service					X	X	14	14
220. Travel trailer park					16		17	16
221. Travel agency	X	X	X	X	X	X	X	
222. Tree service					10			
223. Trophy-emblem store			X	X	X			
224. Truck sale or rent					14	X		
225. Truck service stations, excluding truck terminal					X	X	X	
226. Utility trailer-rental, service, sales				14	X	X	X	
227. Utility trailer or truck, rent or storage as ancillary to service stations				22	22	22	22	
228. Veterinarian-animal hospital	X		14	14	14	14	14	
229. Welding shop	14				10	10		
229.5 Warehousing and storage	X				9			
229.7 Watches - sale, repair			X	X	X			
230. Wholesale distributor's service facility	14			14	10			
231. Wholesale store	X				X			
232. Wig sales and service		5	X	X	X		7	
233. Winery sales facility - tasting room			X	X	X		37	
234. Delta Waterways DW Zone (for permitted uses and other requirements in the Delta Waterways, DW, zone, see Title II, Chapter 35, Article 8.)								

*See Industrial Tables for additional uses.

225-13. TABLE III

PERMITTED USES IN YARDS AND OPEN SPACES OF COMMERCIAL LOTS. An X indicates that the described use is permitted in the zone represented by the symbol appearing at the top of the column. A number indicates that the described use is permitted in that zone upon compliance and maintenance of the special conditions referenced by the corresponding number in Section 225-14 of this Article. The special condition requirements shall be in addition to all other requirements of this Code and any other Ordinance governing the described use.

USE, SERVICE OR FACILITY	ZONING DISTRICT							
	MP	BP	SC	LC	GC	AC	TC	CO
Accessory comfort features	26	26	26	26	26	26	26	26
Basements, entirely below ground	X	X	X	X	X	X	X	X
Canopies	28	28	28	28	28	28	28	28
Christmas tree sales	29	29	29	29	29	29	29	29
Customer conveniences	30	30	30	30	30	30	30	30
Display of merchandise in in yard areas						20		
Fences	31	31	31	31	31	31	31	31
Landscaping features	32	32	32	32	32	32	32	32
Light standards & fixtures	33	33	33	33	33	33	33	33
Parking, customer or employee	27	27	X	X	X	X	X	X
Parking, commercial vehicle storage	27	27	27	27	27	27	27	
Parking, underground garages	X		X	X	X	X	X	X
Recycling collection point	X	37	X	X	X	X	X	37
Service station pump islands			34	34	34	34	34	
Signs permanently attached to ground	18	18	18	18	18	18	18	18
Swimming pools for motel or hotel patrons				X	X		X	X
Travel trailers and recreational vehicles in travel trailer parks							19	19

225-14. SPECIAL CONDITIONS. The following special conditions apply to the uses indicated by the corresponding number on Tables II and III described in this Article.

(1) Permitted as an incidental sales operation in conjunction with a permitted retail sales use provided the entire sales operation takes place within a completely enclosed building.

(2) Permitted as an incidental service function intended to satisfy the normal operating needs of a permitted retail use on the property. An independent servicing facility oriented toward generating its trade from the general public is not permitted in this zone.

(3) Permitted as an incidental service in conjunction with a permitted retail sales or automobile service station operation provided all adjustments and installations are conducted completely within an enclosed building. Permitted as the principal use of the premises subject to issuance of a conditional use permit by the appropriate authority.

(4) Sale, installation and servicing are permitted provided the use is conducted completely within an enclosed building. The reconditioning of used merchandise for resale is permitted as an incidental use. Reconditioning of used merchandise for resale as the principal use of the premises is permitted subject to issuance of a conditional use permit by the appropriate authority.

(5) Permitted as an incidental service in an office or hospital complex. The primary entrance to such facility shall be from within a main building or from an interior court.

(6) Permitted only if specific approval is granted by the Board of Supervisors. Such approval may specify location, time period, hours, lighting, parking and related conditions of operation.

(7) Permitted as an incidental service in a hotel or motel complex.

(8) Permitted pursuant to the provisions of Section 301-06.

(9) Permitted providing storage is either within an enclosed building or behind a solid six (6) foot fence on the buildable portion of the lot.

(10) Permitted if the entire operation, including parking and storage of vehicles used in connection with the operation, is conducted within a completely enclosed building or within a fenced area on the buildable area of the lot.

(11) Permitted subject to issuance of a conditional use permit by the Board of Supervisors upon recommendation of the Project Planning Commission.

(12) Permitted subject to issuance of a conditional use permit by the appropriate authority and provided a valid dancing license is obtained.

(13) Deleted

(14) Permitted subject to issuance of a conditional use permitted by the appropriate authority.

(15) Permitted subject to issuance of a conditional use permit by the appropriate authority, the regulations in Title III, Chapter 5, Article 2, and the applicable commercial zone, and with a maximum density not exceeding 40 units per net acre.

(16) Permitted subject to issuance of a conditional use permit by the appropriate authority and the standards of Section 305-60.

(17) Permitted subject to the standards of 305-60.

(18) Signs, except billboards, may be placed in the required yards and other open spaces, provided they meet all requirements of development standards of Title III, Chapter 35, and any other county ordinance or state statute regulating signs.

(19) Travel trailers and recreational vehicles may be placed only in the rear yard, interior side yard or buildable area of the lot. No portion of any trailer shall be placed closer than five (5) feet from a property line and twenty-five (25) feet from a commercial building. Such use shall also be subject to the additional regulations set forth in Section 305-52.

(20) The sale, lease and rental of merchandise which is specifically allowed in this zone may be displayed in the required yard areas provided no merchandise, in combination with display platforms, shall exceed six (6) feet in height when displayed within twenty-five (25) feet of a street right-of-way and no merchandise shall exceed ten (10) feet in height when displayed within fifty (50) feet of a street right-of-way. Such merchandise shall not project over required landscaped areas.

(21) Permitted subject to issuance of a conditional use permit by the Board of Supervisors after a recommendation by the appropriate authority (see Title III, Chapter 40).

(22) Permitted as ancillary use to automobile service station subject to issuance of a conditional use permit by the appropriate authority (see Title III, Chapter 40).

(23) Permitted subject to issuance of a conditional use permit by the appropriate authority and the development standards of Title III, Chapter 35, Article 2.1 and Article 1, Section 335-12.

(24) Permitted subject to issuance of a conditional use permit by the appropriate authority; and further provided that only one concrete mixer with a capacity of one (1) cubic yard or less may be located on the premises.

(25) Permitted subject to issuance of a conditional use permit by the appropriate authority and the development provisions of Title III.

(26) Accessory comfort features such as tables, benches and similar outdoor furniture may be placed in yard areas. This provision does not permit amusement or dispensing machines or enclosed structures such as telephone booths, sales booths and the like.

(27) Permitted only in the rear yard, interior side yard or buildable area of the lot. Not permitted in the required front and side street yards.

(28) Canopies may be located in the required front and side street yards no closer than fifteen (15) feet from all future street and road rights-of-way provided such canopies do not project over more than ten (10) percent of the front and side street yard areas. There shall be no screening, lattice work, or any other obstruction to the free circulation of air or passage of people erected, placed under, or attached to the canopy. There shall be a vertical clearance of not less than eight (8) feet above ground level to the lowest point of the canopy. No advertising signs or materials shall be painted on or attached to any posts supporting such canopies below said minimum vertical clearance.

(29) Permitted between the first Saturday after Thanksgiving and December 25, inclusive. Any trailers, tents or temporary structures which are accessory to the sales operation shall be located on the buildable area of the lot.

(30) Customer conveniences such as litter containers, bicycle racks, mail boxes, book depositories, and other similar conveniences may be placed in yard areas.

(31) Fences shall not be erected in the required front or side street yards unless such fence is specifically required by Ordinance. Fences may be erected in the required rear, interior side yards of buildable area of the lot provided such fences do not exceed six (6) feet in height; however, there may be an additional wire fence above the six (6) feet, but not to exceed nine (9) feet overall.

(32) Planter boxes, retainer walls, fountains and ponds may be placed in yard areas provided they are permanent parts of the overall landscaping development.

(33) No sign or other advertising device shall be attached to lighting standards or fixtures. Lighting shall be arranged so as not to produce a glare on other properties in the vicinity and the source of light shall not be visible from adjacent property or a public street.

(34) Service station pump islands, including display or incidental petroleum products may be placed in required yards provided they are no closer than fifteen (15) feet from the future street right-of-way.

(35) (a) Such use is permitted without a use permit only if both of the following conditions are met:

(1) Such use is more than five hundred (500) feet from any residential, estate or general and limited agricultural zone; and

(2) Such use is situated more than five hundred (500) feet from any adult bookstore, adult motion picture theater or massage parlor.

(b) Where subparagraph (a) does not apply, such use is permitted only upon obtaining a conditional use permit from the Board of Supervisors after a recommendation from the appropriate authority.

(36) These uses are permitted in the listed zones; however, a use permit from the appropriate authority is required for drive-up windows or remote tellers.

(37) Permitted subject to the issuance of a conditional use permit by the Zoning Administrator.

(38) Permitted subject to approval by the Zoning Administrator and the development standards in Section 315-02.

(39) Permitted subject to the provisions of Section 301-10 through 301-13.

(40) Permitted subject to the issuance of a conditional use permit by the appropriate authority when a finding can be made that the proposed use will not have any greater adverse impacts than adjoining uses or other uses permitted in the General Commercial (GC) zone.

(41) All government- and publicly-owned and/or operated uses within privately-owned buildings, facilities, and property will be regulated as provided for in this Code for the proposed use as if it were a private use.

(42) All privately-owned and/or operated uses within government-owned buildings and grounds will be regulated as provided for elsewhere in this Code for that type of use. A use which is located within a government-owned and operated facility such as a state park or office building and is regulated by that agency will be a permitted use.

(43) Deleted.

(44) Permitted as long as the billboard is 300 square feet or less in size. Billboards larger than 300 square feet to a maximum of 720 square feet are permitted subject to issuance of a conditional use permit by the Zoning Administrator. Subject to the development standards of Title III, Chapter 35, Article 2.1 and Article 1, Section 335-12.

(45) Permitted when the commercial structure is located 500 feet or more from a residential zone and 1,000 feet from the property line of any public or private school (kindergarten through twelfth grade). Permitted when the commercial structure is less than 500 feet from a residential zone and 1,000 feet from the property line of any public or private school (kindergarten through twelfth grade) as long as the hours of operation are between 6:00 a.m. and 11:00 p.m. If the use is located less than 500 feet from a residential zone or less than 1,000 feet from the property line of any public or private school (kindergarten through twelfth grade) and hours of operation are proposed prior to 6:00 a.m. or after 11:00 p.m., approval of a conditional use permit by the appropriate authority is required. The appropriate authority may stipulate hours of operation as a condition of any approved use permit which are more restrictive or less restrictive than 6:00 a.m. to 11:00 p.m. The distance shall be measured from the entrance of the commercial facility to the school property line or the zone boundary.

(46) Permitted in bars and restaurants which are licensed to serve alcoholic beverages. Permitted in indoor recreation facilities in operation on the day of adoption of this ordinance. Permitted for two or fewer machines in any commercial development. Permitted subject to issuance of a use permit by the Zoning Administrator for three or more machines in other commercial developments, subject to development standards set forth in Title III, Chapter 15, Article 4.

(47) Permitted subject to approval of a use permit by the appropriate authority and to development standards set forth in Section 315-32.

225-15. GENERAL CONDITIONS. All commercial uses authorized by the provisions of Table II, in any commercial zone, shall be subject to development plan review pursuant to the provisions of Article 7, Chapter 10, Title I of this Code.

BP BUSINESS AND PROFESSIONAL OFFICE ZONE

225-20. PURPOSE. The purpose of this zone is to provide an area for business and professional office uses and compatible related uses. This zone is intended to promote a harmonious development of business and professional office areas with adjacent commercial or residential development.

225-21. PERMITTED USES. Buildings and structures may be erected, structurally altered or enlarged and land may be used within this district for business and professional offices, service and other uses as provided in the Commercial Use Tables, Article 2 of this Chapter. The entire business operation shall be conducted within a completely enclosed building and within the buildable area of the lot.

225-22. LOT REQUIREMENTS. Buildings or structures may be erected or enlarged and uses permitted provided the following areas are maintained as provided in this Article and the development standards specified in Title III, Chapter 15, Article 5 are met.

Each lot shall have an area of at least six thousand (6,000) square feet if both a public water system and public sewerage facilities are in use, or ten thousand (10,000) square feet if either a public water system or public sewerage facility is in use, or one (1) acre if neither public water nor public sewerage facilities are in use.

225-23. DELETED

225-24. DELETED

225-25. DELETED

SC SHOPPING CENTER LAND USE ZONE

225-30. PURPOSE. The purpose of this zone is to provide an area which will offer a wide choice of retail goods and services, while promoting the unified grouping of retail and service uses with convenient off-street parking and loading areas. It is intended that the Shopping Center District be designed in such a manner as to be an integral part of the neighborhood, community and urban area in which it is located.

225-31. PERMITTED USES. Buildings and structures may be erected, structurally altered or enlarged and land may be used within this zone for commercial, service, office and other uses as provided in the Commercial Use Tables; Article 2 of this Chapter. The entire business operation shall be conducted within a completely enclosed building or within the buildable area of the lot. The sale of used merchandise is permitted only as an incidental operation of new retail sales uses.

225-32. LOT REQUIREMENTS. Buildings or structures may be erected or enlarged and uses permitted provided the following areas are maintained as provided in this Article and the development standards specified in Title III, Chapter 15, Article 5 are met.

Every lot shall have an area of at least one (1) acre if neither a public water nor public sewerage facility is in use, or ten thousand (10,000) square feet if either a public water system or public sewerage facility is in use, or if both public water and public sewerage facilities are in use there is no minimum lot area requirement for individual lots.

225-33. DELETED

225-34. DELETED

225-35. DELETED

LC LIMITED COMMERCIAL LAND USE ZONE

225-40. PURPOSE. The purpose of this zone is to provide an area which will offer a wide choice of retail goods and services in locations where individual small lots are desired. It is intended that this zone be used in those locations along major streets and in commercial subdivisions where unlimited commercial uses are not appropriate or would not be compatible with the surrounding development.

225-41. PERMITTED USES. Buildings and structures may be erected, structurally altered or enlarged and land may be used within this zone for commercial, service, office, and other uses as provided in the Commercial Use Tables; Article 2 of this Chapter. The entire business operation shall be conducted within a completely enclosed building or within the buildable area of the lot.

225-42. LOT REQUIREMENTS. Buildings or structures may be erected or enlarged and uses permitted provided the following areas are maintained as provided in this Article and the development standards specified in Title III, Chapter 15, Article 5 are met.

Every lot shall have an area of at least one (1) acre if neither public water supply nor a public sewerage facility is in use, or ten thousand (10,000) square feet if either a public water supply or public sewerage facility is in use, or if both public water and public sewerage facilities are in use there is no minimum lot area requirement for individual lots.

225-43. DELETED

225-44. DELETED

225-45. DELETED

GC GENERAL COMMERCIAL LAND USE ZONE

225-50. PURPOSE. The purpose of this zone is to provide an area for the general commercial and heavier types of commercial uses which would not be appropriate in the more restrictive commercial districts. It is intended that this district be used in appropriate locations along major streets or in commercial subdivisions where the uses permitted would not adversely affect the surrounding properties.

225-51. PERMITTED USES. Buildings and structures may be erected, structurally altered or enlarged and land may be used within this zone for commercial, service, office, and other uses as provided in the Commercial Use Tables; Article 2 of this Chapter. The entire business operation shall be conducted within a completely enclosed building or within the buildable area of the lot.

225-52. LOT REQUIREMENTS. Buildings or structures may be erected or enlarged and uses permitted provided the following areas are maintained as provided in this Article and the development standards specified in Title III, Chapter 15, Article 5 are met.

Every lot shall have an area of at least one (1) acre if neither a public water nor public sewerage facility is in use, or ten thousand (10,000) square feet if either a public water system or public sewerage facility is in use, or if both public water and public sewerage facilities are in use there is no minimum lot area requirement for individual lots.

225-53. DELETED

225-54. DELETED

225-55. DELETED

AC AUTO COMMERCIAL LAND USE ZONE

225-60. PURPOSE. The purpose of this zone is to provide an area for automotive sales and services and compatible related uses. This zone is intended to promote the unified grouping of auto-oriented uses in locations where they will be convenient to the communities which they serve.

225-61. PERMITTED USES. Buildings and structures may be erected, structurally altered or enlarged and land may be used within this zone for commercial, service, office, and other uses as provided in the Commercial Use Tables; Article 2 of this Chapter.

225-62. LOT REQUIREMENTS. Buildings or structures may be erected or enlarged and uses permitted provided the following areas are maintained as provided in this Article and the development standards specified in Title III, Chapter 15, Article 5 are met.

Every lot shall have an area of at least one (1) acre if neither a public water nor public sewerage facility is in use, or ten thousand (10,000) square feet if either a public water system or public sewerage facility is in use, or if both public water and public sewerage facilities are in use there is no minimum lot area requirement for individual lots.

225-63. DELETED

225-64. DELETED

225-65. DELETED

TC HIGHWAY TRAVEL COMMERCIAL LAND USE ZONE

225-70. PURPOSE. The purpose of this zone is to provide for an area to serve the highway traveler and highway user with uses and services normally associated with tourists and vacationers. It is intended that this zone promote the unified grouping of these uses at locations adjacent to or where access to major through highways or terminal facilities is convenient.

225-71. PERMITTED USES. Buildings and structures may be erected, structurally altered or enlarged and land may be used within this zone for commercial, service, office, and other uses as provided in the Commercial Use Tables; Article 2 of this Chapter. The entire business operation shall be conducted within a completely enclosed building or within the buildable area of the lot.

225-72. LOT REQUIREMENTS. Buildings or structures may be erected or enlarged and uses permitted provided the following areas are maintained as provided in this Article and the development standards specified in Title III, Chapter 15, Article 4 are met.

(a) GENERAL. Every lot shall have an area of at least one (1) acre if neither a public water nor public sewerage facility is in use, or ten thousand (10,000) square feet if either a public water system or public sewerage facility is in use. If both public water and public sewerage facilities are in use there is no minimum lot area requirement for individual lots, except as otherwise provided in this Article.

(b) MOTELS, HOTELS. For motels and hotels there shall be a net lot area of:

(1) Twenty thousand (20,000) square feet for the first sixteen units plus one thousand (1,000) square feet for each additional unit provided both public water and public sewerage facilities are in use, or

(2) Thirty thousand (30,000) square feet for the first sixteen (16) units plus two thousand (2,000) square feet for each additional unit if either a public water or public sewerage facility is in use, or

(3) One (1) acre for the first sixteen (16) units plus three thousand (3,000) square feet for each additional unit if neither a public water nor public sewerage facility is in use.

225-73. through 225-80. DELETED

"C-O" COMMERCIAL RECREATION LAND USE ZONE

225-90. PURPOSE. The purpose of this zone is to provide an area for commercial uses normally considered to be recreation oriented and for commercial uses associated with major recreation areas.

225-91. PERMITTED USES. Buildings and structures may be erected, structurally altered or enlarged, and land may be used within this zone for commercial, service, office, and other uses as provided in the Commercial Use Tables, Article 2 of this Chapter.

225-92. LOT REQUIREMENTS. Buildings or structures may be erected or enlarged and uses permitted provided the following areas are maintained as provided in this Article and the development standards specified in Title III, Chapter 15, Article 5 are met.

(a) Where a public water supply and a public sewerage facility are both in use, the minimum net lot area shall be six thousand (6,000) square feet, plus one thousand-five hundred (1,500) square feet for each dwelling unit after the first two (2) units, where the use of the property is residential. For a motel, the minimum net lot area shall be five hundred (500) square feet for each sleeping room, but in no event less than six thousand (6,000) square feet.

(b) Where either a public water supply or a public sewerage facility, but not both, is in use, the minimum net lot area shall be twenty thousand (20,000) square feet, or fifteen thousand (15,000) square feet for each dwelling unit if a public sewerage facility is not in use; whichever is the greater.

(c) Where neither a public water supply nor a public sewerage facility is in use, the minimum lot area shall be one (1) acre.

225-93. DELETED

225-94. DELETED

225-95. DELETED

INDUSTRIAL LAND USE ZONES
GENERAL PURPOSES

230-01. PURPOSE. The Industrial zones established in this Chapter are designed to promote and protect the public health, safety, and general welfare. The Board of Supervisors in establishing these zones finds that these zones, with the uses and regulations provided in this Code, are consistent and compatible with the objectives, policies, general land uses and programs specified in the Sacramento County General Plan, and are adopted for the following purposes:

(a) To provide sufficient space in appropriate locations to meet the County's present and future needs for all types of industrial and related activities, with due allowance for the need of a choice of sites.

(b) To provide, as far as possible, that such space will be available for use for industrial and related activities, and to protect residential, agricultural and other non-industrial uses by separating them from industrial activities and by prohibiting the use of such space for residential or other non-industrial activities.

(c) To encourage industrial development which is free from danger of fire, explosions, toxic and noxious matter, offensive noise, vibration, smoke, dust, heat, glare and other objectionable influences, by permitting such development in areas where this Code restricts the emission of such objectionable influences.

(d) To protect adjacent residential, commercial and agricultural areas and to protect the labor force in other establishments engaged in less offensive industrial activities by restricting industrial activities which produce objectionable influences to those limited areas of the County which are appropriate therefore.

(e) To protect industrial and related development against congestion, as provided in this Code by limiting the bulk of buildings and other structures in relation to the land around them, and to one another, and by providing off-street parking and loading facilities associated with such activities.

(f) To promote the most desirable use of land and development in accord with the General Plan of the County, to promote the stability of industrial and related activity, and to strengthen the economic base of the County, by conserving the value of land suited for industrial activities, and to protect the County's tax revenues.

(g) To further encourage industrial activity, and thereby enhance the economic base of Sacramento County by limiting the intrusion of non-industrial or unrelated activities into areas set aside by this Code for industrial purposes.

230-02. PROHIBITION. No building, structure, vehicle, sign, or area in any Industrial zone shall be used, nor shall any building, structure, sign, or vehicle be erected, altered, moved, enlarged, or stored in any Industrial zone and except as hereinafter specifically provided in this Chapter or elsewhere in this Code; nor shall any area, building, structure, vehicle, or sign be used in any manner so as to create problems inimical to the public health, safety, or general welfare, or so as to constitute a public nuisance. Any building, structure, vehicle, sign, or lot, or the use of any building, structure, vehicle, or lot in any Industrial zone shall be regulated and governed by the provisions of this Chapter and the regulations and conditions for each use in Title III of this Code.

INDUSTRIAL USE TABLES

230-10. PURPOSE. The purpose of the Industrial Use Tables is to designate the uses permitted within the buildable area of the M-1 Light Industrial zone, the M-2 Heavy Industrial zone, and the MP Industrial-Office Park zone. Additional uses permitted within the MP zone are designated in the Commercial Use Tables, Chapter 25, Article 2.

230-11. TABLE IV

PERMITTED USES WITHIN THE BUILDABLE AREA OF INDUSTRIAL LOTS. An X indicates that the described use is permitted in the zone represented by the abbreviation appearing at the top of the column. A number indicates that the described use is permitted in that zone upon compliance with and maintenance of the special condition referenced by the corresponding number in Section 230-13 of this Article. The special condition requirements shall be in addition to all other requirements of this Code and any other Ordinance governing the described use.

230-12. SIMILAR AND LIKE USES. If a use is not listed in Table IV, or shown as a permitted use in any other zone, the appropriate authority may grant a use permit for such use as provided in Section 115-56.

TABLE IV

PERMITTED USES WITHIN THE BUILDABLE AREA OF INDUSTRIAL LOTS

USES	MP*	M-1	M-2
A. Autos and Trucks			
1. Painting		1	1
2. Reconditioning		1	1
3. Repair and overhauling		1	1
4. Upholstering		1	1
5. Repair garage, machine repair and overhaul		1	1
6. Tire shop		1	1
7. Inspection station		1	1
8. Automobile service station		6	6
9. Auto and truck rental or lease agency		1	1
10. Armored car service		1	1
11. Antique auto, storage and rebuilding		1	1
12. Car wash without gas pumps		X	X
13. Bus and freight depot and truck terminal		1	1
14. Mobilehome, commercial coach - storage		1	1
B. Amusements			
1. Drive-in theaters		2	2
2. Dance halls		2	2
3. Driving ranges		2	2
4. Shooting galleries		2	2
5. Shooting ranges			2
6. Race tracks			2
7. Stadiums		2	2
8. Circus		12	12
C. Animal and Fiber Processing			
1. Fish smoking, curing or canning			X
2. Olive processing plants		13	13
3. Canneries		13	13
4. Butcher, wholesale (excluding slaughterhouse)		12	X
5. Honey extraction		1	X
6. Winery or brandy distillery		13	13
7. Manufacture of sauerkraut, vinegar, yeast		13	13
8. Distillation of bones			3
9. Fat rendering, except as an incidental use			3
10. Dead animal reduction			3
11. Garbage or offal reduction			3
12. Animal slaughter		13	13
13. Tannery or the curing or storing of raw hides			3
14. Manufacturing, compounding or processing of such products as:			
(a) Bakery goods		1	X
(b) Candy		1	X
(c) Dairy products		1	X
(d) Meat products		1	X

*See Commercial Tables for additional uses.

TABLE IV (Cont'd) PERMITTED USES WITHIN THE BUILDABLE AREA OF INDUSTRIAL LOTS

USES	MP*	M-1	M-2
(e) Other food products (excluding fish, meat, sauerkraut, wine, yeast, and rendering of fats and oils)		1	X
(f) Fruits and vegetables (packing only)		12	X
(g) Perfume		1	1
(h) Toiletries		1	1
(i) Cosmetics		1	1
(j) Drugs		1	1
D. Commercial Uses			
1. Bottled gas sale & related storage		1	X
2. Building trades contractor's office, service yard; workshop		1	1
3. Lumber yard - new and used, sales and storage		1	1
4. Coffee shop, snack bar, delicatessen, when located as one tenant in a building and not occupying more than 15% of the total floor area	X	X	X
5. Firewood, fuel - sales and storage		1	1
6. Hay, seed, grain and farm equipment store		1	1
7. Nursery, wholesale		X	X
8. Auto, boat, appliance and other parts sales when incidental to a permitted use and does not exceed 25% of the total floor area		X	X
9. Offices, when incidental to a permitted use and does not exceed 25% of the total floor area of the permitted use		X	X
10. Manufacturing and distribution of pools, spas - sales and display permitted as an incidental use provided it does not exceed 25% of the total floor area		1	1
E. Government Uses, Buildings, and Airports			
1. Federal and state buildings, facilities, and grounds	X	X	X
2. Other government and public buildings, facilities, and grounds	12	12	12
3. Public and government uses within privately-owned buildings, facilities, and grounds	16	16	16
4. Privately-owned uses within public and government-owned buildings, facilities, and grounds	17	17	17
5. Public use airports, aircraft landing fields, and heliports		4	4
6. Local agency building, grounds (defined, Government Code Section 53090)	12	12	12
7. School district non-classroom facilities	12		12
8. Private airports, landing fields and heliports approved by CAD and FAA		12	12

*See Commercial Tables for additional uses.

TABLE IV (Cont'd) PERMITTED USES WITHIN THE BUILDABLE AREA OF INDUSTRIAL LOTS

USES	MP*	M-1	M-2
F. Industrial Yard Use			
1. Draying and freight yard		8	X
2. Feed and fuel yard		8	X
3. Truck terminal yard		8	X
4. Freight classification yard			X
5. Lumber yard		10	X
6. Brick yard			X
7. Stock yard or feeding pens			X
8. Contractor's storage yard		8	1
9. Machinery rental yard		8	1
10. Public utility service yard		8	1
11. Heavy equipment storage, sales, service and repair yard			1
12. Automobile wrecking yard			7
13. Machinery wrecking yard			7
14. Used building materials scrap or junk yard			7
15. Building materials sales yard		9	9
16. Military surplus equipment and goods		8	8
17. Parking yard for damaged vehicles		8	8
18. Recycling center		X	X
19. Recycling plant			7
G. Manufacturing and Fabrication Uses			
1. Alcohol, industrial or grain manufacture			X
2. Ammonia, bleaching powder or chlorine manufacture			X
3. Asphalt manufacture or refining			X
4. Blast furnace or coke oven			X
5. Boiler works			X
6. Brick, adobe, tile, terra cotta or concrete products			X
7. Concrete or cement products manufacture			X
8. Ice manufacture and cold storage		1	X
9. Iron or steel foundry or fabrication plant and heavyweight casting			X
10. Lampblack manufacture			X
11. Ore reduction			X
12. Paint, oil (including linseed), shellac, turpentine, lacquer or varnish manufacture			X
13. Paper and pulp manufacture			X
14. Planing and sawmills		1	X
15. Plastic manufacture			X
16. Potash works			X
17. Quarry or stone mills			X
18. Railroad repair shops			X
19. Rolling mills			X
20. Soap manufacture			X
21. Sodium compound manufacture			X
22. Tar distillation or tar products manufacture			X
23. Garment manufacture	12	1	X

*See Commercial Tables for additional uses.

TABLE IV (Cont'd) PERMITTED USES WITHIN THE BUILDABLE AREA OF INDUSTRIAL LOTS

USES	MP*	M-1	M-2
24. Machinery shop uses:			
(a) Blacksmith shops		11	1
(b) Cabinet or carpenter shops	12	11	1
(c) Electric motor rebuilding	12	11	1
(d) Machine shops	12	11	1
(e) Sheet metal shops	12	11	1
(f) Welding shops	12	11	1
(g) Plumbing shops	12	11	1
(h) Manufacturing, compounding, assembly, or treatment of articles or merchandise from previously prepared metals	12	11	1
25. Linoleum and oilcloth manufacture			X
26. Chemical manufacture:			
(a) Acid			3
(b) Cement, lime, gypsum or plaster of paris			3
(c) Acetylene gas			3
(d) Explosives manufacture or storage			3
(e) Fertilizer			3
(f) Gas			3
(g) Glue			3
(h) Petroleum refining			3
(i) Other chemical manufacture			X
27. Drop-forge industry manufacturing, including forges with power hammers			3
28. Smelting of tin, copper, zinc, or iron ore			3
29. Aircraft engine testing			3
30. Rocket testing facilities			3
31. Electric or neon sign manufacture		1	X
32. Boat building		12	X
33. Manufacturing, compounding, assembly or treatment of articles or merchandise from the following previously prepared materials:			
(a) Bone		1	1
(b) Canvas		1	1
(c) Cellophane		1	1
(d) Cloth	12	1	1
(e) Cork		1	1
(f) Feathers	12	1	1
(g) Felt	12	1	1
(h) Fibre		1	1
(i) Fur		1	1
(j) Hair		1	1
(k) Horn		1	1
(l) Glass		1	1
(m) Leather	12	1	1

*See Commercial Tables for additional uses.

TABLE IV (Cont'd) PERMITTED USES WITHIN THE BUILDABLE AREA OF INDUSTRIAL LOTS

USES	MP*	M-1	M-2
(n) Paper, no milling		1	1
(o) Precious or semi-precious stones or metals	12	1	1
(p) Plaster		1	1
(q) Plastic		1	1
(r) Shells		1	1
(s) Textiles	12	1	1
(t) Tobacco		1	1
(u) Wood	12	1	1
(v) Yarns	12	1	1
34. Rubber and metal stamps, musical instruments, toys and novelties	12	1	1
35. Lightweight non-ferrous metal casting foundry		12	12
36. Ceramic products using only previously pulverized clay and fired in kilns using electricity or gas only	12	1	1
H. Processing and Assembly Uses			
1. Wool pulling or scouring			X
2. Petroleum products manufacture			X
3. Book binding	X		X
4. Bottling plants		12	X
5. Printing shops, lithography, publishing	X	1	X
6. Milk products plant, dairy		1	1
7. Carpet and rug cleaning plants		1	X
8. Laundries, cleaning and dyeing plants		1	X
9. Tire retreading, recapping and rebuilding		1	5
10. Assembly of small electrical and electronic equipment	X	1	X
11. Assembly of plastic items from finished plastic	X	1	X
12. Rubber fabrication or products made from finished rubber	X	1	1
13. Egg processing facilities		1	1
14. Photographic chemical processing and wholesale distribution		X	X
I. Storage and Warehouse Uses			
1. Petroleum storage			X
2. Storage and distribution of bottled gas		1	X
3. Wholesaling and warehousing	X	1	X
4. Commercial grain elevators		1	X
5. Frozen food lockers - cold storage		1	1
6. Automobile and recreational vehicle storage		14	14
7. Storage building-mini		1	X
8. Moving and storage	1	1	X
9. General storage	1	1	X

*See Commercial Tables for additional uses.

TABLE IV (Cont'd) PERMITTED USES WITHIN THE BUILDABLE AREA OF INDUSTRIAL LOTS

USES	MP*	M-1	M-2
J. Services			
1. Janitorial	X	1	1
2. Pest control	X	1	1
3. Disinfecting or fumigating	X	1	1
4. Gardening and landscaping; service yard and work shop		1	1
5. Trailer sale, rental service		1	1
6. Tree service		1	1
7. Delivery service	12	X	X
8. Taxicab service and storage		14	14
9. Laboratory, medical, dental, or optical	X	X	X
10. Laboratory, research, experimental	12	X	X
11. Laboratory, materials testing	12	12	X
12. Appliance, radio and television, repair shop	X	1	1
13. Grinding-sharpening service		1	1
14. Blueprinting - Photostating service	X	X	X
15. Boat service and repair		1	1
16. Upholstery, furniture cleaning		1	1
17. Equipment rental agency		1	1
18. Gunsmith		X	X
19. Pool service		1	1
20. Drafting service	X	X	X
21. Locksmith, safe repair shop		X	X
22. Towing service		1	1
23. Tree service		1	1
24. Child care center	14	14	14
25. Security service	X	X	X
K. Miscellaneous			
1. Funeral establishment		14	14
2. Kennel, board or training		14	14
3. Cafe	12	12	12
4. Trade school	12	X	X
5. Veterinary hospital	X	1	1
6. Agricultural uses	X	1	1
7. Home occupations	X	X	X
8. The non-residential uses listed in Section 225-11 (Commercial Table) except those non-residential uses listed in this matrix		12	12
9. Signs, as provided in Title III, Chapter 35, Article 1, General Provisions	X	X	X
10. Signs, off-site, as provided in Title III, Chapter 35, Article 1		X	X
11. Signs, on-site, as provided in Title III, Chapter 35, Articles 2.1 and 2.2	X	X	X
12. Special permits	12	12	12
13. Residence for night watchman or caretaker	14	14	14
14. Irrigation Disposal of Wastewater as defined in Section 130-99.1.		13	13
15. Lagoon Disposal of Wastewater as defined in Section 130-103.1.		13	13

*See Commercial Tables for additional uses.

TABLE IV (Cont'd) PERMITTED USES WITHIN THE BUILDABLE AREA OF INDUSTRIAL LOTS

USES	MP*	M-1	M-2
16. Gas and Oil Wells		14	14
17 Public utility & public service facility	15	15	15
18. Condominiums, industrial	X	X	X
19. Delta Waterways DW Zone (for permitted uses and other requirements in the Delta Waterways, DW, zone, see Title II, Chapter 35, Article 8)			

*See Commercial Tables for additional uses.

230-13. SPECIAL CONDITIONS. The following special conditions apply to the uses indicated by the corresponding number on Table IV dexcribed in this Article:

(1) Permitted provided the entire operation, including the parking and storage of vehicles used in connection with the operation is conducted within a completely enclosed building or within a fenced area.

(2) Permitted provided the use is located not less than five hundred (500) feet from the boundary line of a residential land use zone or interim residential zone, nor less than five hundred (500) feet from any residential use and subject to issuance of a conditional use permit by the Board of Supervisors after a recommendation by the appropriate authority.

(3) Permitted provided the use is located not less than five hundred (500) feet from the boundary line of more restricted land use zone, and subject to issuance of a conditional use permit by the Board of Supervisors after a recommendation by the appropriate authority.

(4) Permitted if approved in writing by the State of California Aeronautics Department and the Federal Aviation Administration; copies of said approvals to be submitted to the Director of the Planning and Community Development Department.

(5) Permitted provided all tire carcasses are stored behind a six (6) foot solid fence.

(6) Permitted subject to issuance of a conditional use permit by the Board of Supervisors after a recommendation by the appropriate authority, and further subject to the provisions of Chapter 40, Title III.

(7) Permitted provided the uses are located not less than five hundred (500) feet from a more restricted zone, the yard area is enclosed by a solid fence not less than six (6) feet high, none of the material or equipment is stored higher than the fence, and subject to issuance of a conditional use permit by the Board of Supervisors after a recommendation by the appropriate authority.

(8) Permitted provided the uses are conducted entirely within a building or enclosed structure or within an area enclosed on all sides by a solid fence or wall at least six (6) feet in height. There may be an additional three (3) feet of wire fencing above the six (6) feet solid fence or wall, but not to exceed nine (9) feet overall.

(9) Permitted including sales of rock, sand, gravel and mixed small batch concrete in quantities of two (2) cubic yards or less provided that only one concrete mixer with a capacity of two (2) cubic yards or less may be located on the premises and subject to the provisions enumerated in condition number eight (8).

(10) Permitted, retail only, including mill and sash work, provided all mill and sash work is conducted within a building, and further subject to the provisions of condition number eight (8).

(11) Permitted (excluding punch presses over twenty (20) tons, drop hammers, and automatic screw machines) provided the entire operation, including the parking and storage of vehicles used in connection with the operation, is conducted within a completely enclosed building or within a fenced area on the buildable area of the lot.

(12) Permitted, subject to issuance of a conditional use permit by the appropriate authority.

(13) Permitted subject to the issuance of a conditional use permit by the Board upon a recommendation by the Planning Commission pursuant to the provisions of Article 7, Chapter 35 of Title II.

(14) Permitted subject to the issuance of a conditional use permit by the Zoning Administrator.

(15) Permitted subject to the provisions of Section 301-10 through 301-13.

(16) All government and publicly-owned and/or operated uses within privately-owned buildings, facilities, and property will be regulated as provided for in this Code for the proposed uses as if it were a private use.

(17) All privately-owned and/or operated uses within government-owned buildings and grounds will be regulated as provided for elsewhere in this Code for that type of use. A use which is located within a government-owned and operated facility such as a state park or office building and is regulated by that agency will be a permitted use.

M-1 LIGHT INDUSTRIAL LAND USE ZONE

230-20. PURPOSE. The M-1 Light Industrial zone is intended to provide for the:

(a) Development of industrial uses which include fabrication, manufacturing, assembly, or processing of materials that for the most part are already in processed form and which do not in their maintenance, assembly, manufacture, or plant operation create smoke, gas, odor, dust, sound, or other objectionable influences which might be obnoxious to persons conducting business or residing in this or any other zone; and

(b) For the development of land uses related to or compatible with the permitted industrial uses.

230-21. PERMITTED USES. The uses permitted in the M-1 zone shall be those uses specified in the Industrial Use Table, Section 230-11 of this Title, subject to the special conditions set forth in Section 230-13 and subject to the regulations governing such uses set forth in this Article and in Title III of this Code.

230-22. DELETED (by SZC 78-163)

230-23. DELETED

230-24. LOT AREA. Every lot or parcel in the M-1 zone shall have a minimum net area of:

(a) Six thousand (6,000) square feet if both a public water supply and a public sewerage facility are in use.

(b) Ten thousand (10,000) square feet if either a public water supply or a public sewerage facility, but not both, is in use.

(c) One (1) acre if neither a public water supply nor public sewerage facility is in use.

230-25. LOT WIDTH AND DEPTH. Every lot fronting on a public street shall have adequate depth to provide the setbacks and yards as required in this Article and sufficient additional depth to provide a reasonable buildable area to serve the intended uses.

230-26. SIGNS, ON-SITE. Except as otherwise provided in Title III, Chapter 35, Article 1, General Provisions for signs, on-site signs and permitted advertising devices may be erected in this zone subject to the development standards of Title III, Article 2.1, Chapter 35.

M-2 HEAVY INDUSTRIAL LAND USE ZONE

230-30. PERMITTED USES. The uses permitted in the M-2 zone shall be those uses specified in the Industrial Use Table, Section 230-11 of this Title, subject to the special conditions set forth in Section 230-13 and subject to the regulations governing such uses set forth in this Article and Title III of this Code.

230-31. DELETED (by SZC 78-163)

230-32. DELETED

230-33. LOT AREA. Every lot or parcel in the M-2 zone shall have a minimum net area of:

(a) Twenty thousand (20,000) square feet if either a public water supply or a public sewerage facility or both are in use.

(b) One (1) acre if neither a public water supply nor public sewerage facility is in use.

230-34. LOT WIDTH AND DEPTH. Every lot fronting on a public street shall have adequate depth to provide the setbacks and yards as required in this Article and sufficient additional depth to provide a reasonable buildable area to serve the intended uses.

(a) In no case shall the lot depth, measured from the public street, be less than one hundred (100) feet. In the case of a through lot having frontage on parallel or approximately parallel public streets, the minimum depth of the lot shall be two hundred (200) feet.

(b) Every corner lot shall have a minimum width of not less than one hundred (100) feet.

230-35. ON-SITE SIGNS. Except as otherwise provided in Title III, Chapter 35, Article 1, General Provisions for signs, on-site signs and permitted advertising devices may be erected in this zone subject to the development standards of Title III, Article 2.1, Chapter 35.

MP INDUSTRIAL - OFFICE PARK LAND USE ZONE

230-40. PURPOSE. The purpose of this zone is to provide for well-designed and controlled groupings of research, service, and light industrial uses within an area containing visual and operational amenities. Toward these ends, comparatively rigid development standards are established with respect to setbacks, landscaping, building material controls, and other appropriate design and operational characteristics. This zone is intended to provide a park-like, nuisance-free environment for users desirous of such a setting in an industrial-office development.

230-41. LOT REQUIREMENTS.

(a) LOT AREA. The minimum lot area required is 15,000 square feet.

(b) LOT WIDTH. Each lot shall have a minimum width of 100 feet.

(c) FRONT AND SIDE STREET YARD. A minimum 10-foot landscaped yard shall be provided adjacent to public streets rights-of-way, excluding necessary driveways for ingress and egress. Buildings and structures shall setback at least 25 feet from all public street rights-of-way and there shall be a minimum of 25 feet of landscaping between said buildings and structures and the public street rights-of-way.

(d) REAR YARD. A minimum 25-foot rear yard shall be provided, except that the rear yard may be zero (0) feet if the primary structure on the same lot line of the abutting parcel is set back at zero (0) feet. The rear yard setback may be waived if the rear yard is adjacent to a rail line or spur tracts, or if the rear yard abuts any of the following zones: SC, LC, GC, AC, TC, M-1, M-2 or MP.

(e) SIDE YARD. A minimum 10-foot landscaped side yard shall be required, except that the side yard may be zero (0) feet if the primary structure on the same lot line of the abutting parcel is set back at zero (0) feet. The side yard setback may be waived if the side yard is adjacent to a rail line or spur track, or if the side yard abuts any of the following zones: SC, LC, GC, AC, TC, M-1, M-2 or MP.

(f) SETBACKS WHEN ABUTTING RESIDENTIAL ZONES. When abutting a residential use or a residential zone, as enumerated in Section 101-23, the abutting yard shall be at least 150 feet in width with at least 75 feet of width of landscaped area, except for office uses which may be as close as 25 feet with the entire yard area landscaped. The common boundary between the Industrial-Office Park district and the Residential district shall be demarcated by an 8-foot high solid wall, to be constructed on the Industrial-Office Park property at the time of development. If the elevation of the Residential property is above that of the Industrial property, the appropriate authority may require a higher wall during the course of site plan review.

230-42. SUBSEQUENT ZONE CHANGE OF ABUTTING PARCELS. If the abutting parcel is placed in a Residential land use zone subsequent to the development of the MP-zoned parcel, the adopted zone change on the abutting parcel shall not make non-conforming the MP-zoned parcel if it was conforming at the time of the zone change on the abutting parcel.

230-43. DEVELOPMENT STANDARDS. The development standards set forth in Sections 230-44 through 230-51 shall apply to all building and uses in this land use zone.

230-44. STORAGE. Outside storage of merchandise, parts or equipment, other than company vehicles, is not permitted.

230-45. LANDSCAPING.

(a) All required yard areas, except as otherwise noted, shall be landscaped with lawn or ground cover, and trees, and shall be provided with an irrigation system.

(b) At least one tree shall be required per fifty (50) feet of frontage on public streets. The required trees shall be planted in addition to other required landscaping.

(c) When adjacent to residentially used and/or zoned property, trees capable of reaching a height of 30 feet at maturity shall be planted at least every 30 feet along the required barrier wall.

(d) In addition to the above, landscaping shall be provided internal to the proposed development in accordance with a landscaping plan submitted by the applicant and approved by the Director of Planning and Community Development Department.

(e) Required planter or landscaped areas may be combined with appropriate pedestrian walks and similar hard surface area provided that such hard surface does not cover more than thirty percent (30%) of any required planter or landscaped area. Ornamental or landscaping rock and gravel areas shall be considered hard surface areas for the purposes of this provision.

(f) Lawn and ground cover are to be trimmed or mowed regularly. All planting areas are to be kept free of weeds and debris. All plantings are to be kept in a healthy and growing condition. Irrigation systems shall be kept in working condition.

230-46. BUILDINGS AND FENCES.

(a) Exterior walls shall be of wood, brick, stone, masonry, or concrete construction, and shall be finished in "earth" tones such as redwood, natural stone, brick, or similar colors. Unpainted concrete walls shall be textured. The appropriate authority may approve other materials or surfaces for exterior walls.

(b) Walls or fences of sheet or corrugated iron, steel, aluminum, or asbestos are prohibited. Security chain-link fencing is permitted if it is screened with wood slats and shrubbery.

(c) Mechanical equipment such as air conditioning units shall be screened or enclosed in such a manner as to hide such equipment from public view.

(d) HEIGHT. Buildings and structures may not exceed 40 feet in height, except that buildings for office uses located closer than 75 feet to an abutting residential zone may not exceed 24 feet in height.

230-47. LIGHTING. Reflectors, spotlights, floodlights, and other sources of illumination may be used to illuminate buildings, landscaping, signs, and parking and loading areas on any site only if they are equipped with lenses or other devices which concentrate the illumination upon such buildings, landscaping, signs, and parking and loading areas. No unshielded lights, reflectors, or spotlights shall be so located and directed that they shine toward or are directly visible from adjacent properties or streets.

230-48. LOADING AREAS. Loading areas shall not be located within the yard area abutting or across the street from residentially used and/or residentially-zoned property.

230-49. DELETED

230-50. BUS TURNOUTS. Provisions for bus turnouts shall be made where appropriate.

230-51. ON-SITE SIGNS. Except as otherwise provided in Title III, Chapter 35, Article 1, General Provisions for signs, on-site signs and permitted advertising devices may be erected in this zone subject to the following provisions:

(a) One monument sign is permitted on each parcel set back at least 10 feet from the public street, limited to not more than 40 square feet on one side and 5 feet in height. In addition to

the above, one directory sign (monument type) is permitted at the entrance to a development containing multiple uses. Each business may have one sign attached flat against the wall of the building in which that business is located such that the total area of all signs attached to any one building does not exceed 5 percent of the area of the wall upon which those signs are attached.

230-52. SITE PLAN REVIEW.

(a) Prior to construction in the MP zone, a site plan shall be submitted to the Planning and Community Development Department. The site plan shall include:

(1) Maps showing existing topography, tree cover, buildings, streets and other existing physical features.

(2) Proposed land use including lot lines and location of buildings, walls, fences, and signs.

(3) Proposed circulation system.

(4) Off-street parking and loading spaces.

(5) Elevations of proposed buildings and signs.

(b) Upon receipt of the site plan, the Director of the Planning and Community Development Department shall forward a copy of said plan to the appropriate Community Planning Advisory Council (CPAC) for review and comment. The CPAC shall return any comments to the Director within 21 days of receipt of said plan.

(c) Within 15 days of receipt of the comments from the CPAC, the Director shall approve, approve with modification, or deny the site plan, and shall forward such decision to the CPAC.

(d) If the decision of the Director is in conflict with the recommendations of the CPAC, the Director shall refer the site plan to the Project Planning Commission. The Commission shall then approve, approve with modification, or deny the site plan within 15 days of receipt from the Director.

(e) At the time of site plan review, a procedure shall be agreed upon to ensure that landscaping and any common areas are maintained, and waste materials are removed regularly. Such procedure may include, but need not be limited to, the formation of a tenant's association, agreement between the developer and tenants, and/or recordation of conditions, covenants and restrictions for the proposed development. The specific procedure shall be approved by the Director of the Planning Community Development Department upon the advice of the County Counsel, and shall be noted on the approved site plan.

SPECIAL AND COMBINING LAND USE ZONES
PURPOSES

235-01. PURPOSES. The Special and Combining Zones established in this Chapter are designed to promote and protect the public health, safety, and general welfare. The Board of Supervisors in establishing these zones finds that these zones, with the uses and regulations provided in this Code, are consistent and compatible with the objectives, policies, general land uses and programs specified in the Sacramento County General Plan, and are adopted for the following purposes:

(a) To provide for the orderly development and beneficial use of lands involving exceptional environmental characteristics.

(b) To preserve and enhance certain resources of the County from incompatible land uses.

(c) To preserve and protect areas of the County with special and unique social, architectural, or environmental characteristics which require special considerations not otherwise adequately provided by regular zones.

(d) To provide greater flexibility in design than is otherwise provided under the regular zones, to permit and encourage a more efficient development and utilization of areas with unique characteristics, resources, environmental factors and conditions; while preserving and protecting the public interest, health, safety, welfare, and property values.

(F) FLOOD (COMBINING LAND USE ZONE)

235-10. PURPOSES. The (F) Combining Zone as shown on the Comprehensive Zoning Plans is intended to comprise all land covered by rivers, creeks, and streams and land subject to flooding within the unincorporated area of the County. The Board of Supervisors in adopting the regulations in this Article recognizes that:

(a) The promotion of the orderly development and beneficial use of lands subject to recurrent flooding is necessary if the potential property damage which results from improper development is to be minimized.

(b) There is a need to protect current and future occupants of land subject to flooding from the physical damage of flooding.

(c) The health, general welfare and safety of the public of the County as a whole requires that lands subject to flooding be strictly regulated as to the uses permitted on the land and the amount of open space which separate buildings and structures.

(d) Inundation frequently causes extensive property damage.

(e) Strict regulation of flood lands is necessary to protect prospective buyers of land from deception as to the utility of the land within the flood zones.

235-11. PROHIBITION. No building, structure, vehicle, sign, or area in any zone with which the (F) Combining Zone is combined shall be used, nor shall any building, structure, sign, or vehicle be erected, altered, moved, enlarged, or stored in any zone with which the (F) Combining Zone is combined, except as hereinafter specifically provided in this Chapter or elsewhere in this Code; nor shall any area, building, structure, vehicle, or sign be used in any manner so as to create problems inimical to the public health, safety, or general welfare, or so as to constitute a public nuisance. Any building, structure, vehicle, sign, or lot, or the use of any building, structure, vehicle, or lot in any zone with which the (F) Combining Zone is combined shall be regulated and governed by the provisions of this Article, the regulations and provisions applicable to the zone with which the (F) Combining Zone is combined, and the regulations and conditions for each use in Title III of this Code. To the extent of any conflict between the provisions of the zone with which the (F) Combining Zone is combined the provisions of this Article shall prevail.

235-12. ELEVATIONS. No building or structure designed for human habitation shall hereafter be erected, altered, moved or enlarged with a first floor elevation lower than required by the Sacramento County Water Agency Drainage Ordinance, and regulations adopted pursuant thereto.

235-13. AREA. Each lot or parcel shall have a minimum lot area as required by the basic zone. If neither a public water supply nor a public sewerage facility is in use, the net lot area for each lot or parcel shall be not less than one (1) acre.

235-14. LOT WIDTH. Each lot or parcel shall have a minimum lot width as required by the basic zone.

(PC) PARKWAY CORRIDOR (COMBINING LAND USE ZONE)

235-20. PURPOSE. The Parkway Corridor (PC) Combining Zone as shown on the Comprehensive Zoning Plans shall be used to regulate property along the American River within the unincorporated area of the County to:

(a) Preserve and enhance the American River and its immediate environment consistent with the County General Plan.

(b) Ensure, to the extent possible, the compatibility of land uses within the American River Parkway and land adjacent to the Parkway for their mutual benefit.

(c) Ensure that development with access within and adjacent to the American River Parkway is designed to reduce as much as possible visible intrusion into the Parkway and to complement the naturalistic amenities of the Parkway.

(d) Provide flexibility in development requirements such as setback, height and bulk and landscaping applicable to parcels of property subject to the regulations of the (PC) Parkway Corridor Zone.

235-21. APPLICABILITY OF (PC) COMBINING ZONE DESIGNATION.

(a) The (PC) appearing after a zone abbreviation on the Comprehensive Zoning Plans indicates that the property so classified is subject to the provisions of this Article in addition to those of the underlying zone, except as otherwise specified in this Article.

(b) The (PC) Combining Zone may be applied to the unincorporated area of the County adjacent to or near the American River for which the Board determines that land development may have an impact on the preservation or enhancement of scenic, recreational, fishery, or wild life values along or near the American River.

235-22. USE OF COUNTY OWNED PROPERTY. County owned or controlled real property, subject to the (PC) Zone, shall require prior approval of the Board for any use of the property. The Board shall not approve any use of such property which is inconsistent with the County General Plan.

235-23. PERMITTED USES. All uses designated as either permitted or conditional uses in the basic zone, unless otherwise provided in this Article, shall be authorized in the (PC) Zone provided a conditional use permit is obtained for any such use as provided in Title I, Chapter 10 of this Code.

235-24. DEVELOPMENT STANDARDS. Generally, development requirements of property including lot area, lot width or public street frontage applicable to property located in the underlying zone shall apply to the uses authorized by Section 235-23. However, the appropriate authority in granting the conditional use permit may impose any or all of the development requirements specified in this Section if, in the judgement of the appropriate authority, the special requirements specified in this Section are necessary to carry out the intent of this Article.

The granting authority may:

(a) Require a reasonable additional building setback or yard area particularly in high ground and bluff areas which overlook the American River.

(b) Require the screening of any portion or all of the structure, building or use through the use of walls or fences, the planting of trees or shrubbery, or combinations thereof.

(c) Require the modification of exterior features of structures where necessary to minimize physical or visual intrusion into the Parkway.

(d) Establish a limitation on the size or bulk of a building or structure.

(e) Regulate the design and location of access drives and other features.

(f) Regulate the location, design and capacity of utilities.

(g) Require the use of specific colors, lighting and landscaping features as otherwise required by this Article.

(h) Require the maintenance of grounds, landscaping or an irrigation system.

(i) Regulate noise, vibration, odors and other similar concerns within certain performance standards.

(j) Require the phasing of development.

(k) Require a bond or deposit of money to assure completion of development as authorized by the permit.

If the granting authority imposes any of the development requirements specified above, the granting authority shall find and record in writing as required by Section 110-30 the circumstances which it determined necessary to require the imposition of any special development requirement.

235-25. USES PERMITTED WITHOUT CONDITIONAL USE PERMIT.

(a) Notwithstanding other provisions of this Article, the uses, buildings, and structures specified in subdivision (b) of this Section are authorized without the grant of a conditional use permit upon compliance with the provisions of Section 235-27, and provided the buildings or structures meet the development standards specified in Section 235-26; otherwise such uses, building or structures shall not be erected or maintained without first obtaining a conditional use permit as set forth in Section 235-23.

(b) Permitted uses, buildings or structures.

(1) One single-family detached dwelling, including mobilehome, on each lot.

(2) One two-family dwelling, including mobilehome, on each lot.

(3) Accessory uses, building, and structures (including swimming pools and appurtenant equipment) customarily incidental to and subordinate to single family detached and two-family dwellings.

235-26. DEVELOPMENT STANDARDS.

(a) Development standards for uses, buildings, or structures on lots protected by levees maintained by a public agency.

(1) Height: The maximum height of a building or structure does not exceed the difference between the elevation of the finished grade of the building site and the elevation of that portion of the levee crown closest to the building site, plus five feet, plus one foot for each five feet by which the distance from the building structure to the landward toe of the levee exceeds thirty-five (35) feet; but in no event greater than the height limitations set forth in the underlying zone.

(2) Setback: No building or structure other than an accessory building is located closer than thirty-five (35) feet, and no accessory building is located closer than twenty-five (25) feet to the landward toe of the levee.

(b) Development standards for uses, buildings, or structure on lots not protected by levees maintained by public agency.

(1) Accessory buildings do not exceed 12 feet in height.

(2) Dwellings and other structures are screened by live plantings of trees and shrubs to minimize the visual impact of the dwelling or structure from the parkway.

(3) Dwellings and structures are finished in earth tones as defined in Section 130-64.

235-27. SUBMITTAL OF PLANS. Any application for a building permit or other entitlement of use, building or structure subject to the (PC) Combining Zone authorized without a conditional use permit by Section 235-25 shall be reviewed by the Director for compliance with the provisions of this Article. The Director may require a site plan as provided in Section 235-28 to make any determination. If, in the opinion of the Director, the proposed development will not meet the development requirements provided in this Article, he shall inform the applicant that the building permit or other entitlement of use is disapproved. The Director's decision is not subject to an appeal. The applicant's sole recourse to the Director's decision is to apply for approval of the proposed development as provided in Section 235-23.

235-28. SITE PLAN. In addition to other data required pursuant to Title I, Chapter 10 for conditional use permits, the following information shall be required for any application of a conditional use permit in the (PC) Zone:

(a) Site plan showing.

(1) Location of existing and proposed structures, buildings and signs.

(2) Location of existing trees and shrubs.

(3) Location of any proposed off-street parking and loading.

(4) Location of adjacent public rights-of-way and private easements for ingress and egress, if any.

(5) Location of proposed vehicle entrances and internal circulation patterns.

(6) Location of any proposed walls and fences; the height and the construction thereof.

(7) Proposed exterior lighting, if any.

(8) Finished grade of the site at the building.

(b) Preliminary landscaping plans.

(c) Color, materials and texture of proposed buildings and structures.

(d) Location, materials, size and copy of any signs, and illumination thereof, if any.

(e) Elevation drawing of all improvements.

(f) Other data or materials deemed necessary by the Director.

235-29. EXEMPTION. If the procedures set forth in this Article differ from procedures for review of development set forth in any County or privately initiated planned developments or zoning agreements, then the procedures set forth in the planned development ordinance or the zoning agreement shall prevail over the procedures in this Article.

(SM) SURFACE MINING (COMBINING LAND USE ZONE)

235-40. PURPOSE. The (SM) Surface Mining Combining Zone is designed to protect the mineral resources of Sacramento County from incompatible land use; to manage the mineral resources; to assure the County of an adequate supply of these resources with due consideration for the environment; and to provide for the restoration of mined lands for future use. The goals to be pursued by establishment of this zone include:

(a) That mineral resource areas be protected from preclusive and incompatible land uses.

(b) That surface mining be controlled to provide for protection of the environment.

(c) That surface mining be controlled to protect the public health, safety, welfare, and property values of residents living near surface mining operations.

(d) That provisions be made for the reclamation of mined lands.

235-41. PROHIBITION. No buildings, structure, vehicle, sign or area in the (SM) Combining Land Use Zone shall be used, nor shall any building, structure, sign or vehicle be altered, moved, enlarged, or stored in any zone with which the (SM) Combining Land Use Zone is combined except as hereinafter specifically provided in this Article or in the underlying zone which is combined with the (SM) Surface Mining Land Use Zone. No property subject to the (SM) Combining Land Use Zone shall be used in any manner so as to create problems inimical to the public health, safety or general welfare or so as to constitute a public nuisance.

The (SM) zone may be combined with: AG-160, AG-80, AG-40, AG-20, A-80, A-20, A-10, UR, IR, M-1, M-2, O, CO, and (F) zoning districts.

235-42. USES.

(a) Any permitted or conditional use in the zone with which the (SM) Surface Mining Zone is combined subject to the regulations of the basic zone, except as otherwise provided in this Article.

(b) MINING USES. The following uses are permitted subject to approval of a conditional use permit by the Board after receipt of a recommendation on such use by the Project Planning Commission:

(1) Sand and Aggregate Mining: Subject to the regulations set forth in this Article.

(2) Clay, Lignite and Related Minerals Mining: Subject to the regulations set forth in this Article.

(3) Borrow Sites or Pits.

235-43. APPLICATION DATA; SAND AND AGGREGATE MINING. In addition to the application data for conditional use permits set forth in Section 110-01, the applicant for a conditional use permit for sand and aggregate mining shall submit as part of the application the data required by Section 235-44 through 235-51.

235-44. MINING PLAN. The applicant shall submit a mining plan which shall:

(a) Show the progression of all operations of the facility.

(b) Show the location of equipment, stockpiles, settling ponds, interim drainage, deposit locations.

(c) Indicate the progression of stripping and excavating through the use of cross sections or elevations.

(d) Indicate the time lag between mining and reclamation, and between original equipment siting and relocations.

(e) Show the proposed plan for concurrent excavation and reclamation if applicable.

235-45. RECLAMATION PLAN. The applicant shall submit a reclamation plan which shall:

(a) Show alternative land uses for which the reclaimed site is adaptable.

(b) Show present and future land use, topography, and general environment of surrounding property, and the coordination of such matters with the proposed reclaimed mining site, including topographic contour maps of the existing terrain and the proposed terrain following reclamation.

(c) Indicate anticipated operation, design and location of berms, landscaping, erosion control seeding, filling of low pit areas, shaping of pit floors, management of mined and unminable portions of deposit, original, interim and final (rough) slopes and grades.

(d) Describe the nature and sequence of reclamation measures.

(e) Show inspection intervals consistent with work staging.

(f) Show the grade of interim and reclaimed slopes, which shall be no closer to horizontal than 2 horizontal to 1 vertical. If sufficient justification is offered, slopes of 1-1/2 to 1 may be approved.

235-46. SOIL, GEOLOGIC AND HYDROLOGIC DATA. The applicant shall provide the following data:

(a) An estimate of the total quantity of constituent materials (sand and gravel, overburden, other) available at the site.

(b) Anticipated dimensions of the excavation area, i.e., areal extent and average depth of overburden and resource materials.

(c) An estimate of the ton per hour plant capacity and the anticipated annual production rates.

(d) Description of the equipment and methods used in the resource recovery for the total operation and for each constituent resource (sand and gravel, gold, other).

(e) Soil; geologic, especially lithologic; surface and ground water samplings if required by either the Public Works Department or the Planning Department and any sand and aggregate studies of the site prepared for project proponent. Any previous sand and aggregate studies of the project site or adjacent sites of which project proponent may be aware.

(f) Fate of overburden following removal, i.e., disposal, sale, storage for later use, other.

(g) Description of drainage course alterations and diversions.

(h) Identification numbers of existing wells on the project site and the location of proposed wells.

(i) Source of water, purpose and rate of water use, and description of disposal methods or treatment of such water.

(j) Source and nature of fill, if any, for reclamation.

(k) Identification of all sewage disposal systems on the proposed site.

(l) Information regarding mitigation measures proposed to reduce potential nuisances, hazards or environmental impacts if required by Public Works or the Planning and Community Development Department.

235-47. TRAFFIC AND PARKING PLAN. Applicant shall submit an off-street parking plan for customers, employees and equipment as provided in Section 330-60(c). The application shall also show the anticipated street truck routes from the site to freeway and major arterials, and site ingress and egress points. The parking plan shall be reviewed by the Director of Public Works or his designee before the application is heard by the Project Planning Commission.

235-48. AIR POLLUTION CONTROL PLAN. Applicant shall give proof of submission of an air pollution control plan to the Air Pollution Control District (APCD). The plan shall provide at least for dust control measure proposed for:

(a) Moving aggregate from mine area(s) to processing plant(s) on the subject property.

(b) Roads and other graded surfaces on the subject property.

(c) Removal of aggregate from off-site public streets or roads used by trucks for a distance of 1500 feet along the public right-of-way from the point of ingress and egress to the subject property.

The plan must be approved by the APCD before a work authorization is issued as provided in Section 235-75.

235-49. NOISE DATA. Applicants shall submit a plan indicating the anticipated noise level contours on the mining site and adjacent properties and the measures proposed to control the noise.

235-50. WASTE DATA. Applicant shall submit a plan showing the kind, amounts and method of removal of solid and liquid wastes anticipated to occur at the site. The plan shall indicate the quantity of given water wastes which will be discharged into settling or percolation ponds or discharged directly to water courses.

235-51. DRAINAGE PLAN. Applicant shall submit a drainage plan for approval to the Water Resources Division of the Department of Public Works. Approval of the Division is required before a work authorization permit will be issued as provided in Section 235-75.

235-52. STANDARDS FOR SAND AND GRAVEL MINES. All sand and aggregate mines shall be subject to the requirements set forth in Section 235-53 through Section 235-61. These Sections are not intended to replace or otherwise limit in any manner other County regulations or to preclude the imposition of reasonable use permit conditions as authorized in Section 110-34.

235-53. OPERATING HOURS. Unless otherwise provided as a condition of use permit the hours of operation of mining, processing and related activities shall be:

(a) Monday through Friday: 6:00 A.M. until 10:00 P.M.

(b) Saturday: 6:00 A.M. through 3:00 P.M.

(c) Sunday and labor union holidays: no mining or processing.

The Zoning Administrator may permit different operating hours on an interim basis from the specified operating hours if he finds that the public benefit outweighs the community hardship and/or the work requires a continuous pour of concrete.

235-54. FENCES. Unless otherwise provided by condition of the use permit, the following fence requirements shall apply:

(a) Fences shall be chain-link.

(b) The fence shall be not less than six feet in height above the grade of the property outside the fenced area.

(c) Gates shall be installed to fence height at all entrances.

(d) Fences shall be kept in good repair.

(e) Fences shall conform to the ground to preclude opening of more than four (4) inches between the ground and the fence.

235-55. WARNING SIGNS. The applicant shall provide warning and trespass signs advising of the mining operation on the fences at intervals of not less than 500 feet. Signs shall be kept legible and in good repair.

235-56. VISUAL SCREEN. The Board may as a condition of the use permit require a visual screen when the mining site is adjacent to a public street or other public uses such as schools, parks, or golf courses. Visual screening may be accomplished by use of berms, screen fences, landscaping, setbacks or combinations thereof.

235-57. BONDS. The Board shall require that the applicants furnish a performance bond or other security to ensure timely and proper reclamation of mined areas. The performance bonds should be coordinated with the inspection intervals of the reclamation plan to avoid excessive penal sums. The bond shall be in a form to be approved by the County Counsel and in an amount to be approved by the Director of Public Works and shall be deposited with the Clerk of the Board of Supervisors. Generally, the following will satisfy the bond or security requirement:

(a) Certificates of deposit payable to the County issued by banks doing business in this State and insured by the Federal Deposit Insurance Corporation.

(b) Investment certificates or share accounts assigned to the County and issued by a savings and loan association doing business in this State and insured by the Federal Savings and Loan Insurance Corporation.

(c) Bearer bonds issued by the United States government or by this State.

(d) Cash deposited with the County.

(e) Other forms of security acceptable to the County Counsel. The Director of Public Works is authorized to release the bond or security on completion of the reclamation plan.

235-58. INSPECTIONS AND REPORTS. Sand and aggregate mines shall be inspected and reports made of their reclamation activities as follows:

(a) Operators shall notify the Department of Public Works at least thirty days before the conclusion of each stage of reclamation. The notice shall include a written report which specifies how the reclamation of the site conforms or deviates from the reclamation plan.

(b) The Director of Public Works shall inspect the site within thirty days of receipt of the written report from the operator, and shall issue a written notice of conformance with or deviation from the reclamation plan to the operator.

(c) Failure to inspect within sixty days of receipt of the written report from the operator shall be deemed acceptance of the report and compliance with the reclamation plan.

235-59. MINING SETBACKS. Unless otherwise provided as a condition to the use permit, mining areas shall be set back from property lines, public streets and sewage disposal systems as follows:

(a) PERIPHERY OF THE MINING SITE. A twenty-five foot minimum setback from the property line, the first five feet of which shall consist of undisturbed land.

(b) MINING SITES ADJOINING PUBLIC STREETS. A twenty-five foot minimum setback from all public streets consisting entirely of unmined land.

(c) Setback areas consisting of mined land shall be reclaimed to original grade within one year or less of completion of mining.

(d) The mining plan shall also show all individual sewage disposal systems within three hundred feet of the proposed mining area. In the event there are individual sewage disposal systems near or within the mining site, the mining setbacks shall conform to the provisions of the Sacramento County Code, Chapter 6.32 SANITARY SEWAGE SYSTEM, and the rules and regulations adopted pursuant thereto, and shall be subject to the approval of the Sacramento County Health Agency and the Regional Water Quality Control Board. Approval of these agencies must be obtained on the minimum mining setback before a work authorization permit can be obtained. The Project Planning Commission and the Board may consider the setback information on plates 1 and 2 which are part of the Article and other relevant information in establishing setbacks from the mined areas. If setbacks are established which exceed the setbacks prescribed in this Section, the Board shall specify in writing the reasons for requiring the additional setback and the setbacks shall become conditions of the use permit.

235-60. NOISE STANDARDS. Unless otherwise provided by ordinance, the sound level created by the mining use at the boundary line of the authorized mining area shall not exceed 70 dBA except along a boundary contiguous to another area authorized to mine for sand or aggregates. A violation of the noise standard will occur if the noise level at the property line exceeds:

(a) The noise limit for a cumulative period of more than thirty minutes in any hour, or:

(b) The noise limit plus 5 dBA for a cumulative period of more than one minute in any hour, or the noise limit plus 20 dBA for any period of time.

235-61. SITE STANDARDS. All sites shall be maintained with safe, stable waste piles and slopes. No steep-sided pits or holes shall be permitted to remain on the site. The site shall be kept free of derelict machinery, waste materials, and scrap. Reclaimed areas shall be revegetated for soil stabilization, and maintained free of drainage accumulations.

235-62. APPLICATION DATA, LIGNITE BORROW SITES AND RELATED MINERAL MINING. In addition to the application data for conditional use permits set forth in Section 110-01, the applicant for a conditional use permit for clay, lignite borrow sites and related minerals mining when the mining site is located in Permanent Agricultural or Industrial Extensive land use categories on the Sacramento County General Plan shall submit as part of the application the data required by Section 235-63 through 235-66. When the mining site is located in any land use category on the General Plan other than the Permanent Agricultural or Industrial Extensive, the applicant shall submit as part of the application the data required by Sections 235-63 through 235-66, and Sections 235-47 through 235-50 and including 235-67.

235-63. MINING PLAN. The applicant shall submit a mining plan which shall:

(a) Show the proposed area of excavation.

(b) Show the anticipated phased progression of mining.

(c) Show the location of inventory piles and overburden piles.

(d) Show the fate of overburden following removal-disposal, sale, storage for other use or other disposition.

(e) Show the estimated surface areas disturbed annually and days of annual production.

(f) Show the anticipated pit side slopes and end slopes.

235-64. RECLAMATION PLAN. The applicant shall submit a reclamation plan which shall:

(a) Show land uses for which the site, after reclamation, is adaptable. If storage of water is indicated, the pit shall be justified as a water storage site only if it is demonstrated to be a collector of substantial runoff and the ultimate use of stored water is demonstrated.

(b) Show present and future topography of site after reclamation, showing degree of slopes of remaining excavations, contours, and disposal of drainage.

(c) Show management of mined and unminable portions of deposit.

(d) Show an annual (unless greater period is necessary) inspection schedule and a report schedule in five year intervals. The report shall show five year increments in: changes to original grade, existing grade, and final topography expected with reclamation details to date of report. Each five year report shall indicate progress made and deviations required in reclamation of the property that has occurred since filing of the previous report.

235-65. SOIL, GEOLOGIC AND HYDROLOGIC DATA. The applicant shall provide the following data:

(a) A topographic contour map with at least ten foot intervals of the existing terrain and the terrain following reclamation.

(b) Anticipated dimensions of the disturbed area and average depth of both overburden and the resource materials.

(c) A summary of sampling data on soil, geologic and hydrologic characteristics and other pre-existing studies of the site prepared for the project proponent or other relevant reports which the proponent may be aware. Environmental Coordinator may require full report if necessary to prepare an environmental impact report.

(d) A description of drainage course alterations and or diversions.

(e) If applicable, source of water, purpose and rate of water use, and description of disposal methods or treatment of any water to be used. If groundwater is to be used, the proponent shall provide identification numbers of any wells on the project site.

(f) RUNOFF AND FLOOD CONTROL. Applicants shall submit with the permit application a drainage design for approval to the Water Resources Division of the Department of Public Works.

(g) The location of all individual sewage disposal systems within 300 feet of the proposed mining area.

235-66. FENCING AND POSTING. The applicant shall show the locations of all fences and signs warning of the mining operations. Trespass signs shall be posted at reasonable access points. Signs shall be kept in good repair.

235-67. AIR POLLUTION CONTROL. The application shall describe methods to be used in:

(a) Dust control on roads and other graded surfaces on the subject property.

(b) Removal of dust and spillage from off-site public streets or roads used by trucks from the subject property.

(c) Control of dust emanating from mined areas and inventory piles.

235-68. STANDARDS FOR CLAY, LIGNITE BORROW SITES AND RELATED MATERIALS MINING. All clay, lignite borrow sites, and related materials mining shall be subject to the requirements set forth in Sections 235-69 through 235-71 and Section 235-56. These sections are not intended to replace or otherwise limit in any manner other County regulations or to preclude the imposition of reasonable use permit conditions as authorized in Section 110-34.

235-69. MINING SETBACKS. Mining setbacks of the minable area from property lines shall be as follows:

(a) Mining may take place no closer than five feet of a property line not adjacent to a public street right-of-way. The Board may waive this requirement if:

(1) Evidence is provided by the applicant that the setback can be reduced by engineering design, or;

(2) That the neighboring property owners consent to the request.

(b) Mining shall be setback 50 feet from all public street rights-of-way. The setback may be reduced if evidence is provided by the applicant to the Board of Supervisors to the effect that the setback is not necessary.

235-70. FENCES. Unless otherwise provided by condition of the permit the applicant shall:

(a) Conform fences to the ground so as to prevent any opening between the fence and ground surface from exceeding four (4) inches.

(b) Maintain gates to fence height at all vehicular and pedestrian entrances.

(c) Keep fences in good repair.

(d) Post trespass signs on the fences at reasonable access points. Signs shall be kept in good repair.

235-71. RECLAIMED SITE. All clay, lignite, and related materials mining sites shall be reclaimed after completion of mining operations consistent with the approved reclamation plan. The site shall be left with safe slopes no steeper than 1 horizontal to 1 vertical. Slopes closer to horizontal may be required as a condition of the use permit. The slopes shall be revegetated where necessary for soil stabilization. The site shall be free of derelict machinery, scrap, and non-natural waste materials.

235-72. TERM OF CONDITIONAL USE PERMIT. Any conditional use permit granted for clay, lignite and related material mining shall have a term of not less than ten years. Said permit shall thereafter be renewed for three successive five-year periods upon showing to the satisfaction of the Planning Commission and the Board of Supervisors that the mining operation is being conducted in conformance with the provisions of the conditional use permit and applicable Federal, State and County Regulations.

235-73. REGISTRATION OF MINES UNDER ORDINANCE 1133. Clay, lignite and other mines registered pursuant to Ordinance No. 1133 of the County of Sacramento are deemed to have a vested right to continue operation of the registered mines. The registration under Ordinance No. 1133 does not exempt the mine nor the operator thereof from the requirements of the Surface Mining and Reclamation Act of 1975, Chapter 9, Division 2 of the Public Resources Code of the State of California.

235-74. RECORDATION. No conditional use permit shall be effective until it has been executed by the Chairman of the Board and recorded in the Official records of the County Recorder of Sacramento County. The applicant for the use permit shall provide a legal description for all parcels affected by the use permit sufficient to meet the requirements for recordation.

235-75. WORK AUTHORIZATION PERMIT. Prior to commencement of any construction or mining activities pursuant to the conditional use permit, the applicant shall obtain a work authorization permit from the Director of Public Works. This permit shall not be issued until the Director is satisfied that all pertinent conditions of the use permit, and provisions of this Article have been met.

In addition to any other remedies provided at law, the Director may revoke or suspend the work authorization permit as provided in Section 235-76 if the operator of the mining site fails to comply with the provisions of this Article or the conditions of the use permit. Continued operation of a mine after revocation or suspension of the work authorization permit is deemed a violation of this Code.

235-76. PROCEDURE FOR SUSPENSION OR REVOCATION OF WORK AUTHORIZATION PERMIT.

(a) The Director of Public Works shall notify the operator in writing of the alleged violation. Notice shall be hand delivered to the operator's local office or deposited as certified or registered mail in the U.S. mails.

(b) The operator shall request an informal hearing with the Director of Public Works or his designee to be held within seven (7) days of delivery of the notice. The purpose of the meeting is to allow the Director and the operator to present their respective views regarding the alleged violations.

(c) At the conclusion of the hearing, or the failure of the operator to ask for an informal hearing, the Director of Public Works shall determine if the permit should continue in force, be suspended, or be revoked. A copy of the decision shall be delivered to the operator.

(d) The decision of the Director of Public Works may be appealed to the Board by giving notice thereof to the Clerk of the Board not later than five working days from the date of decision of the Director. The Clerk shall schedule the appeal to be heard by the Board not later than the third regular meeting of the Board following receipt of notice of the appeal. The Board shall hear the appeal de novo.

235-77. ACTION BY THE BOARD. In addition to any other findings required as a matter of law, the Board shall not grant a conditional use permit until it finds:

(a) That the plans and reports submitted pursuant to Section 235-43 or 235-62 adequately describe the proposed operation.

(b) That the plans and reports submitted pursuant to Section 235-43 or 235-62 incorporate all reasonable measures to mitigate probable significant adverse environmental effect of the proposed operation.

(c) That the plans and reports submitted pursuant to Section 235-43 or 235-62 incorporate adequate measures to restore the site in a diligent manner to a usable condition compatible with adjacent areas.

(d) That the uses proposed are not likely to cause serious public health and safety problems; and

(e) That the uses proposed would not be incompatible with the objectives, policies, and general land uses and programs specified in the Sacramento County General Plan.

If an application is recommended for denial by the Project Planning Commission and is denied by the Board, the reasons for the denial shall be specified in writing.

(NPA) NEIGHBORHOOD PRESERVATION AREA (COMBINING LAND USE ZONE)

235-80. PURPOSE. It is recognized that some areas of the County, due to their unique social, architectural, environmental or other characteristics, require special regulations not found in the basic Land Use Zones, in order to protect and preserve existing neighborhood characteristics. It is the intent of this Article to provide a means by which regulations may be provided to supplement or modify the provisions in the basic Land Use Zones as necessary to preserve existing unique characteristics. An (NPA) zone may be combined with any other zoning classification.

235-81. PERMITTED USES. All uses are permitted as specified in the basic land use zone with which the (NPA) Zone is combined.

235-82. ESTABLISHMENT. An (NPA) Zone shall be established by ordinance, which shall specify and describe the area to be subjected to the regulations contained therein. Said ordinance may specify yard areas, lot area, lot width, public street frontage requirements, height limitations, or other development standards to be applied within the district in lieu of the requirements contained in the zone or zones with which the (NPA) Zone is combined, or contained in Title III of this Code. To the extent that such standards are not specified in said ordinance, or to the extent that such requirements and standards are not inconsistent with those contained in the zone or zones with which the (NPA) Zone is combined or contained elsewhere in the Code, the standards and requirements contained in the underlying zone or zones and elsewhere this Code shall apply.

The (NPA) ordinance adopted pursuant to this Section shall not limit or add to the uses permitted in the underlying zone of zones, nor shall such ordinance permit a greater density of land use than permitted in the underlying zone or zones.

235-83. CRITERIA. The following criteria shall be applicable to the establishment to any (NPA) Zone, and the ordinance establishing said zone shall contain findings relative to such criteria:

(a) The neighborhood described in and subject to the (NPA) ordinance has unique social, architectural, environmental, or other characteristics which will be preserved by the regulations and standards contained in the (NPA) ordinance.

(b) The (NPA) Zone is of sufficient size to constitute an identifiable neighborhood.

(c) The (NPA) Zone does not unduly restrict reasonable uses of the land nor cause undue hardship on property owners within this zone.

235-84. DESIGNATION. The abbreviation (NPA) appearing on a comprehensive zone plan incorporated in Title I, Chapter 1, Article 4 of this Code, indicates that the property so classified is subject to the provisions of this Article and any ordinance adopted pursuant to this Article.

235-85. SIGNS. Signs and permitted advertising devices may be erected in the Neighborhood Preservation Area subject to the development standards of Title III, Chapter 35. Where specific conditions of the NPA are more restrictive than the development standards, the conditions shall apply.

SPA SPECIAL PLANNING AREA LAND USE ZONE

235-90. PURPOSE. The purpose of this Article is to establish a procedure whereby the Board or the Commission may initiate proceedings to regulate property in areas throughout the County area that have unique environmental, historic, architectural, or other features which require special conditions not provided through the application of standard zone regulations. It is recognized that in certain circumstances it may be desirable to provide for a greater range or mixture of uses in an area than would be permitted in the standard land use zones of this Code. It is the purpose of this Article to provide the method for the County to guide the development of such areas so as to preserve such unique characteristics or provide for a broader mixture of land uses when appropriate.

235-91. DESIGNATION. The abbreviation SPA appearing on a comprehensive zone plan incorporated in Title I, Chapter 1, Article 4 of this Code indicates that the property so classified is subject to the provisions of this Article and an ordinance adopted pursuant to this Article.

235-92. INITIATION OF ZONE. The Board or the Commission may initiate proceedings to place parcels within the SPA Land Use Zone, provided that said Board or Commission has made the findings set forth in Section 235-95.

235-93. MANDATORY CONTENTS OF SPA ORDINANCE. An SPA Zone shall be established by ordinance, and provisions shall be included in each SPA Ordinance for the following matters:

(1) A list of permitted uses.

(2) Performance and development requirements relating to yards, lot area, intensity of development on each lot, parking, landscaping, and signs.

(3) Other design standards appropriate for the specific site and development.

(4) Legal description of property covered by the ordinance.

(5) Reasons for establishment of an SPA Land Use Zone on the particular property.

235-94. ADDITIONAL PERMISSIVE CONTENTS OF SPA ORDINANCE. The following provisions are permissive and are not intended to be an exclusive list of the provisions which may be included in an SPA Ordinance.

(1) Procedure for review of proposed development. The procedures may include:

(a) Types of projects that require review.

(b) Documents required from developers.

(c) Hearing procedures, if any.

(2) Regulations relating to nonconforming lots, uses, structures, and signs.

(3) Time phasing and sequence of development of projects.

235-95. FINDINGS. The Planning Commission shall not favorably recommend an SPA Ordinance unless the Commission first finds that:

(a) The area included within the SPA Zone has one or more unusual environmental, historical, architectural, or other specified significant features which justify the adoption of the SPA Zone.

(b) The said unusual features cannot adequately be protected by the adoption of any other land use zone.

235-96. APPLICATION FOR AMENDMENT TO THE SPA LAND USE ZONE. The procedures amending an SPA Land Use Zone adopted pursuant to this Article shall be the same as for any amendment to the Zoning Code, as set forth in Title I, Chapter 15, Article 2 including an application therefore pursuant to the provisions of Section 115-12.

235-97. SIGNS. Signs and permitted advertising devices may be erected in the Special Planning Area subject to the development standards of Title III, Chapter 35. Where specific conditions of the SPA are less or more restrictive than the development standards, the conditions shall apply.

(FP) FOOD PROCESSING COMBINING LAND USE ZONE

235-100. PURPOSE. The (FP) Food Processing Combining Land Use Zone provides for the location in agricultural areas of food processing industries which are dependent upon land extensive wastewater disposal in a manner which minimizes adverse environmental impacts and protects and enhances agricultural productivity.

235-100.5. PROHIBITION. No building, structure, vehicle, sign or area in the (FP) Combining Land Use Zone shall be used, nor shall any building, structure, sign or vehicle be altered, moved, enlarged, or stored in any zone with which the (FP) Combining Land Use Zone is combined except as hereinafter specifically provided in this Article or in the underlying zone which is combined with the (FP) Combining Land Use Zone. No property subject to the (FP) Combining Land Use Zone shall be used in any manner so as to create problems inimical to the public health, safety or general welfare or so as to constitute a public nuisance.

235-101. APPLICATION. The (FP) Zone may be combined with the AG-160, AG-80, AG-40, AG-20 and UR zoning districts.

235-102. USES.

(a) Any permitted or conditional use in the zone with which the (FP) Food Processing Zone is combined subject to the regulations of the basic zone, except as otherwise provided in this Article.

(b) Food Processing industries as defined in Section 130-72.5, subject to approval of a conditional use permit by the Board after receipt of a recommendation on such use by the Project Planning Commission.

(c) Irrigation disposal of liquid waste material onto land, subject to approval of a conditional use permit by the Board after receipt of a recommendation on such use by the Project Planning Commission. The Board may issue a single use permit where an application is made for both a food processing facility and irrigation disposal of wastewater.

(d) Substantial change of ownership, method of operation, nature of use, or expansion of a permitted food processing use, subject to an amendment to the appropriate use permit in force.

235-103. APPLICATION REQUIREMENTS FOR FOOD PROCESSING INDUSTRY. In addition to the application data for conditional use permits set forth in Section 110-01, the applicant for a conditional use permit for a food processing industry shall submit as part of the application the data required by Section 235-105 through 235-122 inclusive.

235-104. APPLICATION REQUIREMENTS FOR IRRIGATION DISPOSAL FACILITIES. In addition to the application data for conditional use permits set forth in Section 110-01, the applicant for a conditional use permit for an irrigation disposal facility shall submit as part of the application the data required by Section 235-106 and 235-117 through 235-122.

235-105. SITE DEVELOPMENT PLAN. The applicant shall submit a site development plan including but not necessarily limited to: a site map showing building setbacks and provisions for parking and truck traffic; a landscaping and sign plan; a grading plan; and a soils engineering report.

235-106. SITE MAP. The applicant shall submit a map, drawn to scale, showing the configuration of all areas within the disposal site, including, but not limited to:

(a) Buildings and other appurtenant structures.

(b) Unenclosed processing equipment.

(c) Storage tanks.

(d) Unenclosed storage areas.

(e) Areas to be utilized for land disposal of wastewater.

(f) Wastewater lagoons or holding ponds.

(g) Waste disposal equipment.

(h) Roads, parking, and other paved areas.

(i) Landscaped areas.

(j) Areas reserved for future expansion.

235-107. SETBACK. The site map shall show the setbacks of plant facilities from property lines. The building setbacks should correspond proportionately to the height of proposed structures. Plant facilities should be set well back from public streets, other public uses and residential uses.

235-108. LANDSCAPING, SIGNING, AND SCREENING. Plant facilities shall be designed and landscaped to minimize their visual impact upon adjoining uses. The site development plan shall include:

(a) A screening and landscaping plan, consisting of a combination of fencing, berms, and plantings.

(b) The elevations of buildings and structures demonstrating to the maximum extent possible the concealment of all process piping and equipment from adjacent properties.

(c) Location, size, height, and elevation drawings of any proposed signs.

235-109. PARKING. The site development plan shall show the location and design of off-street vehicular parking facilities for visitors and employees consistent with the provisions of the Zoning Code, including specifically Sections 330-56 and 330-60(c). The plan shall include projected peak employee data used to determine parking requirements.

235-110. TRUCK TRAFFIC. The site development plan shall show the location and design of docking and waiting areas for trucks handling raw materials and processed products. Ingress and egress from public roads shall be indicated, along with anticipated public street truck routes to freeways and major arterials. The plan shall include the estimated peak number of trucks arriving and departing hourly and daily from the food processing plant.

235-111. GRADING PLAN. The site development plan shall include a grading plan in conformance with the Sacramento County Code. The grading plan shall show the location, and the existing and finished topography of any off-site borrow areas and shall conform to County flood-proofing requirements. The plan shall be approved by the Public Works Department prior to the grant of the use permit.

235-112. SOIL ENGINEERING REPORT. A soil engineering report prepared by a qualified soil engineer shall accompany the use permit application. The report shall include recommendations to prevent structural damage as a result of the expansion and contraction of underlying soils, settling, subsidence, or other action.

235-113. OPERATION PLAN. The applicant shall submit a plan describing the proposed operation of the food processing facility, including but not limited to: a description of the food processing operation, water consumption, and air pollution control measures.

235-114. DESCRIPTION OF FOOD PROCESSING OPERATION. The Operation Plan shall identify the raw food crops which will be processed, their origins, the food products which will be produced, and the duration of the processing season. Any previously processed bulk agricultural products which are used in the production process shall also be identified.

235-115. WATER CONSUMPTION. The Operation Plan of the use permit application shall also identify or provide:

(a) The source of water to be used in plant operation.

(b) The proposed location of wells and estimated drilling depth, if groundwater is to be used.

(c) The location and identification number of existing wells on the property and on adjoining property.

(d) An analysis of groundwater samplings from wells on the property or, if none exist, groundwater quality data which may be available for adjoining wells.

(e) The average and peak daily water requirements, in gallons per day.

(f) The total annual process water requirements and supplemental water requirements for irrigation in acre feet per year.

(g) The existing annual water use at the site, including the area proposed to accommodate the waste disposal system.

The water supply system proposed for the plant shall be reviewed and approved by the Health Agency and the Public Works Department before the grant of the use permit.

235-116. AIR POLLUTION CONTROL. The applicant as required by law shall submit a plan for the control of air emissions to the Air Pollution Control District. Specific provisions of the plan shall also be identified in the Operation Plan, including, but not limited to, measures to:

(a) Control sulfur, nitrous oxide, and hydrocarbon emissions from fuel oil boilers.

(b) Control hydrocarbon emissions from can manufacturing equipment incorporated in the plant design.

(c) Limit odors resulting from the food processing operation.

235-117. WASTE MANAGEMENT PLAN. The applicant shall submit a Waste Management Plan describing the proposed method for disposal of liquid and solid waste generated at the plant site or delivered to the wastewater disposal site. The Plan shall include, but not be limited to: a grading and irrigation plan; the proposed method of agricultural management; the economic data supporting the need for land disposal; and the proposed method of domestic sewage disposal.

235-118. GRADING AND IRRIGATION. The Waste Management Plan of the use permit application shall show the proposed method to grade and irrigate the land disposal area, and shall include:

(a) A map showing location and acreage of the disposal area and the existing and graded topography at two-foot contour intervals (with spot elevations for flat land) with all surface drainage courses shown.

(b) Specific measures, if any, to improve soil permeability, such as ripping of hardpan or installation of underdrains.

(c) The design slope and length of run for surface irrigated fields.

(d) The layout of the irrigation system and irrigation return and/or discharge system.

(e) A description of the irrigation cycle, application rate, and infiltration rates of wastewater during periods of peak irrigation, and the equipment or methods used to regulate application.

(f) The surface disposal systems, provisions for storm drainage, surface runoff drainage, and discharge of effluent, if any.

(g) Provisions for on-site liquid waste storage facilities capable of meeting emergency storage needs resulting from unreasonable weather or equipment failure.

The program to grade and irrigate the property shall be reviewed by the Public Works Department, the Health Agency, the Sacramento Yolo Mosquito Abatement District, and Central Valley Regional Water Quality Control Board prior to approval as provided herein.

235-119. AGRICULTURAL MANAGEMENT. The Waste Mangement Plan of the use permit application shall identify the proposed agricultural use of the land and relate that use to the existing agricultural use on and in the vicinity of the site. The types of crops to be grown and the management program (rotation, etc.) to be employed and specific measures to minimize the concentration of rodents on and the attraction of birds to the disposal site shall be identified. The application shall also describe the distribution of soil types, soil profile descriptions (including depth to hardpan), soil chemical analysis, permeability data, and other relevant soil information which relate to the disposal site.

235-120. ECONOMIC DATA. Because a clear and compelling economic need for land extensive wastewater disposal systems is the principal justification for rural industries and rural land disposal systems, the Waste Management Plan of the use permit application shall quantitatively identify the economic advantages of land disposal over conventional municipal treatment. Information necessary to make such a determination, include, but not limited to: the costs of land acquisition; land preparation: conveyance systems, pumps, and other capital improvements; projected maintenance and operation requirements and costs; average and peak volume, organic loading, and suspended soils content of wastewater; and other information necessary to project sewage changes for municipal treatment shall be included in the application.

235-121. DOMESTIC SEWAGE DISPOSAL. An estimate of the average and peak daily sanitary sewage flow during the processing season and during the off-season shall be included within the Waste Management Plan of the use permit application. The proposed method of treatment and disposal of domestic sewage shall also be described. Domestic sewage disposal shall meet the requirements of the Health Agency and the Regional Water Quality Control Board.

235-122. SOLID WASTE MANAGEMENT. The Waste Management Plan of the use permit application shall also include a description of the proposed program for reclamation and disposal of solid waste as defined in Section 130-171.1, generated at the disposal site, including:

(a) The type and quantity of solid waste.

(b) Reclamation and reprocessing procedures to be instituted.

(c) Disposal techniques, including on-site storage, transportation, and the ultimate location of off-site disposal.

(d) The location of and procedures for disposing of any solid waste at the site.

(e) Specific operating procedures designed to prevent conditions which might attract birds to the disposal area.

Solid waste generated at the disposal site shall be disposed of in accordance with the Health Agency's regulations governing the disposal of organic cannery wastes in Sacramento County.

235-123. CONDITIONS OF THE USE PERMIT. The Project Planning Commission may recommend and the Board may require the use permit be subject to reasonable conditions. The Board of Supervisors has recently accepted the report "Agricultural Industries: Prospects, Perspectives, Planning", prepared by a technical advisory committee appointed by the Board. Guidelines and criteria in Chapter 7 of the report coupled with mitigation measures recommended in any environmental analysis of an application shall be duly considered by the Project Planning Commission, or the Board, or both, in recommending and approving an application.

235-124. WASTE DISCHARGE REQUIREMENTS. The use permit shall be expressly conditioned upon compliance with waste discharge requirements of the Regional Water Quality Board. The use permit shall also specify that if the State suspends or revokes its approval of the waste discharge program then the conditional use permit may also be suspended or revoked. The County shall encourage the Water Quality Control Board to include the following provisions in their waste discharge requirements:

(a) Maximum seasonal BOD loading rates to the land.

(b) Monitoring of groundwater levels.

(c) On-site liquid waste storage facilities sufficient to meet emergency storage requirements resulting from unreasonable wet weather during operating periods.

235-125. SOILS ANALYSIS. Each conditional use permit shall include, as a condition, that an ongoing monitoring program be established to insure that the long-term productivity of soils irrigated with wastewater is maintained. A soils analysis shall be performed biannually (immediately

prior to the processing season and immediately following the processing season). The County Cooperative Agricultural Extension Office or other qualified experts shall review such data to determine the level of buildup of sodium based salts. If it is determined that soil salt levels are detrimentally affecting the agricultural productivity of the wastewater disposal site, this shall be reported to the Public Works Department and the operator, along with recommended measures to reverse the salt buildup. Such measures may include changes in the types of crops planted, rotational cropping techniques, the use of soil amendments, alteration of production process to reduce chemical concentration in the wastewater, modified application practices, or other changes in the waste disposal program. Within 30 days of receiving such written measures the Public Works Department shall establish, in consultation with the operator of the wastewater disposal site, a written schedule for implementing necessary measures. The operator shall implement all necessary measures no later than one year following establishment of the schedule, or within any lesser period as may be provided in the schedule.

235-125.1. BIRD AND RODENT NUISANCES. No use shall be conducted or operated in such a manner as to cause a concentration of rodents, birds, or other animals in such numbers that may directly or indirectly interfere with the safe operation of general aviation craft within or above the disposal area, or in any other way constitute a threat to the public health or safety.

235-126. ENFORCEABLE RESTRICTIONS. The conditional use permit may be conditioned upon the owner of the land used for wastewater discharge executing a Land Conservation Act agreement or an open space easement.

235-126.1. BOND. The Board of Supervisors may require that the applicant post a bond or other security to ensure compliance with any conditions of the use permit. The bond shall be in a form to be approved by the County Counsel and in an amount to be approved by the Health Department Director and shall be deposited with the Clerk of the Board of Supervisors. The Health Department Director is authorized to release the bond or security upon satisfaction of the conditions or expiration of the use permit. In lieu of the bond, the following will satisfy the bond or security requirement:

(a) Certificates of deposit payable to the County issued by banks doing business in this State and insured by the Federal Deposit Insurance Corporation.

(b) Investment certificates or share accounts assigned to the County and issued by a savings and loan association doing business in this State and insured by the Federal Savings and Loan Insurance Corporation.

(c) Bearer bonds issued by the United States government or by this State; or

(d) Cash deposited with the County.

(e) Other forms of security acceptable to the County Counsel.

235-127. RESPONSIBILITY. The operator of the processing plant shall be responsible to the County for the operation of the disposal site even though the disposal site is owned or operated by another person or entity. If there is separate ownership or operating management, the County may condition the use permit by requiring an agreement between the land disposal operator and the plant operator relating to the management of the disposal site. Any agreement shall be approved by the County Counsel prior to the grant of the use permit.

235-128. TERM. The term of the permit shall be consistent with the operative life of the food processing industry involved. A term of thirty (30) years is considered reasonable.

235-128.1. ADVISORY COMMITTEE. The Board of Supervisors may establish a committee to advise the County in technical matters relating to the establishment of appropriate conditions of approval for the use permit, the periodic review of uses permitted under the provisions of this ordinance, or the recommendation of measures which may be necessary to ensure ongoing compliance with the conditions of the use permit.

235-129. ACTION BY THE BOARD. In addition to any other findings required as a matter of law, the Board shall not grant a conditional use permit for a food processing industry until it finds that:

(a) The plans and reports submitted pursuant to Sections 235-105 through 235-122 adequately describe the proposed operation.

(b) The proposed use is consistent with the definition of food processing industries as provided in Section 130-72.5.

(c) The plans and reports submitted pursuant to Sections 235-105 through 235-122 incorporate all reasonable measures to mitigate probable significant adverse environmental effects of the proposed operation.

(d) The data submitted pursuant to Section 235-120 establish a clear and compelling economic benefit to land disposal of process wastewater.

(e) The proposed use benefits agriculture.

235-130. ON-SITE SIGNS. On-site signs and permitted advertising devices may be erected subject to the development standards of Title III, Chapter 35. Where specific conditions of the use permit are less or more restrictive than the development standards, the condition shall apply.

DW DELTA WATERWAYS
LAND USE ZONE

235-140. PURPOSE. The DW Delta Waterways Land Use Zone is designed to regulate property in the unincorporated area of the County along the Sacramento River and along the Waterways in the area commonly known as the "Delta area":

(a) To preserve and enhance the waterways and their immediate environment consistent with the County's General Plan.

(b) To ensure the compatibility of land uses along the river and waterways and land adjacent to the river and waterways.

(c) To provide a process to promote and ensure the compatibility of development by examination of individual development proposals.

235-140.5. DEFINITIONS. The following definitions apply to the provisions contained in this Article:

(a) NATURAL AREAS. As used in this zone, "Natural Areas" are those waterways or portions of waterways exhibiting significant scenic, ecological, historical or natural values that should be preserved to protect wildlife habitat, existing vegetation and remnants of the waterways history. Such areas shall be indicated on the comprehensive zoning plan as "DW-N."

(b) SCENIC AREAS. As used in this zone, "Scenic Areas" are those waterways or portions of waterways, which are of a lesser ecological or natural value than "Natural Areas" or have the potential for enhancement of such values, but which can support a wider range of active recreational activities without adverse environmental impact. Such areas shall be indicated on the comprehensive zoning plan as "DW-S."

(c) RESTRICTED AREAS. As used in this zone, "Restricted Areas" are those portions of waterways which are restricted for through navigation by existing docks, marinas, or other development, or are located adjacent to the Delta urban communities; but are located such that expansion of such facilities or additions of similar water-oriented facilities will be compatible with the purpose and standards of this zone. Restricted areas shall be indicated on the comprehensive zoning plan as "DW-R."

(d) MLLW. MLLW as used in this Article, shall mean "Mean Lower Low Water."

235-141. BOUNDARIES. These regulations shall apply to those waterways of the Delta and the waterside berm and levee area extending to the top of the waterside of the levee or to the water's edge at mean lower low water or as otherwise indicated by a DW on the comprehensive zoning plans of Sacramento County.

235-142. PERMITTED USES AND ACTIVITIES. The following uses shall be permitted in the DW zone:

(a) Repair or replacement of existing conforming or legal nonconforming water dependent facilities.

(b) Agricultural uses and minor accessory structures for facilities, including but not limited to pumps, drains, and fences. This does not include agricultural-related industry.

(c) Floating structures for permanent human habitation when moored in an approved marina.

(d) Removal of grass, brush, dead or downed trees.

(e) Removal of vegetation determined as noxious weeds by the County Agricultural Commission.

(f) Removal of junk, debris, or obstructions.

(g) Any action required to eliminate an immediate safety hazard or to insure the safety of persons or property.

(h) Camping, group use, and certain other uses allowed within park facilities will be subject only to permits issued by the operating agency.

(i) Property owners' personal recreational uses.

235-143. CONDITIONAL USES. Notwithstanding any other Section or Table of this Code, the following water dependent uses are permitted upon issuance of a conditional use permit by the Zoning Administrator.

(a) Boat launches.

(b) Water recreation equipment rentals and sales.

(c) Snack bar outside existing marinas incidental to a park, boat launch or other water-oriented use.

(d) Tackle Shops.

(e) Parks, including boat launching, overnight camping, and picnicking, travel trailer and recreation vehicles.

(f) Boat rentals and sales outside an existing marina.

(g) Industrial facilities for the shipping and receiving of raw or processed materials by water.

(h) Restaurants.

(i) Existing structures for human habitation when moored or anchored permanently in the waterway.

(j) Marine supplies.

(k) Boat harbors, marinas, and incidental accessory uses.

(l) Commercial docks and piers.

(m) Other similar water dependent uses.

(n) Storage and packing of agricultural products such as fresh or dried fruit, vegetable, grain or seed crops.

(o) Agricultural supplies and services such as retail sales of agricultural chemicals, fertilizer, feed, grain and farm supplies; and rental and incidental storage of farming equipment, not including trucks, tractors, combines, and similar heavy equipment.

235-144. PROHIBITED USES. The following uses and activities are expressly prohibited:

(a) Permanent moorage or anchorage of a houseboat or other vessel used for human habitation, except within an approved marina. Existing houseboat owners may apply for a conditional use permit as provided in this Code to qualify an existing houseboat anchorage as a lawful non-conforming use.

(b) The mooring or anchoring of a houseboat for a period exceeding one day within two (2) miles of the intake for a domestic water supply.

(c) The establishment of any project such as marinas, commercial piers and docks, boat sheds and other commercial facilities such as restaurants in any area shown on the comprehensive zoning plan as a "NATURAL AREA".

(d) The release of any polluting material, debris, junk, abandoned vehicles and similar materials into any waterway.

(e) The location of any industrial and non water oriented commercial facilities within any area shown on a comprehensive zoning plan as a "SCENIC AREA".

(f) Septic tanks shall not be used as a sewage disposal system for any use on any parcels located within this zone except on residential lots created prior to November 30, 1972.

235-145. SITE PLAN REVIEW. The following uses are authorized as permitted uses upon site plan review by the Director of the Planning and Community Development Department, as set forth in this section:

(a) Single family dwellings.

(b) Guest homes and accessory buildings and structures.

(c) Expansion of existing marinas.

(d) Boat docks, swim floats, fishing piers.

(e) Gas and boat service at existing marinas and docks.

Any application for any use listed above shall be reviewed by the Director for compliance with the provisions of this Code. The Director shall, within ten (10) days after receipt of any application, refer the application to the Environmental Coordinator for environmental review. If it is determined by the Environmental Coordinator that an EXEMPTION is appropriate for the project, the Director will, within ten (10) days after the environmental determination, review the application to determine whether the proposed use, building, or other construction meets the development standards of the DW zone. The Director may require, in addition to standard application information, any or all of the information required for conditional use permits as provided in Article 3, Chapter 10, Title I.

If a Negative Declaration or EIR is required by the Environmental Coordinator, or, in the opinion of the Director, the proposed development will not meet the requirement of the DW zone, the application shall be disapproved and the applicant advised thereof within five (5) days. The Director's decision is not subject to an appeal. The applicant's sole recourse to the Director's decision is to apply for a conditional use permit as provided in Article 3, Chapter 10, Title I.

235-146. DELETED (by SZC 79-28)

235-147. LOCATION OF STRUCTURES. Structures may be located within RESTRICTED AREAS as indicated on the zoning maps when extensions into the waterways do not exceed one-third of the horizontal distance across the waterway and an unrestricted navigation channel of not less than one hundred feet is maintained.

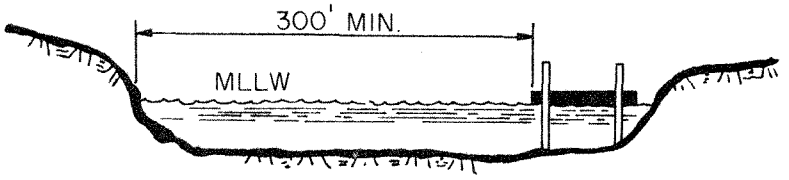
Structures located in all other areas of the waterways must maintain an unrestricted navigation channel of not less than 100 feet and adhere to the most restrictive of the following standards:

(a) Extensions shall not exceed more than 200 feet at mean lower low water (MLLW) for commercial and public facilities.

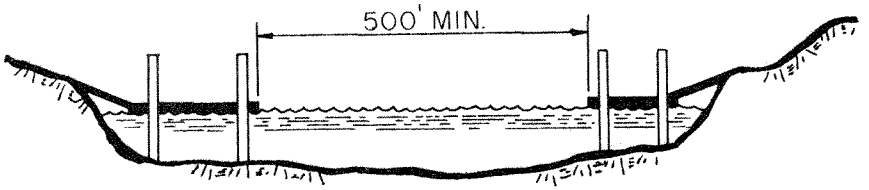
(b) Extensions shall not exceed more than 100 feet at MLLW or to the line of existing adjacent structure in areas of intensive shoreline development, for private facilities.

(c) Extensions shall not exceed more than one-third of the horizontal distance across the waterway.

(d) 300 feet of clearance between the project and the undeveloped opposite bank, assuming the opposite bank is not to be developed.



(e) 500 feet of clearance between the project and any development along the opposite bank.



(f) 700 feet of clearance between the project and the undeveloped opposite bank, when development of the opposite bank is physically possible and is zoned for development.

(g) Private docks and fishing piers will be permitted that do not extend more than 40 feet into the river at MLLW no more than 50 feet along the shoreline after securing all applicable Federal and State permits. Joint use of private docks by adjoining residents, not to exceed 10 berths, shall be encouraged when appropriate. Maximum length of 50 feet along the shoreline will be waived for joint-use docks.

(1) Swimming floats will be permitted that are capable of being removed from the floodway during the flood season.

(2) Docks and swim floats should be located where the waterway exceeds 500 feet in width and through navigation and activities such as water skiing will not be impeded. These requirements may be waived in areas where Specific Development Standards or speed and wake zones are established.

(3) Where it is not possible for a dock or swim float to be located on both sides of the waterway, consideration may be given when the waterway is a maximum width of 300 feet.

235-148. LOT AREA. Each lot in the DW zone shall have a net lot area of not less than 20,000 square feet. If neither a public water supply nor a public sewerage facility is in use, the net lot area for each lot shall be not less than one (1) acre.

235-149. LOT WIDTH. Each lot in the DW zone shall have a minimum width of seventy-five (75) feet.

235-150. SETBACKS.

(a) FRONT. The minimum setback from the levee to any structure shall be ten (10) feet measured towards the waterway from the toe of the levee.

(b) SIDE YARD. There shall be a side yard in the DW zone on each side of all buildings or structures of not less than twenty (20) feet.

235-151. BUILDING PAD REQUIREMENTS.

(a) The type of fill for the pad is to be approved by the County Health Agency.

(b) Trees exceeding 9" in diameter may not be removed except when located in an area needed for the building pad.

235-152. CREATION OF ADDITIONAL LOTS. When creating new lots within 100-year floodplain areas by parcel map or subdivision map, approval will be required by the Board of Supervisors, and additional standards must be met as follows:

(a) Minimum lot size is one (1) acre net. Sewage disposal by septic tank and leach lines is not permitted, and other methods of sewage disposal must be approved by the Health Agency and/or Central Valley Regional Water Quality Control Board prior to approval by the Board of Supervisors.

(b) The location of the structures, the area subject to fill, trees, wildlife habitats to be removed, and access drives must be shown on the map and approved by the Board.

(c) If the proposal is located in an area shown as a recreation category on any plan approved by the Board of Supervisors, the Board must consider a report from the Parks and Recreation Department prior to taking action on the tentative maps.

(d) A minimum depth of 150 feet from the toe of the levee to the top of the bank will be required.

235-153. PARKING. Parking will be as required in Title III, Chapter 30 of the Zoning Code.

235-154. SIGNS. Signs and permitted advertising devices may be erected subject to the development standards of Title III, Chapter 35. Where specific conditions of the use permit are less or more restrictive than the development standards, the condition shall apply.

235-155. SPECIAL CONSIDERATIONS. The Director in the site plan review pursuant to Section 235-145 shall, in addition to any requirements imposed by law, give due consideration to the following in the analysis of any application:

(a) For commercial or industrial uses.

(1) The adequacy of parking, landscaping and vehicular access.

(2) The convenience of off-street parking, and the lighting thereof.

(3) Health Department acceptance of pump-out facilities, holding tanks and other sewage facilities. Septic tank systems are not permitted for commercial uses.

(4) Availability of potable water as required by the Health Agency.

(5) Public access to the waterway(s).

(6) The protection provided from flood hazards.

(7) The measures proposed to reduce the impact of any loss of vegetation and fowl or animal habitats.

(b) For recreational facilities or uses.

(1) Whether the proposed use is available to the general public.

(2) The compatibility with the waterway environs.

(3) The mitigation measures such as fences and screen planting to mutually protect recreation uses and residential uses from each other.

(4) Any recreational use other than commercial recreational use shall not be approved until the same has been approved by the Director of the Parks and Recreation Department.

(c) For all uses.

(1) The location and anchorage of any private docks, piers, floats and swimming.

(2) The location, size and lighting of any signs.

235-156. WRITTEN FINDINGS. No site plan or conditional use permit application shall be approved until the Director or granting authority, as the case may be, shall find that the use, structure or facility will not:

(1) Limit the diversity of public uses appropriate in the waterway.

(2) Result in a substantial adverse environmental impact to natural habitats.

(3) Impede the natural flow of the channel.

(4) Adversely affect the stability of the levee or lands adjacent to the waterway or formation of sandbars or shoals.

(5) Create a safety or navigation hazard.

(6) Reduce the ecological or scenic values of an existing or approved State or local ecological preserve or wildlife management area.

(7) Cause excessive disturbance, dredging, filling or bulkheading to the shoreline, and be incompatible with the existing natural and man-made features.

235-157. CONDITIONAL FINDINGS. When a granting authority is considering an appeal or a variance to the standards contained herein, the following findings must be made in addition to the findings outlined above:

(a) That a public need is demonstrated. In determining public needs, the services provided the boating public and the residents of the adjacent community as well as providing access to points of historical significance shall be given primary consideration.

(b) That no feasible alternative location exists.

(c) That an environmental document has been accepted as adequate and adequate mitigation of any identified adverse impact is provided.

235-158. CONDITIONS. In addition to the provisions of Section 110-34 of the Sacramento Zoning Code, the granting authority may require and specify the following conditions:

(a) Removal of debris, abondoned structures, other hazards.

(b) Installation of boating regulation signs.

(c) Compatibility of the project with existing structures and natural features.

(NS) NATURAL STREAMS (COMBINING LAND USE ZONE)

235-160. PURPOSE. The Natural Streams (NS) Combining Zone as shown on the Comprehensive Zoning Plans shall be used to regulate property along the designated Natural Streams within the unincorporated area of the County to:

(a) Protect current and future occupants of land subject to flooding from the physical damage of flooding.

(b) Protect property from flood losses and prevent non-compatible development in floodprone areas.

(c) Protect and preserve the natural character and amenities of the Natural Streams.

(d) Minimize the placement of fill in floodplain areas of the Natural Streams.

(e) Protect and enhance the quality of water entering and flowing within the Natural Streams.

(f) Preserve the recreation potential of the Natural Streams.

235-161. APPLICABILITY OF (NS) COMBINING ZONE DESIGNATION.

(a) The (NS) appearing after a zone abbreviation on the Comprehensive Zoning Plans indicates that the property so classified is subject to the provisions of this Article in addition to those of the underlying zone, except as otherwise specified in this Article.

(b) The (NS) Combining Zone may be applied to the unincorporated area of the County adjacent to or near the designated Natural Streams for which the Board determines that land development may have an impact on the preservation or enhancement of scenic, recreational, hydrological, or related values along or near the Natural Streams.

(c) For purposes of this Article the following streams or portions of streams are herein designated as Natural Streams:

(1) Arcade Creek - from Auburn Boulevard (near Winding Way) to Greenback Lane (east of Almond Avenue).

(2) Arcade Creek - South Branch - from the confluence with Arcade Creek to approximately 1100 feet east of Kenneth Avenue.

(3) Brooktree Creek - from the confluence with Arcade Creek to San Juan Avenue.

(4) Carmichael Creek - from Ancil Hoffman Park to Walnut Road.

(5) Chicken Ranch Slough - from Cottage Way to approximately 350 feet west of Garfield Avenue.

(6) Coyle Creek - from the confluence with Brooktree Creek to Madison Avenue.

(7) Cripple Creek - from the confluence with Arcade Creek to approximately 400 feet north of Central Avenue.

(8) Kohler Creek - from the confluence with Arcade Creek to Madison Avenue.

(9) Linda Creek - from the Placer County line near Old Auburn Road to the Placer County line near Mountain Avenue.

(10) Minnesota Creek - from the American River Parkway to approximately 550 feet north of Olive Street.

(11) San Juan Creek - from the confluence with Arcade Creek to Greenback Lane.

(12) Strong Ranch Slough - from Arden Way to approximately 800 feet east of Walnut Avenue.

(13) Verde Cruz Creek - from the confluence with Arcade Creek to approximately 1800 feet west of Dewey Drive.

235-162. USE OF COUNTY OWNED PROPERTY. County owned or controlled real property, subject to the (NS) Zone, shall require prior approval of the Board for any use of the property. The Board shall not approve any use of such property which is inconsistent with the County General Plan.

235-163. PERMITTED USES. Except as provided in Section 235-165 and Section 235-165.1, all uses designated as either permitted or conditional uses in the underlying zone shall be conditional uses in the Natural Streams zone subject to obtaining a conditional use permit from the appropriate authority and further subject to satisfactorily meeting the development guidelines established in Section 235-166.

235-164. APPROPRIATE AUTHORITY. The appropriate authority to hear use permits required under Section 235-163 shall be as prescribed in Section 110-32, except that the Zoning Administrator shall be the appropriate authority to hear use permits for the following uses:

(a) One new single-family detached dwelling on each lot.

(b) One new two-family dwelling on each lot.

(c) Accessory uses, building, and structures (including swimming pools and appurtenant equipment) customarily incidental to and subordinate to single family detached and two-family dwellings when constructed at the same time as any new single family detached or two family dwelling.

235-165. USES PERMITTED WITHOUT A CONDITIONAL USE PERMIT. Notwithstanding Section 235-163, the following uses, buildings, and structures are permitted uses without a conditional use permit upon approval of the Planning Director or his designee as prescribed in Section 235-167, and provided they meet the development guidelines described in Section 235-166.

(a) Modification or alteration to an existing single-family detached dwelling on each lot.

(b) Modification or alteration to an existing two-family dwelling on each lot.

(c) Accessory uses, building, and structures (including swimming pools and appurtenant equipment) customarily incidental to and subordinate to single-family detached and two-family dwellings when constructed in conjunction with an existing single family or two-family dwelling.

235-165.1. USES WITH PRIOR APPROVAL. Notwithstanding the provisions of Section 235-163, any use or development which received prior approval from an appropriate authority, including review by the Natural Streams Task Force, between March 1, 1979, and the effective date of this Section, based on consideration of the purposes of this Article as set forth in Section 235-160, shall be exempt from the provisions of Section 235-163, provided that any use to be developed shall operate in a manner consistent with the conditions of the prior approval.

235-166. DEVELOPMENT GUIDELINES. Generally, development requirements of property including lot area, lot width, or public street frontage applicable to property located in the underlying zone, shall apply to uses authorized by Section 235-163. In addition, the appropriate authority, in consideration of any use permit application filed pursuant to this chapter, shall utilize the development guidelines specified in this section as the basis for approving or denying the application. Any project which deviates from the development guidelines described herein shall be approved only if there are no reasonable alternatives to the project which would meet the development guidelines and the findings prescribed in Section 235-169 can be made in the positive.

(a) Guidelines for placement of structures in floodplain areas.

(1) All new construction or substantial improvements shall have the lowest habitable floor including basements floodproofed or elevated at least one foot above the water surface elevation of the 100-year floodplain.

(2) No encroachment, fill, alteration or use shall result in diminution of the freeboard of an existing dwelling's lowest habitable floor below one foot above the water surface elevation of the 100-year floodplain.

(3) Single family and duplex garages, swimming pools, and other similar structures shall be constructed at an elevation equal to or greater than the water surface elevation of the 100-year floodplain.

(4) Parking lots and driveways shall not be constructed lower than one foot below the water surface elevation of the 100-year floodplain. The appropriate authority may approve parking lots on an elevation lower than one foot below the water surface elevation of the 100-year floodplain in instances where the use of the parking lot is infrequent, where the property owner has entered into a hold harmless agreement with the County, and where appropriate warning signs are erected to advise vehicle operators of the flood hazard potential.

(5) Utility and sanitary facilities shall be elevated at least one foot above the 100-year floodplain water surface elevation, or buried at least 30 inches below grade using watertight construction. Inspection and maintenance accesses shall be flood proofed and located outside the 100-year floodway fringe. Exceptions may be granted by the Public Works Director.

(b) Guidelines for floodway areas.

(1) Within the 100-year floodway, no project, public or private, shall result in the alteration of the 100-year floodway except when the project will correct conditions which are hazardous to the public health and safety.

(2) No fill, storage, encroachment, new construction, or substantial improvement of existing habitable dwellings or accessory structures shall be allowed.

(3) Fences and other structures such as culverts and bridges which must be constructed within the floodway shall be designed to the requirements of the County so as to prevent an obstruction or diversion of flood and drainage flow, and to minimize adverse effects to natural riparian vegetation and ecosystems.

(4) No structures or parts of structures shall overhang, project, or protrude into the 100-year floodway.

(c) Guidelines for landfill in floodplain areas.

No fill shall be permitted in the 100-year floodplain unless:

(1) The 100-year flood depth prior to the fill is less than 2 feet, and

(2) The fill is for the minimum area to accommodate a structure and allow for a five-foot border area which shall have a side slope of 4:1 or flatter when no landscaping or erosion control is provided by the proponent, and

(3) There are no trees nine inches in diameter or larger which cannot be successfully transplanted or otherwise protected from the impact of the fill.

Exceptions to the above standards may be permitted within the floodplain when special circumstances exist as may be determined by the appropriate authority consistent with the goals and policies of the Natural Streams Plan. Such circumstances include:

(4) If the fill area is a swale or depression which is not a designated tributary and which lacks trees or shrubs, rock outcroppings, or other distinctive natural features, or

(5) If the fill is necessary for resolving a health or safety hazard.

235-167. SUBMITTAL OF PLANS. Any application for a building permit or other entitlement of use, building or structure subject to the (NS) Combining Zone authorized without a conditional use permit by Section 235-165 shall be reviewed by the Director for compliance with the provisions of this Article. The Director shall require a site plan as provided in Section 235-168 to make any determination. If, in the opinion of the Director, the proposed development will not meet the development requirements provided in this Article, he shall inform the applicant that the building permit or other entitlement of use is disapproved. The Director's decision is not subject to an appeal. The applicant's sole recourse to the Director's decision is to apply for approval of the proposed development as provided in Section 235-163.

235-168. SITE PLAN. In addition to other data required pursuant to Title I, Chapter 10 for conditional use permits, the following information shall be required for any application of a conditional use permit in the (NS) Zone:

(a) Site plan showing.

(1) Existing topography of the site at one-foot intervals.

(2) The location of any existing stream channel.

(3) A depiction of the 100-year floodplain as defined by the HUD Flood Insurance Study.

(4) Location of existing and proposed structures, buildings and signs.

(5) Location, size, and type of existing trees and shrubs.

(6) Location of any proposed off-street parking and loading.

(7) Location of adjacent public rights-of-way and private easements for ingress and egress, if any.

(8) Location of proposed vehicle entrances and internal circulation patterns.

(9) Location of any proposed walls and fences; the height and the construction thereof.

(10) Finished grade of the site at the building pad and parking lot.

(b) Preliminary landscaping plans.

(c) Elevation drawing of all improvements.

(d) Other data or materials deemed necessary by the Director.

235-169. FINDINGS. In addition to the findings required by Title I, Chapter 10, Article 3, the appropriate authority shall not grant a condition use permit pursuant to Section 235-163 unless it finds and records in writing that:

(a) The project will not reduce the freeboard of existing structures below one foot above the 100-year water surface elevation.

(b) The project protects and to the extent possible enhances the natural amenities of the watercourse.

(c) The project design does not preclude or foreclose future recreation/open space potential along those streams which have adopted recreation trails or other facilities.

(d) There are adequate provisions for maintenance of the streamside areas.

235-170. EXEMPTION. If the procedures set forth in this Article differ from procedures for review of development set forth in any County or privately initiated planned developments or zoning agreements, then the procedures set forth in the planned development ordinance or the zoning agreement shall prevail over the procedures in this Article.

(MHP) MOBILEHOME PARK (COMBINING LAND USE ZONE)

235-180. PURPOSE. The (MHP) combining zone, as shown on the Comprehensive Zoning plans, is designed to provide for the development of mobilehome parks, as defined in Section 130-126 of this Code. When combined with the underlying zone, it will provide opportunity for a variety of mobilehome park environments which are compatible with the communities in which they are placed. In adopting these regulations, the Board of Supervisors recognizes that:

(a) There is a need to afford present and future County residents with increased options for residential living environments.

(b) Mobilehome parks are a potential means for affordable housing.

(c) Mobilehome park densities should be consistent with densities in surrounding areas.

(d) There should be opportunities for design flexibility to permit mobilehome park developments to be responsive to different site conditions, community plan considerations, potential markets, and sizes of mobilehomes.

235-181. APPLICABILITY. The (MHP) appearing after a zone abbreviation in the Comprehensive Zoning Plans indicates that the property so classified is subject to the provisions of this Article in addition to those of the underlying zone, except as otherwise specified in this Article. The (MHP) combining zone may be combined with any residential underlying zone. The (MHP) combining zone shall be applicable to all new mobilehome park projects proposed after the effective date of this ordinance.

235-182. PERMITTED USES. The uses permitted in the (MHP) combining zone shall be those uses specified in the Residential and Open Space Table, Section 201-02 of this Title, subject to the special conditions set forth in Section 201-04.

235-183. SITE PLAN REVIEW. No mobilehome park shall be constructed in the (MHP) combining zone and no permits issued for any construction unless a development plan is prepared and approved pursuant to the provisions of Title I, Chapter 10, Article 7 of this Code and utilizes the guidelines set out in Section 235-184.

235-184. SITE PLANNING GUIDELINES AND PRINCIPLES. The development plan shall show individual site conditions and reflect the type of market to be served, and be adaptable to the trends in design of mobilehomes. Site planning should utilize terrain, existing trees, shrubs and rock formations and ought to reflect the recommendations enumerated in (a) through (f) following:

(a) AMENITIES. Include provision for facilities and amenities appropriate to the needs of the occupants.

(b) ARRANGEMENT OF STRUCTURES AND FACILITIES. The site, including mobilehome stands, patios, structures, and all improvements, should be harmoniously and efficiently organized in relation to topography, the shape of the plot, and the shape, size, and position of structures and common facilities. (Attention should be given to use, appearance, and liveability.)

(c) ADAPTION TO SITE ASSETS. The mobilehome unit should be fitted to the terrain with a minimum disturbance of the land. Existing trees, rock formations, and other natural site features should be preserved if practical. Favorable views or outlooks ought to be emphasized by the plan.

(d) PROTECTION FROM ADVERSE INFLUENCES. Adequate protection should be provided against any undesirable off-site views or any adverse influence (such as heavy commercial or industrial use, heavy traffic, or brightly-lighted activities) from adjoining streets and areas.

(e) SITE PLAN. The site plan shall provide for a desirable residential environment for mobilehomes which is an asset to the community in which it is located. Innovation and imaginative design shall be encouraged, monotony avoided.

(f) SUITABILITY OF SITE IMPROVEMENTS. All site improvements shall be appropriate to the type of development and durable under the use and maintenance contemplated.

235-185. PARK DESIGN STANDARDS. No building or structure shall hereafter be erected or located, nor shall any mobilehome park be constructed within the (MHP) combining zone unless the requirements herein specified in Sections 235-186 through 235-200 are provided and maintained.

235-186. PARK AREA. Each park shall have a minimum net area of not less than five (5) acres.

235-187. DENSITY. The gross residential density of a mobilehome park shall not exceed the allowable density of the underlying zone, except that the appropriate authority may permit increased densities up to 50% over the maximum permitted by the underlying zone when it finds that at least 15% of the lots are designed exclusively for the placement of single-wide mobilehomes.

235-188. PERIMETER YARDS. There shall be a landscaped yard of not less than twenty (20) feet adjoining each public street right-of-way, and not less than ten (10) feet adjoining each interior property line.

235-189. PUBLIC STREET FRONTAGE. Each park shall be located on a public street having at least a sixty-foot right-of-way. Each park shall have not less than sixty (60) feet of frontage on a public street, except as authorized by the appropriate authority.

235-190. WATER SUPPLY AND SANITATION FACILITIES. Public water supply and public sanitary sewerage facilities shall be required.

235-191. SIGNS. No more than one sign other than those signs provided for in Title III, Chapter 35, Article 1 of this Code shall be permitted. Said sign shall be non-flashing, stationary, and shall not exceed twenty-four (24) square feet in area. Lighting for such sign shall be arranged so as not to produce glare on other properties. The sign shall be set back from all property lines at least twenty (20) feet and shall not exceed eight (8) feet in height.

235-192. FIRE PROTECTION. On and Off-site fire hydrants and fire protection facilities shall be installed as specified in the development plan and shall be of a type approved by the chief of the local fire protection district.

235-193. MOBILEHOME LOTS. Each mobilehome lot shall be designed to be occupied by one mobilehome and uses accessory thereto. Lot sizes shall be appropriate to the anticipated size of mobilehome and be governed by the regulations concerning yards, minimum distances between stands and structures, outdoor living areas, and on-site parking; however, no lots shall be less than 1,100 square feet. All lots shall be numbered, clearly defined and marked at all corners with permanent markers.

235-194. SEPARATION OF MOBILEHOMES.

(a) The occupied area of a mobilehome lot shall not exceed 75 percent of the lot area.

(b) The minimum distance required for the separation of a mobilehome or accessory structure from a building shall be ten (10) feet. The minimum distance required for the separation of a mobilehome or accessory structure from any other mobilehome or accessory structure shall be ten (10) feet from side-to-side, eight (8) feet from side-to-rear, and six (6) feet from rear-to-rear or front-to-front or front-to-rear; provided, however, that each mobilehome or accessory structure shall not be located closer than three (3) feet from the rear or side lot line or any lot line abutting a property line or another mobilehome lot.

(c) When a mobilehome has projections, including eave overhangs, the projections may intrude into the distance required for separation of setback, provided that a minimum of six (6) feet separation is maintained between the edge of the projections and an adjacent mobilehome, building, accessory structure or its projection. A minimum of three feet shall be maintained from the mobilehome projection and the adjacent lot line or property line.

(d) The minimum setback from an interior access roadway shall be five (5) feet.

(e) Whenever the mobilehome lot adjoins a perimeter street yard or perimeter interior yard, the distances specified here shall be in addition to the perimeter street yard or perimeter interior yard specified in Section 235-188.

235-195. OUTDOOR LIVING AREA. Private outdoor living and service space shall be provided on each lot for each mobilehome and be located for privacy and convenience to the occupant. The minimum area shall be not less than 300 square feet, with a least dimension of 15 feet.

235-196. ENTRANCE ROADWAYS.

(a) Entrance roadways shall not be located closer than one hundred fifty (150) feet from any intersection of public streets.

(b) Entrance roadways shall have a minimum width of forty (40) feet, except where said entrance roadway is divided by a median planting strip; in such case, the minimum width shall be fifty (50) feet and each side shall then be one way.

235-197. INTERIOR ACCESS ROADWAYS. No mobilehome, travel trailer, or recreation vehicle site shall have direct frontage on any public street. The interior roadways within the mobilehome park shall meet the following standards:

(a) The minimum width of pavement on any roadway shall be twenty-five (25) feet. Roadways on which parking is permitted on one side shall have a paved width of not less than thirty-two (32) feet. Roadways on which parking is permitted on both sides shall have a paved width of not less than forty (40) feet.

(b) Any roadway which does not provide for continuous circulation shall not exceed six hundred (600) feet in length from the nearest intersection of another roadway or a street. Any roadway which does not provide for through circulation shall terminate with a turnaround design acceptable to the Director of Public Works or the Director's designee.

(c) All roadways shall be surfaced with a minimum of two (2) inches of asphaltic concrete over four (4) inches of compacted aggregate base or an equivalent structural section.

235-198. PARKING. Parking spaces in mobilehome parks shall be provided in accordance with the provisions of Section 330-65 of this Code.

235-199. STORAGE AREA. One or more storage areas shall be provided for the storage of boats, campers, camping trailers, utility trailers, and extra vehicles. One hundred (100) square feet of vehicle storage areas shall be provided per mobilehome space. Each vehicle storage area shall be completely enclosed within a chain link or comparable fence six (6) feet in height, and shall be screened from exterior view. Such storage areas shall not be located within any street or interior yard required by Section 235-188. Whenever any such storage area is adjacent to an interior yard, and the adjacent property is within a residential or agricultural zone, the interior yard shall be planted with fast growing screening trees selected from the approved list of Plant Materials for Parking Lot Landscaping.

235-200. RECREATION AREA. Recreation areas provided must be landscaped and maintained in a dust free condition as shown and approved on the development plan.

TITLE III

Use Regulations and Development Standards

GENERAL PROVISIONS
SPECIAL USE REGULATIONS

301-01. APPLICATION. The uses permitted in the various zones in this Code shall be subject to the general use regulations and exceptions in this Article.

301-02. SALES OF CHRISTMAS TREES. Christmas trees may be sold as a temporary use in the BP, SC, LC, AC, TC, GC, C-1, C-2, M-1, and M-2 zones subject to obtaining a business license. Christmas trees may be sold as a temporary use in other than commercial or industrial zones upon securing approval for such use from the Zoning Administrator. The Zoning Administrator shall specify the period of sale of the trees and the period permitted to clear the lot of all unsold trees, rubble, and other evidence of the temporary use. Temporary signs are permitted subject to the provisions of Title III, Chapter 35, Article 2.1 for commercial and industrial zones, and subject to approval by the Zoning Administrator in all other zones.

301-03. TRUCK, TRAILER PARKING. No motor vehicle used for commercial, industrial or agricultural purposes and rated more than one (1) ton capacity and no trailer used for commercial, industrial or agricultural purposes shall be parked or stored in any residential or interim residential zone except when loading, unloading, or rendering service; provided, however, that a truck used for agricultural purposes may be parked or stored in the buildable area or rear yard of a parcel or lot in such zone, on which there is not less than five (5) acres devoted to agricultural use.

301-04. TRUCK, TRAILER PARKING IN AGRICULTURAL ZONES. The storage, maintenance, and repair of trucks and truck trailers in any agricultural or interim agricultural zone shall be permitted subject to the issuance of a conditional use permit by the appropriate authority; provided that any parcels so used shall have a minimum lot area of ten (10) acres.

301-05. PROMOTIONAL DISPLAYS AND SALES. Promotional displays and activities including, but not limited to, amusement rides, street dances, concerts, live entertainment, and promotional out-of-door sales may be conducted in the commercial and industrial zones for the purpose of promoting a use regularly and lawfully in operation on the premises. The activities shall be conducted only within the buildable portion of the lot or parcel and subject to first obtaining approval for such use from the Zoning Administrator. Temporary signs are permitted only with the approval of the Zoning Administrator.

301-06. TEMPORARY USES. The Zoning Administrator may authorize the temporary use of property in any zone for a period not to exceed ten (10) days for the exposition, concert, carnival, amusement ride or for the sale of old clothes and second hand merchandise and other similar activities. The temporary use, if other than in the commercial and industrial zones, shall be under the supervision of a public agency or an organization, school or church which qualifies for an exempt fee license pursuant to the business license ordinance. Temporary signs are permitted subject to approval by the Zoning Administrator.

301-07. TEMPORARY SALES OR CONSTRUCTION OFFICES. A temporary office established to handle sales or construction of lots or homes or both may be authorized in any zone provided a use permit is first obtained from the Zoning Administrator. Temporary signs are permitted subject to approval by the Zoning Administrator.

301-08. TEMPORARY CONSTRUCTION BUILDINGS. Temporary buildings for commerce or industry incidental to residential development, and temporary structures or trailers, or both, for the housing of tools, equipment, building assembly operations and supervisory offices in connection with major construction projects may be authorized by the Chief Building Inspector in any zone.

301-09. STORAGE OF FLAMMABLE AND COMBUSTIBLE LIQUIDS. The storage of flammable and combustible liquids in excess of ten (10) gallons in residential, interim residential, and interim estate zones as enumerated in Sections 101-23, 101-31 and 101-32 is prohibited unless a conditional use permit is obtained from the appropriate authority. Excluded from this requirement is the storage of flammable liquids in the fuel tank of a motor vehicle, motorboat, mobile power plant or mobile heating plant, and the storage or use of paints, oils, varnishes or similar flammable mixtures when such liquids are stored for maintenance, painting or similar purposes.

301-10. PERMIT DETERMINATION FOR TRANSMISSION FACILITIES OF SACRAMENTO MUNICIPAL UTILITY DISTRICT (SMUD). SMUD electrical transmission lines or substations, or both, with less than 100,000-volt capacity are permitted with no review required by the County. Within sixty (60) days of receipt of a proposal from SMUD to locate and construct electrical transmission lines or substations or both of 100,000 volts or greater capacity, the Board of Supervisors shall conduct a public hearing to consider the compliance of such proposal with the provisions of this Code, and shall adopt a resolution approving, approving an alternative, or disapproving the proposed facilities. Any such resolution shall contain findings concerning:

(a) The consistency of the proposed facilities with the County's adopted General Plan and community plan;

(b) Feasible alternatives to the proposal;

(c) The necessity for, as compared to the impact of, the proposed facilities on the health, convenience, safety and welfare of County residents.

301-11. SITING TRANSMISSION FACILITIES.

(a) Electrical transmission lines of 100,000 volts or greater capacity may be located in any zone and shall be located in easements or rights-of-way which permit access for maintenance with minimal disruption to surrounding properties. Preference shall be given to the location of transmission lines in the rank order specified below; every reasonable effort shall be exerted

to avoid established residential areas. In the event SMUD determines that it has no alternative but to route a 100,000 volt or greater capacity transmission line through an established residential area, such lines shall be installed underground except when SMUD can demonstrate that it is not feasible to do so. "Feasible" shall be defined in California Government Code, Section 53096 (c).

(1) Within existing SMUD transmission rights-of-way or those anticipated for other projects proposed subject to this Code.

(2) Adjacent to railroads or adopted freeway routes.

(3) Along or adjacent to major arterial streets where existing or planned uses are commercial or industrial.

(4) Adjacent to or through existing or planned commercial, industrial or agricultural uses.

(5) Along arterial streets where residential uses designated in an adopted plan are RD-20 or greater density.

(6) Through areas where land uses in an adopted plan are predominately commercial, but include residential uses.

(7) Through residential areas, including side and rear yards, irrespective of density.

(b) Substations for the purposes of this Code means any structure with 100,000 volts or greater incoming capacity which either:

(1) Converts electrical energy to a lesser voltage for the purpose of sub-regional or localized distribution;

(2) Functions as a transition point from overhead to underground electrical transmission lines; or

(3) Acts as the point of convergence for two or more transmission lines. Substations may be located on sites in all zones, provided mitigation measures are instituted as provided in Section 301.12 hereof. Preference shall be given to the location of substations in the following rank order:

1. Areas designated for industrial or commercial land uses in an adopted plan.

2. Undeveloped areas designated for residential use in an adopted plan.

3. Areas designated Agricultural-Urban Reserve in an adopted plan.

4. Sites designated for residential use in an adopted plan and surrounded by existing residential uses.

301-12. MITIGATION MEASURES FOR TRANSMISSION FACILITIES. Overhead electrical transmission lines of 100,000 volts or greater capacity shall be installed in such a manner as to minimize adverse visual impacts. When feasible, SMUD shall relocate and combine existing overhead transmission poles and lines with new installations.

Substations shall be designed and constructed in such a manner as to minimize off-site visual and noise impacts. Planted or landscaped setbacks of at least twenty-five (25) feet shall be provided on all public street frontages of the parcel.

SMUD proposals to the Board of Supervisors to locate and construct electrical transmission lines and/or substations subject to this Code shall include a discussion of mitigation measures to be utilized and a plan indicating the specific site treatments to be employed.

301-13. UTILITY AND PUBLIC SERVICE USES. If not otherwise authorized as a permitted or conditional use in Tables I and II of this Code, the Project Planning Commission may after public hearings as provided in Article 3, Chapter 10 of Title I, permit a public utility or public service use, including communication equipment buildings, as a conditional use in any zone, if the Commission determines that the use is necessary for the public health, convenience, safety or public welfare.

301-14. BUS SHELTERS. Bus shelters, whether owned and maintained by a public agency or other person, shall be a permitted use in any zone. Such shelters shall be installed at a location approved by the Sacramento Regional Transit District to provide temporary shelter for persons waiting to utilize the transit district's transportation facilities. The shelters shall be constructed of aluminum frames and panels with alcoa bronze Duranodic finish or equal. The roofs shall be of bubble type construction, and the wall panels shall be of transparent materials, either tempered glass or plastic. The size of such shelters shall be approximately six (6) feet in width, ten and one-half (10-1/2) feet in length, and eight (8) feet in height; however, shelters may be sized in multiples of these dimensions except for the eight (8) foot height. Security lights may be installed. Advertising signs are subject to the provisions of Section 335-13. Shelters of other designs and constructed of other materials may be constructed provided the design and materials are first approved by the Project Planning Commission.

301-15. DISH ANTENNAS. Dish antennas or similar satellite receiving stations used for reception of communication signals are permitted uses in any zone as long as the distribution of the signals is limited to receivers located on the same parcel or within the same project as the antenna. If signals are to be rebroadcast to other locations, a use permit is required as specified in Section 301-13.

GENERAL HEIGHT REGULATIONS

301-20. APPLICATION. The height regulations specified for the various uses in this Code, and for the various zones in this Code shall be subject to the height regulations and exceptions in this Article.

301-21. EXCEPTION. Towers, gables, penthouses, scenery lofts, cupolas, water tanks, church steeples, carillon towers, radio television antennas and similar structures and necessary mechanical appurtenances may be erected on a building or on the ground to a height greater than the limit otherwise established within the zone, or for that use, provided that no such exception shall cover at any level more than fifteen percent (15%) of the area of the lot, nor have an area at the base greater than sixteen hundred (1600) square feet.

301-22. HEIGHT EXCEPTIONS FOR BUILDINGS IN RESIDENTIAL, COMMERCIAL AND INDUSTRIAL ZONES. The appropriate authority may, after reviewing development plans which address (1) glare/reflected heat; (2) energy efficiency; (3) traffic impacts; and (4) effects on adjacent parcels relating to height, scale, and mass of the proposed building; grant the following height exceptions if the appropriate authority finds that any adverse effects caused by the above factors have been adequately mitigated through design features incorporated into the proposed project:

(a) All residential land use zones: Public buildings, hotels, apartment houses, schools, churches, hospitals, and other similar buildings may be erected to a height not to exceed seventy-five (75) feet, provided that the required yards shall be increased one (1) foot for each one (1) foot of height of said building.

(b) All commercial and industrial land use zones: The number of stories and the height limits for commercial or industrial buildings, hotels and apartment buildings may be increased to a maximum of one hundred fifty (150) feet provided that all buildings are set back from the ultimate right-of-way line of all abutting streets and freeways a distance at least equal to the height of the building. For any residential portion of a hotel or apartment house, all required yards and courts shall be increased one (1) foot for each foot that such building exceeds forty (40) feet in height. In any case, the floor area to lot area ratio shall not exceed 2.5:1.

301-23. INTERPRETATION. The height provision for buildings or structures shall be interpreted so that both the limitation as to the number of stories and the limitation of the height in feet apply.

301-24. HEIGHT LIMITS IN AIRCRAFT APPROACH ZONES. In any zone no tree or other object of natural growth shall be allowed to grow and no building or appurtenance thereon, tower or other structure shall be erected or maintained to exceed the height limits developed for aircraft approach and take-off areas which are designated on the Comprehensive Zoning Plans which are part of this Code.

301-25. OPENING INTO CELLARS. In no instance shall an entrance to a building which is open to the general public be into a cellar or basement.

GENERAL AREA AND YARD REGULATIONS

301-30. APPLICATION. The area, yard, public street frontage, and other regulations specified in this Code for the various uses and the various zones shall be subject to the regulations in this Article.

301-31. CORNICES, SILLS, EAVES, CANOPIES. Cornices, sills, eaves, canopies, awnings and similar features may encroach into any required court or yard area a distance not to exceed twenty-four (24) inches.

301-32. ACCESSORY BUILDINGS. In the residential, interim residential, interim estate, agricultural and agricultural-residential zones, not more than thirty percent (30%) of the required rear yard may be occupied by accessory buildings. For the purpose of this Section, all enclosed or roofed space shall be counted as space occupied by accessory buildings.

301-33. LOTS ABUTTING TWO OR MORE STREETS. In case of a lot abutting upon two or more streets, the main buildings and accessory buildings shall be erected so as not to encroach upon the required yards of any of the streets.

301-34. REAR YARD EXCEPTION. No rear yard shall be required where the rear of a lot zoned for commercial use abuts upon a lot zoned for commercial or industrial uses.

301-35. FIRE ESCAPES, STAIRWAYS, BALCONIES, CHIMNEYS. Fire escapes, outside stairways and balconies projecting into a yard, court or place not more than thirty-six (36) inches and the ordinary projections of chimneys and flues may be permitted by the Chief Building Inspector where the same are so placed as not to obstruct the light and ventilation.

301-36. THROUGH LOTS. Where a through lot has a depth of one hundred twenty-five (125) feet or more, said lot may be treated as two lots with the rear line of each approximately equidistant from the front lot lines, provided all the yard requirements are met.

301-37. SETBACK MEASUREMENT. The setback of all buildings and structures and the setback of outdoor merchandise displayed in the front or side street yards shall be determined by the exterior boundaries of the streets and highways and their proposed widenings and extensions as indicated on the Master Street and Highway Element of the General Plan for Sacramento County. The width of any street or highway which does not appear in the Master Streets and Highway Plan shall be determined from the standards for street widths and improvements set forth in Title 22 of the Sacramento County Code, the "Subdivision Ordinance of the County of Sacramento."

301-38. DELETED (by SZC 79-18)

301-39. LOT AREA REDUCTION. Where a lot area or a yard width or depth has been reduced by not more than fifteen percent (15%) as a result of acquisition or dedication for a highway, road, drain or other public purpose, including any dedication as a result of a rezoning, variance or conditional use permit, the lot area or yard so reduced may be included in determining compliance with lot area or yard requirements in the same manner as if the acquisition or dedication has not taken place.

301-40. YARDS TO BE UNOBSTRUCTED. Except as otherwise provided in this Code, every part of a required yard or court shall be open from its lowest point to the sky unobstructed.

301-41. AREAS AND WIDTHS OF LOTS FOR LOCAL PUBLIC AGENCY USES. Contemporaneously with the hearing for a use permit for the establishment of any buildings or grounds owned and operated by a local public agency in any agricultural zone, interim agricultural zone, or agricultural residential zone, the appropriate authority may permit such uses on a lot of less area or width than required in said zones provided:

(a) That the area and width of the lot is adequate for the proposed use and is sufficient to provide the required yards, parking areas, and landscaping.

(b) That the area and width of the lot is adequate under the circumstances of the particular case to prevent the proposed use from being detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing or working in the neighborhood or to property and improvements in the neighborhood or to the general welfare of the County.

301-42. BUS SHELTERS. Notwithstanding any other provision in this Code, Bus Shelters may be located within the front yard or side yard of any lot, provided that the location of such shelters complies with the requirements of Chapter 12.12 of the Sacramento County Code.

REGULATIONS FOR TEMPORARY MOBILEHOMES

301-50. TEMPORARY DWELLING. In any zone where a dwelling is permitted, the Chief Building Inspector may authorize the occupancy of a mobilehome, travel trailer or recreational vehicle as a temporary dwelling for a period of not over one year while a permanent residence or other permitted primary uses within the residential and agricultural zones is being constructed, provided a permit is obtained pursuant to the provisions of Section 301-57. No such occupancy shall be permitted unless a building permit has been issued for the permanent residence.

The building permit shall be maintained in a current status, and in the event that such permit expires, or is suspended or revoked, pursuant to the provisions of Section 302 of the Uniform Building Code, or any other provision of the Uniform Building Code or the Sacramento County Code, any mobilehome shall be removed from the parcel within thirty (30) days, and no travel trailer or recreational vehicle shall be occupied nor connected to any utilities. Any extension of occupancy beyond the original year shall be permitted only upon the issuance of a conditional use permit by the Zoning Administrator.

301-51. MOBILEHOME AS AN ACCESSORY DWELLING FOR PERSONS IN NEED OF CARE AND SUPERVISION. In those zones where a mobilehome as an accessory dwelling for persons in need of care and supervision is indicated as a permitted use in Table I, Section 201-02, the appropriate authority may grant a conditional use permit for the use of a mobilehome or travel trailer as an accessory dwelling where there is a need to provide close care and supervision of a handicapped person occupying either the principal dwelling or the accessory dwelling by the occupant of the other dwelling on the premises, where the appropriate authority finds:

(a) That the person for whom the care and supervision is to be provided is related by blood or marriage to an occupant of the other dwelling on the premises, in one or more of the following categories: a parent, child, grandchild, grandparent, sibling, aunt, uncle, niece, nephew, cousin germane.

(b) That the person for whom the care and supervision is to be provided is physically or mentally handicapped to the extent that he requires immediate supervision and care by the occupant of the other dwelling on the property. Proof of physical or mental handicap may be required.

(c) That the establishment of the accessory dwelling in the mobilehome or travel trailer is necessary in order to provide the required care and supervision of the handicapped person.

The mobilehome or travel trailer is to serve only as an accessory dwelling and shall be removed from the premises within sixty (60) days after the expiration of the permit, or when the occupancy of the mobilehome or travel trailer is no longer necessary for the provision of care and supervision of the handicapped person, if earlier. The appropriate authority may impose additional conditions deemed necessary to protect the purpose and integrity of the zone in which a mobile home is located and to protect the general welfare of the community.

301-52. USE OF MOBILEHOMES AND TRAVEL TRAILERS FOR HUNTING CLUBS. The Chief Building Inspector may authorize the use of an independent or self-contained mobilehome or travel trailer or other recreational vehicle for the purpose of a clubhouse where such use is authorized in the Residential and Open Space Use Table, Section 201-02 of this Code, and provided an annual permit to occupy is secured as prescribed in Section 301-57.

301-53. USE OF MOBILEHOMES AND TRAVEL TRAILERS AT CONSTRUCTION SITES. A commercial coach, mobilehome, travel trailer or other licensed vehicle used for the temporary housing of tools, equipment, or building assembly operations in connection with major construction projects, or for providing public utility services during an emergency, shall be permitted in any zone.

301-54. USE OF MOBILEHOMES AND TRAVEL TRAILERS AS TEMPORARY OFFICES. A commercial coach, mobilehome or travel trailer may be used for a temporary office where such use is authorized in the Commercial Use Table, Section 225-11, or in the Industrial Use Table Section 230-11 of this Code, and further provided a permit to occupy is secured as provided in Section 301-57.

A commercial coach, mobilehome or travel trailer may be used for a temporary office in any other zone, where such use is incidental to a use other than a residential use permitted in said zone, provided that a use permit is first obtained from the Zoning Administrator, and further provided that an annual permit is obtained pursuant to the provisions of Section 301-57.

301-55. USE OF MOBILEHOMES AND TRAVEL TRAILERS FOR NIGHT WATCHMEN. A mobilehome or travel trailer may be used as a residence for a nightwatchman in any commercial or industrial zone where such use is incidental to a use permitted in said zone, provided a permit to occupy is secured as prescribed in Section 301-57.

A mobilehome or travel trailer may be used as a residence for a nightwatchman in any other zone, where such use is incidental to a use other than a residential use permitted in said zone, provided that a use permit is first obtained from the Zoning Administrator, and further provided that an annual permit is obtained pursuant to the provisions of Section 301-57.

301-55.5. COMMERCIAL COACHES FOR TEMPORARY CLASSROOMS. Commercial coaches may be used as temporary classrooms for private schools in any zone where private schools are permitted, provided that a conditional use permit is obtained from the Zoning Administrator, and further provided that an annual permit is obtained pursuant to the provisions of Section 301-57.

301-56. MOBILEHOME OR TRAVEL TRAILER, HEALTH DEPARTMENT APPROVAL. No mobilehome or travel trailer shall be occupied for residential purposes until the mobilehome or travel trailer and the surrounding premises shall have been inspected and approved by the Health Department for compliance with appropriate health laws and ordinances.

301-57. MOBILEHOMES, COMMERCIAL COACHES, MOTOR HOMES, CAMPERS, AND TRAVEL TRAILERS; PERMITS REQUIRED. The Chief, Building Inspection Division, shall establish reasonable regulations relating to the installation, maintenance, use and occupancy of commercial coaches, mobilehomes, motor homes, campers, and travel trailers, when authorized in this Code, to the extent not otherwise regulated by the California Administrative Code, Title 25, Chapter 5; including, but not limited to, provisions for the issuance of a "review-inspection-occupancy" permit by the Chief, Building Inspection Division for such vehicles or structures, in addition to the approval of the Health Department as required by Section 301-56, provided, however, that if such unit or vehicle, including accessory structures, is located within a mobilehome park, travel trailer park, or is placed on a permanent foundation system within a mobilehome subdivision or on private property, it shall not be subject to such regulations or such permits. Fees for such permits shall be established pursuant to the provisions of Article 4, Chapter 15 of Title I. Said regulations shall be filed with the Clerk of the Board of Supervisors.

RESIDENTIAL USE DEVELOPMENT STANDARDS
SINGLE FAMILY

305-01. APPLICATION. The provisions of this Article shall apply to the following uses in any zone:

(a) One (1) single family detached dwelling on an individual lot.

(b) Foster home.

(c) Residential care homes.

(d) Family day care home.

(e) Mobilehomes, when used as the primary residence on a single lot.

(f) Any use found by the Project Planning Commission, pursuant to Section 115-56, to be substantially similar to any of the above uses.

305-02. YARDS. No building or structure, nor the enlargement of any building or structure shall be erected for any of the uses specified in Section 305-01 unless the following yards are provided and maintained.

(a) FRONT YARD. There shall be a front yard of not less than twenty (20) feet.

(b) REAR YARD.

(1) For lots one hundred twenty-five (125) feet or more in depth, a rear yard of not less than twenty-five (25) feet shall be provided.

(2) For lots less than one hundred twenty-five (125) feet in depth, the rear yard may be reduced to twenty (20) percent of the average depth of the lot.

(3) In no event shall the rear yard be less than ten (10) feet for one-story buildings and fifteen (15) feet for two- and three-story buildings.

(4) The main building may project into the required rear yard up to ten (10) feet, provided that an equal area is provided as a yard or court within the buildable portion of the lot.

(c) SIDE YARD. There shall be a side yard on each side of all buildings as follows:

(1) For a one-story building the side yard shall be not less than five (5) feet.

(2) For a two-story building the side yard shall be not less than seven and one-half (7-1/2) feet.

(3) For a three-story building the side yard shall be not less than twenty-five (25) feet.

(4) Side Yard Setback Reductions To Allow Zero Sideyards. In order to provide greater flexibility in building design, the side yard setback requirements of Section 305-02(c) may be reduced for single family dwellings in the RD-1 through RD-40 Residential Land Use Zones provided the following conditions are met:

a) Total Side Yard Requirement.

(i) For a one-story structure, the total side yard shall be not less than ten (10) feet.

(ii) For a two-story building, the total side yard shall be not less than fifteen (15) feet.

(iii) For a three-story building, the total side yard shall be not less than fifty (50) feet.

b) Distance Between Buildings. There shall be a distance of not less than:

(i) Ten (10) feet between one-story structures.

(ii) Twelve and one-half (12-1/2) feet between one-story and two-story structures.

(iii) Fifteen (15) feet between two-story structures.

(iv) Thirty (30) feet between one-story and three-story structures.

(v) Thirty -two and one-half (32-1/2) feet between two-story and three-story structures.

(vi) Fifty (50) feet between three-story structures.

c) There shall be a 5-foot unobstructed easement provided adjacent to the structure within the adjacent side yard for maintenance and drainage purposes.

d) No parking will be allowed within the side yard.

e) Windows, doors, or other openings shall not be permitted on the side of a primary structure which is located less than five (5) feet from a side property line provided, however, that atriums or courtyards shall be permitted when the atrium or court is enclosed by three walls of the dwelling unit and the wall adjacent to the side property line is a solid wall at least eight (8) feet high. Said wall shall be constructed of the same material as exterior walls of the unit.

(d) SIDE STREET YARDS. On corner lots there shall be a side street yard of not less than twelve and one-half (12-1/2) feet.

305-03. EXCEPTION TO YARD REQUIREMENTS. The yard requirements set forth in this Article shall not apply to dwellings erected above or as a part of commercial buildings.

305-04. HEIGHT REGULATIONS. No structure or building for any of the uses specified in Section 305-01, shall have a height greater than two (2) stories, nor greater than thirty (30) feet except that in accordance with the provisions of Section 201-02, a single family dwelling may have a height no greater than three (3) stories nor greater than forty (40) feet.

305-05. DELETED

305-06. EXCEPTION TO PUBLIC STREET FRONTAGE REQUIREMENTS ON URBAN LOTS. Notwithstanding any other provisions in this Code to the contrary, a building or structure used as a single family residence may be constructed on a lot without public street frontage, in the RD-5, RD-4, RD-3, RD-2, RD-1, or AR-1 zone, provided that no more than two lots are served by the same private street or drive.

305-07. EXCEPTION TO PUBLIC STREET FRONTAGE REQUIREMENTS ON AGRICULTURAL-RESIDENTIAL LOTS. Notwithstanding any other provisions of this Code to the contrary, a building or structure used as a single family residence may be constructed on a lot without public street frontage in the AR-2, AR-5, or AR-10 zones, provided that no more than four lots are served by the same private street or drive.

MULTIPLE-FAMILY DWELLINGS
CONDOMINIUMS, TOWNHOUSES, ROW HOUSES AND CLUSTER DEVELOPMENTS

305-10. APPLICATION. The provisions of this Article shall apply to the following uses:

(a) Apartment houses.

(b) Boarding houses.

(c) Fraternity or sorority houses, dormitories.

(d) Group care facilities.

(e) Child care centers with less than 36 children.

(f) Child day care facilities with less than 36 children.

(g) Townhouses.

(h) Row houses.

(i) Cluster developments.

(j) Condominiums and stock cooperatives.

(k) Any use found by the Project Planning Commission pursuant to Section 115-56, to be substantially similar to any of the above uses.

305-11. HEIGHT REGULATIONS. No building or structure shall, when located within 100 feet of property zoned at the time of issuance of the building permit for such building or structure in the AR-1, RD-1, RD-2, RD-3, RD-4, RD-5, R-1-A, R-1-B, or any interim estate zone, be constructed to a height greater than one (1) story or twenty (20) feet except that the Project Planning Commission may approve up to 3 stories or up to 40 feet if the Commission finds that any visual impacts are adequately mitigated. No building or structure shall have a height greater than three (3) stories nor greater than forty (40) feet when greater than 100 feet from property in the zones listed above.

305-12. SETBACK FOR STRUCTURES FROM PUBLIC AND PRIVATE STREETS. Except as provided in Section 305-14, all structures, including carports, shall set back twenty-five (25) feet from all streets, measured from the edge of the right-of-way, edge of the dedicated right-of-way, or edge of pavement, whichever is greater.

305-13. SETBACK REDUCTIONS. In order to accomplish a better site design and to provide greater flexibility in building design and solar orientation, the twenty-five (25) foot setback requirement may be reduced as follows:

(a) The setback may be reduced to not less than twenty (20) feet provided that no more than twenty (20) percent of the units or building length are placed less than twenty-five (25) feet from the street right-of-way; provided that the overall average setback of the units in the block is not less than twenty-five (25) feet from a public street; and provided that no portion of a building or individual unit with a setback greater than fifty (50) feet may be considered in obtaining an overall average.

(b) The above setback requirement may be further reduced by five (5) feet for corners of buildings when the angle formed by extended lines of the building intersecting with the street are between 30° and 60°.

305-14. OPEN SPACE REQUIREMENTS. Buildings, roofed areas, and parking facilities, including drives, shall not cover more than 75% of the site. A minimum open space area around each building shall be maintained as follows:

(a) ONE (1) STORY BUILDING. Buildings having no entrance to the yard shall provide a yard of not less than five (5) feet. Buildings having one (1) or more entrances to the yard shall provide a yard of not less than ten (10) feet.

(b) TWO (2) STORY BUILDINGS. Buildings having no entrance to the yard shall provide a yard of not less than 7-1/2 feet. Buildings having one (1) or more entrances to the yard shall provide a yard of not less than fifteen (15) feet.

(c) THREE (3) STORY BUILDINGS. Buildings having no entrance to the yard shall provide a yard of not less than twelve and one-half (12-1/2) feet. Buildings having one (1) or more entrances to the yard shall provide a yard of not less than twenty-five (25) feet.

(d) ADJACENT TO STREETS. When buildings or structures are adjacent to streets, the open space requirements for this Section will not be in addition to those required in Sections 305-12 and 305-13.

(e) The required yard widths shall be provided adjoining each building face. The yard width required for one building may not overlap the space required for an adjacent building.

305-15. DISTANCE BETWEEN BUILDINGS. The minimum distance between buildings or wings of a building shall be not less than the sum of the open space required for each building wing or building face. However, the appropriate authority may approve a lesser distance between buildings than required by Section 305-14 if the design of the building entry courts provides adequate open space, light and air easements, and security lighting so that a lesser distance is appropriate. In no case shall an area between buildings covered by a roofed structure be less than 10 feet in width.

305-16. INTERNAL DEVELOPMENT STANDARDS. When a project includes internal access drives and parking facilities, the following design standards shall be used by the Planning Department in analyzing the design and reporting to the hearing body(s) as to the adequacy of the design. In order to encourage innovative design and provide maximum design flexibility, these standards will be interpreted liberally with prime concern toward achieving the indicated objective, rather than toward strict performance of the specific standards. Noncompliance of these standards will not require variance application or variance consideration as part of the approval process; however, noncompliance can be grounds to require a redesign, either in respect to detail or in respect to overall design concept.

(a) The number, design, and arrangement of on-site parking spaces shall be provided as specified in Section 330-69.

(b) Access to on-site parking shall be by private access drives. Toward the objectives of assuring adequate internal circulation for residents and guests, and of assuring an unencumbered access for fire fighting equipment and service vehicles, (such as garbage trucks and moving vans), the access drives shall be installed to either one of the following basic standards, or a combination of both:

(1) The access drive may be installed with a full pavement width of 28 feet, within which parking shall be prohibited by social devices such as signing, red curbs, and association enforcement.

(2) The access drive may be installed with a full pavement width of 20 feet, within which parking shall be prohibited by layout and design features which reasonably assure that no part of the access will potentially be used for parking by normally conscientious drivers. To this end, the following design criteria are applicable:

All straight raised curbs and/or pavement edges shall be less than 8 feet in length, except these may be longer than 8 feet if adjacent to fire hydrants, trash bins, or part of a reader board turnout (as used in this Section, raised curb means Types 2, 3, 4, 5, or similar curbs as illustrated on Page H-2 of the County improvement standards manual). In addition, the coordinated design of such facilities as speed bumps, crosswalks, bicycle racks, and the like, may also justify straight curbs on pavement edges longer than 8 feet. Straight raised curbs (but not pavement edges) may be longer than 8 feet if located opposite perpendicular backout parking spaces if the curb is installed a distance in the range of 20 to 21-1/2 feet behind the backout space. The purpose of this criteria is to avoid the creation of straight curbs long enough to invite parking along their edges.

The center of the access drive shall be clearly marked with paint, traffic buttons, or by architectural treatment such as brick, cobblestone, etc. The purpose of this center line pavement marking is to more clearly identify travel lanes and fire lanes, and by so identifying, to discourage parking within them.

The combined, coordinated use of raised curbs functioning as vehicle barriers, wheel stops, planter edges, and so forth, are encouraged. As a design alternative, such curbs may be installed on a curbed radius of 15 feet or less whenever a straight curb would be greater than 8 feet in length. Pavement edges not bounded by a raised curb will be treated as a straight curb, regardless of the pavement installation radius.

(3) Private access drives should be of circular design which provides vehicular access at two or more points whenever feasible. Access drives which have but one point of access should not exceed 150 feet in length; however, such drives may exceed 150 feet in length if the design includes turnaround arrangements or "emergency only" access arrangements, to the satisfaction of the Fire District. Access drives with one point of access should not exceed 600 feet in length, and will be severely criticized unless no possible alternative is available.

(4) Garage doors shall either be 4 to 6 feet from the edge of the access drive or 20 or more feet from the access drive. If the driveway to the garage is 20 or more feet, the driveway may be counted as a tandem parking space. The purpose of this criteria is to avoid the creation of possible parking spaces which are long enough to invite parking but too short to provide for it without intrusion into the access drive.

(5) Access drives shall be located at least 10 feet from the habitated portions of the dwelling unit, measured in any direction from the edge of the drive (including vertical angle measurement). Parking spaces shall be located at least 6 feet from the inhabited portions of the dwelling unit measured in any direction from the edge of parking space (including vertical angle measurement). Fences, patio, trellis, etc., shall be located no closer than 3 feet from access drives or parking spaces.

(6) A vertical clearance of at least 13-1/2 feet shall be maintained above access drives.

(7) Access drives shall be designed to meet turning radius requirements of the Fire District. The designer should contact the fire district of jurisdiction for specific radius criteria. The purpose of this provision is not only to obtain the radius criteria, but to establish meaningful contact with the fire district for hydrant location and other safety requirements as early in the design phase as reasonably possible.

305-17. LANDSCAPING.

(a) All open space areas shall be landscaped with live landscaping.

(b) Landscaping requirements for parking lots will be as required in Section 330-94.

(c) Within the perimeter open space areas adjacent to interior lots, there shall be a landscaped area at least five (5) feet wide. Within this planter, one screen tree, from an approved list, shall be planted at least every thirty (30) feet on center, in combination with other plant materials, to provide a dense visual screen.

(d) The setback areas between all streets and buildings shall be landscaped with live landscaping. Within the landscaped area, one tree, from an approved list, shall be planted at least every fifty (50) feet, no closer than five (5) feet from the back of the sidewalk.

305-18. PERSONAL SAFETY. All projects shall be reviewed to determine the levels of public/personal safety. The minimum standards shall include:

(a) Dead Bolt Locks. The following shall be minimum requirements for deadbolt locks: 1) bolt shall have a throw of at least one (1) inch, 2) bolt shall be constructed so as to repel cutting tool, and 3) any additional requirements as required in the Uniform Building Code.

(b) Adequate in-door and out-door lighting systems. Open parking lots and carports shall be provided with a maintained minimum of one (1) footcandle of light on the parking surface from one-half hour before sunset until one-half hour after sunrise. Lighting devices shall be protected by weather and vandalism-resistant covers. Lighting shall be engineered so as not to produce direct glare or "stray light" on adjacent properties.

Aisles, passageways, and recesses related to and within the building complex shall be illuminated with an intensity of at least twenty-five one-hundredths (.25) footcandles at the ground level during the hours of darkness. Lighting devices shall be protected by weather and vandalism-resistant covers.

(c) Building numbers and addresses shall be clearly visible from public and/or private access streets. All street numbers will be attached to the residence immediately adjacent to a light source which is capable of illuminating the numbers. There shall be positioned at each entrance of the complex an illuminated diagramatic representation of the location of the viewer and the unit designations within the complex. Where multiple dwellings are serviced by vehicular access to the rear through any driveway, alleyway, or parking lot, they shall also display the same numbers on the rear of the building.

(d) Smoke detectors

(e) Solid core doors

(f) Separate attic space shall be accessible only from individual units.

(g) Protection of roof openings

(h) Entry Vision. All main or front entry doors to dwelling units shall be arranged so that the occupant has a view of the area immediately outside the door without opening the door. Except for doors requiring a fire protection rating which prohibits them, such view may be provided by a door viewer having a field of view of not less than 180 degrees or through windows or view ports. Mounting height shall not exceed fifty-four (54) inches from the floor.

(i) Provide fire flow to the approval of local Fire Marshall (UFC).

(j) Fire protection equipment shall be provided and maintained to satisfaction of local Fire Marshall.

(k) Additional items directly supportive of the requirements above exclusive of any additional fire wall or sound attenuation requirements may be identified by the local Fire Marshall and the Sheriff of Sacramento County subject to approval by the Project Planning Commission.

305-19. PARKING REQUIREMENTS. Off-street parking shall be provided for the uses listed in Section 305-10, and in conformity with the standards set forth in Title III, Chapter 30.

305-20. CONDOMINIUM AND STOCK COOPERATIVE STANDARDS. For additional condominium and stock cooperative standards, see Section 305-90.

305-21. EXCEPTION FOR DWELLINGS RELATED TO COMMERCIAL DEVELOPMENTS. The requirements set forth in this Article shall not apply to dwellings erected above or as a part of commercial buildings.

Article 3 deleted by Ordinance No. SZC-81-43.

DUPLEXES AND HALFPLEXES

305-50. APPLICATION. The provisions of this Article shall apply to duplex and halfplex development in any zone.

305-51. LOT WIDTH AND PUBLIC STREET FRONTAGE.

(a) DUPLEXES. See Title I, Chapter 15, Articles 6 through 10.

(b) HALFPLEXES. No building or structure shall be erected on any lot where the lot is to be divided into two sections, each section to be occupied by a halfplex dwelling, unless the following width and public street frontage are provided and maintained for each individual halfplex section.

(1) INTERIOR SECTIONS. Each interior section shall have public street frontage and width of not less than fifty (50) percent of the required lot width for a duplex and two-family structure in the relevant land use zone.

(2) CORNER SECTIONS. Each corner section shall have public street frontage and width of not less than 36 feet except that in the RD-5 and RD-7 zones a minimum 40 feet shall be required.

(3) The public street frontage for sections fronting on a curved portion of a cul-de-sac street shall be measured along a chord located twenty-five (25) feet from the edge of the street right-of-way.

305-52. LOT AREA.

(a) DUPLEXES. See Title I, Chapter 15, Articles 6 through 10.

(b) HALFPLEXES. No building or structure shall be erected on any lot where the lot is to be divided into two sections, each section to be occupied by a halfplex dwelling, unless the following area is provided and maintained for each individual halfplex section:

(1) Fifty (50) percent of the required lot area for a halfplex structure in the relevant land use zone.

(2) Three thousand six hundred (3,600) square feet for corner sections except that in the RD-5 and RD-7 zones a minimum four thousand two hundred (4,200) square feet for corner sections.

305-53. YARDS. No building or structure, nor the enlargement of any building or structure, shall be erected unless the following yards are provided and maintained:

(a) FRONT YARD. There shall be a front yard of not less than twenty (20) feet.

(b) SIDE YARD. There shall be a side yard on each side of a main building of not less than five (5) feet for a one (1) story building and seven and one-half (7-1/2) feet for a two (2) story building, and twenty-five (25) feet for a three (3) story building.

(c) SIDE STREET YARD. On corner lots, there shall be a side street yard of not less than twelve and one half (12-1/2) feet.

(d) REAR YARD.

(1) For lots one hundred twenty-five (125) feet or more in depth, a rear yard of not less than twenty-five (25) feet shall be provided.

(2) For lots less than one hundred twenty-five (125) feet in depth, the rear yard may be reduced to twenty (20) percent of the average depth of the lot.

(3) In no event shall the rear yard be less than ten (10) feet for one-story buildings and fifteen (15) feet for two- and three-story buildings.

(4) The main building may project into the required rear yard up to ten (10) feet, provided that an equal area is provided as a yard or court within the buildable portion of the lot.

305-54. HEIGHT REGULATIONS. No structure or building for any duplex or halfplex shall have a height greater than two (2) stories, nor greater than thirty (30) feet except that, in accordance with the provisions of Section 201-02, a two-family dwelling may have a height no greater than three (3) stories nor greater than forty (40) feet.

305-55. CORNER LOTS - DRIVEWAY LOCATION. On corner lots, the driveway for each dwelling shall be oriented toward a separate street frontage so that the driveways for both dwellings shall not be oriented toward or located on the same street or frontage. This requirement may be waived in writing by the Director, Planning and Community Development Department, to avoid potential traffic conflicts by bringing both driveways off the lesser traveled street.

305-56. DISTRIBUTION OF DWELLING UNITS. In proposed projects containing ten (10) or more units (five or more buildings), the proposed duplexes/ halfplexes shall be dispersed throughout the development among the other types of units which are permitted by the land use zone. These units shall not exceed 50% of the total project density unless the appropriate authority finds that mitigation measures are provided to reduce aesthetic and traffic impacts and to insure compatibility with the surrounding neighborhood.

305-57. STORAGE AREAS - LARGE PROJECTS. In proposed projects containing twenty-four (24) or more units (twelve or more buildings), storage areas for recreational vehicles, travel trailers, boats and other vehicles may be required. The size, location and screening of said storage areas shall be considered on a project-by-project basis by the appropriate authority, taking into consideration the number of units and type of project.

305-58. CONVERSION OF EXISTING DUPLEXES TO HALFPLEXES. The conversion of existing duplex units to halfplexes shall not be subject to the development standards specified in Sections 305-55 through 305-57. However, the following requirements shall be met:

(a) Structures shall conform to Building Code requirements for halfplexes.

(b) Projects of ten (10) or more units shall comply with the relocation assistance provisions for condominiums in Title III, Chapter 5, Article 7, Section 305-101, for those eligible tenants residing in the project at the time of approval.

305-59. PARKING. See Section 330-61.

TRAVEL TRAILER AND RECREATIONAL VEHICLE PARKS

305-60. APPLICATION. No building or structure shall be erected or maintained on any lot or parcel devoted to any use specified in this Section, in any zone, established by this Code, unless the standards set forth in this Article are complied with and maintained. The provisions of this Article shall apply to the following uses:

(a) Recreational vehicle parks.

(b) Travel trailer parks.

305-61. LOT AREA. The minimum net lot area for any lot used for any use set forth in Section 305-60, shall be five (5) acres, or the lot area specified in the zone standards applicable to the zone in which the property is located, whichever is the greater.

305-62. PUBLIC STREET FRONTAGE. Any lot used for any use set forth in Section 305-60 shall have not less than sixty (60) feet of frontage on a public street, or the minimum public street frontage specified in the zoning regulations applicable to the zone in which the property is located, whichever is the greater. Such public street frontage requirement shall be satisfied only where the public street has the right-of-way width of sixty (60) feet or greater.

305-63. SITE STANDARDS. Each travel trailer or recreational vehicle site within the park shall be clearly defined and marked on each corner with permanent markers. Each site shall have a width of not less than twenty-five (25) feet and a depth of not less than fifty (50) feet. A yard of not less than five (5) feet shall be provided and maintained between the boundary line of each site and any travel trailer, recreational vehicle, awning, patio cover, or other structure. Each site for a travel trailer and recreational vehicle shall have a minimum of twenty (20) feet of frontage on an interior driveway. No travel trailer or recreational vehicle site shall have direct frontage on any public street.

305-64. RECREATIONAL AREAS. Each park shall provide at least one hundred (100) square feet of recreational area per travel trailer and recreational vehicle site for the first one hundred (100) sites and one hundred fifty (150) square feet per site beginning with the one hundred first (101) site. Said recreation area shall be landscaped and maintained in a dust-free condition.

305-65. STORAGE AREAS. Each park shall provide at least one hundred (100) square feet of storage area per travel trailer site for the storage of boats, boat trailers, utility trailers and extra vehicles. Each such storage area shall be completely enclosed within a chain-link or comparable fence not to exceed five (5) feet in height and shall be screened from exterior view.

305-66. DRIVEWAYS. Entrance driveways shall be located not closer than one hundred fifty (150) feet from any intersection of public streets. Entrance driveways shall have a minimum width of forty (40) feet, except where said entrance driveway is divided by a median planting strip; in such case, the minimum width shall be fifty (50) feet.

The minimum pavement width on every interior driveway shall be twenty-five (25) feet. Interior driveways on which parking is permitted on one side shall have a paved width of not less than thirty-five (35) feet, and where parking is permitted on both sides shall have a width of not less than forty-five (45) feet. Any interior driveway or portion thereof which does not provide for continuous circulation shall not exceed six hundred (600) feet in length from the nearest intersection of another driveway or a street and shall terminate with a turnabout design sufficient to permit a travel trailer or recreational vehicle to turn around without backing.

305-67. SIGNS. One (1) on-site, non-flashing, stationary sign may be erected on any lot or parcel used for a use specified in Section 305-60. Such sign shall not have an area greater than eight (8) square feet, nor be located closer than twenty-five (25) feet from any property or street right-of-way line, and shall be arranged so as to not produce a glare on any other property.

305-68. DELETED

305-69. DENSITY. The number of travel trailer and recreational vehicle sites shall not exceed twenty-two (22) per acre for the net area of the park.

ACCESSORY STRUCTURES INCIDENTAL TO PRIMARY RESIDENTIAL DWELLINGS

305-80. APPLICATION. The provisions of this Article shall apply to the following uses and structures in any zone, when incidental to a primary residence located on the same lot or parcel.

(a) Detached garages.

(b) Guest houses.

(c) Storage sheds.

(d) Carports and other unenclosed detached structures which provide shelter for items intended for residential use.

(e) Detached covered patios.

(f) Detached residential workshops.

(g) Mobilehomes used as an accessory residence.

(h) Non-commercial greenhouse.

(i) Facilities for private outdoor recreation, such as swimming pool and spa facilities, bathhouse, cabana and similar structures.

(j) Any other structure incidental and accessory to a residential building, including fences over six (6) feet in height.

(k) Raised wood decks greater than eight (8) inches in height.

305-81. PROHIBITION. No building or structure used for an accessory structure incidental to a primary residential dwelling shall be built, enlarged, or moved unless the provisions of this Article are met. No accessory building shall be used as sleeping or housekeeping quarters unless expressly permitted in the zone in which the property is located.

305-82. HEIGHT REGULATIONS. Accessory residential structures shall not exceed sixteen (16) feet in height. The vertical height from the grade to the plot line of a gable, hip or gambrel roof shall not exceed thirteen (13) feet.

305-83. LOCATION. Accessory structures other than swimming pools, spas and accessory mobilehomes shall not be located:

(a) Within six (6) feet of the main building.

(b) Within twenty (20) feet of the front property line.

(c) Within twelve and one-half (12-1/2) feet of the side street property line.

(d) Within three (3) feet of the side property lines.

(e) Within three (3) feet of the rear property line.

305-84. LOCATION--ACCESSORY MOBILEHOMES. Accessory mobilehomes shall not be located:

(a) Within twenty (20) feet of the front property line.

(b) Within twelve and one/half (12-1/2) feet of the side street property line.

(c) Within five (5) feet of side property line.

(d) Within ten (10) feet of rear property line.

(e) Within ten (10) feet of primary dwelling.

305-85. LOCATION--SWIMMING POOLS AND SPAS. Swimming pools and spas shall not be located:

(a) Within a recorded setback except rear yards of through lots unless otherwise prohibited by recorded subdivision map.

(b) Within a public utility easement.

(c) Within a public easement.

(d) Within the required front or side street yards.

(e) Within three (3) feet of side or rear property lines except that the Chief, Building Inspection Division, may approve setbacks less than three (3) feet from side or rear property lines as provided for in the Swimming Pool Code, County Code 19.36.120, Part 1, Section 1.10A. For the purpose of this Section, setback shall be from the right-of-way line or property line to the water line.

(f) The provisions herein shall not effect codes of the Special Planning Areas as applicable.

305-86. LOCATION--SWIMMING POOL AND SPA EQUIPMENT. Swimming pool and spa equipment may encroach into a front or side street yard not to exceed five (5) feet providing said equipment is within a solid fenced yard or enclosure and a minimum of two (2) feet from any side or rear property line.

305-87. LOCATION--MECHANICAL EQUIPMENT OTHER THAN SWIMMING POOL AND SPA EQUIPMENT. Mechanical equipment other than swimming pool and spa mechanical equipment may encroach into any yard not to exceed five (5) feet and in no case shall the equipment be closer than two (2) feet from any property line.

305-88. RESIDENTIAL ACCESSORY DWELLING REGULATIONS.

(a) LOT AREA. Any lot considered for an accessory dwelling shall provide 5200 square feet net lot area per dwelling unit.

(b) NUMBER OF ACCESSORY UNITS. Only one accessory residential dwelling shall be permitted.

(c) PARKING. At least two off-street parking spaces per dwelling unit shall be provided.

(d) SURFACE OF PARKING AND DRIVEWAY AREAS. Each dwelling unit shall be served by a driveway with a dust free surface constructed to the standards of the Department of Public Works.

(e) SETBACKS. Front, rear, side, and sidestreet yard setbacks of the parent zone shall apply. In addition, there shall be a minimum of 10 feet between an accessory dwelling and the primary residence.

(f) SEWER AND WATER. Public sewer and water supply facilities shall be provided in the RD zones.

(g) The property upon which an accessory dwelling is located shall remain as an unsubdivided parcel, unless all standards of the parent zone can be met.

(h) MAXIMUM FLOOR AREA. Accessory dwellings shall not exceed 1000 square feet in gross floor area.

(i) ADDITIONAL REQUIREMENTS. The appropriate authority may apply additional conditions to a use permit relative, but not limited to, dwelling size, location, access, height, etc., if special circumstances arise requiring such mitigation of anticipated adverse impacts to neighboring residences.

CONDOMINIUMS

305-90. APPLICATION. The provisions of this Article shall apply to the development of all residential condominiums and stock cooperatives including the conversion of existing dwelling units to condominiums, row houses, town houses, and stock cooperatives.

305-91. APPLICATION CONTENT. Recognizing that the conversion of existing structures which have been previously occupied and constructed as rental units presents unique problems to present tenants and future buyers, the application for a use permit for a condominium conversion project shall include the following information in addition to that required by Sections 110-01 and 110-04 of this Code:

(a) The proposed organizational documents, including the Covenants, Conditions and Restrictions to be recorded pursuant to Section 1350 et seq. of the Civil Code. The organizational documents shall provide for the following:

(1) Transfer of title to each unit;

(2) Assignment of parking for each owner, and provisions for parking of recreational vehicles;

(3) The management of common areas within the project, and the complex generally;

(4) The anti-discrimination provisions set forth in Section 305-102.

(5) Maintenance program and proposed budget.

(b) A property report. The property report prepared by an engineer shall describe the condition and estimate the remaining useful life of each of the following elements of each structure situated within the project proposed for conversion: roofs, foundations, exterior paint, insulation, paved surfaces, mechanical systems, electrical systems, plumbing systems, sewage systems, sprinkler systems for landscaping, utility delivery systems, central or community heating and air conditioning systems, fire protection systems including any automatic sprinkler systems, alarm systems, or standpipe systems, structural elements, and drainage systems.

The property report shall state what the Sound Transmission Class and Sound Impact Class of the existing floor-to-ceiling and wall-to-wall assemblies of sample units are. The report shall also explain, in non-technical terms, what the class ratings mean and state what measure, if any, the applicant will take to improve sound attenuation between units. Projects constructed after July 1, 1978 that were in total compliance with the Building Code at the time of construction shall be exempt from the property report requirement.

The property report shall list each fixed appliance to be contained in each or any unit offered for sale and shall state whether the appliance is or will be new or used when the unit is first offered for sale. The report shall also state the terms and nature of the warranty offered by the applicant on each such appliance.

Each portion of the property report shall be prepared by an appropriately licensed engineer.

(c) A structural pest control report.

(d) A building history report identifying the date of construction of all elements of the project.

(e) A report identifying all characteristics of the building not in compliance with this ordinance or applicable building or housing codes.

(f) A rental history report detailing the size, in square footage, of the building or buildings and each unit; the current or last rental rate; the name and address of each present tenant; the monthly rental rate for the preceding three (3) years for each unit; the average monthly vacancy over the preceding three (3) years; the number of evictions over the preceding three (3) years. In addition, evidence shall be submitted that tenants have been notified and have acknowledged the applicants intent to file a request for conversion for a period of at least 90 days prior to the initial filing of an application for a conversion use permit or tentative subdivision map.

Failure to provide any information required by (b) through (f), above, shall be accompanied by an affidavit or declaration given under penalty of perjury, setting forth in detail all efforts undertaken to discover the information and all reasons why the information could not be obtained.

(g) A detailed report describing the relocation and moving assistance information to be given to each tenant, and the steps the applicant will take to ensure the successful relocation of each tenant. The report should state in detail what assistance will be provided for special category tenants, including a discussion of long-term or life-term leases and provisions to allow such tenants to continue renting after conversion until comparable housing, as defined by Section 305-116(c), is located and the move can be completed. (See Section 305-101 below).

(h) A survey of all the tenants in the conversion project indicating how long each tenant had been a resident of the project, how long each tenant had planned to live in the project, whether or not each tenant would be interested in purchasing a unit, to which community area would each tenant choose to relocate if the conversion took place and the tenant did not purchase a unit, and the extent of tenant approval in principle of the conversion. Included in this survey is an estimate of the sales price for each unit, not including inflation and adjustments that would take place during conversion.

To comply with this provision, the applicant shall provide a tenant rights handout and a questionnaire, in a form approved by the County, to each tenant with an envelope, postage prepaid, addressed to the County Planning Department. The questionnaire shall direct the tenant to return the completed form directly to the County Planning Department.

(i) The Planning Director may require additional information necessary to assist in evaluating said conversion project in order to make proper findings in accordance with the purposes and objectives set forth in the adopted County General Plan, or any specific or community plan or element thereof in effect at the time of such application. Such information may include, but shall not be limited to:

(1) A report comparing the units in the conversion project, as both rentals and ownership units, with housing available within the community plan areas affected by the project;

(2) A report on availability of comparable rental units at similar rental rates remaining within the affected community plan areas, including vacancy rate information;

(3) A report outlining the available low and moderate income housing units (rental and sales housing) within the affected community plan areas;

305-92. OWNERSHIP ASSOCIATION. The developer shall submit to the Planning Commission a copy of the maintenance program and proposed budget by a homeowner's association or other enforceable means to ensure maintenance of common areas, landscaping, private streets, parking areas, and recreational facilities.

305-93. BUILDING CODE REQUIREMENTS. A building proposed for conversion, and each unit within the building, shall comply at a minimum with all applicable Building Code standards in effect at the time of the last alteration, repair, relocation, or reconstruction of the building, necessitating compliance with the Building Code, or, if none, at the time of first construction.

305-94. No building shall be permitted to be converted to condominium ownership unless the building was constructed and subject to a building permit issued under the provisions of the 1952 Uniform Building Code, or subsequently adopted Uniform Building Code, unless it is found by the Appropriate Authority that the building constructed prior to 1952 is decent, safe, and sanitary based upon property report review by building inspector.

305-95. No building constructed after May 10, 1980 shall be permitted to be converted to condominium ownership unless the building was constructed in full compliance with all applicable building codes and the development standards applicable to new condominium construction, in effect at the time of the last alteration, repair, relocation, or reconstruction of the building, or, if none, at the time of first construction.

305-96. BUILDING INSPECTION. After reviewing the property report required pursuant to Section 305-91 (b-e) and after inspecting the structures within the project when deemed necessary, the Chief of the Building Inspections Division shall identify and make available to the Planning Commission and Board all items evidenced by such reports or inspection to be in noncompliance with applicable building and housing codes or to be hazardous to the life, health or safety of any occupant of the units within the project or the general public. All such items shall be corrected to the satisfaction of the Chief of Building Inspections Division. An appropriate fee to cover the cost of the Building Inspection Division's review and inspection may be collected.

305-97. PERFORMANCE BOND. If the proposed project does not comply with the provisions relating to utilities, personal safety and Building Code compliance, or if the Chief of the Building Inspections Division identifies items to be corrected as provided in Section 305-96, any use permit issued pursuant to this part shall require the developer to furnish a performance bond or other means of security approved by the County Counsel in an amount to be determined by the Chief of Building Inspections to be the reasonable estimated cost to bring the project into compliance with said codes and to make all necessary repairs. The bond shall run in favor of individual purchasers and the Association, and the bond shall provide for reasonable attorney's fees in the event of default by the principal.

305-98. Repealed.

305-99. CONSUMER PROTECTION PROVISIONS. In addition to the tenant protection provisions set out in the Subdivision Map Act, the applicant shall comply with the provisions in Sections 305-101 through 305-104 below, as conditions of any use permit for a condominium conversion project approved pursuant to this Article.

305-100. SALES AND LEASE TERMINATION. The tenants of the project on the date of application shall be offered the first right of refusal to purchase units. The offer shall run for 60 days. A tenant of any project proposed for conversion on the date of application for each conversion may terminate any lease after giving 30-days notice.

305-101. RELOCATION ASSISTANCE. The applicant shall offer to each eligible tenant a plan for relocation to comparable housing, as approved by the Board.

The relocation plan shall provide, at a minimum, for the following:

(a) Assistance to each eligible tenant in locating comparable housing, including but not limited to providing availability reports and transportation, where necessary.

(b) Payment of a relocation fee to each tenant who does not choose to stay. The payment shall be a cash payment of at least $300.00 if the tenant is relocating from an unfurnished apartment, or $200.00 if the tenant is relocating from a furnished apartment. A tenant is not entitled to a relocation fee pursuant to this subsection if the tenant has been evicted for just cause. Cash payment minimums will be adjusted annually. In addition, up to $50.00 cash payment shall be made for utility deposits and hook-up costs.

(c) In the case of eligible tenants who are elderly, handicapped, low-income, or single heads of households living with one or more minor children, the following additional provisions must be made:

(1) Payment of the first month's rent in the new complex, if required upon moving in; and the transfer to the new complex of all key, utility, and pet deposits to which the tenant is entitled upon vacating the unit. Cleaning and security deposits, minus damages, shall be refunded to the tenant upon vacating the unit.

(2) In lieu of the transfer of deposits to the new complex, the tenant may, at his or her option, elect to be refunded all deposits to which he or she is entitled.

(3) If the amount of deposits and other fees required upon moving into the new complex exceed the amounts refunded to the tenant and transferred to the new complex, plus damages, the applicant shall pay the difference.

(4) If amount of damage to any unit exceeds the deposit, the excess may be subtracted from the relocation assistance payment.

(d) In the case of eligible special category tenants, the following additional provisions must be made:

(1) SUBSIDY. Where the rent for the comparable unit into which the tenant moves is higher than the rent for the unit the tenant occupied in the conversion project the applicant shall pay the difference for a period of one year from the date of relocation.

(2) EVICTIONS. Until each tenant is successfully relocated, the tenant shall not be unjustly evicted from the unit presently occupied in the conversion project.

(3) REPORTS. The applicant shall provide each tenant with a copy of the reports required by Section 305-91 (g) and this Section detailing all relocation and moving assistance information to be provided by the applicant.

(4) LIFE-TERM AND LONG-TERM LEASES. The applicant shall offer eligible tenants leases for a term of:

(i) 59 years when the tenant is elderly or handicapped and who also qualifies as low income. Such leases shall provide that annual rent increase shall not exceed the percent of change in HUD's defined fair market rent.

(ii) 59 years when the tenant is elderly or handicapped with a moderate income or greater. Rents may be increased at the prevailing market rate.

(iii) An annually renewable lease for a term not to exceed 5 years for low-income households when the appropriate authority finds that comparable units are not available for the relocation of low income persons (Section 305-116). Such agreements shall be certified for tenant eligibility each calendar year. Qualification for the Federal Section 8 program or its successor shall constitute certification.

(e) The offer to each eligible tenant of a plan for relocation shall be free of any coercion, intimidation, inducement or promise not herein specified and shall not cause the tenant to vacate in advance of, or prior to, a timetable or schedule for relocation as approved in its application for approval of conversion.

305-102. ANTI-DISCRIMINATION. The applicant or owner of any condominium unit within a project shall not discriminate in the sale, or in the terms and conditions of sale, of any dwelling unit against any person who is or was a lessee or tenant of any such dwelling unit because such person opposed, in any manner, the conversion of such building into a condominium. In a like manner, the applicant or owner shall not discriminate in the sale, or in the terms and conditions of sale of any dwelling unit against any person or family based upon age or family size, when family size does not exceed HUD's standard for over-crowding of 1.25 persons per room. This anti-discrimination section shall be included in the conditions, covenants, and restrictions for the project.

305-103. PRECONVERSION PROTECTION. From the date of application for a permit to convert, or until relocation takes place or the application is denied or withdrawn, but in no event for more than two (2) years, no tenant shall be unjustly evicted and no tenant's rent shall be increased (1) more frequently than once every six months nor (2) in an amount greater than the annual increase in utility costs and insurance costs, plus increased operating costs not to exceed 2% per year. This limitation shall not apply if rent increases are expressly provided for in leases or contracts in existence prior to the filing date of the use permit.

305-104. APPLIANCE WARRANTIES. The applicant shall provide free of charge to the first individual purchaser of each unit a one-year warranty on each fixed appliance contained in the unit, whether new or used.

305-105. DEVELOPMENT STANDARDS. The following development standards (Sections 305-105 through 305-115) shall apply to all applications for a use permit for condominium conversion and new construction.

305-106. UTILITIES.

(a) GAS. Each condominium unit shall have a separate gas service where gas is a necessary utility. If this provision places unreasonable economic burden on the applicant, the appropriate authority may approve an alternative.

(b) ELECTRICITY. Each condominium unit shall have a separate electrical service, with separate meters and disconnects, and ground fault interrupters where ground fault interrupters are required by present building codes.

(c) TELEPHONE COMPANY ACCESS. The Telephone Company serving the location under conversion shall have the right to construct and maintain (place, operate, inspect, repair, replace and remove) communication facilities as it may from time-to-time require (including access) in or upon any portion of the common area, including the interior and exterior of the buildings as necessary to maintain communication service within the project. This provision may not be amended or terminated without the consent of the serving Telephone Company.

305-107 through 305-115. Repealed.

305-116. FINDINGS REQUIRED FOR APPROVAL. The Commission shall not approve a use permit unless it finds:

(a) That the proposed conversion is consistent with the General Plan and applicable community and specific plans in effect at the time of the use permit application, especially with the objectives, policies, and programs of the Housing Element of the General Plan designed to provide affordable housing to all economic segments of the population.

(b) That the average rental vacancy rate in multiple family units of similar size in the community plan areas and adjacent community plan areas affected by the proposed conversion during the 12 months preceding the filing of the application is greater than 5%; provided, that a use permit may be approved where the vacancy rate is equal to or less than 5% if the applicant has proposed measures which the Commission finds would effectively mitigate the displacement of tenants and any adverse effects upon the housing stock in the affected community plan areas which would be caused by the proposed conversion.

In evaluating the average rental vacancy rate in the affected community plan areas and in the building proposed for conversion, the Commission shall consider the rental history of the building, including the number of evictions and increases in rent over the preceding three (3) years. In addition, the following sources of vacancy rates statistics may be used: 1) Department of Finance (State of California), 2) Postal Service, and 3) HUD vacancy rates. Notwithstanding any other provision of this Section, the Commission may deny a use permit if it finds that vacancies in the building have been created by unjust evictions and unreasonable rent increases in order to qualify a project for conversion under this subsection.

(c) That the applicant unconditionally offered to each eligible tenant an adequate plan for relocation to comparable housing. In determining whether the housing to which the applicant proposes relocation is "comparable" the Commission must find that the housing is decent, safe, and sanitary, and in compliance with all local and state housing codes; and, that the housing is open to all persons regardless of race, creed, national origin, ancestry, religion, marital status, or gender. In addition, the Commission shall consider the following factors in determining whether the relocation housing is comparable:

(1) Whether the housing is provided with facilities equivalent to that provided by the landlord in the dwelling unit in which the tenant then resides in regard to each of the following: a) apartment size including number of rooms; b) rent range; c) major kitchen and bathroom facilities; d) special facilities for the handicapped, infirmed or senior citizens; e) willingness to accept families with children;

(2) Whether the housing is located in an area not less desirable than the area in which the tenant then resides in regard to a) accessibility to the tenant's place of employment; b) accessibility to community and commercial facilities; c) accessibility to schools; and d) accessibility to public transportation.

A unit is not comparable if it is located in a building for which a notice of intent to convert has been given, except where the rental units of the building will not be offered for sale as condominium units within two (2) years.

HOME OCCUPATIONS

305-200. APPLICATION. The provisions of this Article shall apply to all home occupations as defined in Section 130-91 of this Code.

305-201. CRITERIA. It is the intent of the following criteria to reduce the impact of the home occupation to the degree that its effects on the neighborhood are undetectable from normal and usual residential activity.

(a) No more than two (2) occupants of the dwelling shall be engaged in home occupation on the subject property. In the event of a partnership or corporation at least one of the members must be a resident of the subject property.

(b) Off-site employees or partners are permitted so long as they do not report for work at subject property.

(c) The use of the dwelling for the home occupation shall be clearly incidental and subordinate to its use for residential purposes. The home occupation may be conducted in the principal dwelling or accessory structures on the subject property provided that the area does not exceed 20 percent of the habitable floor area of the principal dwelling.

(d) There shall be no mechanical equipment or operation used which creates or makes noise, dust, odor, vibration or other effects detectable at the property line. Noise level at the property line shall not exceed 65 dBA.

(e) There shall be no products sold on the premises except artist's originals or products individually made to order on the premises.

Products which are not "artist's originals" or "individually made to order" may be constructed on-site, using equipment normally found in a residence, however, these products may only be sold at a permitted commercial location.

(f) There shall be no display of products produced by occupants of the dwelling which are visible in any manner from the outside of the dwelling unit.

(g) The use shall not generate pedestrian or vehicular traffic beyond that which is normal in a residential district nor in any case requires the parking of more than two additional vehicles at any one time.

(h) There shall be no storage of material or supplies out-of-doors.

(i) There shall be no remodeling or construction of facilities especially for the home occupation which changes the external appearance of the residence from a residential to a more commercial appearing structure when viewed from the front of the building.

(j) There shall be no visible evidence of the conduct of such home occupation outside the structure other than one sign if permitted within the zone (see Section 335-05)

(k) The following specific home occupation uses shall be permitted subject to further limitations as follows

(1) Beauty/barber shops limited to one operator only, on a part-time basis.

(2) Contractors and subcontractors offices and permittees as home occupations. However, the storage of vehicles, materials and equipment not normally associated with residential uses shall be prohibited except as provided in the RD-1, RD-2 and AR-1 through AR-10 zones and as regulated by Section 305-210 through 305-212 for Family Contractor's Businesses.

(3) Furniture construction, repair, restoration and reupholstery shall be limited to one occupant of the dwelling on a part-time basis subject to approval of Building Inspection and fire marshall as applicable. There shall be no pick-up or delivery at the location by the public.

(4) Repair of small electronic or garden (including lawn mowers) equipment or small household appliances shall be limited to one occupant of the dwelling on a part-time basis subject to approval of Building Inspection and fire marshall as applicable. There shall be no pick up or delivery at this location by the public. All testing of equipment shall be performed within an enclosed building.

(5) Mail order businesses, as long as the product ordered is mailed directly to the purchaser or is stored within the dwelling. Items may not be sold directly from the residence.

(6) Manufacture of toys, decorator items, clothing, needlework, handicrafts, or similar products shall be limited to two occupants of the dwelling on a part-time basis using equipment normally found in a residence.

305-202. PROHIBITED USES. The following uses are expressly prohibited as home occupations:

(a) Storage, repair or reconditioning of motorized vehicles or large equipment on site.

(b) Cabinet shops.

(c) Storage, repair or reconditioning of major household appliances, including refrigerators, freezers, clothes washers and dryers, dish washers, stoves, heating and air conditioning equipment.

(d) Repair or reconditioning of boats or recreation vehicles.

(e) Medical, dental, chiropractic, or veterinary clinics.

FAMILY CONTRACTOR'S BUSINESSES

305-210. APPLICATION. The provisions of this Article shall apply to family contractor's businesses as defined by Section 130-68.5 and as regulated by Section 201-02, Table I.

305-211. PURPOSE. The purpose of this Article is to provide for the storage of contractor's equipment and supplies at the residence of one of the family members engaged in this business.

305-212. DEVELOPMENT STANDARDS.

(a) Property developed with a family contractor's business shall be one gross acre or larger in size.

(b) No more than two vehicles used in the operation may be parked on site. This limitation does not apply to trailers for hauling equipment or supplies.

(c) All vehicles, supplies, and equipment shall be stored in the rear buildable portion of the lot. The storage and driveway areas shall be paved and maintained in a dust free condition.

(d) A minimum 20 foot width shall be maintained between any structures and the property lines to provide access to the rear of the parcel.

(e) Repair of equipment on site is specifically prohibited.

(f) Areas used for storage of vehicles, equipment, and supplies shall be screened from view of adjacent neighbors and from public street by installation of a six foot or higher solid wood or masonry fence around the perimeter of the storage area and fast-growing dense landscaping which screens all equipment from adjacent property.

(g) No mixing of concrete, no construction, manufacturing, or similar activities shall be allowed on the site.

(h) No employees shall report for work to the site of the family contractor's business.

AGRICULTURAL USE DEVELOPMENT STANDARDS
GENERAL AGRICULTURAL USES

310-01. APPLICATION. The provisions of this Article shall apply to general agricultural uses as defined in Section 130-06, in any zone.

310-02. HEIGHT REGULATIONS. No building or structure shall be located on any lot or parcel, where the building or structure is or will be used for general agricultural purposes, to a height greater than fifty (50) feet, provided however, that water tanks, silos, graneries, barns, antennas and similar accessory structures or necessary mechanical appurtenances may exceed a height of fifty (50) feet provided they do not exceed any other height restrictions imposed on the specific location of the structure.

310-03. No building or structure shall be erected or maintained on a lot or parcel, where the building or structure is used for general agricultural purposes unless a front, rear, side, and side street yard of not less than fifty (50) feet is provided and maintained.

INCIDENTAL AGRICULTURAL USES

310-10. APPLICATION. The provisions of this Article shall apply to the following uses in any zone, whether such use is the principal use of the property, or incidental to another principal use:

(a) Incidental agricultural uses, as defined in Section 130-07.

(b) Riding stables, boarding stables, and riding academies, whether private or commercial.

310-11. HEIGHT. No building or structure shall be erected or maintained on any lot or parcel where the building or structure is used for any use set forth in Section 310-10 to a height greater than three (3) stories, or greater than forty (40) feet; provided, however, that towers, water tanks and similar accessory structures or necessary mechanical appurtenances may exceed the limit provided the structure shall cover no more than fifteen (15) percent of the area of the lot nor have an area at the base greater than sixteen hundred (1600) square feet.

310-12. YARDS. No building or structure shall be erected or maintained on any lot or parcel where the building or structure is used for any use set forth in Section 310-10 unless the following yards are provided or maintained:

(a) All barns, stables, and other structures used for the housing of animals on any lot or parcel used as a commercial or public stable shall be located not less than thirty (30) feet from all property and street right-of-way lines, except as otherwise herein provided.

(b) All barns, stables, and other structures used for the housing of animals, on any lot used as a private stable or for incidental agricultural uses, shall be located not less than ten (10) feet from any property line and not less than twenty-five (25) feet from the front property line, except as otherwise herein provided.

(c) Any barn, stable, or other structure used for the housing of animals may be located not less than five (5) feet from the rear or side property line, provided such property line is contiguous with a freeway, railroad, or levee right-of-way, or a property line of a public park or parcel which, at the time the building or structure is erected, is used for or occupied by a public or private stable.

(d) Any barn, stable, or other structure used for the housing of animals may be located not less than three (3) feet from the rear or side property line, provided:

(1) The building or structure is constructed with solid walls with no openings of any kind within ten (10) feet of the property line, and

(2) The floor area of any building or structure used as a private stable, barn, or for the housing of animals shall not exceed 1,000 square feet.

310-13. LOT AREA. The minimum lot area for any lot used for any use set forth in Section 310-10, whether such use is a principal use of the property or is incidental to another principal use, shall be the area specified in this Code applicable to the zone in which the property is located or the area hereinafter specified, whichever is the greater:

(a) For any commercial or public stable the minimum lot area shall be three (3) acres.

(b) For any private stable, the minimum lot area shall be twenty thousand (20,000) square feet.

(c) For the keeping of small animals and fowl on a noncommercial scale, as an incidental use in connection with an educational project, the minimum lot area shall be ten thousand (10,000) square feet, provided there is full compliance with the conditions and regulations set forth in Section 310-15.

(d) For any other incidental agricultural use the minimum lot area shall be twenty thousand (20,000) square feet.

310-14. RIDING STABLES AND CORRAL STANDARDS. In addition to the requirements set forth in this Article, riding stables, boarding stables, and riding academies, whether private or commercial, shall not be erected, located, enlarged, or maintained without complying with the following standards:

(a) Any corral, riding ring, or exercise yard used for keeping horses shall be enclosed by fence or other enclosure; and no part of any such corral, riding ring, or exercise yard shall be located closer than twenty (20) feet to any door, window, or other opening of any building or structure on the same or any other parcel used or designed to be used for human habitation.

(b) All fences which enclose livestock shall be constructed of an adequate height and shall be designed so as to control and contain such livestock at all times, and so as to prevent such livestock from reaching across any property lines, so as to damage adjacent property.

(c) All areas shall be maintained so as to be sufficiently dust free that no visible quantity of dust is observable at the property lines of the parcel. This shall be done by maintaining sufficient natural vegetation or by providing a surface treatment to the satisfaction of the Chief Building Inspector.

(d) All areas shall be maintained in a sanitary condition and in compliance with any standards proposed by the Department of Public Health and adopted by the Project Planning Commission.

(e) The Chief Building Inspector and the Department of Public Health shall propose regulations and standards for the control of dust and odor of commercial and private stables, to be adopted by the Project Planning Commission.

310-15. INCIDENTAL KEEPING OF ANIMALS. Animals may be kept on any parcel or lot as an incidental agricultural use subject to the provisions of the zone in which the property is located and the following standards:

(a) The conditions, standards, and requirements of Title 8 of the Sacramento County Code are complied with.

(b) The animals are kept as part of and in conjunction with an educational project, under the direct supervision of a representative of an educational organization such as, but not limited to, a public or private school, 4-H, or Boy or Girl Scouts.

(c) All areas devoted to such uses shall be maintained in compliance with standards and regulations adopted by the Department of Public Health relative to noise, dust, odor and pests.

(d) The provisions of this Section shall not apply to public or private stables or where such animals are kept as a general agricultural use.

310-16. DELETED

DEVELOPMENT STANDARDS FOR TEMPORARY CONCESSIONS

315-01. DELETED (by Ordinance SZC 81-43.)

315-02. DEVELOPMENT STANDARDS FOR TEMPORARY CONCESSIONS. No temporary concession shall be installed, maintained, or operated in any zone unless the standards and requirements set forth in this Section are complied with and maintained:

(a) Every temporary concession shall be a temporary, day-to-day use, and all equipment including any stand, cart, table, or vehicle shall be removed at the end of each sales day.

(b) Every operator of a temporary concession shall have written permission from the property owner or lessee of property on which the concession is located, a copy of which shall be filed with the operators' application for a business license. The operator shall also have a copy of the permission statement required by these provisions at the concession location for inspection upon request by any person authorized to enforce the provisions of this Section.

(c) No activities relating to the operation of a temporary concession including customer parking, shall occur on public property. All parking areas shall be maintained or surfaced so as to be dust free.

(d) All stands, carts, vehicles and display of merchandise shall be set back not less than twenty-five (25) feet from the right of way line of any public street, provided however, that a table, stand or cart of sixteen (16) square feet in size may be located at not less than twelve and one-half (12-1/2) feet set back from a County right-of-way line.

(e) No concession stand, cart, vehicle, merchandise, or parking area shall be located within the triangular visibility area described in Sections 12.12.010 or 12.12.020 of the Sacramento County Code.

(f) No additional signs beyond the signs otherwise permitted in the zone in which the temporary concession is located shall be permitted except temporary signs flat against the table, cart, stand or vehicle which shall not exceed two (2) square feet per each lineal foot of such equipment parallel to the street where the setback is twenty-five (25) feet or more from the right-of-way line. Where the table, stand, or cart is set back less than twenty-five (25) feet, the area of the signs shall not exceed a total of six (6) square feet, and shall be placed flat against such equipment.

(g) No food items shall be prepared and/or sold for immediate consumption on site.

DEVELOPMENT STANDARDS FOR BUSINESS AND PROFESSIONAL USES AND CONVENIENCE CENTERS IN RESIDENTIAL ZONES

315-10. APPLICATION. No building or structure shall be erected or maintained for use as business and professional offices, or as a convenience center, whenever such use is located within any residential zone pursuant to the Residential-Open Space Land Use Table, Table I, Section 201-02, unless the standards and requirements set forth in this Article are complied with and maintained.

315-11. The minimum net lot area, lot width, lot depth, and public street frontage for any lot used for any use set forth in Section 315-10 shall be as set forth below or as specified in the zone standards applicable to the zone in which the property is located, whichever is greater:

(a) LOT AREA. The minimum lot area shall be at least six thousand (6,000) square feet where both a public water system and a public sewerage facility are both in use; ten thousand (10,000) square feet if either a public water system or a public sewerage facility, but not both, is in use; or one (1) acre if neither a public water system nor a public sewerage facility is in use.

(b) LOT FRONTAGE AND WIDTH. The minimum public street frontage and lot width shall be at least sixty (60) feet.

(c) LOT DEPTH. The minimum lot depth shall be at least one hundred (100) feet.

315-12. YARDS. The yards to be provided and maintained for those uses set forth in Section 315-10 shall be as follows:

(a) FRONT YARD AND SIDE STREET YARD. There shall be a front yard and side street yard of not less than twenty-five (25) feet.

(b) REAR YARD. There shall be a rear yard of not less than twenty-five (25) feet except where the rear yard is adjacent to a commercial or industrial zone; in such case a rear yard is not required.

(c) SIDE YARD. There shall be a side yard of not less than twenty (20) feet except where the side yard is adjacent to a commercial or industrial zone; in such case a side yard is not required.

315-13. HEIGHT. Structures and buildings for those uses set forth in Section 315-10 may not exceed twenty-four (24) feet in height and shall not exceed one story. The Board may, however, after a public hearing before the Planning Commission and a recommendation therefrom, grant a

conditional use permit to allow a structure or multi-story building to be erected to a height not to exceed forty (40) feet. The Board shall consider at least the following factors before granting such a use permit:

(a) The uses of all contiguous parcels.

(b) The elevations of the subject parcel and all contiguous parcels.

(c) The height and number of stories of structures and buildings on contiguous parcels.

(d) The distance of the buildable area of the subject parcel from buildings on contiguous parcels.

(e) The beneficial or harmful effect of a higher building on existing terrain and vegetation.

(f) The opportunity for the higher structure to overlook yard areas of contiguous parcels and invade the privacy of such yard areas.

(g) The impact of the structure on traffic circulation.

315-14. LANDSCAPING.

(a) A planter or landscaped area at least twenty-five (25) feet wide shall be provided adjacent to all public street rights-of-way, excluding approved driveway entrances. In addition, any area within the street right-of-way, between the edge of the sidewalk and the outer edge of the right-of-way, shall be developed as a planter or landscaped area in conjunction with the required twenty-five (25) foot area above, unless this requirement is waived by the Director of the Department of Public Works or his designee.

(b) A planter or landscaped area at least six (6) feet wide shall be provided adjacent to the interior property lines of all vacant adjoining parcels, or adjoining parcels used for residential purposes. A six (6) foot high perimeter fence of solid wood, masonry or chain link with slats shall be installed along any such property line. Said perimeter fence shall be reduced in height to two and one half (2-1/2) feet wherever it is located within twenty-five (25) feet of a street right-of-way. Landscaping shall consist of trees and shall include ground covers, shrubs or climbing plants which shall be located in relation to the required perimeter fence in such a manner as to form a visual screen between the parcel and adjoining residential uses.

(c) Additional planters or landscaped areas shall be provided in public parking areas as specified in and subject to the standards set forth in Article 3, Chapter 30, Title III of this Code.

(d) Within each planter or landscaped area an irrigation system and live landscaping shall be provided and maintained.

(e) Required planter or landscaped areas may be combined with appropriate pedestrian walks and similar hard surface areas provided that such hard surface does not cover more than thirty (30) percent of any required planter or landscaped area. Ornamental or landscaping rock and gravel areas shall be considered hard surface areas for the purposes of this provision.

315-15. HOURS OF OPERATION. Convenience stores, neighborhood markets, and similar commercial uses in residential zones shall be operated only between the hours of 6:00 a.m. and 11:00 p.m.

DEVELOPMENT STANDARDS FOR DRIVE-UP WINDOWS AND REMOTE TELLERS

315-20. APPLICATION. The provisions of this Article shall apply to those drive-up windows and remote tellers located on the same parcel as the principal use requiring use permits as defined in Section 225-11, Table II.

315-21. FINDINGS. A use permit for these facilities shall not be approved unless the appropriate authority finds that:

(a) The design and location of the facility and lane will not contribute to increased congestion on public or private streets adjacent to the subject property.

(b) The design and location of the facility and lane will not impede access to or exit from the parking lot serving the facility, nor impair normal circulation within the parking lot.

315-22. DESIGN REQUIREMENTS. The following shall be the minimum requirements for all drive-up windows and remote tellers.

(a) Drive-up windows and remote tellers shall provide at least 180 feet of reservoir space for each facility, as measured from the service window or unit to the entry point into the drive-up lane.

(b) Entrances to drive-up lanes shall be at least 25 feet from driveways entering a public street.

(c) Drive-up windows or remote tellers shall not be considered as justification for reducing the number of parking spaces which are otherwise required.

(d) The conditional use permit is revocable if congestion attributable to the facility regularly occurs on public streets or within the parking lot, and the management cannot alleviate the situation.

ELECTRONIC, MECHANICAL AND VIDEO GAMES

315-30. APPLICATION. The provisions of this Article shall apply to the installation of electronic, mechanical and video games as defined in Section 130-64.5 and as regulated in Section 225-11.

315-31. PURPOSE. The purpose of this Article is to set forth development standards which may be applied to the installation of electronic, mechanical, or video games.

315-32. DEVELOPMENT STANDARDS. These standards apply to the installation of electronic, mechanical or video games when a use permit is required. They may be waived, modified, or imposed as conditions of approval during the required public hearing on the use permit request. Additional standards and conditions may be imposed.

(a) Public restrooms must be available and so designated within the same commercial building, or portion thereof, where the games are located.

(b) One adult supervisor shall be on the premises at all times during business hours. Additional adult supervisors and/or uniformed guards may be required.

(c) Electronic, mechanical, or video games shall not be located within 1,000 feet of the property line of any public or private school (kindergarten through twelfth grade). This distance shall be measured from the entrance of the commercial facility to the school property line.

(d) Electronic, mechanical, or video games shall not be located within 500 feet of a residential land use zone or habitable dwelling. This distance shall be measured from the entrance of the commercial facility to the zone boundary or the entrance to the habitable dwelling, whichever is the shorter distance.

(e) Bicycle racks shall be provided near the entrance to the facility.

(f) Exterior lighting shall be maintained during all hours of operation at a minimum of 1.5 foot candles per square foot of paved surface adjacent to all exterior walls of the commercial building or portion thereof, where the games are located. Said lights shall be shielded to prevent any stray light on adjacent residential properties.

(g) Minors not accompanied by and under the supervision of a responsible adult shall be prohibited from using the games during hours when schools within the applicable school district are in regular session.

COMMERCIAL AND BUSINESS AND PROFESSIONAL USE DEVELOPMENT STANDARDS IN COMMERCIAL LAND USE ZONES

315-40. APPLICATION. No building or structure shall be erected or maintained for any use specified on Table II, PERMITTED USES WITHIN THE BUILDABLE AREA OF COMMERCIAL LOTS, Section 225-11, within any commercial land use zone unless the standards and requirements set forth in this Article are complied with and maintained.

315-41. LOT FRONTAGE, WIDTH, AND DEPTH.

(a) BP LAND USE ZONE. Each lot shall have at least sixty (60) feet of public street frontage and lot width and one hundred (100) feet of lot depth.

(b) CO LAND USE ZONE. Each lot shall have at least sixty-six (66) feet of public street frontage and lot width. No minimum lot depth is required.

(c) SC, LC, GC, AC, AND TC LAND USE ZONES. Individual lot frontage on a public street is not required; however, lots shall have sufficient width and depth to maintain the yard areas as required in this Article and adequate building area to serve the intended uses.

315-42. FRONT AND SIDE STREET YARDS.

(a) BP LAND USE ZONE. There shall be a front yard and side street yard of at least twenty-five (25) feet.

(b) All OTHER COMMERCIAL LAND USE ZONES. There shall be a front and side street yard of at least fifty (50) feet between any structure within these zones and the public street right-of-way. Such yard depth may be reduced to a minimum of twenty-five (25) feet, provided that for each square foot of additional buildable area created by the application of this provision, an equivalent square foot of planter or landscaped area is provided in the corresponding front or side street yard. Such planter or landscaped areas shall be in addition to the planter and landscaped areas required in Section 315-45 of this Article and shall be subject to all the provisions of this Section.

315-43. REAR YARD AND INTERIOR SIDE YARD.

(a) BP LAND USE ZONE. There shall be a rear yard of at least twenty-five (25) feet and an interior sideyard of at least twenty (20) feet between any structure within this zone and the boundary line of any residential, interim residential, interim estate, recreation, agricultural, agricultural-residential or interim agricultural zone; otherwise rear yard or interior side yard is not required.

(b) ALL OTHER COMMERCIAL LAND USE ZONES. There shall be a rear yard and an interior side yard of at least twenty-five (25) feet between any structure within these zones and the boundary line of any adjacent residential, interim residential, interim estate, recreation, agricultural, agricultural-residential or interim agricultural zone, otherwise a rear or interior side yard is not required.

(c) EXCEPTION FOR PARCELS ADJACENT TO A FREEWAY. If the rear yard or interior side yard abuts a freeway which is in a residential, interim residential, interim estate, recreation, agricultural, agricultural-residential, or interim agricultural zone, a 10-foot rear or interior side yard shall be provided. The entire 10-foot yard shall be landscaped. Landscaping required in Section 315-45 shall be included in the landscaped yard.

315-44. HEIGHT.

(a) For parcels zoned BP which have contiguous parcels zoned to the A-1-A, A-1-B, R-1-A, R-1-B, RE-1, RE-2, RE-2A, RE-3, R-2, RD-1, RD-2, RD-3, RD-4, RD-5, RD-10, AR-1, and AR-2 zones, structures and buildings may not exceed twenty-four (24) feet in height and shall not exceed one story, unless a use permit has been approved as provided in (c) below.

(b) For parcels in all other commercial zones which have contiguous parcels zoned A-1-A, A-1-B, R-1-A, R-1-B, RE-1, RE-2, RE-2A, RE-3, R-2, RD-1, RD-2, RD-3, RD-4, RD-5, RD-10, RD-20, RD-30, RD-40, AR-1, or AR-2 zone, structures or buildings may not exceed twenty-four (24) feet in height or one story, unless a use permit has been approved as provided in (c) below.

(c) The Board of Supervisors may, after a public hearing before the Planning Commission and a recommendation therefrom, grant a conditional use permit to allow a structure or building to be erected to a height not to exceed forty (40) feet. The Board shall consider at least the following factors before granting such a use permit:

(1) The uses of all contiguous parcels.

(2) The topography of the parcel and all contiguous parcels.

(3) The height and number of stories of structure and buildings on contiguous parcels.

(4) The distance of the buildable area of the parcel from buildings on contiguous parcels.

(5) The beneficial or harmful effect of a higher building on existing terrain and vegetation.

(6) The opportunity for a higher structure to overlook yard areas of contiguous parcels and invade the privacy of such yard areas.

(7) The impact of the structure on traffic circulation.

All other parcels in any commercial zone may have structures and buildings erected to a height not to exceed forty (40) feet.

315-45. DEVELOPMENT REQUIREMENTS. Buildings or structures may be erected or enlarged and uses permitted provided the following development requirements are maintained in connection with such buildings or uses.

(a) A planter or landscaped area at least twenty-five (25) feet wide in the BP zone and five (5) feet wide in all other commercial zones, measured on a horizontal plane and excluding curbing, shall be provided adjacent to all street rights-of-way, excluding approved driveway entrances. In addition, any area within the street right-of-way between the edge of the sidewalk and outer edge of the right-of-way shall be developed as a planter or landscaped area in conjunction with the required twenty-five (25) foot or five (5) foot area above, unless this requirement is waived by the Director of the Department of Public Works or his designee. In all commercial zones except BP, the planter width shall be increased to at least eight (8) feet measured on a horizontal plane, and excluding curbing, for at least seven (7) feet of every fifty (50) feet of frontage along street rights-of-way. Within this planter, in all commercial zones, trees from an approved list shall be planted no further apart than fifty (50) feet on center, at least five (5) feet but no further than ten (10) feet from the back of the sidewalk. The planter shall be bounded by a curb at least six (6) inches high, and shall include shrubs, hedges, and other natural growth, or other features such as berms designed to form a partial visual screen at least three (3) feet in height. Nothing in this Section shall preclude the installation of additional landscaping and the planting of additional trees, except near street and driveway intersections where landscaping shall not exceed two and one-half (2.5) feet in height, in accordance with adopted visibility regulations of Chapter 12.12 of the Sacramento County Code.

(b) A six-foot high perimeter fence of solid wood or masonry shall be installed along the interior boundary lines of all adjoining residential, interim residential, interim estate, recreation, agricultural residential or interim agricultural zones. Said perimeter fence shall be reduced in height to two and one-half (2-1/2) feet whenever it is located within twenty-five (25) feet of a street right-of-way. Landscaping shall consist of trees planted 30 feet on center in individual planters sufficiently large and protected so that a parked vehicle does not overhang or intrude the minimum four by four foot tree planting area which shall include ground cover, shrubs or climbing plants. The landscaping and fence shall be designed so as to form a visual screen between this zone and the adjoining residential, interim

residential, interim estate, recreation, agricultural, agricultural-residential, or interim agricultural zone. The height of such fence and the screening requirements may be modified by a condition of approval of a use permit or development plan where the appropriate authority finds that due to a significant difference in elevation between parcels different screening requirements are necessary.

(c) Additional planters or landscaped areas shall be provided in public parking areas as specified in Title III, Chapter 30, of this Code.

(d) Within each planter or landscaped area an irrigation system and live landscaping shall be provided and maintained.

(e) Required planter and landscaped areas shall be protected from vehicle encroachment as specified in Title III, Chapter 30, of this Code.

(f) Required planter or landscaped areas may be combined with appropriate pedestrian walks and similar hard surface areas provided that such hard surface does not cover more than twenty-five (25) percent of any required planter or landscaped area. Ornamental or landscaping rock and gravel areas, artificial turf, or areas covered with other artificial materials shall be considered hard surface areas for the purposes of this provision. Transit passenger waiting shelters are excluded from this limitation.

315-46. ON-SITE SIGNS. Except as otherwise provided in Title III, Chapter 35, Article 1, General Provisions for Signs, on-site signs and permitted advertising devices may be erected in these zones subject to the development standards of Title III, Article 2.1, Chapter 35.

INSTITUTIONAL USE DEVELOPMENT STANDARDS
GENERAL INSTITUTIONAL USE STANDARDS

320-01. APPLICATION. The provisions of this Chapter shall apply to the following uses in any zone:

(a) Convalescent hospital, nursing homes, sanitariums.

(b) Animal hospital--veterinary office.

(c) Hospital/medical clinic.

(d) Funeral establishments, including but not limited to cemeteries, crematories, mausoleums, columbariums, mortuaries.

(e) Church.

(f) Public or private school K-12.

(g) College or university.

(h) Government buildings not used for residential purposes and parks.

(i) Community center, including but not limited to swimming and tennis clubs, cabana clubs.

(j) Private social center, lodges, or fraternal halls, theaters, auditoriums and other places of public assembly.

(k) Public airports.

(l) Public utilities.

(m) Outdoor recreation facilities, including but not limited to stadiums, ball parks, golf courses, and tennis clubs.

(n) Social rehabilitation center.

(o) Child day care center exceeding 36 children.

(p) Any use found by the Project Planning Commission pursuant to Section 115-56, to be substantially similar to any of the above uses.

320-02. GOVERNMENT PROPERTY. Except for government-owned property used for residential purposes, the provisions of this Chapter shall apply to government property to the extent provided in Section 101-11 of this Code.

320-03. EXCEPTION. Any building or structure used for any of the uses specified in Section 320-01, located in any commercial or industrial Land Use Zone shall conform to the standards specified in that zone. Any building or structures used for any of the uses specified in Section 320-01, located in any Land use Zone other than a commercial or industrial zone shall conform to the standards set forth in this Article.

320-04. HEIGHT. No building or structure nor the enlargement of any building or structure for any of the uses specified in Section 320-01 may be erected to a height exceeding forty (40) feet.

320-05. DEVELOPMENT REQUIREMENTS. No building or structure may be erected or enlarged for any of the uses specified in Section 320-01 unless the following development requirements are provided and maintained in connection with such buildings or uses:

(a) A planter or landscaped area at least twenty-five (25) feet wide shall be provided adjacent to all public street rights-of-way, excluding approved driveway entrances. In addition, any area within the street right-of-way between the edge of the sidewalk and the outer edge of the right-of-way shall be developed as a planter or landscaped area in conjunction with the required twenty-five (25) foot area above, unless this requirement is waived by the Director of the Department of Public Works or his designee.

(b) A planter or landscaped area at least six (6) feet wide shall be provided adjacent to the interior boundary lines of all adjoining residential, interim residential, interim estate, recreation, agricultural-residential, or agricultural zones. A six (6) foot high perimeter fence of solid wood, masonry or chain link with slats shall be installed along such boundary line. Said perimeter fence shall be reduced in height to two and one half (2-1/2) feet wherever it is located within twenty-five (25) feet of a street right-of-way. Landscaping shall consist of trees and shall include ground covers, shrubs or climbing plants which shall be designed in combination with the required perimeter fence in such a manner as to form a visual screen between this zone and the aforesaid adjoining zone.

(c) Additional planters or landscaped areas shall be provided in public parking areas as specified in Title III, Chapter 30, Article 4 of this Code.

(d) Within each planter or landscaped area an irrigation system and live landscaping shall be provided and maintained.

(e) Required planter and landscaped areas shall be protected from vehicle encroachment as specified in Title III, Chapter 30, Article 4 of this Code.

(f) Required planter or landscaped areas may be combined with appropriate pedestrian walks and similar hard surface area provided that such hard surface does not cover more than twenty-five (25) percent of any required planter or landscaped area. Ornamental or landscaping rock, artificial turf, and gravel areas shall be considered hard surface areas for the purpose of this provision.

320-06. SETBACK REQUIREMENTS.

(a) Any building or structure used for any of the uses specified in Section 320-01, located in any commercial or industrial zone shall conform to the setback requirements specified in that zone.

(b) Uses specified in Section 320-01, when located in zones other than commercial and industrial shall conform to the following setbacks:

(1) FRONT AND SIDE STREET YARD. There shall be a front and side street yard of not less than twenty-five (25) feet adjacent to all public and private streets.

(2) SIDE YARD. There shall be a side yard of not less than six (6) feet.

(3) REAR YARD. There shall be a rear yard of not less than twenty-five (25) feet.

SPECIAL INSTITUTIONAL USE STANDARDS

320-10. APPLICATION. In addition to the general standards set forth in Article 1 of this Chapter, the special standards set forth in this Article shall apply to the specific uses set forth in this Article, and to any use found by the Project Planning Commission pursuant to Section 115-56 to be substantially similar to such specific use.

320-11. DELETED

320-12. CEMETERY. All storage areas within cemeteries for the storage of service vehicles and equipment shall be surrounded by either a sight barrier fence or screen planting and shall be located not less than one hundred (100) feet from the boundary of the cemetery when the cemetery is located in a residential or interim residential zone; otherwise such storage area shall be located not less than one hundred (100) feet from the boundary line of a residential or interim residential zone.

320-13. KENNEL STANDARDS. Every lot or parcel used for a kennel shall have a net lot area of not less than one (1) acre.

320-14. SCHOOL STANDARDS. Every lot or parcel used for a school or for any use which the Project Planning Commission has found pursuant to Section 115-56 to be similar to a school, shall have a net lot area of not less than five hundred (500) square feet per student.

Article 3 deleted by SZC-81-69

INDUSTRIAL DEVELOPMENT STANDARDS
GENERAL

325-01. APPLICATION. No building or structure shall be erected or maintained for any use specified on Table IV, PERMITTED USES WITHIN THE BUILDABLE AREA OF INDUSTRIAL LOTS, within the M-1 or M-2 land use zone unless the standards and requirements set forth in this Article are complied with and maintained.

325-02. YARDS. No building or structure nor the enlargement of any building or structure shall hereafter be erected or located within the M-1 zone, nor shall any use be conducted on the M-1 or M-2 zone unless the following yards are provided and maintained:

(a) FRONT AND SIDE STREET YARDS. There shall be a front and side street yard of at least fifty (50) feet between any structure or use within this zone and the public street right-of-way. Such yard may be reduced to a minimum of twenty-five (25) feet provided that for each square foot of additional buildable area created by the application of this provision an equivalent area of planter or landscaped area is provided in the corresponding front or side street yard. The remaining portions of either the front or side street yard may be used for off-street parking.

(b) REAR YARD. A rear yard shall not be required except where the rear of a lot in the M-1 or M-2 zone abuts a lot in any residential zone, interim residential zone, or interim estate zone, or a lot in the A-1-A, A-1-B, A-2, A-2B, O, C-0, AR-1, AR-2, or BP zone, in which case there shall be a rear yard of not less than fifteen (15) feet.

(c) SIDE YARD. A side yard shall not be required except where the side of a lot in the M-1 or M-2 zone abuts a lot in any residential zone, interim residential zone, or interim estate zone, or a lot in the A-1-A, A-1-B, A-2, A-2B, O, C-0, AR-1, AR-2, or BP zone, in which case there shall be a side yard of not less than ten (10) feet.

325-03. DEVELOPMENT REQUIREMENTS. For any use within the M-1 or M-2 Zone, no building or structure may be erected or enlarged unless the following development requirements are maintained in connection with such buildings or uses:

(a) A six-foot high perimeter fence of solid wood or masonry shall be installed along the interior boundary lines of all adjoining residential, interim residential, interim estate, recreation, agricultural residential or interim agricultural zones. Said perimeter fence shall be reduced in height to two and one-half (2-1/2) feet wherever it is located within twenty-five (25) feet of a street right-of-way. Landscaping shall consist of trees

planted 30 feet on center in individual planters sufficiently large and protected so that a parked vehicle does not overhang or intrude the minimum four by four foot tree planting area which shall include ground cover, shrubs or climbing plants. The landscaping and fence shall be designed so as to form a visual screen between this zone and the adjoining residential, interim residential, interim estate, recreation, agricultural, agricultural-residential, or interim agricultural zone. The height of such fence, and the screening requirements may be modified by a condition of approval of a use permit or development plan where the appropriate authority finds that due to a significant difference in elevation between parcels different screening requirements are necessary.

(b) A planter or landscaped area at least five (5) feet wide, measured on a horizontal plane and excluding curbing, shall be provided adjacent to all street rights-of-way, excluding approved driveway entrances. In addition, any area within the street right-of-way between the edge of the sidewalk and outer edge of the right-of-way shall be developed as a planter or landscaped area in conjunction with the required five (5) foot area above, unless this requirement is waived by the Director of the Department of Public Works or his designee. The planter width shall be increased to at least eight (8) feet measured on a horizontal plane, and excluding curbing, for at least seven (7) feet of every fifty (50) feet of frontage along street rights-of-way. Within this planter, trees from an approved list shall be planted no further apart than fifty (50) feet on center, at least five (5) feet but no further than ten (10) feet from the back of the sidewalk. The planter shall be bounded by a curb at least six (6) inches high, and shall include shrubs, hedges, and other natural growth, or other features such as berms designed to form a partial visual screen at least three (3) feet in height. Nothing in this Section shall preclude the installation of additional landscaping and the planting of additional trees, except near street and driveway intersections where landscaping shall not exceed two and one-half (2.5) feet in height, in accordance with adopted visibility regulations of Chapter 12.12 of the Sacramento County Code.

(c) Additional planters or landscaped areas shall be provided in public parking areas as specified in Title III, Chapter 30, of this Code.

(d) Within each planter or landscaped area an irrigation system and live landscaping shall be provided and maintained.

(e) Required planter and landscaped areas shall be protected from vehicle encroachment as specified in Title III, Chapter 30, of this Code.

(f) Required planter or landscaped areas may be combined with appropriate pedestrian walks and similar hard surface areas provided that such hard surface does not cover more than twenty-five (25) percent

of any required planter or landscaped area. Ornamental or landscaping rock and gravel areas, artificial turf, or areas covered with other artificial materials shall be considered hard surface areas for the purposes of this provision. Transit passenger waiting shelters are excluded from this limitation.

325-04. HEIGHT REQUIREMENTS. No building or structure erected on property in the M-1 or M-2 Zone shall have a height greater than one hundred (100) feet. Such height limitation may be exceeded pursuant to the provisions of Title III, Chapter 1, Article 2, or by appurtenances necessary to the operation of any permitted use if approved by the appropriate authority; provided, however, that where a parcel is contiguous to a parcel zoned, at the time of the issuance of the building permit for said building or structures an A-1-A, A-1-B, R-1-A, R-1-B, RE-1, RE-2, RE-3, R-2, RD-1, RD-2, RD-3, RD-4, RD-5, RD-10, RD-20, RD-30, RD-40, AR-1 or AR-2 Zone, said structure or building may not exceed twenty-four (24) feet in height or one story. The Board may, however, after a recommendation from the Project Planning Commission, grant a conditional use permit to allow a structure or building to be erected to a height not to exceed one hundred (100) feet. The Board may consider the following factors before granting such a use permit:

(1) The uses of all contiguous parcels.

(2) The elevations of the respective parcels.

(3) The height and number of stories of any structures or buildings on contiguous parcels.

(4) The distance of the proposed building from buildings on contiguous parcels.

(5) The beneficial or harmful effect of the height of the building on existing terrain and vegetation.

(6) The opportunity for a higher structure to overlook yard areas of contiguous parcels and invade the privacy of such yard areas.

(7) The impact of the proposed structure on traffic circulation.

INDUSTRIAL DEVELOPMENT STANDARDS
SPECIFIC INDUSTRIAL STANDARDS FOR PROPERTIES ADJACENT TO A SCENIC CORRIDOR

325-20. APPLICATION. In addition to the general standards set forth in Article 1 of this Chapter, the special standards set forth in this Article shall apply to industrial uses located within a scenic corridor as established by Title III, Chapter 35, Article 3.

325-21. PROPERTIES WITHIN A SCENIC CORRIDOR CONTIGUOUS TO A FREEWAY RIGHT-OF-WAY. The following subparagraphs shall apply to industrial uses located within a scenic corridor where such parcel is contiguous to a freeway right-of-way as established by Section 335-36.

(a) LANDSCAPING. Except as provided in (c) below, a 10-foot wide landscaped planter shall be provided adjacent to all freeway rights-of-way in the scenic corridor. Said planter shall include a permanent irrigation system and shall be designed to provide a visual screen from the freeway to adjacent industrial uses. Landscaping shall include a combination of shrubs and trees at sufficient intervals to achieve the desired screening. Trees shall be planted at least every forty feet on center. The elevation of the freeway relative to the elevation of adjoining property shall be a consideration in selecting landscape plants which can accomplish the desired screening.

(b) EXTERIOR STORAGE YARDS ALONG FREEWAYS. Exterior storage yards shall not be permitted within a scenic corridor unless a conditional use permit is issued by the appropriate authority. Such use permit shall be issued if the appropriate authority finds that the use will be adequately screened from public view, or if it finds that such screening complies with the standards set forth in (c) below.

(c) SCREENING OF STORAGE YARDS.

(1) A six-foot fence shall be installed along the freeway right-of-way, constructed of wood, brick, rock, or other masonry materials, or chain link with wood slats. Said fence shall extend along both sides of any exterior storage area for a distance of 100 feet perpendicular to the right-of-way or the lot depth, whichever is less, to shield stored materials from the view of on-coming traffic. The fence perpendicular to the right-of-way shall not be required where the right-of-way fence connects with an existing right-of-way fence on an adjoining parcel.

(2) No fence shall be required along the freeway right-of-way where the elevation of the freeway is more than eight feet above or below the grade of the adjacent property.

(c) Where the required fence consists of a solid brick, rock, or other masonry wall, the landscaping planter required by (a) above shall be reduced in width to four feet and the required landscaping may include only trees planted forty feet on center.

325-22. PROPERTIES WITHIN A SCENIC CORRIDOR ALONG COUNTY ROADS. The following subparagraphs shall apply to industrial uses located within a scenic corridor along County roads as established by Section 335-36.

(a) LANDSCAPING. A 10-foot wide landscaped strip shall be provided along all public street frontage (except driveways). Said planter shall include a permanent irrigation system and live landscaping including, but not limited to, trees planted every 40 feet on center.

(b) EXTERIOR STORAGE YARDS ALONG COUNTY ROADS. Exterior storage yards shall not be permitted within a scenic corridor unless a conditional use permit is issued by the appropriate authority. Such use permit shall be issued if the appropriate authority finds that the use will be adequately screened from public view and complies with the standards set forth in Section (c) below.

(c) SCREENING OF STORAGE YARDS.

(1) Exterior storage areas which abut the public street frontage shall be screened with a six-foot fence designed to shield stored materials from public view. Said fence shall be constructed of wood, brick, rock, or other masonry material, except that chain link with wood slats shall be permitted when used in conjunction with an adjacent planter with trees and shrubs designed to screen stored material from view.

(2) Said fence shall extend along both sides of any exterior storage area for a distance of 100 feet perpendicular to the right-of-way to shield stored materials from the view of on-coming traffic. The fence perpendicular to the right-of-way shall not be required where the right-of-way fence connects with an existing right-of-way fence on an adjoining parcel.

INDUSTRIAL DEVELOPMENT STANDARDS
SPECIFIC STANDARDS FOR AUTO WRECKING YARDS LOCATED WITHIN FLOODPLAINS

325-30. APPLICATION. In addition to the general standards set forth in Articles 1 and 2 of this Chapter, the special standards set forth in this Article shall apply to auto wrecking yard operations located in areas subject to periodic flooding.

325-31. DEVELOPMENT STANDARDS.

(a) All hazardous materials, including batteries, waste oil, gasoline, and cleaning solutions, should be stored at least one-foot above the 100-year floodplain elevation.

(b) No cleaning or engine breakdown should take place within the 100-year floodplain.

(c) All oil should be drained and collected prior to engine removal.

(d) Any fencing should require the approval of Water Resources Division of Public Works Department.

(e) A special cement slab that drains into a cement-lined sump should be installed where all engine removal, engine breakdown and cleaning operations will take place. This sump must be located outside of any area subject to periodic flooding.

(f) Caustic-detergent cleaning solutions should be used rather than solvents. If it is absolutely necessary to use cleaning solvents, they should be set-up on a self recycling-filtering system, and must not be disposed of in the sump.

(g) All hazardous materials should be handled and disposed of in compliance with Title 22, Division 4, Chapter 30 of the California Administrative Code: "Minimum Standards for Management of Hazardous and Extremely Hazardous-Wastes."

OFF-STREET PARKING
GENERAL PROVISIONS

330-01. PURPOSE. The purpose of this Chapter is to require off-street parking spaces and loading spaces for all land uses in the unincorporated area of the County of Sacramento sufficient in number to accommodate all vehicles which will be congregated at a given location at a given point in time by drivers and passengers who use or occupy the facility for which the parking space is provided; to the end that on-street parking will be diminished, traffic and pedestrian safety increased, property values stabilized and the general welfare promoted.

330-02. GENERAL STANDARDS. Accessible off-street parking areas shall be provided and maintained as set forth in this Chapter. The parking access area shall provide parking and maneuvering room for motor vehicles and for pedestrian safety based on the anticipated occupancy of a given building, structure or area of land or water. Where there is a combination of principal uses in any one facility, the sum of the parking requirements of these uses shall be provided unless otherwise indicated. If the calculation of parking needs results in the requirement for a fraction of a parking space, such a parking space need not be provided unless the fraction exceeds fifty (50) percent. This Chapter shall not be construed to prohibit the installation and maintenance of more parking spaces than the minimums required.

330-03. SEATS OR SEATING CAPACITY. Where the standards for parking set forth in this Chapter are based upon seating capacity, the capacity shall be determined by reference to the actual seating capacity of an area based upon the number of seats or one seat per 18 inches of bench or pew length and one seat per 24 inches of booth length for dining, but in no case shall seating be less than determined as required by the Uniform Building Code, Section 3301. For other areas where seats are not fixed, the seating capacity shall be determined as indicated by the Uniform Building Code.

330-04. PLANTER OR LANDSCAPED AREAS. Where the standards set forth in this Chapter or elsewhere in this Code require the installation of planters or landscaped areas within or adjacent to parking areas, such planters or landscaped areas shall be planted with and maintained in live landscaping such as lawn, ground cover, trees or shrubs. The landscaped areas shall not be less than the width specified, excluding any perimeter curbing that may be necessary or desired.

330-05. BUILDING PERMIT. Plans submitted for a building permit to construct a building which has public parking areas shall include the design of the required parking area drawn to scale. Such plans shall include all parking spaces and maneuvering areas, curb cuts, landscaping and other improvements. The building permit shall not be issued until such parking plans have been approved by the Director of the Department of Public Works or his designee and no final completion inspection approved until the parking spaces and required landscaping are installed. No business license shall be approved until final completion inspection is obtained, except that a business license may be issued providing a cash bond is posted by the property owner to assure completion.

330-06. CHANGE OF OCCUPANCY. For a change of occupancy where the parking demand is increased and where no new construction requiring a building permit is anticipated, but a new business license is required, the Director of the Department of Public Works or his designee shall review the parking requirements of the proposed use. No new business license shall be issued until the Department of Public Works has approved the parking plan. Two copies of such plan drawn to scale shall be submitted to the Director of the Department of Public Works or his designee for approval. The plan shall show the whole property in question and shall show the means of ingress and egress, location of the building, parking spaces, landscaping, barrier curbs, irrigation system, lights and any other proposed facilities. If the plan conforms to the intent and provisions of this Section, the Director of the Department of Public Works or his designee shall approve both copies, keeping one copy in file and returning the other copy to the Tax Collector for issuance of any business license.

330-07. PARKING REDUCTIONS. A proponent of an office, commercial or industrial project may provide alternative facilities or programs which serve to reduce parking demand in return for a reduction in vehicle parking requirements. Vehicle parking requirements may be reduced in accordance with the following provisions:

(a) SHOWER/LOCKER FACILITIES. Developments with 100 or more employees may reduce their parking requirement by providing shower and clothing locker facilities for bicycle commuting employees. Maximum reduction: 2 percent of required parking or five (5) spaces, whichever is greater.

(b) SECURE BICYCLE PARKING. Developments which provide additional secure bicycle parking facilities over-and-above the minimum requirement may reduce their parking requirement by one (1) vehicle space for every three (3) additional bicycle spaces provided. Maximum reduction: 2 percent of required parking.

(c) PREFERRED CARPOOL/VANPOOL PARKING SPACES. Office or industrial developments which guarantee preferred parking spaces (e.g., covered, shaded, or near building entrance) to employees who participate regularly in a carpool or vanpool may reduce their parking requirement by one (1) vehicle space for every one (1) space which is marked and reserved for carpools/vanpools at a preferred location. Maximum reduction: 2 percent of required parking.

(d) REQUEST FOR SPECIAL REVIEW OF PARKING. Parking reductions exceeding the maximums specified in (a) through (c) above, or modifications of improvement requirements, may be granted by the Project Planning Commission, the Policy Planning Commission, the Board of Supervisors, or the Zoning Administrator whenever such reduction or modification is considered in conjunction with a review of development plans by such Commission or Board, or is heard in conjunction with a rezoning, use permit, or variance by the appropriate authority; otherwise,

such reduction or modification may be granted by the Project Planning Commission upon petition for a Special Review of parking by a project proponent. The project proponent shall submit with the request whatever evidence and documentation is necessary to demonstrate that unusual conditions warrant a parking reduction, such as the multiple use of a parking area by uses having peak parking demands which occur at different times; floor plans which indicate that the floor area devoted to customer or employee use is less than typical for the size building proposed; or that other programs will be implemented by the developer or tenant(s) which will result in a demand for parking at the site which is less than would otherwise occur, such as the provision of monetary incentives to employees who regularly utilize public transit or participate in a carpool or vanpool. The appropriate authority may require as a condition of approval of the parking reduction the recordation of agreements or covenants, prior to issuance of a building permit, which assure that appropriate programs are implemented for the duration of the parking reduction.

330-08. SUBSTITUTION OF OFF-SITE PARKING. For nonresidential developments adjacent to a public transit guideway project (light rail or exclusive busway), a project proponent may request that some or all of the required off-street parking spaces be provided at guideway stations, or that in-lieu fees or facilities be provided for use at guideway stations. The Project Planning Commission may approve the request if it finds that the substitution:

(a) Will be an incentive to, and a benefit for, the nonresidential development; and

(b) Will facilitate access to the nonresidential development by patrons of public transit facilities, particularly guideway facilities.

330-09. PLACES OF PUBLIC ASSEMBLY. The parking for places of public assembly requiring more than fifty (50) parking spaces may be located on the premises, within six-hundred (600) feet of the premises, or a combination of both.

330-10. SUBSEQUENT DEVELOPMENT. No building or use shall be enlarged, expanded or changed without having the parking plan reviewed and approved by the Director of the Department of Public Works or his designee.

330-11. EXISTING FACILITIES. Any building or use for which parking facilities become substandard by the adoption of this Chapter shall be considered a nonconforming use. Such nonconforming use may continue, but no enlargement or expansion shall be made in such use or building, unless the required number of parking spaces or parking area as designated by this Code are provided. Any change of occupancy or use in an existing building or lot which requires more parking space shall provide the additional parking areas required in this Code.

330-12. PARKING OF NONREGISTERED VEHICLES. Automotive vehicles or trailers of any kind or type without current registration shall not be parked or stored in the front yard or side street yard of any lot in the residential, interim residential, interim estate, recreation, agricultural, or agricultural-residential zones.

330-13. CHANGE OF PARKING REQUIREMENTS. When parking requirements as set forth in this Chapter are amended, such amendment shall not invalidate a previously-approved development plan or building permit.

VEHICLE PARKING REQUIREMENTS

330-20. RETAIL STORES AND SHOPPING CENTERS. For general retail activities not otherwise listed, including neighborhood and community shopping centers, and other mixed-use developments which are predominently retail commercial and utilize a common parking area through mutual parking agreements, parking shall be provided at a ratio of at least four and one-half (4.5) spaces for every 1000 square feet of gross floor area.

330-21. REGIONAL SHOPPING CENTERS. For regional shopping centers, (facilities with more than 350,000 square feet of gross floor area), including perimeter facilities utilizing a common parking area through mutual parking agreements, parking shall be provided at a ratio of at least five and one-half (5.5) spaces for every 1000 square feet of gross floor area.

330-22. OFFICES. For professional offices and office complexes not listed elsewhere in this Article, parking shall be provided at a ratio of at least four and one-half (4.5) spaces for every 1000 square feet of gross floor area. Interior hallways used for access to office suites need not be counted in determining gross floor area. Medical and dental offices in excess of ten (10) percent of the gross floor area of the office complex shall provide parking in accordance with Section 330-23.

330-23. MEDICAL AND DENTAL OFFICES. For medical and dental offices and complexes, parking shall be provided at a ratio of at least six and one-half (6.5) spaces for every 1000 square feet of gross floor area. If located within a shopping center or other mixed use development which is predominantly retail commercial, the appropriate shopping center requirement applies, provided that there are mutual parking agreements and the total cumulative gross floor area of this use does not exceed 10% of the gross floor area of the shopping center.

330-24. BANKS. For banks, parking shall be provided at a ratio of at least five (5) spaces for every 1000 square feet of gross floor area. If located within a shopping center or other mixed use development which is predominantly retail commercial, the appropriate shopping center requirement applies provided that there are mutual parking agreements and the total cumulative gross floor area devoted to banks within the shopping center does not exceed ten (10) percent of the gross floor area of the shoping center. The greater requirement shall apply to that portion of the cumulative bank floor area exceeding ten (10) percent of the gross floor area of the shopping center.

330-25. SAVINGS AND LOANS AND CREDIT UNIONS. For savings and loans, credit unions, OR FINANCIAL INSTITUTIONS OTHER THAN BANKS, parking shall be provided at a ratio of at least five (5) parking spaces for every 1000 square feet of gross floor area. If located within a shopping center or other mixed-use development which is predominantly retail commercial, the appropriate shopping center requirement applies provided that there are mutual parking agreements and the total cumulative gross floor area of this use within the shopping center does not exceed ten (10) percent of the gross floor area of the shopping center. The greater requirement shall apply to that portion of the cumulative floor area of this use exceeding ten (10) percent of the gross floor area of the shopping center.

330-26. RETAIL FURNITURE, MAJOR APPLIANCE, FLOOR COVERING, PIANO AND ORGAN RETAIL SALES. For commercial uses such as retail stores displaying and selling principally furniture, floor coverings, pianos and organs, and large appliances, parking shall be provided at a ratio of at least one and two-tenths (1.2) spaces for every 1000 square feet of gross floor area. If located within a shopping center or other mixed use development which is predominantly retail commercial, the appropriate shopping center requirement applies, provided that there are mutual parking agreements and the total cumulative gross floor area of this use does not exceed 10% of the gross floor area of the shopping center.

330-27. APPLIANCE REPAIR SHOPS. For shops repairing household appliances and equipment, at least one (1) parking space for every two hundred (200) square feet of gross floor area plus one parking space for each employee shall be provided. If located within a shopping center or other mixed use development which is predominantly retail commercial, the appropriate shopping center requirement applies, provided that there are mutual parking agreements and the total cumulative gross floor area of this use does not exceed 10% of the gross floor area of the shopping center.

330-28. UNCOVERED SALES AREAS. For uncovered sales areas such as new or used automobile, boat or trailer sales, lumber or building material yards, plant nurseries or similar uses a minimum of five (5) customer parking spaces for the first five thousand (5,000) square feet of uncovered sales area and one (1) customer parking space for each additional one thousand (1,000) square feet of uncovered sales area to a required maximum of twenty (20) customer parking spaces shall be provided. In addition, there shall be at least one (1) parking space for each employee.

330-29. BUILDING MATERIALS. For building material sales facilities, parking shall be provided at a ratio of at least four and one-half (4.5) spaces for every 1000 square feet of gross floor area in the main retail building, plus whatever additional parking is required by the application of Section 330-28 (Uncovered Sales Areas) to the balance of the sales area that is not within the main building.

330-30. AUTOMOBILE REPAIR AND SERVICE SHOPS. For automobile repair shops, a paved surface shall be provided to accommodate automobiles at a ratio of at least five (5) vehicles for every 1000 square feet of gross floor area. The vehicle spaces need not be striped. If located within a shopping center or other mixed use development which is predominantly retail commercial, the appropriate shopping center requirement applies, provided that there are mutual parking agreements and the total cumulative gross floor area of this use does not exceed 10% of the gross floor area of the shopping center.

330-31. RESTAURANTS AND BARS. For restaurants and bars, parking shall be provided at a ratio of at least one (1) parking space for every three (3) seats based upon the capacity of the fixed and movable seating area as determined under the Uniform Building Code.

330-32. DANCE HALLS, BALLROOMS, DISCOS, AND INCIDENTAL DANCING AREAS. Dance halls, ballrooms, and discos, and similar facilities where dancing is the principal use of the premises shall provide at least one (1) parking space for every two (2) seats based upon the capacity of the fixed and movable seating area as determined under the Uniform Building Code or one (1) parking space for every 30 square feet of dance floor area, whichever is greater. Restaurants, bars, and other recreational uses with incidental dancing shall provide parking according to the standard specified above based upon the area of that portion of the premises oriented to the dance floor. The parking required for the portion of the premises not oriented to the dance floor shall be based upon the standards specified in this Code for the principal use of the premises. The Chief Building Inspector shall determine which portions of the premises are oriented to the various uses.

330-33. BARBER AND BEAUTY SHOPS AND SIMILAR USES. For barber and beauty shops, wig salons and similar uses, at least two (2) parking spaces for each employee or one (1) parking space for every one hundred fifty (150) square feet of gross floor area, whichever is greater, shall be provided. If located within a shopping center or other mixed use development which is predominantly retail commercial, the appropriate shopping center requirement applies, provided that there are mutual parking agreements and the total cumulative gross floor area of this use does not exceed 10% of the gross floor area of the shopping center.

330-34. PHYSICAL FITNESS CENTERS AND SIMILAR USES. For physical fitness centers, health studios, steam baths, and similar uses at least one (1) parking space for every two (2) occupants based upon the maximum occupant load as determined under the Uniform Building Code shall be provided.

330-35. POOL AND BILLIARD ROOMS. Pool and billiard rooms shall provide at least two (2) parking spaces for each table.

330-35.1. CARD ROOMS. Card rooms shall provide one (1) parking space per seat.

330-36. BOWLING CENTERS. Bowling centers shall provide at least six (6) parking spaces for each lane. Other principal uses within the bowling center such as restaurants, pool halls, cocktail lounges and other uses shall provide additional parking spaces as required by the provisions of this Article for each such use.

330-37. SKATING RINKS. For skating rinks, there shall be provided at least one (1) parking space for every one hundred (100) square feet of skating area. Other uses within the skating center such as snack bars, seating for observation, game rooms and other uses shall provide additional parking spaces required by the provisions of this Article for each use.

330-38. TENNIS AND OTHER COURT GAMES. Tennis or other court games shall provide at least two (2) parking spaces for each court.

330-39. POOLS. Swimming pools other than those used as accessory uses with residential and commercial-residential uses shall provide at least one (1) parking space for every one hundred (100) square feet of pool area. Other uses within the pool area or building such as snack bars, seating for observation, game rooms or areas, locker and other uses shall provide additional parking spaces required by the provision of this Article for each use.

330-40. SWIMMING AND TENNIS CLUBS AND SIMILAR USES. Swimming and tennis clubs, cabana clubs, public neighborhood pools and similar recreational clubs or facilities shall provide at least the number of parking spaces or amount of parking area required by the use requiring the greatest parking area plus 50 percent of the parking required by the sum of other uses, as specified in this Article.

330-41. GOLF COURSES. Golf courses shall provide at least ten (10) parking spaces for each hole. Additional parking spaces are not required for the following accessory uses: driving ranges, putting greens, shower and locker rooms, and maintenance shops or buildings.

330-42. DRIVING RANGES. Driving ranges or shooting ranges shall provide at least one and one-half (1-1/2) parking spaces for each tee or shooter station.

330-43. MINIATURE GOLF COURSES. Miniature golf or pitch and putt courses shall provide at least one and one-quarter (1-1/4) parking spaces for each hole.

330-44. COMMERCIAL STABLES. Commercial stables shall provide parking on the basis of one (1) space for each employee and one (1) space for every five (5) stalls, or portion thereof.

330-45. MARINAS. For marinas, an off-street parking area is required to accommodate one (1) vehicle for every two (2) berths with one-third of this area to be improved with a paved surface and the remainder to be a turf area with an automatic sprinkler system. In addition, at least two (2) ten by twenty foot (10' x 20') passenger loading spaces are to be provided convenient to the marina entrances. The spaces are to be paved and signed as loading spaces. These spaces may be located on-street, if approved by the Public Works Department.

330-46. PARKS. Public parks over ten (10) acres in size shall provide at least five percent of the total area for off-street parking facilities.

330-47. STADIUMS AND SIMILAR USES. Stadiums, ball parks and other outdoor sports areas with fixed seating shall provide at least one (1) parking space for every four (4) seats.

330-48. THEATERS. Theaters, auditoriums and similar places of public assembly with fixed seating shall provide at least one (1) parking space for every three (3) seats. Auditoriums, exhibition halls and similar places of public assembly where there is space for set-up seating or where there is no fixed seating shall provide at least one (1) parking space for every thirty (30) square feet of net floor area in the assembly hall(s).

330-49. SCHOOLS. Elementary schools shall provide at least one (1) parking space for each employee or one (1) parking space for every three (3) seats in the auditorium or multi-purpose room, whichever is greater, plus off-street loading space for at least two school buses. Junior high schools shall provide at least one (1) parking space for every three (3) seats in the main auditorium or assembly hall. High schools shall provide the greater of the following:

(a) At least one (1) parking space for each employee and one (1) parking space for every three (3) students in the 11th and 12th grades, or

(b) At least one (1) parking space for every three (3) seats in the main auditorium or stadium, whichever is the greater.

330-50. COLLEGES. Colleges shall provide the greater of the following:

(a) At least one (1) parking space for each employee and one (1) parking space for every two (2) students, or

(b) At least one (1) parking space for every three (3) seats in the main auditorium or stadium, whichever is the greater.

330-51. HOSPITALS. Hospitals shall provide at least two (2) parking spaces for each bed licensed by the State. Any out-patient facilities shall provide additional parking as required for a medical office.

330-52. CONVALESCENT HOSPITALS. For convalescent hospitals, nursing homes and sanitariums, parking shall be provided at a ratio of at least one (1) space for every four (4) beds licensed by the County or State.

330-53. CHURCHES. Churches and other places of worship, mortuaries or funeral homes shall provide at least one (1) parking space for every three (3) seats within the main chapel or assembly room.

330-54. CEMETERIES. Cemeteries and crematories, mausoleums, columbariums, and funeral establishments when incidental to a cemetery, shall provide one (1) parking space for every two seats in the main assembly room plus one (1) parking space for each regular employee and one (1) parking space for each vehicle operated on the grounds by the proprietary institution.

330-55. PUBLIC UTILITIES. Public utility buildings, communication equipment buildings and utility service yards shall provide one (1) parking space for every two (2) employees on the premises at any one time including overlaps in shifts.

330-56. MANUFACTURING PLANTS. Manufacturing plants, machine shops and contractors and industrial facilities shall provide the greater of the following:

(a) One (1) parking space for each employee and each company operated vehicle.

(b) One (1) parking space for every five hundred (500) square feet of gross floor area and each company operated vehicle.

330-57. Manufacturing or repair plants maintaining more than one (1) shift of workers shall provide two (2) parking spaces for every three (3) employees on each of the two (2) larger shifts plus one (1) parking space for each company operated vehicle.

330-58. WAREHOUSES. Warehouses and storage buildings shall provide at least one (1) parking space for each employee plus one (1) parking space for each company operated vehicle, or one (1) parking space for every two thousand (2,000) square feet of gross floor area, whichever is greater.

330-59. INDUSTRIAL-OFFICE PARKS (MP ZONE). Industrial-office parks developed pursuant to Chapter 30, Article 5 of Title II shall provide parking equivalent to the sum of the parking requirements of the various uses. Where specific uses or tenants are not known at the time of development, at least three (3) parking spaces shall be required for every one thousand (1000) square feet of gross floor area. The appropriate authority may permit the reservation of a portion of the required parking area, with installation deferred until tenant improvements are authorized. The reserved area shall be landscaped and maintained until such time as it is otherwise developed. Calculation of required parking may be based upon net floor area, which excludes hallways, bathrooms, and mechanical rooms at such time as tenant improvements are authorized.

330-60. OTHER USES. For uses not otherwise specified in this Article, off-street parking shall be provided as follows:

(a) Institutional uses shall provide at least one (1) parking space for every three (3) occupants based upon the maximum occupant load of the institution at any one time as determined from the Uniform Building Code.

(b) Recreational uses shall provide at least one (1) parking space for every three (3) patrons or occupants who would be on the premises at any one time based upon the maximum occupant load as determined by the Uniform Building Code.

(c) Industrial uses shall provide the number of parking spaces determined to be necessary by the Director of the Department of Public Works or his designee based upon the anticipated maximum occupant load.

(d) Office, personal service, or commercial uses shall provide at least one (1) parking space for every two (2) occupants based upon the maximum load as determined by the Uniform Building Code.

330-61. SINGLE FAMILY DETACHED DWELLINGS, DUPLEXES, HALFPLEXES, AND MOBILEHOMES ON INDIVIDUAL LOTS. Not less than two (2) parking spaces shall be provided for each dwelling unit within the buildable portion of the lot or within the required front yard on the driveway of the property. The required parking spaces may be provided within a garage, under a carport, on an open dust-free surface, or any combination thereof. Each parking space shall be at least nine (9) feet in width and nineteen (19) feet in length. When a carport or garage for vehicles opens onto the side street yard, a driveway length of at least twenty (20) feet shall be provided for the temporary parking of vehicles free and clear of the street right-of-way.

330-62. RESIDENTIAL CARE HOMES. In addition to the number of spaces provided pursuant to Section 330-61, a residential care home providing care for six (6) or more adults, shall provide one and one-half (1.5) additional parking space for every six adults receiving care in the home.

330-63. FAMILY DAY CARE HOMES, FOSTER HOMES. In addition to the number of spaces provided pursuant to Section 330-61, a family day care home, foster home, or other similar uses, shall provide one additional space for every ten (10) or more children receiving care in the home.

330-64. CHILD DAY CARE CENTERS. Child day care facility, child care centers, and similar uses, shall provide at least one (1) parking space for each employee plus one (1) ten by twenty foot (10' x 20') passenger loading space for every eight (8) children licensed by the County or State. The hearing body may increase or decrease the parking requirements based on the individual circumstances.

330-65. MOBILEHOME PARKS. Mobilehome parks shall provide at least two (2) off-street auto parking spaces for each travel trailer and mobilehome space, and at least one (1) additional space for guest parking, for each eight (8) mobilehome spaces within the park.

330-66. TRAVEL TRAILER PARKS, RECREATION VEHICLE PARKS. At least one and one-half (1-1/2) parking spaces shall be provided in the park per travel trailer and recreation vehicle site. At least one (1) parking space shall be provided at each such site.

330-67. MOTELS, HOTELS, AUTO COURTS. Motels, hotels and auto courts shall provide at least one (1) parking space for each sleeping room, suite of rooms or housekeeping unit. Where other principal uses are located on the premises such as restaurants, bars and meeting rooms, 100 percent of the requirement specified in this Article for the principal use requiring the greatest amount of parking shall be provided, and 70 percent of the requirement specified in this Article for the other uses shall be provided in addition.

330-68. BOARDING HOUSES, FRATERNITY AND SORORITY HOUSES. Boarding houses, fraternity or sorority houses, dormitories, group care facilities and similar uses where the structure contains sleeping rooms shall provide at least one (1) parking space for every two (2) occupants based upon the maximum occupant load of the sleeping or dining area, whichever is greater, as determined from the Uniform Building Code, except that:

Fraternity or sorority houses and dormitories located within one-half mile walking distance of the property line of the institution they serve shall provide at least one (1) parking space for every four (4) occupants based upon the maximum occupant load of the sleeping or dining areas, whichever is greater, as determined from the Uniform Building Code.

330-69. APARTMENTS, CONDOMINIUMS, TOWNHOUSES, ROWHOUSES, AND CLUSTER DEVELOPMENT. For apartments, condominiums, townhouses, rowhouses and cluster development, parking shall be provided as follows:

(a) At least two (2) parking spaces shall be provided for each dwelling unit, except one (1) bedroom units which shall provide 1.5 parking spaces for each dwelling unit so constructed. Any room which could be converted to a bedroom (such as a den with a closet) shall be considered as a bedroom when computing required parking.

(b) Each parking space specifically indicated on the development plan may be counted toward satisfaction of the above parking requirement if the following relationships are maintained:

(1) At least six-tenths (.6) parking space per unit shall be provided as guest parking.

(2) Any permanently assigned parking spaces must be full-sized spaces, at least nine (9) feet in width and nineteen (19) feet in length. In projects where spaces are assigned to each unit, up to 50% of the unassigned spaces may be compact-sized spaces. In projects where no spaces are assigned, up to 30% of the spaces may be compact-sized spaces.

(3) Unassigned compact spaces and unassigned full sized spaces shall each be evenly distributed throughout the project.

(4) In the case of condominiums, townhouses, or similarly owned units where certain parking spaces are deeded, granted by easement, or otherwise permanently assigned as a matter of

ownership, all unassigned spaces shall be placed into the control of the project homeowners' association, which may reserve spaces to residents within the project on a temporary basis. The association shall be fully responsible, in any event, to see that adequate, well-distributed parking is available on the project.

(5) Spaces which are deeded, granted by easement, or otherwise permanently assigned as a matter of ownership, shall be located so as to be visible from a window(s) of the unit to which it is assigned, unless such spaces are contained within a garage. This requirement may be waived by the Planning Commission upon presentation and adequate justification by the applicant, or upon recommendation by the Sheriff's Department.

(c) REDUCTION OF SPACES. Parking may be reduced as a condition of development plan review to not less than one and one-half (1-1/2) spaces per unit provided that the applicant can demonstrate that the parking demands would be less, or agreements with owners of adjacent property for shared parking are obtained. The appropriate authority may consider the following information as justification for reducing the parking requirements:

(1) Number of bedrooms per unit, considering rooms that could logically be converted to bedrooms.

(2) Whether the parking for individual units is in open parking spaces in lieu of providing parking in garages or spaces restricted for the use of tenants only.

(3) The future occupants would primarily be elderly or handicapped persons who would not likely require two (2) parking spaces per unit.

(4) That the reduction would preserve existing landscaping and open space that would otherwise have to be removed to provide additional parking.

(5) Existing developments which were constructed under the applicable parking standard of one and one-half (1.5) spaces per dwelling unit. Said developments shall be exempt from the provisions of this Section if the parking design is approved by the appropriate fire district.

(d) VEHICULAR ACCESS REQUIREMENTS.

(1) Access to all parking spaces shall be provided by private access drives. The design and arrangement of access drives are set forth in Section 305-16.

(2) Fire department and other emergency vehicular access shall be assured an unencumbered continuous width of twenty (20) feet by the physical design of the project. Physical design provisions do not include red curbs, parking prohibition signing, tow-away zones, or strong provisions for homeowners' association enforcement, although such provisions are not prohibited and may, in some cases, be required in addition to the physical design provisions. These physical design provisions are set forth in Section 305-16.

(3) Off-street spaces shall be designed so that vehicles will not back out onto a public street.

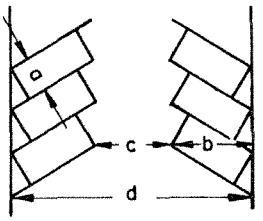
PARKING SIZE AND LOCATION

330-80. OFF-STREET PARKING SPACES. Except as otherwise provided in this Chapter, every use shall provide the required parking spaces in a paved public parking area or building on the same property. The owners of adjoining buildings or lots may provide parking space in common if the total parking space provided is equal to the sum of the individual parking needs. All parking areas shall be designed so that the parking spaces are permanently maintained and have suitable maneuvering space and access to and from a public street or alley. The dimensions of each parking space shall be determined from the following charts:

ANGLE PARKING

Angle	Stall Width a	Stall To Curb b	Aisle c	Two Rows + Aisle d
90°	9'-0"	19'-0"	25'-0"**	63'-0"
	9'-6"	19'-0"	24'-8"**	62'-6"
	10'-0"	19'-0"	24'-0"**	62'-0"
60°	9'-0"	21'-0"	19'-0"*	61'-0"
	9'-6"	21'-3"	18'-6"*	61'-0"
	10'-0"	21'-6"	18'-0"*	61'-0"
45°	9'-0"	19'-10"	16'-4"*	56'-0"
	9'-6"	20'-2"	15'-2"*	55'-6"
	10'-0"	20'-6"	14'-0"*	55'-0"

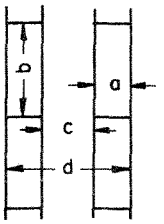
** Two-way aisle
* One-way aisle



PARALLEL PARKING

Stall Width a	Stall Length b	Aisle c	Two Rows + Aisle d
9'-0"	24'-0"	12'-0"*	30'
9'-6"	24'-0"	12'-0"*	31'
10'-0"	24'-0"	12'-0"*	32'

* One-way



330-81. COMPACT CAR SPACES. Up to thirty (30) percent of the required number of parking spaces may be sized for compact cars. Compact car parking spaces shall be at least eight (8) feet in width and sixteen (16) feet in length, and shall be clearly marked, "COMPACT CARS ONLY." Where an entire section of the parking lot is restricted to compact car parking with an angle of ninety (90) degrees, the aisle width may be reduced from the standard 25 feet to 23 feet; such compact sections, if used, should be located so as to minimize the distance from the section to the appropriate building or activity.

330-82. PARKING SPACES FOR THE HANDICAPPED. Parking spaces shall be provided for the handicapped in accordance with the following provisions:

(a) The number of handicapped parking spaces to be provided shall be as follows:

Total Number of Parking Spaces	Number of Handicapped Parking Spaces Required
0 - 40	1
41 - 80	2
81 - 120	3
121 - 160	4
161 - 300	5
301 - 400	6
401 - 500	7
over- 500	7 + 1 for every 200 parking spaces over 500

(b) The handicapped parking spaces shall be located so as to provide for safety and optimum proximity to curb ramps or other pedestrian-ways providing the most direct access to the primary entrance(s) of the building(s) served by the parking lot.

(c) Each parking space reserved for the handicapped shall be identified by a permanently-affixed reflectorized sign constructed of porcelain on steel, beaded text, or equal, displaying the International Symbol of Accessibility. The sign shall not be smaller than 70 square inches in area and shall be centered at the interior end of the parking space. In addition, the paved surface of each parking space shall have the symbol of accessibility painted on the surface in white paint, at least 3 feet square.

(d) Each parking space reserved for the handicapped shall be at least fourteen (14) feet wide; alternatively, two spaces can be provided within a twenty-three (23) foot wide area striped to provide a nine (9) foot wide parking space on each side and a five (5) foot loading and unloading area in the center.

IMPROVEMENT REQUIREMENTS FOR PUBLIC PARKING AREAS

330-90. DRAINAGE FACILITIES. Drainage facilities shall be provided in all public parking areas adequate to handle the drainage requirements of the subject property, to alleviate the creation of flooding and drainage problems for the subject property or any surrounding properties.

330-91. SURFACING REQUIREMENTS. Surfacing shall be provided for all public parking and loading areas in accordance with specifications of the Department of Public Works to eliminate dust and maintain a passable surface at all times for the parking and loading areas. The appropriate authority may specify an appropriate surface where a paved surface is not required.

330-92. FENCES. A solid fence six (6) feet high shall be provided and maintained along the edge(s) of any public parking areas adjacent to properties zoned for residential, interim residential, agricultural-residential, interim estate, or agricultural uses to protect these properties from the interruption and nuisances of the automobiles using the parking area. On that portion of any parking area located between the building line and the street where such a fence would interfere with visibility, the fence shall conform to the regulations of Chapter 12.12 of the Sacramento County Code. The height of the fence shall be measured from the paved surface of the parking lot and may be modified by a condition of approval of a use permit or development plan where the appropriate authority finds that due to a significant difference in elevation between parcels, different screening requirements are necessary.

330-93. BUMPER CURBS, WHEEL STOPS. To insure the proper maintenance and utilization of these facilities, public parking areas shall be designed so that a parked vehicle does not overhang required sidewalks, planters or landscaped areas. A permanent curb, bumper, wheel stop or similar device shall be installed which shall be adequate to protect the required sidewalks, planters and landscaped areas from vehicular overhang and to protect any structure from vehicular damage. If such protection is provided by means of a method designed to stop the wheel rather than the bumper of the vehicle, the stopping edge shall be placed no closer than two (2) feet from the edges of the required sidewalks, planter or landscaped areas and from any building. The innermost two (2) feet of each parking space (between the curb and any planter or sidewalk) may remain unpaved, be planted with low ground cover, and added to any required or proposed landscaping, to allow for bumper overhang. This additional planting area is considered to be part of the parking space and may not count toward satisfying any landscaping requirement. The Director of the Department of Public Works or his designee may require other barrier curbs or wheel stops as deemed necessary to protect areas within or adjacent to the parking area from vehicular encroachment.

330-94. PLANTERS, LANDSCAPING. Planters containing live landscaping shall be provided adjacent to and within parking areas in accordance with the following regulations.

(a) A planter at least five (5) feet wide, excluding curbing, shall be provided adjacent to all street rights-of-way. In addition, any area within the street right-of-way between the edge of the sidewalk and outer edge of the right-of-way shall be developed as a planter or landscaped area in conjunction with the required five (5) foot area above, unless this requirement is waived by the Director of the Department of Public Works or his designee. The planter width shall be increased to at least eight (8) feet, excluding curbing, for at least seven (7) feet of every fifty (50) feet of frontage along street rights-of-way. Within this planter trees from an approved list, shall be planted no further than fifty (50) feet on center, at least five (5) feet but not further than ten (10) feet from the back of the sidewalk. The planter shall include shrubs, hedges, and other natural growth or other features such as berms, designed to form a partia isual screen at least three (3) feet in height, except near street and driveway intersections where landscaping shall not exceed two and one-half (2.5) feet in height, in accordance with adopted visibility regulations of Chapter 12.12 of the Sacramento County Code. Nothing in this Section shall preclude the installation of additional landscaping and the planting of additional trees so long as it is consistent with the visibility regulations. At the discretion of the appropriate authority, a barrier free, four (4) foot wide paved walk may be provided through the required planter at street and driveway intersections to provide unencumbered access for the handicapped from the sidewalk to the parking lot. Such walk shall be located so as to facilitate the most direct movement of persons using sidewalk curb ramps, if such are provided. At the discretion of the appropriate authority, a barrier free, four (4) foot wide paved walk may be provided through the required planter at street and driveway intersections to provide unencumbered access for the handicapped from the sidewalk to the parking lot. Such walk shall be located so as to facilitate the most direct movement of persons using sidewalk curb ramps, if such are provided.

Bus shelters may be located within this planter if approved by the Director of the Department of Public Works or his designee, but shall not be placed so as to reduce the number of trees which are otherwise required by this section.

(b) A planter at least five (5) feet wide, excluding curbing, shall be provided adjacent to properties zoned for residential, interim residential, agricultural residential, interim estate, or agricultural uses. Within this planter, one screen tree, from an approved list, shall be planted at least every thirty (30) feet on center, in combination with other plant materials to provide a dense visual screen.

(c) In addition to the perimeter landscaping required by subsections (a) and (b) above, parking lots of five (5) spaces or more shall provide landscaped areas interior to the parking lot covering a percentage of the total parking area as follows:

Parking Spaces Required	% of Total Parking Area to be Landscaped
5 - 24 spaces	5.0% minimum
25 - 49 spaces	7.5% minimum
50 + spaces	10.0% minimum

(d) Parking lot landscaping shall include shade trees, from an approved list, placed so as to cover a percentage of the total parking area with tree canopies within fifteen years of securing building permit, as follows:

Parking Spaces Required	% of Total Parking Area to be Shaded
5 - 24 spaces	30% minimum
25 - 49 spaces	40% minimum
50 + spaces	50% minimum

Tree coverage shall be determined by the approximate crown diameter of each tree at fifteen (15) years, as estimated on the approved tree list. Trees shall be a minimum fifteen (15) gallon size at planting.

The percentage of area required to be shaded shall be based on the number of above-ground and uncovered parking spaces provided.

(e) All landscaping shall be within planters bounded by a curb at least six (6) inches high. No planter shall be smaller than twenty-five (25) square feet, excluding curbing. Each Planter shall include an irrigation system.

(f) Existing mature trees on the site shall be preserved whenever possible.

(g) All landscaped areas shall be designed so that plant materials are protected from vehicle damage or encroachment.

(h) All plant materials shall be maintained free from physical damage or injury arising from lack of water, chemical damage, insects, and diseases. Plant materials showing such damage shall be replaced by the same or similar species. Planting areas shall be kept free from weeds, debris, and undesirable materials which may be detrimental to safety, drainage, or appearance.

(i) Not more than twenty-five (25) percent of the planter or landscaped area may be covered with hard surfaces such as gravel, landscaping rock, artificial turf, concrete or other impervious materials. Bus shelters are excluded from this limitation.

(j) Varied tree and plant species shall be used throughout the parking lot. No one species shall comprise more than seventy-five (75) percent of the plantings within each of the following categories: shade tree, screen tree, shrub.

(k) Plant materials shall not obstruct solar access to adjacent properties.

(l) Landscaping at the end of aisles shall not obstruct the driver's vision of vehicle and pedestrian cross traffic. Mature trees shall have a six (6) foot foliage clearance and other plant materials shall not exceed two and one-half (2.5) feet in height.

330-95. MARKING OF PARKING SPACES. Parking spaces shall be marked or maintained on the pavement and any other directional markings or signs shall be installed as permitted or required by the Director of the Department of Public Works or his designee to insure the proper utilization of space, adequate traffic flow and general safety.

330-96. LIGHTING. Lighting shall be directed away from residential areas and public streets so as not to produce a glare as seen from such areas in order to insure the general safety of other vehicular traffic and the privacy and well-being of the residential areas. The minimum lighting level shall be one foot candle of maintained illumination on the parking surface during the hours of use between one-half hour before dusk and one-half hour after dawn.

330-97. ACCESS TO PARKING AREAS. Access to public parking areas and curb cuts for driveways shall be approved by the Director of the Department of Public Works or his designee to insure an efficient and safe traffic flow into the parking areas and along the public streets. Where two-way access driveways are used, the design shall include either (a) a planter with lawn or other low ground cover separating the entrance and exit lanes, including small signs denoting "enter only" and "exit only" appropriately placed, when approved by the Public Works Director; or (b) a painted line separating entrance and exit lanes, with stenciled enter/exit markings appropriately painted on the pavement.

330-98. BACK OUT PARKING. Public parking areas for commercial, industrial and multiple family residential uses, not including duplexes and single family residences, shall be designed so that vehicles are not permitted to back out of the parking area onto a public street.

330-99. EMPLOYEE PARKING. Parking spaces for all commercial business and industrial uses designated for employees, where employee parking is required, shall be identified by the employer as "employee parking."

330-100. DEAD-END AISLES. Dead-end aisles are discouraged. When used, ninety (90) degree angle stalls are required.

TRUCK LOADING AND UNLOADING AREAS

330-120. QUANTITY RECEIVERS, SHIPPERS. All retail and wholesale stores, warehouses, supply houses, buildings devoted to manufacturing trade, hotels, hospitals or other buildings where large amounts of goods are received or shipped shall provide loading and unloading space adequate to handle the volume and frequency of truck traffic to the building or shopping center. The minimum number of spaces shall be determined in accordance with the estimated volume of truck traffic and loading requirements. Each required loading space shall be not less than ten (10) feet wide, thirty-five (35) feet long and fourteen (14) feet high, exclusive of driveways.

330-121. TABLE OF SPACES REQUIRED. In any case, the minimum number of loading and unloading spaces indicated in the following table shall be provided:

Gross Floor Area (square feet)	Loading-Unloading Spaces (number)
7,490 or less	0
7,500- 14,000	1
15,000- 24,999	2
25,000- 39,999	3
40,000- 59,999	4
60,000- 79,999	5
80,000-100,000	6
For each additional 100,000	1

330-122. NEW AND USED CAR AGENCIES. New and used car agencies shall provide one (1) loading and unloading space fifteen (15) feet wide and fifty (50) feet long for each ten thousand (10,000) square feet of uncovered sales area up to a maximum of four spaces for delivery rigs.

BICYCLE PARKING FACILITIES

330-130. BICYCLE PARKING FACILITY CLASSIFICATIONS. Bicycle parking facilities shall be classified as follows:

(a) Class I, an enclosed box with a locking door, typically called a bicycle locker, where a single bicyclist has access to a bicycle st rage compartment.

(b) Class II, a stationary bicycle rack designed to secure the frame and both wheels of the bicycle, where the bicyclist supplies only a padlock.

(c) Class III, a stationary bicycle rack, typically a cement slab or vertical metal bar, where the bicyclist supplies a padlock and chain or cable to secure the bicycle to the stationary object.

330-131. MINIMUM BICYCLE PARKING REQUIREMENTS.

(a) Bicycle parking facilities shall be provided as follows:

	BICYCLE SPACES FOR		BICYCLE PARKING FACILITY CLASS	
USE	EMPLOYEES	PATRONS OR VISITORS	EMPLOYEES	PATRONS OR VISITORS
All commercial, office, and service uses not otherwise listed	1 bicycle space for every 25 vehicle spaces required	1 bicycle space for every 33 vehicle spaces required	Class I lockers, or Class II racks in an enclosed lockable area	Class II racks
Dinner restaurants, cocktail lounges	1 bicycle space for e ery 50 vehicle spaces required	-0-	Class I lockers, or Class II racks in an enc osed lockable area	N/A
Industrial	1 bicycle space for every 25 vehicle spaces required	-0-	Class I lockers, or Class II racks in an enclosed lockable area	N/A

(b) In no case shall there be fewer than two employee bicycle spaces and two patron or visitor spaces unless specifically exempt.

(c) Where the application of the above table results in the requirement for a fraction of a bicycle parking space, such a space need not be provided unless the fraction exceeds fifty (50) percent.

(d) Where the application of the above table results in the requirement of fewer than six employee spaces, Class II racks need not be placed within an enclosed lockable area.

330-132. DESIGN STANDARDS. Bicycle parking facilities shall be installed in a manner which allows adequate spacing for access to the bicycle and the locking device when the facilities are occupied. General space allowances shall include a two (2) foot width and a six (6) foot length per bicycle and a five (5) foot maneuvering space behind the bicycle. The facilities shall be located on a hard, dust-free surface, preferably asphalt or concrete slab.

330-133. VARIANCES. Variances from bicycle parking requirements may be heard pursuant to the provisions set forth in Title I, Chapter 10, Articles 1 and 2 of this Code. Factors to be considered during variance hearings include: the location of the site with respect to the urban area; the nature and hours of operation of the proposed use; the accessibility of the site by bicycle at the present and in the future.

SIGN REGULATIONS--GENERAL PROVISIONS

335-01. REAL ESTATE SIGNS. Real estate signs advertising the particular property on which the sign is located are authorized in all zones provided:

(a) NUMBER OF ON-SITE SIGNS. Not more than one (1) such sign is placed on the property except that property bounded by more than one (1) street is authorized one (1) sign facing each adjoining street.

(b) MAXIMUM SIZE. The sign does not exceed ten (10) feet in length and twenty-four (24) square feet in area in the AG-160, AG-80, AG-40, AG-20, UR, IR, RR, AR-10, AR-5 land use zones or the A-80, A-20, A-10 or A-5 zones; eight (8) feet in length and sixteen (16) square feet in area in the AR-2 and AR-1 land use zones and the A-2, A-2-B, A-1-A, A-1-B interim zones; six (6) feet in length and twelve (12) square feet in area in the O and C-0 zones and Scenic Corridors and Expressway Corridors; four (4) feet in length and five (5) square feet in area in any interim estate zone, interim residential zone, or residential land use zone; ten (10) feet in length and thirty-two (32) square feet in area in any commercial land use zone, industrial land use zone, or obsolete zone.

(c) ILLUMINATION. The sign is not illuminated.

(d) LOCATION. The setback from street right-of-way and from property line is fifty (50) feet in the AG-160, AG-80, AG-40, AG-20, UR, IR, RR, AR-10, AR-5, AR-2 land use zones and the A-80, A-20, A-10, A-5, A-2, A-2-B interim zones and Scenic Corridors and Expressway Corridors; twenty-five (25) feet in the AR-1, A-1-B, A-1-A, O, M-1 and M-2 zones; fifteen (15) feet in any interim estate zone, interim residential zone, or residential land use zone. The setback from street right-of-way is twenty-five (25) feet and from a property line is five (5) feet in any commercial zone or obsolete zone.

(e) HEIGHT. If attached to the building, the sign shall not exceed the roof line or parapet wall of the building. If freestanding, the maximum height is six (6) feet.

(f) SIGNS WITHIN COURTYARDS OR MALLS. This Section shall not restrict the number or size of on-site signs erected out-of-doors within courtyard or mall spaces below the height of the enclosed buildings within the buildable area of the lot, provided the signs are not visible from a public street or adjoining property.

(g) PORTABLE OFF-SITE DIRECTIONAL SIGNS. Notwithstanding the prohibition of Section 335-09, portable off-site directional signs may be utilized in conjunction with open house real estate sales activity provided that the directional portable signs do not exceed an overall size of nine (9) square feet including support, do not exceed a height of two and one-half (2-1/2) feet, and are not located within County rights-of-way. Signs shall be on display only when open for inspection.

(h) TIME LIMITATION. Real estate signs shall be removed within 30 days after sale of the property or immediately upon being leased.

(i) Portable off-site directional signs located within County rights-of-way may be removed by County personnel without notice.

(j) Any sign in violation of any provision herein may be removed by County personnel without prior notice.

335-02. TEMPORARY CONSTRUCTION SIGNS. Where a building is under construction, temporary signs are authorized in all zones identifying the project architect, landscape architect, contractor, builder, proposed business, or lender, provided:

(a) There is no more than one (1) such on-site sign.

(b) The sign shall not exceed thirty-two (32) square feet in area.

(c) The sign is not illuminated.

(d) The sign is set back from each street right-of-way not less than 10 feet from the County right-of-way line.

(e) If attached to the building, the sign shall not exceed the roof line or parapet wall of the building. If freestanding, the maximum height is ten (10) feet.

(f) The sign is stationary.

(g) The sign is removed at the time of final inspection of the job.

335-03. POLITICAL, RELIGIOUS AND CIVIC CAMPAIGN SIGNS. Such signs are authorized in any zone for a period not to exceed ninety (90) days provided:

(a) Such signs are removed within ten (10) days following the conclusion of the campaign.

(b) Said signs shall not be displayed in the Scenic Corridors as specified in Article 3 of this Chapter. Otherwise, signs shall not be within five (5) feet of the side property lines and shall be set back from the street right-of-way lines at least ten (10) feet.

(c) REGULATIONS. The official designated by the Board of Supervisors to administer this Code may adopt rules and regulations to regulate such signs.

335-04. SUBDIVISION SIGNS. Signs for residential, commercial or industrial subdivisions are permitted as follows:

(a) PERMANENT SUBDIVISION IDENTIFICATION SIGNS. A permanent subdivision identification sign is permitted in any zone subject to the approval of the Zoning Administrator provided that:

(1) The sign shall be appropriate for the structure and landscaping design.

(2) The sign shall be limited to a sign attached to an entrance fence or structure or a monument sign, not to exceed six (6) feet in height, not to exceed twenty-four (24) square feet in size, be located in a maintained landscaped area, be located on a parcel within the subdivision and at a primary entrance; setback shall be ten (10) feet from County right-of-way.

(3) Sign shall be nonilluminated except for low silhouette spotlight not creating a glare to adjoining property.

(4) Computation of Sign. Computation shall be at seventy-five (75) percent when letters are placed flat against a fence or structure with no distinguishable background and that the fence or structure be in natural tones.

(b) DIRECTIONAL SUBDIVISON SIGNS. Temporary directional subdivision signs are permitted in any zone subject to the approval of the Zoning Administrator provided that:

(1) The signs shall be located at primary streets providing directions to the subdivision.

(2) The signs shall be limited to a pole sign, not to exceed six (6) feet in height, not to exceed twenty-four (24) square feet, setback to be ten (10) feet from County right-of-way line.

(3) The signs are not to exceed 4 signs for a subdivision.

(4) Security shall be provided as specified in (d) below.

(5) A minimum distance of seventy-five (75) feet shall be maintained between a directional subdivision sign and any other sign.

(c) SUBDIVISION SIGNS. Subdivision signs are permitted in any zone subject to the approval of the Zoning Administrator providing that:

(1) The signs shall be located at the primary entrance to the subdivision or at the model homes.

(2) The signs shall be limited to a pole sign not exceeding six (6) feet in height, not exceeding thirty-two (32) square feet, setback to be 10 feet from the County right-of-way line.

(3) Security shall be provided as specified in (d) below.

(4) Signs exceeding size and height are permitted subject to a use permit from the Zoning Administrator except in a Scenic Corridor.

(5) Notwithstanding the prohibition of Section 335-09(1) and 335-09(h), flags other than flags of the United States of America and the State of California, and pennant flags attached to the ground may be used for advertising devices for special promotion of subdivision sales, subject to the approval of a temporary use permit by the Zoning Administrator. The number and location of the signs and the length of time display is permitted shall be specifically designated.

(d) SECURITY. Security in the amount of $500 shall be provided to the Building Inspection Divison of the Sacramento County Department of Public Works to insure the proper maintenance and proper removal of such sign or signs. A separate security shall be required for each recorded subdivision. As used in this Section, "security" shall mean either an instrument of credit or firm letter of commitment from one or more financial institutions subject to regulation by the state or federal government pledging that said amount is guaranteed for payment and that the funds designated by the instrument shall become trust funds for the purposes set forth in the instrument, or by a cash deposit posted with the Building Inspection Division of the Sacramento County Department of Public Works.

335-05. HOME OCCUPATION SIGNS. Home occupation signs are authorized in any zone in which a home occupation use is permitted provided:

(a) No more than one (1) sign is authorized for each permitted home occupation.

(b) Said sign shall not be illuminated or spotlighted.

(c) Said sign shall be attached flat against the main building on the front of the dwelling providing primary access to the public or private street.

(d) The area of the sign shall not exceed four (4) square feet.

335-06. AGRICULTURAL SIGNS. Agricultural signs are authorized in all Agricultural land use zones, Agricultural-Residential land use zones, or Interim Agricultural zones provided:

(a) There shall not be more than one such sign.

(b) The sign is not over sixteen (16) square feet in area for parcels less than five (5) acres and twenty-four (24) square feet when exceeding five acres.

(c) The sign is not more than six (6) feet in height.

(d) The sign is set back at least ten (10) feet from the street right-of-way.

(e) The sign is not illuminated.

(f) The sign shall be stationary.

335-07. CHURCH SIGNS. Identification signs for churches in commercial zones shall be regulated by the development standards for signs in the co ercial zone in which it is located. Identification signs for churches in a11 other zones are permitted provided:

(a) There is not more than two (2) on-site signs, one of which may be a freestanding sign.

(b) The total area of both signs shall not exceed a total of thirty-six (36) square feet with the freestanding sign not exceeding twenty-four (24) square feet.

(c) The illumination of the sign, if any, shall be indirect and non-flashing.

(d) The sign is located on the lot on which the church building is located and shall be set back not less than ten (10) feet from the street right-of-way.

(e) The height of the sign shall not exceed six (6) feet above the ground if freestanding. If attached to a building, the height of the sign shall not exceed the roof line or parapet wall of the building.

(f) When the sign is composed of letters applied to the building without a distinctive background, the area of the sign may be measured by the height of the letters times the length of each line of letters and may be computed at seventy-five (75) percent; otherwise, the area of the sign shall be measured to the outside perimeter of the sign including the area of any voids within a simple bounding perimeter.

(g) All signs shall be stationary.

(h) Generally recognized and acceptable religious symbols that are freestanding or are attached to or part of the church (or attached to or part of a freestanding sign) may be exempt from the provision herein regarding height, area, and number of signs when approved by the Zoning Administrator.

335-08. EXEMPT SIGNS. The following signs are exempt from the provisions of this Code:

(a) Approved highway directional signs.

(b) Railroad signal signs.

(c) Signs prohibiting trespassing and hunting.

(d) Warning signs required by law or erected by public agencies.

(e) Utility company signs identifying cables, conduits, danger, and so forth.

(f) Public notices and announcements authorized by courts and public officials.

(g) Signs on buses and taxis as advertising devices.

(h) Signs attached to bus stops and shelters.

(i) Signs on automobiles and trucks that are painted on or attached flat against the vehicle to identify or advertise the business, providing the primary use of the vehicle is for the business operation and the parking of the vehicle on private property is a normal function and is not parked in the required front yard or side street yard.

(j) Window display signs limited to painted signs on glazing, poster paper signs, and place cards attached to the inside of glazing of store fronts, providing that the store front glazing is not covered exceeding fifty (50) percent.

(k) Signs that are painted on or attached to the windshield of a vehicle or boat, properly located for display.

(l) Public telephone identification. Signs attached to a telephone booth, projecting wall sign to identify interior or wall mounted public telephone, and signs attached to a legal freestanding sign, providing that sign surface does not exceed four (4) square feet, and when attached to freestanding signs, said sign does not increase maximum height allowed for said freestanding sign. Prohibited from being attached to non-conforming signs, illegal signs, and lighting standards.

(m) Regulation type signs for automotive service stations as provided by Section 335-28 (h).

(n) Signs erected inside enclosed malls.

(o) Signs erected out-of-doors within courtyards and mall spaces (below the height of enclosed buildings) within the buildable portion of the lot where signs are not visible from a public street or adjacent parcel.

335-09. PROHIBITED SIGNS. The following signs are prohibited in all zones:

(a) Moving or rotating signs.

(b) Signs with flashing, moving, or animated illumination.

(c) Any sign displaying any obscene, indecent, immoral matter, or untruthful matter.

(d) Signs which are prohibited by the Obstruction of Corners regulations, Title 12, Chapter 12.12 of the Sacramento County Code.

(e) Signs which include the words "Stop, Look, Listen" or any other word, phrase, symbol, lights, motion, sound, fumes, mist, or other effluent or character in such manner as to interfere with, mislead, or confuse traffic.

(f) Portable signs, except as provided for real estate signs as provided in Section 335-01 (g), Portable Off-Site Signs.

(g) Temporary signs, except as provided for temporary construction si ns in Section 335-02, Real Estate Signs in Section 335-01, Temporary sales or Construction Office in Section 301-07, Sale of Christmas Trees in Section 301-02, Promotional Display and Sales in Section 301-05, Temporary Uses in Section 301-06, and Temporary Concession Stands in Section 315-02.

(h) Signs on inflatable advertising devices when said device is attached or secured from the ground.

(i) Portable reader board advertising devices.

(j) Signs projecting over roofs and roof signs except where specifically provided for under the provisions of signs attached to buildings.

(k) Signs projecting from buildings except where provided for in special sign district ordinance or otherwise specifically provided for.

(l) Banners, pennant flags, string pennant flags, and flags other than the flag of the United States or the State of California.

(m) Wind signs.

(n) Any other advertising device attached to a building, fence, pole, or vehicle on display not specifically mentioned, unless otherwise provided for in this Code.

335-09.5. SPECIAL PROVISION.

(a) Electronic type reader board as part of an on-site advertising sign is permitted provided that the message be for on-site advertising, except for public information messages, and shall be programmed so as not to be a flashing, moving, or animated illuminated sign as prohibited by Section 335-09 (b), and shall be subject to review and approval by the enforcement agency.

(b) Electronic time and temperature signs as part of an on-site advertising sign are permitted as regulated by development standards.

(c) Exit, entrance, or other on-site traffic directional signs are permitted, provided: maximum height of thirty (30) inches in required front yard, four (4) square feet, no advertising or message other than for traffic directional, and subject to review and enforcement authority.

(d) Illuminated signs in store front window glazing shall be considered as signs and shall be regulated as provided herein.

(e) Special signing required for drive-in windows for drive-in restaurants, banks, or similar businesses are permitted provided said sign copy is necessary for information, instruction, or directions and specifically related to the special use subject to review and approval of the enforcement agency who shall use discretion in approval of subject signs related to number, location, height, size, and design.

(f) Statuary, real or simulated, as part of a sign design is permitted provided that it is computed as part of the total sign area.

(g) Sign setback. Setback for a freestanding sign shall be from the future right-of-way line to the closest edge of the sign except as provided herein. Where street improvements are installed and approved by the Department of Public Works at a right-of-way less than the future right-of-way, the setback of a sign may be taken from the existing right-of-way provided that an agreement be recorded at the owner's expense that when the County widens (or causes to be widened) to future right-of-way, this owner agrees to relocate the sign for the required setback from future setback at the owner's expense. In no case shall the sign be located on County right-of-way, or less than zero setback from the future right-of-way.

(h) Special advertising devices for grand openings of a business for a period not to exceed 30 days within the first 180 days of business and for special sales events not exceeding one period of 10 days within a given year may be permitted subject to the approval of the Zoning Administrator and be specifically listed in the temporary use permit.

Notwithstanding the provisions of Section 335-09 (h) and (1), the following advertising devices may be considered:

(1) banners against the building
(2) flags on approved poles or standards
(3) pennant flags
(4) search lights

(i) All signs projecting over walks, halls, corridors, passageways or aisles shall be installed in compliance with the Handicapped Access Regulations, California Administrative Code, Title 24, State Building Code, Part 2, Section 2-1721, entitled "Protruding Objects."

335-10. COMMUNITY INTEREST GROUP SIGNS. Community interest group signs identifying fraternal, benevolent, social services, and religious organizations and setting forth time, place, and location of meetings within the community are permitted in any zoning district, provided:

(a) Such signs are supported on a single standard or combined into a single sign.

(b) The overall area of such signs as a group does not exceed one hundred (100) square feet, and the area of the sign devoted to any one of such organizations does not exceed twenty (20) square feet.

(c) No more than four locations for such signs will be permitted within any town or community or unincorporated area constituting a district place with a name and common interests.

(d) The minimum setback for such signs from the nearest right-of-way line of a street shall be twenty-five (25) feet in the Interim Residential zones, and twenty (20) feet in the Residential and Agricultural-Residential zones.

(e) A use permit is first obtained from the appropriate authority. Notwithstanding any other provisions of this Code, no fee shall be required for filing application for the use permit required by this subparagraph.

335-11. IDENTIFICATION SIGNS.

(a) Identification signs for public and private schools, colleges, universities, and parks are authorized in any zone, provided:

(1) There is no more than one such on-site sign.

(2) The sign shall not exceed twenty-four (24) square feet in area.

(3) Illumination of the sign, if any, shall be indirect and non-flashing.

(4) The setback is not less than ten (10) feet from the right-of-way line.

(5) If attached to a building, it must be flat against the building and the height of the sign shall not exceed the roof line or parapet wall of the building. If freestanding, the maximum height is six (6) feet.

(6) The sign is stationary.

(7) This Section shall not restrict the number or size of on-site signs erected out-of-doors within courtyard or mall spaces below the height of the enclosing buildings within the buildable area of the lot, provided the signs are not visible from a public street or adjoining property.

(8) When the sign is composed of letters applied to the building without a distinctive background, the area of the sign may be measured by the height of the letters times the length of each line of letters; otherwise, the area of the sign shall be measured to the outside perimeter of the sign including the area of any voids within a single bounding perimeter.

(b) Identification signs for private schools, colleges, and universities in commercial and industrial zones shall be regulated by the development standards (sign regulations) for the zone in which it is located.

(c) Except as otherwise provided herein, signs identifying permitted uses in the Agricultural, Recreational, and Residential zones are permitted, provided:

(1) There shall not be more than one such sign.

(2) The sign is not over sixteen (16) square feet in area.

(3) The sign shall be limited to a monument sign not exceeding six (6) feet in height, or a sign attached flat against the main building.

(4) A monument sign shall set back at least ten (10) feet from the right-of-way of the public street.

(5) The sign is not illuminated.

(6) Signs exceeding size and height are permitted subject to issuance of a use permit by the Zoning Administrator who shall consider the effect said sign will have on the general purpose of the particular zone where the sign is to be located.

(d) Notwithstanding the provisions of paragraph (c) of this Section, one (1) on-site monument sign or one (1) off-site monument sign on adjacent parcel with access easement where a variance for no public street frontage was previously approved is permitted to identify four or more dwelling units located in the RD-10, RD-20, RD-30, or RD-40 and Interim Multiple Family R-3, R-2A zones subject to the following provisions:

(1) The sign shall not exceed twenty-four (24) square feet in area.

(2) The height of the sign does not exceed six (6) feet.

(3) The sign shall be located at least ten (10) feet from any street right-of-way line and shall be located within a planter with not less than three (3) feet of landscaping all around the base of the sign.

(4) There shall be no flashing, moving, or animated illumination. Lighting of signs shall be arranged so that the source of the light shall not be visible from adjacent property or a public street.

(e) Group directional identification off-site signs along primary highways and County roads, including Scenic Corridors, for the purpose of providing directions for recreational facilities within the Delta area when in the best interest of the general public to locate said recreational business is permitted subject to a use permit by the Zoning Administrator. Sign copy shall be limited only to the names of the recreational business and directional information. The size and design must be appropriate for the area; and the Zoning Administrator is to approve same including determination of height, setback, location, and illumination limited to spotlight.

335-12. STANDARDS FOR OFF-SITE SIGNS. Except for Directory Pole Signs, the following standards shall apply to any off-site sign authorized by the provisions of this Code:

(a) AREA. The total area of any off-site sign shall not exceed seven hundred twenty (720) square feet nor shall the sign exceed the length of fifty (50) feet.

(b) LOCATION. Each off-site sign shall be located not less than three hundred (300) feet from any other off-site sign. No off-site sign shall be located within one hundred (100) feet of a parcel located within Agricultural, Agricultural-Residential, or Residential zone; nor shall any such off-site sign be located more than 1,000 feet from a parcel lawfully used for commercial or industrial purposes.

Each off-site sign shall be so located that the part of the sign closest to the street right-of-way shall be not less than fifty (50) feet from the right-of-way, except where the parcel of land has been developed under the provisions of Section 315-32(b). An off-site sign may be permitted with a setback the same as the building on the parcel with a minimum of twenty-five (25) feet. When the parcel is developed with nonconforming buildings as to setbacks, the setback for an off-site sign may be the same as the building on the parcel with a minimum of twenty-five (25) feet.

(c) HEIGHT. The maximum height for off-site signs shall be thirty (30) feet.

335-13. BUS SHELTER SIGNS. A sign shall be permitted upon a bus shelter in any zone, provided:

(a) There is no more than one (1) single-faced or two-faced sign upon or within any bus shelter.

(b) Each face of such sign does not exceed thirty (30) square feet in area, for each basic size of bus shelter, or multiple thereof, as defined in Section 301-14.

(c) Such sign is not illuminated.

(d) Such sign does not project above the top of nor exceed the width of the bus shelter.

(e) Such sign complies with the provisions of Section 335-09 of the Zoning Code.

SIGNS--BUSINESS AND PROFESSIONAL OFFICE ZONE

335-15. ON-SITE SIGNS. Except as otherwise provided in this Code, on-site signs and permitted advertising devices may be erected subject to the following provisions:

(a) SIGNS ATTACHED TO THE BUILDING.

(1) AREA. The total area of all signs attached to a building shall not exceed one (1) square foot per foot of building frontage. Buildings with tenants having primary frontage to a courtyard rather than a public street may have one (1) square foot per foot of tenant building frontage facing the courtyard rather than based on building frontage facing a public street. Where a tenant has building frontage to a public street and a courtyard, the area will be limited to the tenant frontage by designed frontage of the tenant's portion of the building. A tenant cannot use both frontages. Illumination of signs are to be limited to eight (8) feet in height within the courtyard when on a wall and, where otherwise attached to a building as per (3) as follows, are to be limited to ten (10) feet in height when the courtyard is less than fifty (50) feet and twelve (12) feet in height when fifty (50) or more feet.

(2) Sign copy which is applied on the building in such a manner that no background is distinguishable from the overall architectural motif of the building may be counted at seventy-five (75) percent of the area within straight lines enclosing the copy. All other signs shall be computed at one hundred (100) percent.

(3) LOCATION. All on-site signs or advertising devices advertising an individual use, business, or building shall be located flat against the building except as herein provided.

(aa) Signs may be mounted to a beam or suspended from a canopy or porch providing that they do not project above the roof surface and do not exceed two feet six inches (2'-6") in height and, when over an exterior corridor or exit court, minimum clearance of seven (7) feet is provided.

(bb) Business identification signs may be mounted below the soffit of a porch, canopy, or overhang and perpendicular to the building not exceeding twelve (12) inches below beam or soffit line providing clearance below the sign over exterior corridor or exit court is seven (7) feet minimum.

(4) HEIGHT. No sign or advertising device shall project above the roof except that a sign oriented in the same direction as the wall on which it is applied may project four (4) feet above the finish ceiling of the topmost story, but in no case can it project above the wall on which it is located.

(5) ILLUMINATION. Lighting of signs shall be arranged so as not to produce a glare on other properties in the vicinity and the source of light shall not be visible from adjacent property or a public street.

(b) FREESTANDING SIGNS.

(1) A freestanding sign is permitted provided it is a monument sign and subject to the following provisions:

(aa) Area. Maximum area is twenty-four (24) square feet and is part of the total area permitted for all signs.

(bb) Setback. Setback shall be ten (10) feet from street right-of-way line. Measurement shall be from future right-of-way to closest edge of sign or support structures.

(cc) Location. Sign shall be located in a planter. Not less than three (3) feet of landscaping all around the base of the sign is required for existing developments not meeting present development standards.

(dd) Height. Maximum height of the monument sign is six (6) feet.

(ee) Spacing. Spacing of freestanding signs shall be a minimum of fifty (50) feet from adjacent freestanding signs on adjacent parcels within the BP zone.

(2) The provisions of this Section shall not restrict signs erected out-of-doors within courtyard and mall spaces (below the height of the enclosing building) within the buildable portion of the lot where the signs are not visible from a public street

(3) The provisions of this Section shall not restrict signs erected inside enclosed malls.

SIGNS--COMMERCIAL AND INDUSTRIAL ZONE

335-20. ON-SITE SIGNS. Except as otherwise provided in this Code, signs and permitted advertising devices may be erected where a permitted use by Table II, III, or IV, subject to the following provisions:

(a) SIGNS ATTACHED TO BUILDINGS.

(1) AREA. The total area of all signs attached to a building with less than fifty (50) foot setback from the street right-of-way line shall not exceed two (2) square feet per foot of building frontage. For buildings with fifty (50) feet or greater setback from the street right-of-way line, the total area of all signs shall not exceed three (3) square feet per foot of building frontage. For parcels fronting on more than one public street, sign area entitlement may be based on any one of the street frontages, not the total frontage; however, once the allotted sign area has been computed, it may be distributed over both faces of the building fronting on the public streets. Buildings whose tenants have primary frontage to a courtyard rather than a public street may have two (2) square feet per tenant building of frontage facing the courtyard rather than being based on building frontage facing a public street. Where a tenant has building frontage to public streets and courtyards, sign area entitlement may be based on either the public street or courtyard frontage, not the total frontage. Exception to this provision is where the courtyard is immediately adjacent to a residential zone, the area is to be limited to one (1) square foot of building frontage facing the courtyard, and illumination of signs is to be limited to eight (8) feet in height within the courtyard when on a wall, and where otherwise attached to a building as per (3) as follows, are to be limited to ten (10) feet in height when the courtyard is less than fifty (50) feet and twelve (12) feet in height when fifty (50) or more feet.

(2) COMPUTATION OF AREA. Sign copy which is applied on the building in such a manner that no background is distinguishable from the overall architectural motif of the building may be counted at seventy-five (75) percent of the area within straight lines enclosing the copy. All other signs shall be counted at one hundred (100) percent.

(3) LOCATION. All signs attached to a building shall be attached flat against the building and parallel thereto, and said sign shall not extend more than eighteen (18) inches from the wall of the building. For the purpose of this Section, a wall is a surface not less than sixty (60) degrees from the horizontal. Exceptions to this provision are as follows:

(aa) Signs may be attached to the facia of the building providing that they do not exceed four (4) feet in height and that the sign does not project above the peak of the roof of the building as visual from eye level at the street right-of-way line.

(bb) Signs may be mounted to the beam or rigidly suspended from the beam of a porch or canopy and may project below the beam provided that the sign does not exceed two feet 6 inches (2'-6") in height. When the sign is over an exterior corridor or exit court, the minimum clearance to the bottom of the sign is seven (7) feet and the sign may not project above the roof of the porch or canopy.

(cc) Signs may be mounted on the roof of the building, porch, or canopy at the exterior wall or supporting beam and posts or any area between the facia and said exterior wall or supporting beam and post providing that they do not extend more than four (4) feet in height above the ceiling, soffit, or horizontal line from the top of the beam to the building for a sloped roof, and the sign does not project above the peak of the roof of the building as visual from eye level at the street right-of-way line. In no case can the sign be greater than four (4) feet in height.

(dd) Business identification signs may be mounted below the soffit of a canopy, overhang, or porch and may be perpendicular to the building providing that they do not exceed twelve (12) inches below the soffit or beam and maintain a minimum of seven (7) feet below the sign over exterior corridors or exit courts.

(ee) Signs mounted on a flat vertical surface architecturally designed as part of the building within the roof slope, but not projecting above the highest portion of the roof, will be considered as flat against the building. Signs are not to project above the provided surface.

(ff) A sign attached to a wall and oriented in the same direction as the wall on which it is applied may project four (4) feet above the finish ceiling at the sign location.

(4) HEIGHT OF SIGNS ATTACHED TO BUILDINGS. No sign or advertising device attached to a building shall project above the roof of a building except as provided in Section 335-20(a) (3) (aa)-(ff), Location of Signs Attached to Buildings.

(b) NONDIRECTORY SIGNS.

(1) AREA. Nondirectory signs shall be allowed an area of one (1) square foot per foot of the public street frontage with a maximum area of two hundred (200) square feet.

(2) COMPUTATION OF AREA. Freestanding signs are to be computed as total height by the total length of the sign or signs for one side for double faced signs, excluding framework of separate single wood post or masonry column and single wood or masonry beam. The base of a monument sign is not part of the sign when of wood or masonry. Freestanding signs that are spread with two faces shall be computed by the greatest between the area of one side or the projected area of two sides.

Freestanding signs that are spread with three faces shall be computed by the greatest between the area of one side or the projected area of two sides or three sides.

Freestanding signs that are four sided shall be computed by the greatest between the area of two sides or the projected area of two sides.

(3) LOCATION. Nondirectory pole signs shall be located so that the part of the sign located closest to the street right-of-way line shall be set back not less than ten (10) feet from said public street right-of-way line, measured from future right-of-way to closest edge of sign, including support structure.

(4) HEIGHT. The maximum height of a nondirectory freestanding sign with a ten (10) foot setback from the street right-of-way line shall be ten (10) feet. The height of the sign may be increased one (1) foot for each foot the setback of the sign is increased, provided, however, the maximum height of the sign shall not exceed twenty-five (25) feet in any case.

(c) DIRECTORY SIGNS.

(1) AREA. The maximum area of a directory sign shall not exceed two hundred (200) square feet.

(2) COMPUTATION OF AREA. Freestanding signs are to be computed as total height by the total length of the sign or signs for one side for double faced signs, excluding framework of separate single wood post or masonry column and single wood or masonry beam. The base of a monument sign is not part of the sign when of wood or masonry.

Freestanding signs that are spread with three faces shall be computed by the greatest between the area of one side or the projected area of two sides or three sides.

Freestanding signs that are four sided shall be computed by the greatest between the area of two sides or the projected area of two sides.

(3) LOCATION. Directory pole signs shall be located so that the part of the sign located closest to the street right-of-way line shall be set back not less than ten (10) feet from said street right-of-way line, measured from the future right-of-way to the closest edge of the sign, including supporting structure.

(4) HEIGHT. The maximum height of a directory freestanding sign shall be twenty-five (25) feet.

(d) SPACING OF DIRECTORY AND NONDIRECTORY SIGNS. One freestanding sign, whether directory or nondirectory, shall be allowed per seventy-five (75) feet of public street frontage, limited to one such freestanding sign per parcel except as provided herein. For the purposes of this Section, parcel shall mean: A unit of property with public street frontage of not less than fifty (50) feet shown on the latest equalized assessment roll of the County of Sacramento.

Exceptions:

(1) Where a parcel has in excess of three hundred (300) feet of public street frontage, one (1) additional freestanding sign may be erected for each additional three hundred (300) feet of public street frontage of a developed parcel or portion thereof and limited to one (1) directory sign for the purpose of Section 335-20 (c) (1) and (4).

(2) Where a parcel fronts on more than one (1) public street and there is in excess of three hundred (300) feet of combined public street frontage, one (1) additional freestanding sign may be erected for each additional three hundred (300) feet of public street frontage of a developed parcel or portion thereof and limited to one (1) directory sign for the purpose of Section 335-20 (c) (1) and (4) where the secondary public street frontage is less than two hundred (200) feet of public street frontage.

(3) Where a parcel fronts on more than one (1) public street with an adjacent parcel at the corner between two (2) public street frontages, one (1) additional freestanding sign may be erected when secondary public street frontage equals fifty (50) feet or more with size being determined by each public street frontage and is not transferable, and limited to one (1) directory sign for the purpose of Section 335-20 (c) (1) and (4) when the secondary public street frontage is less than two hundred (200) feet of public street frontage.

(4) Where a parcel has public street frontage of fifty (50) feet but not exceeding one hundred (100) feet, a nondirectory sign may be spaced fifty (50) feet from adjacent freestanding sign on adjacent parcel.

(e) ILLUMINATION. Lighting shall be arranged so as not to produce a glare on other properties in the vicinity and the source of light shall not be visible from adjacent property or public street. See Section 335-09 for prohibited signs.

(f) COURTYARDS. This subitem shall not restrict the amount of signing erected out-of-doors within courtyard and mall spaces (below the height of the enclosing building) within the buildable portion of the lot where the signs are not visible from a Residential, Interim Residential, Agricultural-Residential, or Interim Estate zone or from a public street.

(g) MALLS. This Section shall not restrict the amount of signs erected within an enclosed mall.

335-21. OFF-SITE SIGNS. Where permitted by Table II, Item 32, or Table IV, and except as provided herein for directory signs and subdivision signs, all off-site signs are subject to the provisions of 335-12.

SIGNS--INDUSTRIAL OFFICE PARK ZONE

335-25. ON-SITE SIGNS. Except as otherwise provided in this Code, on-site signs and permitted advertising devices may be erected subject to the following provisions:

(a) SIGNS. One (1) monument sign is permitted on each parcel set back at least ten (10) feet from the public street, limited to not more than forty (40) square feet on one side and five (5) feet in height. In addition to the above, one (1) directory sign (monument type) is permitted at the entrance to a development containing multiple uses. Each business may have one (1) sign attached flat against the wall of the building in which that business is located, such that the total area of all signs attached to any one building does not exceed five (5) percent of the area of the wall upon which those signs are attached.

(b) APPROVAL. All plans and applications for signs are to be submitted to the Planning Department for approval as provided for by Section 230-52, Site Plan Review.

ON-SITE SIGNS--PRIMARY AUTOMOTIVE SERVICE STATIONS

335-28. ON-SITE SIGNS, PRIMARY AUTOMOTIVE SERVICE STATIONS. Except as otherwise provided in this Code, signs and permitted advertising devices may be erected subject to the following provisions:

(a) SIGNS, TOTAL AREA. The total area of all signs on an automobile service station site including, but not limited to, all freestanding signs as provided by (c) herein and signs attached to buildings as provided by (b) herein, except for signs exempted by (h) herein, shall not exceed one hundred twenty-five (125) square feet.

(b) SIGNS ATTACHED TO BUILDINGS.

(1) LOCATION. All on-site signs or approved advertising devices shall be attached flat against the building and parallel thereto, and shall not extend more than eighteen (18) inches from the wall of the building. For the purpose of this Section, a wall is a surface not less than sixty (60) degrees from the horizontal. Exceptions to this provision are as follows:

(aa) Signs may be attached to the facia of a building or canopy, not projecting above or below said facia.

(bb) Signs may be attached to the facia of a building or canopy or mounted on the roof of the building or canopy providing that they do not exceed four (4) feet above the ceiling, soffit, or horizontal line from the top of the beam to the building for a sloped roof and that the sign does not project above the peak of the roof of the building as visual from eye level at the street right-of-way line.

(cc) Signs may be attached to the facia of a building or canopy and may extend above the roof surface provided it is flush to the soffit of the overhang or canopy and the sign does not exceed two feet six inches (2'-6") in height.

(dd) Signs mounted on a flat vertical surface architecturally designed as a part of the building within the roof slope, but not projecting above the highest portion of the roof, will be considered as flat against the building. Signs are not to project above the provided surface.

(ee) Signs may be mounted parallel to the beam or rigidly suspended from the beam of a porch or canopy and may project below the beam provided that the sign does not exceed two feet six inches (2'-6"). When over a public walkway, the sign shall have a minimum of seven (7) feet clearance, and when over a vehicle service area, the sign shall not project below the beam unless an approved vertical height of fourteen feet six inches (14'-6" is maintained.

(ff) Signs may be mounted in any position within the raised pump island area supported from the column or rigidly suspended from the canopy provided that the signs are within total allowable area, do not project beyond the raised pump island, and there is a minimum of seven (7) feet in height above the raised pump island when accessible by the public. Signs within the raised pump island area are limited to the regulation signs as exempted from area by Section 335-28 (h) herein, and to signs related to service stations such as price signs, special announcements, full- or self-service signs, oil price, service available, and gas pump identification. Signs related to food stores as ancillary to a service station or incidental related products shall be specifically prohibited.

(2) COMPUTATION OF AREA. Sign copy which is applied on the building in such a manner that no background is distinguishable from the overall architectural motif of the building may be counted at seventy-five (75) percent of the area within straight lines enclosing the copy. All other signs shall be counted at one hundred (100) percent.

(3) HEIGHT OF SIGNS ATTACHED TO BUILDINGS. No sign or advertising device attached to a building shall project above the roof of a building except as provided in Section 335-28 (b) (1) (aa)-(ee), Location of Signs Attached to Buildings.

(c) NONDIRECTORY POLE SIGNS.

(1) Freestanding signs are permitted provided there shall not be more than one (1) pole sign on each automobile service station site, nor more than two (2) monument signs. Freestanding signs shall not exceed sixteen (16) feet in height. The total area of all freestanding signs shall not exceed thirty-six (36) square feet, except that where price signs are included on the freestanding signs, the total area shall not exceed fifty-two (52) square feet. The total area of freestanding signs is inclusive of total area of all signs as provided by Section 335-28 (a). The base of a monument sign is not included in allowable area.

(2) COMPUTATION OF AREA. Freestanding signs are to be computed as total height by the total length of the sign or signs for one side for double faced signs, excluding framework of separate single wood post or masonry column and single wood or masonry beam. The base of a monument sign is not part of the sign when of wood or masonry. Freestanding signs that are spread with two faces shall be computed by the greatest between area of one side or the projected area of two sides.

Freestanding signs that are spread with three faces shall be computed by the greatest between area of sum of one long side and one short side or the projected area of two sides or three sides. Freestanding signs that are four sided shall be computed by the greatest between area of two sides or the projected area of two sides.

(3) LOCATION. Nondirectory pole signs shall be located so that the part of the sign located closest to the street right-of-way line shall be set back not less than ten (10) feet from said public street right-of-way line. Measurement from future right-of-way to closest edge of sign, including support structure.

(4) HEIGHT. The maximum height of a nondirectory pole sign with a ten (10) foot setback from the street right-of-way line shall be ten (10) feet. The height of the sign may be increased one (1) foot for each foot the setback of the sign is increased, provided, however, that the maximum height of the sign shall not exceed sixteen (16) feet in any case.

(5) SPACING OF NONDIRECTORY POLE SIGNS. One pole sign, whether directory or nondirectory, shall be allowed per seventy-five (75) feet of public street frontage, limited to one (1) such pole sign per parcel except as provided by Section 335-28 (c) (1) herein. For the purposes of this Section, parcel shall mean: A unit of property with public street frontage of not less than fifty (50) feet shown on the latest equalized assessment roll of the County of Sacramento.

(6) ILLUMINATION. Lighting shall be so arranged so as not to produce a glare on other properties in the vicinity and the source of light shall not be visible from adjacent property or public street. See Section 335-09, Prohibited Signs.

(d) DIRECTORY POLE SIGNS. Directory pole signs are prohibited on parcels where an automobile service station is located, and advertising of an automobile service station on a directory sign on adjacent parcel is prohibited.

(e) SIGNS, DESIGN. The design of signs on an automobile service station site shall be compatible with the character of the surrounding neighborhood whenever the Board and Commission determine that a dominant character of the neighborhood surrounding the automobile service station site has been established and that such dominant character of the neighborhood is beneficial to the community.

(f) SIGNS, NONCONFORMING. Signs existing on any automobile service station site as of the effective date of this Chapter shall be replaced, restored, or added to only if such replacement, restoration, or addition is in compliance with the requirement for signs set forth herein. The provisions of this Section shall not apply to normal maintenance done to existing signs such as repainting, minor alterations, and replacement of existing parts. Nonconforming signs shall be abated pursuant to the provisions of Title I, Chapter 20, Article 6; the replacement thereof shall be in conformity with the requirements of this Article.

(g) SIGNS, FOOD MARKET ANCILLARY TO SERVICE STATION. Signs for a food market ancillary to a service station shall be included within the total area provided by Section 335-28 (a).

(h) EXCEPTION TO SIGN AREA. Signs of instructive nature, information or otherwise required by other enforcement agencies that are determined as not being a sign by definition herein shall be exempt from the area provision. The following are specifically exempted, but not necessarily limited to: telephone booth, gas pump use instructions, instructions for recreational vehicle dump station, brake and smog certification, restroom identification, no smoking, propane tank identification, gas pump identification, air and water, drive to forward pump, cashier, odd-even sign, hours of operation, required gallon to liter conversion, approved flag identification system, full- and self-service signs at each island not exceeding four (4) square feet, and traffic directory signs as approved by enforcement agencies for necessary traffic control and direction provided that they do not exceed four (4) square feet each and do not exceed thirty (30) inches in height in front or side street yard and no symbol, name, or other message is on said signs.

(i) SPECIAL PROVISIONS.

(1) PRICE SIGNS. Price signs as required by state law shall be located as provided for other signs with minimum required price signs exempt from the total area for all signs as determined by Section 335-28 (a).

(2) FULL- SELF-SERVICE SIGNS. Full- or self-service signs shall be provided at each pump island. Area in excess of four (4) square feet per each pump island shall be inclusive of the total sign area as determined by Section 335-28 (a).

(3) FLAG SYSTEM. State recognized and approved flag identification system for service available may be provided.

SIGNS--SECONDARY AUTOMOTIVE SERVICE STATION

335-29. SIGNS, SECONDARY AUTOMOTIVE SERVICE STATION.

(a) Signs and permitted advertising devices may be erected subject to the provisions of Chapter 35, Articles 1 through 6, provided that the signs on the parcel conform to the development standards for the zone in which the secondary automobile service station is located, except that:

(1) Signs or portions of signs for the secondary automobile service station are inclusive of the development standards as to number, location, and area and shall be limited to:

(aa) Freestanding signs. The maximum square footage of a portion of a freestanding sign for secondary automobile service station is twelve (12) square feet.

(bb) Signs attached to buildings. The maximum square footage of a portion of all signs attached to buildings for secondary automobile service stations is thirty-six (36) square feet.

(2) EXCEPTION TO SIGN AREA. Same as Section 335-28 (h).

(3) SIGNS AT RAISED PUMP ISLAND.

(aa) Canopy over pump island. Same as Section 335-28 (b) (1), (aa), (cc), (ee), and (ff).

(bb) No canopy over pump island. Same as Section 335-28 (b) (1) (ff). A pole or poles may be installed within raised pump island to mount signs as provided herein including exempt signs of Section 335-28 (h). The maximum height of said pole or poles and signs is ten (10) feet and shall comply to Section 335-28 (b) (1), (ff).

(4) SPECIAL REQUIREMENTS. Same as 335-28 (h).

335-29.1. SIGNS, NONCONFORMING. Signs existing on any incidental automobile service station site as of the effective date of this Chapter shall be replaced, restored, or added to only if such replacement, restoration, or addition is in compliance with the requirement for signs set forth herein. The provisions of this Section shall not apply to normal maintenance done to existing signs such as repainting, minor alterations, and replacement of existing parts. Nonconforming signs shall be abated pursuant to the provisions of Title I, Chapter 20, Article 6; the replacement thereof shall be in conformity with the requirements of this Article.

SPECIAL SIGN CORRIDORS

335-30. PURPOSE. The Special Sign Corridors are designated along state highways, county roads, and rivers which accommodate the traveling public. These types of corridors have traditionally attracted large, bright, gaudy signs in an effort to attract the attention of the traveler to a business or a product which may or may not be related to the travel-way or the needs of the traveler. The purpose of the regulations in this section is to make provisions for signs that identify the name and type of business in an aesthetic manner that compliments the architecture of the building and serves the needs of the traveling public.

335-31. PERMITTED SIGNS.

(a) IDENTIFICATION SIGNS. Identification signs which give the name and type of business and recognized authorized logos are subject to the provisions of Business and Professional (BP) Signs, Section 335-15.

(b) DRIVEWAY AND PARKING LOT DIRECTIONAL SIGNS. Private directional signs indicating ingress and egress shall be permitted at each entry and exit provided the sign does not exceed four (4) square feet.

(c) OFF-SITE DIRECTIONAL SIGN. Parcels with no public street frontage and being served by access easement, mutual parking agreement, or a private road may have one (1) monument sign at the point of access to a public street or private street provided:

(1) Maximum area is twenty-four (24) square feet and inclusive of total allowable area as provided by 335-31 (a) herein.

(2) Maximum height is six feet.

(3) Minimum setback is ten (10) feet from future right-of-way for public street, and ten (10) feet from improvements, or as otherwise determined by enforcement agency, when other than a public street.

(4) Spacing shall be fifty (50) feet from any other freestanding sign and shall be located within a landscaped area with a minimum of three (3) feet in all directions.

335-32. PROHIBITED SIGNS.

(a) Pole signs which are not designed as an integral architectural element of the principal structure.

(b) Off-site signs, except for directory monument signs, as provided by Section 335-31 (c).

(c) Signs prohibited by general provisions in Section 335-09.

(d) Signs which are designed for advertising of products or services.

335-33. SIGNS REQUIRING A USE PERMIT. Signs requiring a use permit to be heard by the appropriate authority.

(a) Pole signs when designed to be architecturally compatible with and using the same building materials as the principal structure.

(b) Where the building and facilities are of size, shape, height, of multiple uses, or of such geographical conditions or location that BP sign provisions are not appropriate, an individual sign or the complete sign program for said parcel or facility may be considered by use permit when the granting authority finds that the proposed sign or signs:

(1) Are proportional and in scale with the buildings.

(2) Are compatible in design, color, and material with the building and surrounding area.

(3) Do not constitute a special privilege over adjoining uses.

(4) Do not block from view existing buildings and existing signs.

(5) Are unobtrusive.

(6) Are in keeping with the intent of the sign regulations.

(7) Do not exceed the height and size entitlement for signs located on parcels in the same zone which are not within the Special Sign Corridor.

(c) COMMUNITY INTEREST GROUP SIGNS.

(1) The Sacramento County Project Planning Commission shall designate the locations for off-site directional sign groups required to inform the public of commercial, industrial, recreational, and other facilities provided such sign groups shall not interfere with official traffic signs or unduly detract from the natural scenic beauty.

(2) The granting authority shall specify the size, placement, design and landscaping requirements for the group. No sign shall exceed thrity-two (32) square feet of area, twenty (20) feet of height, or devote more than twenty (20) percent of the sign area to brand name advertising.

335-34. EXCEPTIONS TO SPECIAL SIGN CORRIDOR PROVISIONS. The following specific signs are exempt from the Special Sign Corridor provisions and are regulated by the general provisions and the specific provisions as referenced below:

(a) Automotive service station of Section 335-28.

(b) Secondary automotive service station of Section 335-29.

(c) Real estate signs of Section 335-01.

(d) Temporary construction signs of Section 335-02.

(e) Recreational group signs of Section 335-11 (c).

(f) Exempt signs under the provisions of Section 335-08, (a) through (h) and (k) through (o).

(g) Special provision signs of Section 335-09.5 (b), (c) and (e).

(h) Bus shelter signs of Section 335-13.

335-35. BOUNDARIES OF SPECIAL SIGN CORRIDORS. The locations and boundaries of the Special Sign Corridors shall be shown on the various Comprehensive Zoning Plans which are part of this Code.

335-36. FREEWAYS, COUNTY ROADS AND COUNTY ROUTES DESIGNATED AS SPECIAL SIGN CORRIDORS. The provisions of this Article shall apply to the following:

(a) Interstate Freeway Route I-80.

(b) South Sacramento Freeway, Route U.S. 99 and 50.

(c) El Dorado Freeway, Route U.S. 50.

(d) Interstate 880 bypass freeway.

(e) Interstate Freeway Route I-5.

(f) State Sign Route 160.

(g) Garden Highway.

(h) Isleton Road.

(i) River Road.

(j) Greenback Lane extension freeway.

(k) Watt Avenue Freeway from Folsom Boulevard on the South to eight hundred seventy (870) feet south to Fair Oaks Boulevard on the north.

(l) Scott Road from White Rock Road south to Latrobe Road.

(m) Latrobe Road.

(n) Michigan Bar Road.

(o) Twin Cities Road from Highway 160 east to Highway 99.

(p) Sunrise Boulevard (American River to Kiefer Boulevard).

(q) Bradshaw Road (Old Placerville Road to Jackson Road).

(r) Manlove Road (Folsom Boulevard to Jackson Road).

(s) Sacramento River.

(t) American River.

(u) Streams, sloughs, and channels in the Delta area.

(v) Alta-Arden Expressway from the centerline of Ethan Way on the west to the centerline of Watt Avenue on the east.

Article 4 deleted by Ordinance No. SZC 81-43.

SPECIAL SIGN DISTRICT

335-60. PURPOSE. The purpose of this Article is to regulate directory and nondirectory advertising structures in various places throughout the County so as to create a more attractive appearance in major shopping and business centers. The implementation of the regulations herein will enhance and protect the physical values of the community and at the same time reduce the distraction to motorists caused by numerous sign structures of various size and type of construction.

335-61. BOUNDARIES. The boundaries of the special sign districts are shown on the various comprehensive zoning plans which are part of this Code.

335-62. DEFINITIONS. For the purposes of this Article certain words and phrases are defined as follows:

(a) SPECIAL SIGN DISTRICT. An area described in one or more comprehensive zoning plans which the Board determines meets the requirements for special sign regulations.

(b) MONUMENT SIGN. An on-site sign which may be either a directory pole or nondirectory pole sign subject to the requirements of this Article and structural requirements of Title 18 of the Sacramento County Code.

335-63. REGULATIONS. For property subject to this Article, the provisions of this Section relating to monument signs supersede and replace the provisions elsewhere in this Code which relate to and regulate directory and nondirectory signs.

(a) SIGN AREA. Monument signs shall be allowed an area of one (1) square foot per foot of the public street frontage with a maximum area of one hundred (100) square feet.

(b) LOCATION. Monument signs shall be located so that the part of the sign located closest to the street right-of-way line shall be set back not less than ten (10) feet from said public street right-of-way line and any property line.

(c) HEIGHT. The maximum height of a monument sign at 10-foot setback is ten (10) feet and may be increased one (1) foot for each foot of increased setback of the sign, providing, however, that the maximum height shall not exceed twelve (12) feet.

(d) SIGN SUPPORT. Width of the monument sign support must be at least one-half (1/2) of the width of the sign face. For the purposes of this Section, the width requirements shall be applied to all project elevations of the monument sign.

(e) LANDSCAPING. Two feet of landscaping is required in every direction from the exterior portions of any part of the monument sign.

(f) ORIENTATION. Signs are not allowed in controlled areas of visibility as determined by County Code Sections 12.12.010 and 12.12.020.

(g) ILLUMINATION. Illumination shall be interior lights or spot-lighted. Lighting filaments or gas tubes shall not be visible from adjacent property or public streets.

335-64. INTERPRETATION. This Article shall not be construed to limit the erection and maintenance of signs except as provided herein.

335-65. ADDED SIGN DISTRICT CONDITIONS. In addition to this specific "special sign district," additional conditions of SPA, NPA, rezone, and use permits may be more restrictive than general provisions or development standards (sign regulations) for the zone classification.

SIGNS--INTERIM ZONES

335-70. SIGNS, INTERIM ZONES. Signs are permitted in the interim zones as provided for within each of the interim zones subject to the development standards of Chapter 35, Article 1, General Provisions, Articles 2 through 6, for specific provisions.

AUTOMOBILE SERVICE STATION
PURPOSE

340-01. PURPOSE. The purpose of this Chapter is to establish requirements for the location and construction of automobile service stations in Sacramento County in order to protect and promote the public health, safety and general welfare by lessening the danger of fire and explosion from automobile service stations, by providing for the free flow of traffic along major arterials in Sacramento County, by lessening the danger of traffic accidents resulting from automobile ingress to and egress from automobile service station sites, by eliminating the over-concentration of automobile service stations in close proximity to one another, by protecting residential areas from fire, explosions, toxic and noxious matter, offensive noise, vibrations, smoke, and other objectionable influences arising from automobile service station sites, by preventing the uncontrolled encroachment of commercial establishments adjacent to freeways within Sacramento County, by eliminating automobile service stations no longer in operation which detract from the environment and create urban blight within the entire community, by protecting property values, and by preventing the uncontrolled proliferation of signs on automobile service station sites.

In adopting this Chapter the Board finds and declares that automobile service stations are commercial enterprises unique and different from other commercial enterprises, and as such require regulation as provided herein.

340-02. DECLARATION AND FINDING RE: AUTOMOBILE SERVICE STATIONS NO LONGER IN OPERATION. The Board does hereby find and declare that in the unincorporated area of Sacramento County automobile service stations have proliferated to the extent that the area is oversaturated with them, that a substantially large number of automobile service stations have closed and are no longer in operation, that for the most part vacant and unused buildings are left standing on such automobile service station sites, that such automobile service station sites no longer in operation are unsightly and constitute blight and an eyesore to the community, that such automobile service stations have a depressing effect on the economy of the area surrounding such automobile service stations, that they tend to reduce surrounding property values, that they are offensive to the senses so as to interfere with the comfortable enjoyment of life or property, that they present a potential and actual danger to the health, safety, and general welfare of the community, and that in many instances they are a public nuisance.

SPECIAL REQUIREMENTS--CONDITIONAL USE PERMITS

340-10. APPLICATION. In addition to the requirements for an application for a conditional use permit specified in Title I, Chapter 10, Article 1 of this Code, an application for a conditional use permit for a service station shall contain a site plan showing therein the location of all buildings, structures, signs, landscaping, driveways, circulation patterns, parking facilities, lights, street improvements, and drainage facilities.

The application shall also be accompanied by elevations or renderings which clearly show the style, height, size of the structures and buildings. These elevations or renderings shall be on material satisfactory to the Planning and Community Development Department.

340-11. HEARING. The Board of Supervisors shall be the appropriate authority to hear and decide all applications for conditional use permits for automobile service stations, after a recommendation by the Project Planning Commission After a hearing, pursuant to the provisions of Title I, Chapter 10, of this Code, the Project Planning Commission may recommend to the Board of Supervisors either to issue the permit with or without conditions or to deny the application and refuse to issue the permit.

Upon receipt of the written recommendation of the Project Planning Commission, the Board of Supervisors shall hold a public hearing on the application pursuant to the provisions of Title I, Chapter 10, of this Code. Upon hearing the application and the recommendation of the Project Planning Commission, the Board of Supervisors shall either issue the permit with or without conditions or deny the application and refuse to issue the permit.

340-12. CONFORMANCE TO CHAPTER, GENERAL PLAN, AND OTHER PLANS. Whenever an application for a conditional use permit is being considered pursuant to this Chapter, the Board and Commission shall consider whether the proposed automobile service station and its site are consistent with the purposes and requirements of this Chapter, of the Zoning Code of Sacramento County, of the General Plan, of any element thereof, of any community plan, or of any other pertinent ordinance, plan or program adopted by the Board of Supervisors.

340-13. CONDITIONS. In addition to any other conditions which may be imposed lawfully, any conditional use permit issued pursuant to this Chapter shall include the following conditions:

(a) That if the operation of the automobile service station is discontinued for any reason for a continuous period in excess of one hundred eighty (180) days, such discontinuance of operation shall be grounds for revocation or modification of the conditional use permit as provided by Section 110-10.

(b) That upon the revocation of the conditional use permit the applicant shall remove all buildings, pumps, pump islands, signs, underground storage tanks, fences, walls and all other structures and instruments related to the automobile service station and shall return the property to substantially the condition it was in prior to the construction of the automobile service station thereon.

(c) That the applicant to whom a conditional use permit has been granted shall post on the premises for public display the use permit or a copy thereof when issued.

340-14. USE PERMIT FOR ANCILLARY USES. The Project Planning Commission shall be the appropriate authority to hear and decide applications for use permits for ancillary uses as listed in this Section. The Project Planning Commission may issue a use permit pursuant to this Section subject to the issuance of a conditional use permit by the Board of Supervisors for an automotive service station as provided in this Chapter.

(a) The storage or rental of trucks or trailers as an ancillary use to primary automobile service stations.

LOCATION OF PRIMARY AUTOMOBILE SERVICE STATIONS

340-20. LOCATION. Subject to the limitations of Section 340-21 through and including Section 340-26, a primary automobile service station shall be permitted only in the following locations:

(a) At the intersection of a major arterial with another major arterial or along a major arterial at other than an intersection with another major arterial only when the automobile service station is more than 1000 feet from the nearest intersecting point of street right-of-way lines of major arterials.

(b) At a freeway interchange.

(c) Within a shopping center in an SC zone.

(d) Within an industrial park.

(e) Regardless of the foregoing, no automobile service station, primary or secondary, shall be located mid-block along a major arterial when it is within 1500 feet of the nearest lot line of an existing automobile service station.

340-21. NUMBER. The maximum number of automobile service stations permitted at the following locations is as follows:

(a) There shall be no more than two (2) automobile service stations at an intersection of a major arterial with a major arterial.

(b) There shall be no more than four (4) automobile service stations at a freeway interchange.

340-22. CRITERIA FOR SELECTING AUTOMOBILE SERVICE STATION SITES. In determining which sites at an intersection or freeway interchange shall be the sites for the location of an automobile service station pursuant to this Chapter, the Board and Commission shall make its determination based on which site or sites available for the location of automobile service stations pursuant to this Chapter are more or most likely, as the case may be, to reduce the danger from fire and explosion, to provide for the free flow of traffic to reduce the danger of traffic accidents arising from ingress to and egress from automobile service station sites, and otherwise to accomplish the purposes heretofore set forth in Article 1 of this Chapter.

340-23. ABUTTING RESIDENTIAL ZONES. No primary automobile service station shall be permitted on lots abutting property zoned as AR-10, AR-5, AR-2, AR-1 RD-1, RD-2, RD-3, RD-4, RD-5, RD-10, A-10, A-5, A-2, A-2-B, A-1-A, A-1-B, O, R-E-3, R-E-2A, R-E-2, R-E-1, R-1-A, R-1-B, R-2, RM-1, RM-2, or R-TH. In the event that the property abutting an automobile service

station previously constructed and operating pursuant to the provisions of this Chapter is subsequently zoned to a zone enumerated in this Section, such subsequent zoning for such abutting property shall not cause the automobile service station site to be non-conforming to the provisions of this Code.

340-24. AUTOMOBILE SERVICE STATIONS ALONG COUNTY DESIGNATED FREEWAYS. No automobile service station shall be constructed along a County designated freeway except when the automobile service station is within a shopping center in an SC zone or industrial park and then subject to the provisions of Section 340-50 and 340-51.

340-25. AUTOMOBILE SERVICE STATIONS AT FREEWAY INTERCHANGES. Subject to Section 340-21 an automobile service station shall be permitted at a freeway interchange only when the automobile service station is located in a TC zone and when the automobile service station is within the boundaries of a scenic corridor.

340-26. LOCATION NEAR AUTOMOBILE SERVICE STATIONS NO LONGER IN OPERATION. In deciding whether an automobile service station shall be permitted pursuant to this Chapter, the Board and Commission shall consider in addition to any other limitation provided by this Article whether there are any vacant or unoccupied automobile service stations within a one-half (1/2) mile radius of the proposed automobile service station site, and , if so, shall determine whether the area immediate to such proposed automobile service station suffers from an overconcentration of automobile service stations. If it is determined that the area does suffer from an overconcentration of automobile service stations, then the application for a conditional use permit shall be denied.

SPECIAL REQUIREMENTS--PRIMARY SERVICE STATIONS

340-30. APPLICATION. The special requirements set forth in this Article shall apply to primary automobile service stations. In the event that any provision in this Article conflicts with any other provision in the Zoning Code of Sacramento County, this Article shall prevail.

340-31. PUBLIC STREET FRONTAGE. The minimum public street frontage shall be one hundred thirty-five (135) feet on each public street.

340-32. YARD REQUIREMENTS. Yard requirements for the main building on an automobile service station site shall be the same as those required for other structures located in the same zone in which the automobile service station is located.

340-33. PUMP ISLANDS. Service station pump islands may be placed in required yards provided they are no closer than fifteen (15) feet to the street right-of-way.

340-34. YARD REQUIREMENTS - MAIN BUILDING OF AUTOMOBILE SERVICE STATIONS ORIENTED TOWARD A SHOPPING CENTER OR INDUSTRIAL PARK. For the main building of any automobile service station adjacent to a shopping center in the SC zone or industrial park and oriented towards the shopping center or industrial park as required by Section 340-50, the minimum yard requirements for the main building shall be as set forth in Plate II, of this Chapter.

340-35. ACCESS DRIVEWAYS. Driveways shall have a minimum width of thirty (30) feet and shall be no wider than thirty-six (36) feet; in all other respects, driveway width shall be as set forth in the County of Sacramento, Department of Public Works Improvement Standards adopted by the Board of Supervisors by Resolution No. 73-495. Driveways shall be no closer than forty (40) feet from the nearest intersecting point of street right-of-way lines except for automobile service stations located in SC zones or industrial parks where a driveway shall be no closer than one-hundred twenty-five (125) feet from the nearest intersecting point of street right-of-way lines. Access driveways shall be as set forth in Plates I and II of this Chapter.

340-36. LANDSCAPING. Landscaped areas shall be established and maintained on all automobile service station sites. The landscaped area shall comprise a minimum of twenty (20) percent of the lot area. For the purposes of this Section not less than seventy (70) percent of the landscaped area as provided in this Section shall be covered with live landscaping, such as lawn, ground cover, trees or shrubs, and not more than thirty (30) percent of the landscaped area as provided in this Section shall be covered with hard surfaces such as gravel, landscaping rock, concrete, artificial materials, or other impervious materials.

EXHIBIT "A"

PLATE I

MINIMUM SITE DIMENSIONS

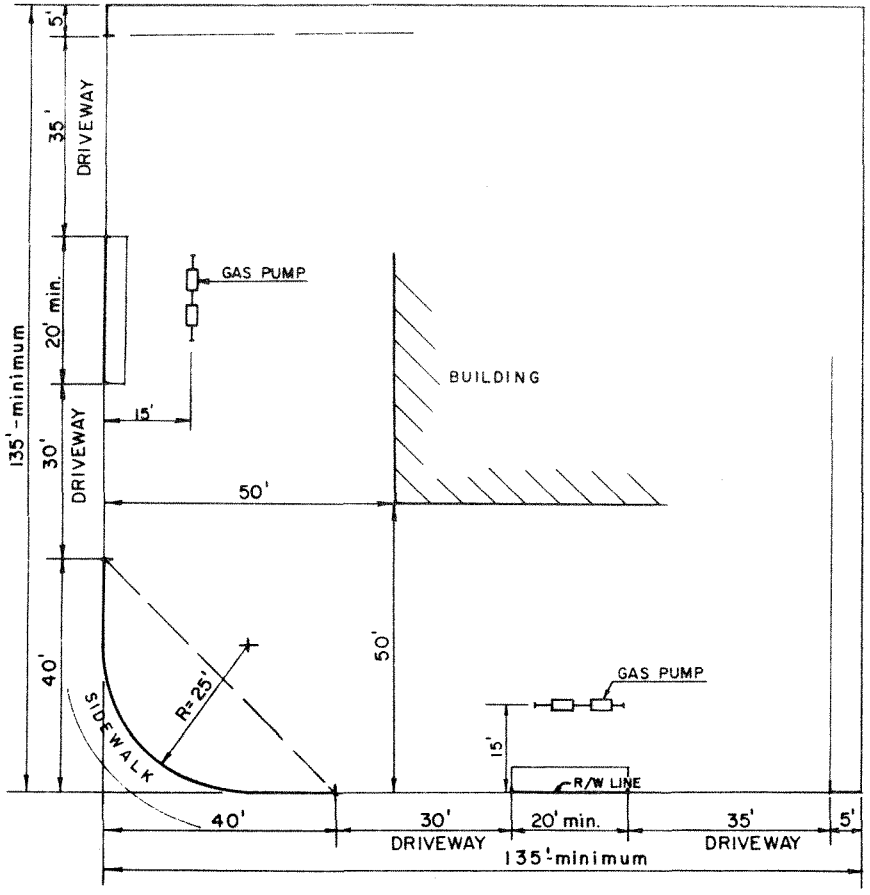
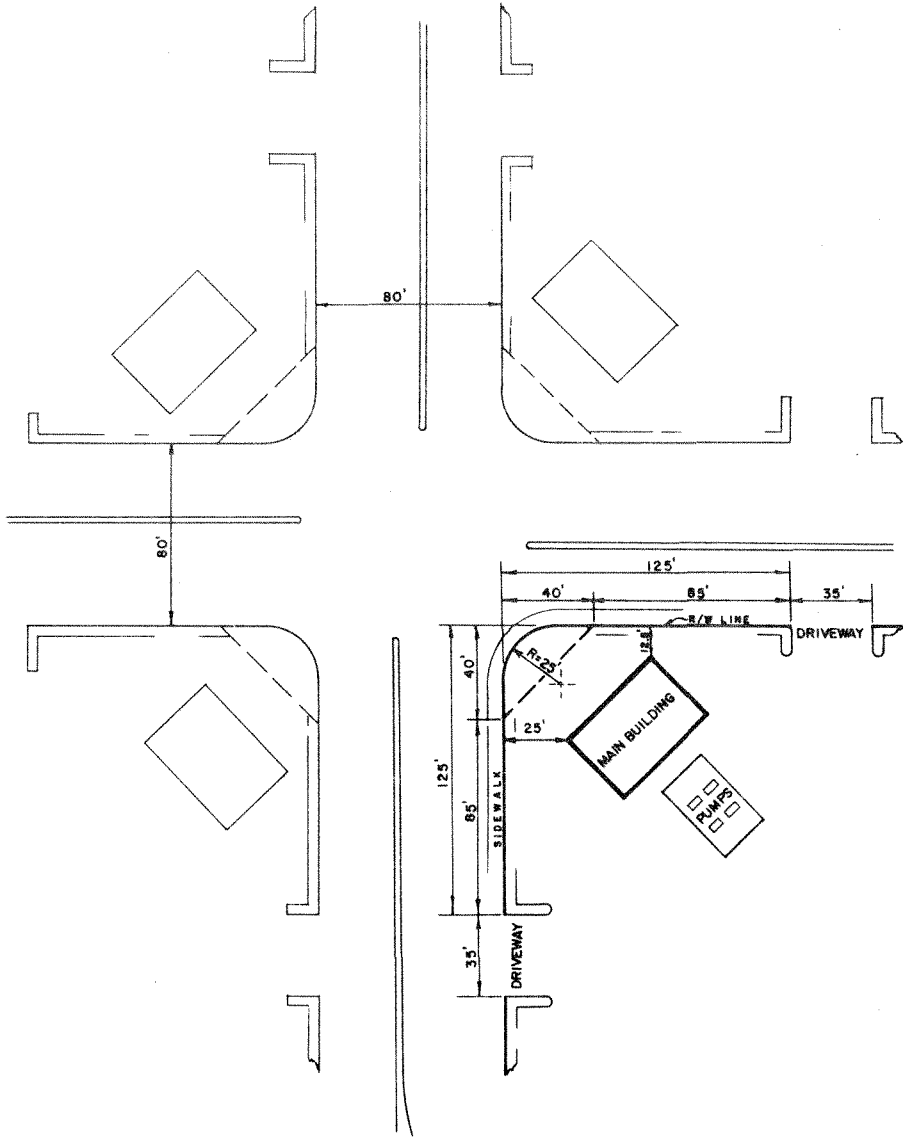


EXHIBIT "B"

PLATE II

BUILDING SETBACKS-STATIONS ORIENTED TO SHOPPING CENTERS



340-37. ON-SITE LIGHTING. Lighting shall be so designed, controlled, and maintained that no source of lights is visible from off the property. There shall be no flashing, moving, or animated lights on automobile service station sites.

340-38. SIGNS. Signs are subject to the provisions of Title III, Chapter 35, Articles 1, 2.3, and 5.

340-39. ARCHITECTURE. The design of every structure including signs on an automobile service station site shall be compatible with the character of the surrounding neighborhood whenever the Board and Commission determine that a dominant character of the neighborhood surrounding the automobile service station site has been established and that such dominant character of the neighborhood is beneficial to the community.

340-40. REFUSE AREAS. Any refuse area on an automobile service station site shall be fenced or screened from the view of any pedestrian or vehicle traffic. The design of such fences and screens shall be compatible with the design of the main building.

340-41. FENCES AND WALLS. Where the automobile service station site abuts property residentially zoned or residentially used, there shall be a solid fence such as a wood fence or a solid masonry wall or masonry and wood at least six (6) feet in height along the property line between the automobile service station site and the abutting property, except that within the first twenty-five (25) feet from the street right-of-way line said fence or wall shall not exceed two and one-half (2-1/2) feet in height.

340-42. SERVICE BAYS. Automobile access to lube bays and bays for minor repair shall not be in the direction of adjacent streets; except that when an automobile service station site is located adjacent to property residentially zoned or residentially used and not prohibited by Section 340-23, then automobile access to any lube bays or bays for minor repairs shall not be in the direction of said property and may be in the direction of adjacent streets.

340-43. STRUCTURE HEIGHT. No building or other structure located on an automobile service station site shall exceed sixteen (16) feet in height.

340-44. AUTOMOBILE SERVICE STATIONS ORIENTED TOWARD SHOPPING CENTERS OR INDUSTRIAL PARKS. Any automobile service station within or adjacent to a shopping center in an SC zone or an industrial park shall be oriented to the shopping center or industrial park and not an adjoining street for access to and egress from the automobile service station site. For purposes of this Section, the words "oriented toward" shall mean the direction in which the pump islands, means of access to and egress from the automobile service station site, and the main building face. In the event that an automobile service station is constructed prior to the construction of the shopping center adjacent thereto, the construction of a shopping center shall not cause the automobile service station to be nonconforming to the provisions of this Code.

340-45. AUTOMOBILE SERVICE STATIONS WITHIN OR ADJACENT TO SHOPPING CENTERS OR INDUSTRIAL PARKS. The site design and architectural style of an automobile service station located within a shopping center in an SC zone or industrial park shall be consistent where possible with the site design and architectural style of the shopping center or industrial park. Internal circulation of traffic within a shopping center in an SC zone or industrial park shall be so designed as not to create traffic hazards between any automobile service staiton located as provided herein and other parts of the shopping center or industrial park.

SPECIAL REQUIREMENTS
SECONDARY AUTOMOBILE SERVICE STATION

340-60. APPLICATION. The special requirements set forth in this Article shall apply to secondary automobile service stations. In the event that any provision in this Article conflicts with any other provision of the Zoning Code of Sacramento County, the provision of this Article shall prevail.

340-61. PUMP ISLANDS. Pump islands may be placed within required front or side street yards provided they are located no closer than fifteen (15) feet from the street right-of-way.

340-62. SIGNS. Signs and permitted advertising devices may be erected subject to the provisions of Title III, Chapter 35, Article 2.4.

AUTOMOBILE SERVICE STATIONS
NO LONGER IN OPERATION

340-70. MODIFICATION OR REVOCATION OF CONDITIONAL USE PERMIT. Whenever the operation of an automobile service station is discontinued for any reason for a period of time exceeding one hundred eighty (180) days, the Project Planning Commission on its own motion may hold a hearing for modifying or revoking any conditional use permit pursuant to the procedures set forth in Section 110-10.

340-71. REFERRAL FOR ABATEMENT. Whenever a conditional use permit for an automobile service station has been revoked by the Project Planning Commission, the Secretary shall forward a copy of the decision of the Commission to the Chief Building Inspector for the Department of Public Works who shall make an inspection of the automobile service station site in order to ascertain whether abatement procedures are warranted.

EXISTING AUTOMOBILE SERVICE STATIONS

340-80. EXISTING AUTOMOBILE SERVICE STATIONS. Any automobile service station in existence as of the effective date of this Chapter and complying with all requirements of law in effect prior to the effective date of this Chapter may continue as a legal conforming use except as provided in this Article.

340-81. REPAIRS, ADDITIONS, ALTERATIONS, RELOCATIONS OR RESTORATION: MORE THAN FIFTY (50) PERCENT. When any repairs, additions, alterations, relocation or restoration made within a 12 month period to any structure or structures used in connection with any automobile service station existing as of the effective date of this Chapter exceed fifty (50) percent of the full cash value, as determined by the Assessor from the last assessment roll, of all improvements located on the site of said automobile service station, then the automobile service station site and any structure thereon shall comply with all special requirements set forth in Article 4. In the event that the automobile service station is unable to comply with said special requirements, then a variance may be applied for as provided in Title I, Chapter 10 of this Code.

340-82. SIGNS. Signs existing on any automobile service station site as of the effective date of this Chapter shall be replaced, restored, or added to only if such replacement, restoration, or addition is in compliance with the requirements for signs set forth in Article 4. The provisions of this Section shall not apply to normal maintenance done to existing signs such as repainting, minor alterations, and replacement of existing parts. Non-conforming signs shall be abated pursuant to the provisions of Title I, Chapter 20, Article 6, and the replacement thereof shall be in conformity with the requirements of Article 4.

340-83. EFFECT. The provisions of this Article shall not operate to nullify any abatement procedures to be applied to any existing automobile service station. The provisions of this Article shall not be construed to make conforming any automobile service station which was non-conforming to or not in compliance with all applicable laws and regulations in effect prior to the effective date of this Chapter.