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8/16/79	SZC 79-43	Waiver of Fees	115-43
9/6/79	SZC 79-48	Delta Waterways Rezone	
9/13/79	SZC 79-50	Natomas Rezone	
10/18/79	SZC 79-53	South Sacramento Rezone	

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DATE OF ADOPTION	ORDINANCE NUMBER	SUBJECT Amendments Relative To:	REFERENCE (Section Number)
2/28/80	SZC 80-15	Appropriate Authority Empowered to Grant Use Permits	110-32
		Special Development Permits –	
		Limitation of Land Use Density	110-65
		Preliminary Site Plan	110-68
		Proposed Development Plan and Request for Special Permit	110-69
		Findings	110-70
		Conditions	110-71.5
		Nonconforming Lots and Uses –	
		Agricultural and Residential Zones	120-14
		Dog Kennels and Veterinary Hospitals	120-24
		Definitions –	
		Below Market Price Housing	130-25.5
		Commercial Coach	130-46.5
		Home Occupation	130-91
		Permitted Uses Within the Buildable Area of Residential Open Space Lots	201-02 Table I
		Amendment Relative to Uses in Residential-Open Space Lots: Special Conditions	201-04
		Density Requirements in Residential Land Use Zones –	
		RD-1	215-14
		RD-2	215-24
		RD-3	215-34
		RD-4	215-44
		RD-5	215-52
		Permitted Uses Within the Buildable Area of Commercial Lots	225-11 Table II
		Special Conditions	225-14
		Permitted Uses Within the Buildable Area of Industrial Lots	230-11 Table IV
		Amendments Relative to Mobilehomes	301-51, 301-54
		Yard Requirements –	
		Front Yard and Side Street Yard	225-93
		Rear Yard and Interior Side Yard	225-94
		Rear Yard	305-37
		Side Yard	305-37.1
		Side Street Yards	305-37.2
		Exception to Yard Requirements	305-37.3
2/28/80	SZC 80-15	**Accessory Structures –**	
	(continued)	Accessory Structures Incidental to Primary Residential Dwellings	
		Location	305.83
		Location-Accessory Mobilehomes	305-84
		Location Swimming Pools and Spas	305-85

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DATE OF ADOPTION	ORDINANCE NUMBER	SUBJECT Amendments Relative To:	REFERENCE (Section Number)
		Location - Swimming Pool and Spa Equipment	305-86
		Location - Mechanical Equipment Other than Swimming Pool and Spa Equipment	305-87
		Home Occupations	Article 8 to Chapter 5, Title III
		Standards of Development Within Interim Zones – Conflicting Provisions	401-05
		Mobilehomes as Primary Residences	402-11 402-21 402-31
4/10/80	SZC 80-32	**Condominiums –** Definitions:	 130-36.5 130-47.1 130-48.6 130-65.5 130-115.5 130-122.5 130-126.5 130-171.2 130-173.5 130-191.4 130-191.5 130-191.6
		Applicability	305-90
		Application Content	305-91
		Ownership Association	305-92
		Building Code Requirements	305-93 thru 95
		Building Inspection	305-96
		Performance Bond	305-97
		Personal Safety	305-98
		Consumer Protection Provisions	305-99
		Sales and Lease Termination	305-100
		Relocation Assistance	305-101
		Anti-Discrimination	305-102
		Preconversion Protection	305-103
		Appliance Warranties	305-104
		Development Standards	305-105
4/10/80	SZC 80-32	Utilities	305-106
	(continued)	Courtyard, Minimum Width	305-107
		Height Regulations	305-108
		Front Yard	305-109
		Rear Yard	305-110
		Side Yards	305-111
		Side Street Yards	305-112

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DATE OF ADOPTION	ORDINANCE NUMBER	SUBJECT Amendments Relative To:	REFERENCE (Section Number)
		Exception to Yard Requirements	305-113
		Building Coverage	305-114
		Off-Street Parking	305-115
		Findings Required for Approval	305-116
5/15/80	SZC 80-38	**Additions Creating a New Natural Streams (Combining Land Use Zone) and Related Additions to Zoning Code Definitions –**	130-74.5 130-87.5 130-126.1 130-126.2
		Definitions:	130-126.3 130-126.4 130-126.5 130-181.5 130-198.5 130-198.9
		Additions:	
		Purpose	235-160
		Applicability of (NS) Combining Zone Designation	235-161
		Use of County Owned Property	235-162
		Permitted Uses	235-163
		Appropriate Authority	235-164
		Uses Permitted Without a Conditional Use Permit	235-165
		Development Guidelines	235-166
		Submittal of Plans	235-167
		Site Plan	235-168
		Findings	235-169
		Exemption	235-170
7/10/80	SZC 80-46	Amendment Relative to Lapse of Conditional Use Permit	110-33
		Amendment Relative to Definition of Feedlot and Livestock	130-70
		Amendments Relative to Hog Farm, Feed Lots, Halfplexes and Duplexes	201-02 Table I
		Amendment Relative to Special Conditions for Duplexes and Halfplexes and Hog Farms	201-04
		Amendment Relative to Off-Street Parking for Halfplexes	305-55
		Amendments Relative to Hog Farms	403-11 403-21
7/24/80	SZC 80-54	Amendments, Additions, and Reorganization Relating to Signs	Title III, Chapter 35
8/24/80	SZC 80-55	Amendment to Provide for Density Bonuses When Development Projects Achieve Significant Energy Savings by Design	110-65
1/29/81	SZC 81-10	Special Condition Relative to Medical Offices	201-04 Table I
6/4/81	SZC 81-33	Amendments and Additions Relative to Mobilehomes Certificate of Compatibility	Table I, Title I, Chapter 10, Article 8
6/25/81	SZC 81-43	Amendments to Additions Relative to Annual Review Requirements for Special Permits	110-72
		Definitions:	

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		Family	130-68
		Guest House	130-87
		Lot Area, Net	130-112
		School, Trade	130-154
		Amendment Relative to Second Dwellings on a Single Lot	305-88 Table I
		Government and Public-Owned Buildings and Grounds	Table I
		Multiple-Family Standards	Title III, Chapter 5, Article 2
		Special Sign Corridors	Title III, Chapter 35, Article 3
6/25/81	SZC 81-44	Designation of Certain Streams as Natural Streams, the Determination of Natural Streams Combining Zone Boundaries, and the Approval of Drainage Projects	115-52 235-161 235-163
6/25/81	SZC 81-45	Landscaping Adjacent to Public Street Rights-of-Way in Commercial and Industrial Zones Within Parking Lots	
		Development Requirements	225-24 225-34 225-44 225-54 225-64 225-79
		Lot Requirements	230-41
		General Development Standards	325-13
		Planters, Landscaping	330-94
6/25/81	SZC 81-46	Additions Relative to Issuance of Building Permits in Emergencies	110-11
8/6/81	SZC 81-56	Adding Chapter 12, Article 1, to Title I to Provide for Consideration of Development Agreements - Definition:	112-01 130-53.5
9/29/81	SZC 81-68	Approval of Development Projects Within the Natural Streams Combining Land Use Zone	235-163 235-165.1
10/1/81	SZC 81-69	Drive-up Windows and Off-Street Parking Standards	130-58 305-16 305-19
		Drive-Up Windows	315-20

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10/1/81	SZC 81-69	Off-Street Parking	330-01
	(continued)	Vehicle Parking Requirements	330-20
		Parking Size and Location	330-80
		Improvement Requirements for Public Parking Areas	330-90
		Truck Loading and Unloading	330-120
		Bicycle Parking Facilities	330-130
12/17/81	SZC 81-86	Billboards	225-14 Table II
12/17/81	SZC 81-87	Mobilehome Parks	130-125.8 130-147.3 130-147.5 235-180 405-100
8/5/82	SZC 82-46	Convenience Stores, Neighborhood Markets, and Food Markets Ancillary to Service Stations	130-48.8 201-04 225-11 225-14 315-15
11/4/82	SZC 82-57	Electronic, Mechanical or Video Games	130-15.5 130-43.5 130-64.5 225-14 315-30 Table II
1/20/83	SZC 83-10	Annual Zoning Code Amendment Readoption of Entire Code	
11/9/83	SZC 83-18	Card Rooms	225-11
9/1/83	SZC 83-59	Requirements for Trip Reduction Facilities in Specified Development	130-36.8 130-38.5 130-65.7 130-121.4 130-196.5 330-140 thru 330-149
10/26/83	SZC 83-68	Development Standards Relative to Development Within or Adjacent to Designated Tributaries	130-53.3 325-40 thru 325-43
12/12/84	SZC 84-107	Hazardous Materials	110-01 110-82 115-12 130-88.5
		Lot Reduction Permits	110-42 110-43
		Special Redevelopment Permit	110-63
		Density Bonus for Energy Conservation	110-65 110-69 110-70
		Manufactured Housing/Standards for Placement	110-91 110-98

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DATE OF ADOPTION	ORDINANCE NUMBER	SUBJECT Amendments Relative To:	REFERENCE (Section Number)
12/12/84	SZC 84-107 *(continued)*	Nonconforming Uses	120-21 120-25 120-41 120-42
		Residential-Open Space Land Use Tables	201-02 201-04
		Commercial Land Use Tables	225-11 thru 13
		Industrial Land Use Tables	230-11
		Yard Requirements for Two-Family Structures	305-53 305-55.2
		Accessory Structures	305-80 thru 305-83
		Condominiums	305-90 thru 305-116
		Home Occupations	305-201 thru 305-204
		Parking Requirements for Convalescent Hospitals	330-52
		Sign Standards	335-01 thru 335-60
11/26/85	SZC 85-124	Subdivision Directional Signs and Off-Site Billboard Signs	120-57 130-170.1 335-04 225-11 225-14 230-11 335-12 335-12.5 335-21 335-32
12/3/85	SZC 85-125	Off-Site Billboard Sign	335-12 335-12.5
3/26/86	SZC 86-32	Nonconforming Use of Land and Buildings	110-107 120-25 120-44
4/2/86	SZC 86-35	Junk Tire Handling	130-181.6 thru 130-181.9 230-13 301-16 325-40 325-41 325-42
3/4/87	SZC 87-33	Parkway Corridor	235-30 thru 235-38.1
8/1/87	SZC 87-60	Annual Zoning Code Amendment/Update	
8/5/87	SZC 87-78	Subdivision Signs	335-04
8/19/87	SZC 87-80	Nonconforming Lots of Record	120-14

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DATE OF ADOPTION	ORDINANCE NUMBER	SUBJECT Amendments Relative To:	REFERENCE (Section Number)
9/16/87	SZC 87-88	Signs and Service Station Standards	Title III, Chapters 35 & 40
12/16/87	SZC 87-115	Nonconforming Lots of Record	120-14
2/10/88	SZC 88-0006	Semi-Annual Zoning Code Amendment/Update	
2/26/89	SZC 89-0030	Convenience Stores	225-14
2/26/89	SZC 89-0031	Manufactured Homes Handicapped Kitchens Trip Reduction Building Width	305-09 305-09.5 330-140 305-08.5
11/14/90	SZC 90-0060	Annual Zoning Code Amendment/Update	
9/4/91	ZOB 90-0354	Cellular Facilities	301-13.1
10/23/91	SCZ 91-0064	Nonconforming Lots of Record	
3/4/92	SZC 92-0014	Abatement Procedures	115-09
9/2/92	SZC 92-0072	Existing Legal Lots	
9/29/93	SZC 93-0055	Semi-Annual Zoning Code Amendment/Update	
1/12/94	93-ZOB-0630	Signage in M-1 and M-2 Zones	
1/19/94	93-ZOB-0363	SM Combining Zone	
2/16/94	93-ZOB-0472	Regional Transit Bus Shelters	
12/7/94 12/7/94	93-ZOB-0830 94-ZOB-0322	DW Zone Institutional Uses	
4/23/97	SZC 97-0015	Nonconforming Agricultural Lots Of Record	120-14(d)
8/6/97	SZC 97-0033	Small Residential Accessory Structures	305-83.2
9/10/97	SZC 97-0038	Conversion of Duplexes to Halfplexes in the RD-4 Zone	201-04
12/3/97	SZC 97-0051	Amended Relating to Non-Conforming Uses	120-20, 120-21, 120-28, 120-40, 120-41, 120-42, 120-43 , 120-44
12/3/97	SZC 97-0052	Amended to Limit the Number of Adult Uses to 3 per Community Planning Advisory Council Area	335-51(e)
5/27/98	SZC 98-0012	Drive-up Windows and Video Games	225-14, 315-22,
6/3/98	SZC 98-0015	Wireless Facilities	130-39.5, 301-13.5
7/29/98	SZC 98-0017	Wineries and the Processing of Grapes	130.04.1, 130-04.06, 130-72.5, 130-127.6, 130-198.9.b, 130-198.9.c, 201-02, 201-04

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DATE OF ADOPTION	ORDINANCE NUMBER	SUBJECT Amendments Relative To:	REFERENCE (Section Number)
3/3/99	SZC 99-0025	Permanent Adult Use Ordinance	110-30.10 and 225-11 (H) (15), 130-03.6 and 130-03.7, 130-54.3 and 130-143.8
3/24/99	SZC 99-0027	Service Stations	225-11
3/24/99	SZC 99-0026	Annual Zoning Code Amendment Package	101-11 (a)(b)(c)(d); 120-23; 120-33; 130-103.1; 130-106.7; 130-184; 201-02 & 201-04; 225-11; 225-14; 230-11; 230-13; 235-165 (d); 301-50 thru 53; 301-55 & 56; 301-60 thru 62; 301-62.5; 301-63 & 64; 301-80 thru 82; 305-12; 305-12.2; 305-83.2; 305-86; 315-02 (m) (5); 315-22 (b); 320-05 (b); 325-02(a); 330-94(c); 330-146; 335-08 (I)
6/9/99	SZC 99-0043	Signs in the MP Zone	335-25
4/26/00	SZC 2000-0008	Outdoor Recreation Facilities, Constructed Lakes in the Delta, and Setbacks for Miscellaneous Recreation Equipment	130-139.1; 201-04 (34); 201-04 (40); 305-80 (c) (4)
2/14/01	SZC-2001-0004	Residential Care Home for More Than 6 Children	201-02 A. 30; 201-04 (13)
6/13/01	SCZ-2001-0014	Residential, Agricultural-Residential, Agricultural and Recreational Zones, subject to findings and conditions recommended by staff	120-14 (Title) 120-14 (e)
6/13/01	SCZ-2001-0015	Exceptions from the Requirements of Minimum Lot Area and Lot Width	110-51
4/17/02	SZC-2002-0007	Annual Zoning Code Amendment Package	110-03 (h); 110-101; 110-103; 110-106 & 107; 120-36;
4/17/02	SZC-2002-0007	Annual Zoning Code Amendment Package	201-02 A. 43;

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DATE OF ADOPTION	ORDINANCE NUMBER	SUBJECT Amendments Relative To:	REFERENCE (Section Number)
	(*continued*)		201-02 C. 38 & 39; 201-02 D. 21; 201-02 D. 30 – 33; 225-11; 225-11 A. 3; 225-11 C. 1; 225-11 C. 1.5; 225-11 E. 5.5; 225-11 K. 5.5; 225-11 N. 3; 225-14 (26) (30) (32) (36); and 315-22 (a) (e); 230-11; 230-11 F. 17.7; 230-11 G. 12.5; 230-13 (1); 235-145 (t); 301-13; 305-04; 305-13.2; 305-14; 305-202 (s); 315-42 (a) (b); 315-43 (f); 315-45 (b); 325-01; 325-02 (c); 325-03 (c); 335-08 (h); 335-09.5 (c)
7/24/02	SZC-2002-0016	Storage of Unregistered and/or Inoperable Private Vehicles	301-04.7, 301-04.8
5/28/03	SZC-2003-0012	Residential Accessory Dwelling Definition Special Condition No. 25 Residential Accessory Dwelling Regulations Residential Accessory Dwelling Use Permit Criteria	130-59.3 201-04 (25); 305-83; 305-83 (b); 305-83 (c); 305-83 (i); 305-83 (k) 305-83.1 305-83.1 (a) thru (i)
11/5/03	SZC-2003-0021	Hearing and Notice Commercial Land Use Table • Table II, S.10 Vocational School Industrial Land Use Table • Table IV, K.22 Church Special Provision	115-14 225-11 230-11 335-09.5
2/11/04 2/11/04	SZC-2004-0003 SZC-2004-0003	Appropriate Authority Empowered to Grant Use Permits Definitions	110-32(e)

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DATE OF ADOPTION	ORDINANCE NUMBER	SUBJECT Amendments Relative To:	REFERENCE (Section Number)
	(continued)	• Bar • Dwelling, Agricultural Accessory • Liquor Store • Restaurant	130-24.5 130-57.3 130-106.2 130-146.7
4/21/04	SZC-2004-0009	Existing Adult Bookstores Adult Bookstore Adult Live Theater Adult Video Tape Store (Repealed) Specified Anatomical Areas Specified Sexual Activities State of Nudity State of Semi-Nudity Purpose and Intent Location Conditions Additional Regulations for Adult Live Theaters	120-29 130-03.5 130-03.7 130-03.9 130-171.4 130-171.5 130-173.2 130-173.4 325-50 325-51 325-52
9/8/04	SZC-2004-0018	Truck Commercial, Industrial and Agricultural Vehicle, Equipment or Trailer Parking Trucks and Trailer Storage in Agricultural Zones	130-189.8 301-03 301-04
11/10/04	SZC-2004-0020	Regional Shopping Centers	330-21
12/08/04	SZC-2004-0025	Residential-Open Space Land Use Table; Article 1: Purpose Commercial Use Tables	201-06 225-15
5/03/05	SZC-2005-0010	Comparable Housing	130-47.01
7/20/05 7/20/05	SZC-2005-0021 SZC-2005-0021 (continued)	Massage Massage Establishment Massage Practitioner Commercial Use Tables • Personal Services, Massage • Massage Incidental • Special Conditions	130-120.5 130-120.6 130-120.7 225-11 Table II D.8 D.8.2 deleted 225-14 (43)
8/10/05	SZC-2005-0022	Purpose Table 1 • Commercial, Thrift Stores, bookstores in churches • Agricultural, Incidental Agricultural, Including Private Stables and Corral Commercial Use Tables • Residential, Apartment-Multiple Family Dwelling • Residential, Condominiums Industrial Use Tables • Commercial Uses, Live Theater (not adult related)	 201-02 B.12 C.4 225-11, Table II R.1 R.1.5 230-11, Table IV D.12
10/19/05	SZC-2005-0030	Guidelines for Placement of Temporary Mobilehomes For Close Care and Supervision	301-51(a) 301-51.5 301-51.5 (a)

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DATE OF ADOPTION	ORDINANCE NUMBER	SUBJECT Amendments Relative To:	REFERENCE (Section Number)
			301-51.5 (b) 301-51.5 (c)
8/09/06	SZC-2006-0033	Comprehensive Zoning Plan Unit No. 380/176 Land Use Change	101-133
8/29/06	SZC-2006-0031	Design Review Appeals	110-120 To 110-126 115-34
9/27/06	SZC-2006-0035	Stockton Boulevard SPA Zoning	101-133
10/25/06	SZC-2006-0046	Comprehensive Zoning Plan Unit No. 300/152 Land Use Change	101-103
1/10/07	SZC-2007-0002	Comprehensive Zoning Plan Unit Nos. 348/200 and 34/200 Land Use Changes	101-143 101-142
4/11/07	SZC-2007-0018	East Antelope Specific Plan	101-140
4/11/07	SZC-2007-0019	Victory Avenue NPA Rezone	101-112
5/23/07	SZC-2007-0034	Comprehensive Zoning Plan Unit No. 324/176 Land Use Change	101-126
6/13/07	SZC-2007-0038	Comprehensive Zoning Plan Unit No. 284/188 Conditions Amendment	101-199.55
10/31/07	SZC-2007-0055	General Provisions	335-09.5 (a)
4/8/08	SZC-2008-0008	Conditional Use Permits Development Plan Review	110-30.6 110-84.3
4/23/08	SZC-2008-0014	Comprehensive Zoning Plan Unit No. 292/164 Land Use Change	101-112
6/11/08	SZC-2008-0019	(SM) Surface Mining (Combining Land Use Zone) • Repealed and Replaced Residential-Open Space Land Use Table Commercial Use Tables Industrial use Tables	235-40 through 235-56 201-04 #37 225-14 #57 230-13 #24
7/29/08	SZC-2008-0022	Amendments and Reclassification Definitions	115-14 130-47.01
11/12/08	SZC-2008-0026	Comprehensive Zoning Plan Unit No. 212/188 Land Use Change	101-199.09
3/25/09	SZC-2009-0005	Comprehensive Zoning Plan Unit No. 292/164 Land Use Change	101-133
6/9/09	SZC-2009-0010	Enforcement • Repealed and Replaced Enforcement	115-09.2 115-09.3 115-09.5 Through 115-09.6
2/10/10	SZC-2010-0001	C-1 and C-2 Commercial Zones Frontage, Lot or Parcel Lot Area, Net	120-13 130-78 130-112

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DATE OF ADOPTION	ORDINANCE NUMBER	SUBJECT Amendments Relative To:	REFERENCE (Section Number)
		Public Utilities and Public Facilities Easement	130-138.2
		Right-of-Way Line	130-147
		Right-of-Way, Public	130-147.1
		Setback, Building	130-157.1
		Setback, Applicability	130-157.2
		Public Street Frontage	215-12
		Public Street Frontage	215-22
		Public Street Frontage	215-32
		Public Street Frontage	215-42
		Lot Area, Width, and Public Street Frontage	215-50
		Lot Area, Width, and Public Street Frontage	215-55
		Lot Area, Width, and Public Street Frontage	215-60
		Lot Area, Width, and Public Street Frontage	215-65
		Lot Area, Width, and Public Street Frontage	215-70
		Lot Area, Width, and Public Street Frontage	215-75
		Lot Area, Width, and Public Street Frontage	215-80
		Lot Area, Width, and Public Street Frontage	215-90
		Lot Area, Width, and Public Street Frontage	215-111
		Yards	215-114
		Special Conditions	225-14
		Operating Standards for Aggregate Mining Operations	235-52
		Development Guidelines for Aggregate Mining Operations	235-54
		Operating Standards for Clay Lignite, Borrow Sites and Related Mineral Mining Operations	235-56
		Mining Setbacks	235-59
		Mining Setbacks	235-69
		Public Street Frontage	235-189
		Mitigation Measures for Transmission Facilities	301-12
		Wireless Communication Facilities	301-13.5
		Setback Measurement	301-37

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DATE OF ADOPTION	ORDINANCE NUMBER	SUBJECT Amendments Relative To:	REFERENCE (Section Number)
		Location, Types and Standards	301-60
		Vacant Property	301-62.5
		Sound Walls Adjacent to Streets	301-66
		Yards	305-02
		Yards on Corner Lots	305-02.2
		Setback for Structures and Parking Areas from Public and Private Streets	305-12
		Setback for Trash and Recycle Containers and Enclosures	305-13.1
		Setback for Air Conditioning and Mechanical Equipment	302-13.2
		Landscaping	305-17
		Lot Width and Public Street Frontage	305-51
		Yards	305-53
		Yards on Corner Lots	305-55.2
		Public Street Frontage	305-62
		Signs	305-67
		Setback Chart	305-83.2
		Location – Accessory Mobilehomes	305-84
		Yards	310-03
		Yards	310-12
		Development Standards for Temporary Concessions	315-02
		Development Standards for Seasonal Roadside Crop Sales	315-05
		Yards	315-12
		Landscaping	315-14
		Front and Side Street Yards	315-42
		Development Requirements	315-45
		Setback for Trash and Recycle Containers Enclosures	315-50
		Development Requirements	320-05
		Setback Requirements	320-06
		Setback for Trash and Recycle Containers Enclosures	320-07
		Yards	325-02

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DATE OF ADOPTION	ORDINANCE NUMBER	SUBJECT Amendments Relative To:	REFERENCE (Section Number)
		Landscaping	325-03
		Setback for Trash and Recycle Containers Enclosures	325-05
		Real Estate Signs	335-01
		Temporary Construction Signs	335-02
		Political, Religious and Civic Campaign Signs	335-03
		Subdivision Signs	335-04
		Agricultural Signs	335-06
		Church Signs	335-07
		Exempt Signs	335-08
		Community Interest Group Signs	335-10
		Identification Signs	335-11
		Standards for Off-Site Signs Located in the TC	335-12
		On-Site Signs	335-15
		On-Site Signs	335-20
		On-Site Signs	335-25
		On-Site Signs, Primary Automotive Service Stations	335-28
		Permitted Signs	335-31
		Regulations	335-63
		Pump Islands	340-33
		Access Driveways	340-35
		Fences and Walls	340-41
		Pump Islands	340-61
2/10/10	SZC-2010-0002	Land Use Table	201-03
5/12/10	SZC-2010-0006	Comprehensive Zoning Plan Unit No. 372/140	101-97
7/28/10	SZC-2010-0007	Community Planning Commissions	130-47.01
2/23/11	SZC-2011-0001	Comprehensive Zoning Plan Unit No. 292/176	101-124
2/23/11	SZC-2011-0002	Comprehensive Zoning Plan Unit No. 292/188	101-199.16
2/23/11	SZC-2011-0003	Fulton Ave SPA	504-10
3/9/11	SZC-2011-0014	Comprehensive Zoning Plan Unit No. 292/176	101-124
3/9/11	SZC-2011-0015	Automatic Extensions of Time for Certain County Development Entitlements	110-12
3/22/11	SZC-2011-0016	An Ordinance of the Sacramento County Zoning Code Relating to	115-01

ADOPTED ORDINANCES AFFECTING THE ZONING CODE OF SACRAMENTO COUNTY

DATE OF ADOPTION	ORDINANCE NUMBER	SUBJECT Amendments Relative To:	REFERENCE (Section Number)
		Reorganization of Responsibilities for Enforcement of Zoning Code	

TITLE I
GENERAL PROVISIONS

CHAPTER 1: GENERAL PROVISIONS

ARTICLE 1: 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 therefore.

(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.

(1) To provide for open space zoning.

(m) To provide for sexually oriented businesses. (Amended 11/95)

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 therefore, 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, Operated or otherwise utilized by the United States, the State of California, 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 permitted, they shall be governed as indicated.

(b) Where such public or governmental uses are not specifically permitted, 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 leased or otherwise utilized by the United States, the State of California, the County of Sacramento or any other public or governmental agency shall be exempt from the provisions of this Code only to the extent that such use may not be lawfully regulated by the County of Sacramento.

(d) If property is subject to a lease-purchase whereby the state or federal government will acquire ownership at the end of the lease term and the lease is signed prior to construction, the property shall be deemed exempt from regulation by the County. However, if property is constructed prior to it being leased to the state or federal government or if the underlying transactions calls for acceptance of completed facilities by the state or federal government as a condition precedent to the effective date of the lease, the property is subject to regulation by the County.

If property is leased with no option to purchase by either the state or federal government, the property is subject to regulation by the County to the extent permitted by law. (Amended 3/24/99)

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.

ARTICLE 2: 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

(g.1) RD-15 Residential Land Use Zone

(h) RD-20 Residential Land Use Zone

(h.1) RD-25 Residential Land Use Zone

(i) RD-30 Residential Land Use Zone

(j) RD-40 Residential Land Use Zone

(k) RM-1 Mobilehome

(l) RM-2 Mobilehome 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 Highway Travel Commercial Land Use Zone

(g) C-O 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

(1) 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.

ARTICLE 3: 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 Sequence

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-15
RD-20
RD-25
RD-30
RD-40
RM-2

101-44. Commercial Land Use Zones Sequence

BP
SC
LC
AC
GC
TC
C-O

101-45. Industrial Land Use Zones Sequence

M-1
M-2
MP

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, C-O, RM-2, (PC), (SM), (NPA), SPA, DW, UR, RR, IR, (FP), (NS), (MHP), and MP. If property already carries a combining zone designation, the underlying zone may be changed without affecting the combining zone and such combining zone shall remain on the property unless a request to remove combining zone was included in the public hearing notice.

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.

ARTICLE 4: 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.

101-89. Comprehensive Zoning Plan, Unit No. 276/128, dated March 10, 1983

101-90. Comprehensive Zoning Plan, Unit No. 276/140, dated March 10, 1983

101-91. Comprehensive Zoning Plan, Unit No. 284/140, dated March 10, 1983

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 October 4, 1983

101-107. Comprehensive Zoning Plan, Unit No. 372/152, dated October 4, 1983

101-108. Comprehensive Zoning Plan, Unit No. 380/152, dated October 4, 1983

101-109. Comprehensive Zoning Plan, Unit No. 388/152, dated October 4, 1983

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 October 27, 1983

101-115. Comprehensive Zoning Plan, Unit No. 332/164, dated October 27, 1983

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, October 4, 1983

101-120. Comprehensive Zoning Plan, Unit No. 372/164, dated October 4, 1983

101-121. Comprehensive Zoning Plan, Unit No. 380/164, dated October 4, 1983

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 October 27, 1983

101-130. Comprehensive Zoning Plan, Unit No. 356/176, dated October 27, 1983

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 October 27, 1983

101-137. Comprehensive Zoning Plan, Unit No. 356/188, dated July 31, 1980

101-138. Comprehensive Zoning Plan, Unit No. 364/188, dated October 27, 1983

101-139. Comprehensive Zoning Plan, Unit No. 372/188, dated October 27, 1983

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 October 27, 1983

101-144. Comprehensive Zoning Plan, Unit No. 356/200, dated October 27, 1983

101-145. Comprehensive Zoning Plan, Unit No. 364/200, dated October 27, 1983

101-146. Comprehensive Zoning Plan, Unit No. 372/200, dated July 31, 1980

101-147. Comprehensive Zoning Plan, Unit No. 380/200, dated October 27, 1983

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 October 27, 1983

101-152. Comprehensive Zoning Plan, Unit No. 372/212, dated October 27, 1983

101-153. Comprehensive Zoning Plan, Unit No. 380/212, dated October 27, 1983

101-154. Comprehensive Zoning Plan, Unit No. 356/224, dated February 21, 1979

101-155. Comprehensive Zoning Plan, Unit No. 364/224, dated October 27, 1983

101-156. Comprehensive Zoning Plan, Unit No. 372/224, dated October 27, 1983

101-157. Comprehensive Zoning Plan, Unit No. 380/224, dated October 27, 1983

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

101-175. Comprehensive Zoning Plan, Unit No. 340/116, dated December 12, 1984

101-176. Comprehensive Zoning Plan, Unit No. 356/116, dated December 12, 1984

101-177. Comprehensive Zoning Plan, Unit No. 372/116, dated December 12, 1984

101-178. Comprehensive Zoning Plan, Unit No. 388/116, dated December 12, 1984

101-179. Comprehensive Zoning Plan, Unit No. 356/104, dated December 12, 1984

101-180. Comprehensive Zoning Plan, Unit No. 132/20

101-181. Comprehensive Zoning Plan, Unit No. 116/44

101-182. Comprehensive Zoning Plan, Unit No. 132/44

101-183. Comprehensive Zoning Plan, Unit No. 132/68

101-184. Comprehensive Zoning Plan, Unit No. 148/68

101-185. Comprehensive Zoning Plan, Unit No. 164/68

101-186. Comprehensive Zoning Plan, Unit No. 148/92

101-187. Comprehensive Zoning Plan, Unit No. 164/92

101-188. Comprehensive Zoning Plan, Unit No. 180/92

101-189. Comprehensive Zoning Plan, Unit No. 196/92

101-190. Comprehensive Zoning Plan, Unit No. 212/92

101-191. Comprehensive Zoning Plan, Unit No. 148/116

101-192. Comprehensive Zoning Plan, Unit No. 164/116

101-193. Comprehensive Zoning Plan, Unit No. 180/116

101-194. Comprehensive Zoning Plan, Unit No. 194/116

101-195. Comprehensive Zoning Plan, Unit No. 212/116

101-196. Comprehensive Zoning Plan, Unit No. 228/116

101-197. Comprehensive Zoning Plan, Unit No. 244/116

101-198. Comprehensive Zoning Plan, Unit No. 260/128

101-199. Comprehensive Zoning Plan, Unit No. 196/140

101-199.01. Comprehensive Zoning Plan, Unit No. 212/140

101-199.02. Comprehensive Zoning Plan, Unit No. 228/140

101-199.03. Comprehensive Zoning Plan, Unit No. 244/140

101-199.04. Comprehensive Zoning Plan, Unit No. 196/164

101-199.05. Comprehensive Zoning Plan, Unit No. 212/164

101-199.06. Comprehensive Zoning Plan, Unit No. 228/164

101-199.07. Comprehensive Zoning Plan, Unit No. 244/164

101-199.08. Comprehensive Zoning Plan, Unit No. 196/188

101-199.09. Comprehensive Zoning Plan, Unit No. 212/188

101-199.10. Comprehensive Zoning Plan, Unit No. 228/188

101-199.11. Comprehensive Zoning Plan, Unit No. 244/188

101-199.12. Comprehensive Zoning Plan, Unit No. 260/188

101-199.13. Comprehensive Zoning Plan, Unit No. 268/188

101-199.14. Comprehensive Zoning Plan, Unit No. 276/188

101-199.15. Comprehensive Zoning Plan, Unit No. 284/188

101-199.16. Comprehensive Zoning Plan, Unit No. 292/188

101-199.17. Comprehensive Zoning Plan, Unit No. 300/188

101-199.18. Comprehensive Zoning Plan, Unit No. 260/200

101-199.19. Comprehensive Zoning Plan, Unit No. 268/200

101-199.20. Comprehensive Zoning Plan, Unit No. 276/200

101-199.21. Comprehensive Zoning Plan, Unit No. 284/200

101-199.22. Comprehensive Zoning Plan, Unit No. 292/200

101-199.23. Comprehensive Zoning Plan, Unit No. 300/200

101-199.24. Comprehensive Zoning Plan, Unit No. 212/212

101-199.25. Comprehensive Zoning Plan, Unit No. 228/212

101-199.26. Comprehensive Zoning Plan, Unit No. 244/212

101-199.27. Comprehensive Zoning Plan, Unit No. 260/212

101-199.28. Comprehensive Zoning Plan, Unit No. 276/212

101-199.29. Comprehensive Zoning Plan, Unit No. 292/212

101-199.30. Comprehensive Zoning Plan, Unit No. 308/212

101-199.31. Comprehensive Zoning Plan, Unit No. 324/212

101-199.32. Comprehensive Zoning Plan, Unit No. 332/212

101-199.33. Comprehensive Zoning Plan, Unit No. 324/224

101-199.34. Comprehensive Zoning Plan, Unit No. 332/224

101-199.35. Comprehensive Zoning Plan, Unit No. 340/224

101-199.36. Comprehensive Zoning Plan, Unit No. 212/236

101-199.37. Comprehensive Zoning Plan, Unit No. 228/236

101-199.38. Comprehensive Zoning Plan, Unit No. 244/236

101-199.39. Comprehensive Zoning Plan, Unit No. 260/236

101-199.40. Comprehensive Zoning Plan, Unit No. 276/236

101-199.41. Comprehensive Zoning Plan, Unit No. 292/236

101-199.42. Comprehensive Zoning Plan, Unit No. 308/236

101-199.43. Comprehensive Zoning Plan, Unit No. 324/236

101-199.44. Comprehensive Zoning Plan, Unit No. 340/236

101-199.45. Comprehensive Zoning Plan, Unit No. 228/260

101-199.46. Comprehensive Zoning Plan, Unit No. 244/260

101-199.47. Comprehensive Zoning Plan, Unit No. 260/260

101-199.48. Comprehensive Zoning Plan, Unit No. 276/260

101-199.49. Comprehensive Zoning Plan, Unit No. 292/260

101-199.50. Comprehensive Zoning Plan, Unit No. 308/260

101-199.51. Comprehensive Zoning Plan, Unit No. 324/260

101-199.52. Comprehensive Zoning Plan, Unit No. 340/260

101-199.53. Comprehensive Zoning Plan, Unit No. 268/128, dated February 10, 1988

101-199.54. Comprehensive Zoning Plan, Unit No. 260/140, dated February 10, 1988

101-199.55. Comprehensive Zoning Plan, Unit No. 268/140, dated February 10, 1988

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-PD-7A 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-11

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."

101-359. Skipped in Error

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 P.D."

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

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 P.D."

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

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

101-425.5. 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, and 5A

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

101-435. 81-SPA-2, Walnut Grove, 2A and 2B

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

101-438. 83-SPA-2, Calvine Industrial Park

101-439. 83-SPA-3, Metropolitan Airport, Vicinity

101-440. 83-SPA-4, Marshall-Fair Oaks

101-441. SPA (506-20) Greenback Lane

101-442. SPA (506-30) McClellan North

101-443. SPA (506-40) Elk Grove Old Town

101-444. SPA (506-50) Rio Linda Business District

101-445. SPA (507-10) Mather Air Force Base

101-446. SPA (501-60) Antelope Station

101-447. SPA Aerojet

101-448. SPA (501-200) Laguna Del Sol

101-449. SPA (509-10) South Sunrise

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 substation 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, and 2A

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

101-614. NPA-83-1, Town of Freeport

101-615. NPA (534-10) Carmichael Creek

101-616. NPA (535-10) Arcade Oaks

101-617. NPA (537-10) Carmichael Colony

101-800. Development agreement for Gold River

CHAPTER 5: OPEN SPACE LAND USE ZONES

ARTICLE 1: 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.

ARTICLE 2: 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 1.5; AG-160 Permanent Agricultural Extensive Land Use Zone

(b) Title II, Chapter 5, Article 2; AG-80 Permanent Agricultural Extensive Land Use Zone

(c) Title II, Chapter 5, Article 2.5; AG-40 Permanent Agricultural Extensive Land Use Zone

(d) Title II, Chapter 5, Article 3; 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 4; 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

(1) 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; C-O Commercial Recreation Land Use Zone

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.

ARTICLE 3: 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.

CHAPTER 10: SPECIAL PERMITS

ARTICLE 1: 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) Statement of proposed hazardous materials handling

(i) 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, Board of Zoning Appeals, 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

(d) Exceptions

(e) Special Development Permits

(f) Appeals of actions on conditional use permits, variances, lot reduction permits, exceptions, special development permits, and certificates of nonconforming use

(g) Revocation hearings for conditional use permits, variances, lot reduction permits, exceptions, special development permits, and certificates of nonconforming use

(h) Development Plan Review by the Project Planning Commission (Amended 4/17/02)

110-03.5. Board of Supervisors Hearing Authority

For the purpose of having complete public hearings whenever there is an application that will be heard by the Board, the Board shall have the authority to consider all aspects of the application, including, but not limited to, the granting of variances, use permits, tentative maps, setback exceptions, or other types of administrative hearing matters.

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 or exception, 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, certificate of nonconforming use, 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, certificate of nonconforming use, 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, certificate of nonconforming use, 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 Administrator 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 Administrator 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 Administrator 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 Administrator of Public Works.

110-12 Extensions of Time for Entitlements not Related to a Tentative Map

Any entitlement, development permit or other approval which would otherwise expire between March 9, 2011 and December 31, 2013 shall automatically be extended to December 31, 2013.

ARTICLE 2: 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 8, Article 1 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 make recommendations on 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.

(d) Board of Supervisors. The Board of Supervisors shall be the appropriate authority to hear and decide applications for variances 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, or, after a recommendation from the appropriate Planning Commission, when an application for a variance is located within the area regulated by any Comprehensive Land Use Plan (CLUP) which does not comply strictly with policy 2.8.10 or policy 3.5.17(d) of the Airport Comprehensive Land Use Plan, upon making the findings by 4/5 vote as required by General Plan Policy 2.8.11. (Adopted 8/88)

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.

ARTICLE 3: 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.

110-30.5. Use Permits For 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 specifically provided for in this Code. In order to carry out the intent of this ordinance and to promote the general welfare of the community, the Board of Supervisors authorizes the Planning Director to determine the appropriate requirements for uses which are not provided for in the Zoning Code subject to the following:

(a) A determination by the Planning Director that the use is substantially similar in characteristics, intensity, and compatibility to a use or uses within the zoning classification applicable to the property.

(b) Determination by the Planning Director that the use would be appropriate in the zoning classification applicable to the property as a permitted or conditional use. Each such use shall conform to all the regulations and conditions of approval applicable to similar described use specified in the provisions of the applicable zone as well as the standards and provisions applicable to the similar described use in Title III of this Code.

(c) If the Planning Director determines that the use would be appropriate in the zoning classification applicable to the property as a conditional use, a use permit shall be heard by the appropriate hearing body for the similar use.

(d) The use shall then be processed in a similar manner, as determined by the Planning Director, until the Zoning Code can be amended to add the use to the Tables. (Amended 6/95)

110-30.6 Use Permit Requirements – Relating to Fair Oaks Boulevard Corridor Planning Area (Adopted 4-8-08)

(a) The boundaries of the Fair Oaks Boulevard Corridor Planning Area are shown in the exhibits identified as follows and made part of this Code:

(1) Fair Oaks Boulevard Corridor Planning Area 110-84.3(g).

(b) The land uses permitted shall be those uses permitted in the underlying zone, except as set forth below, and shall conform to the development standards as set forth in 110.84.3: The following uses, if otherwise permitted in their respective zone, shall require a use permit from the Carmichael-Old Foothill Farms Community Council:

(1) Drive-thru Restaurants

(2) Deleted

(3) Liquor Store

(4) Bar-Tavern, Brew Pub

(5) Check Cashing Stores

(6) Tobacco Shop

(7) Gunshop-Gunsmith

(8) Deleted

(9) Convenience Store/Neighborhood Market/Food Market Ancillary to Service Station

(10) Storage Building - Mini

(11) Deleted

(12) Deleted

(13) Machine Shop, Photographic Processing Plant-wholesale Facility, Building Trades Service Yard and Workshop

(14) Thrift/Second Hand Stores, excluding incidental sales of second hand items

(15) Recycling Centers

(16) Massage

(17) Tanning Salons

(18) Tattoo Parlors

(19) Pawn Shops

(20) Automotive Sales, Service and Repair Uses listed in Section 225-11, Table II, Section A

110-30.10. Repealed 3/3/1999

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 I, 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, or, after a

recommendation by the appropriate Planning Commission, when an application for a use permit located within the area regulated by any Comprehensive Land Use Plan (CLUP) which does not comply strictly with policy 2.8.10 or policy 3.5.17(d) of the Airport Comprehensive Land Use Plan, upon making the findings by 4/5 vote as required by General Plan Policy 2.8.11. (Adopted 8/88)

(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 therefore 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 Title III, Chapter 35, Article 1 of this Code.

(e) In cases where the CPAC recommends denial on projects involving conditional use permits for non-residential uses, the Zoning Administrator shall refer applications directly to the Project Planning Commission, with appeal to the Board of Supervisors. (Adopted 2/11/04)

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.

ARTICLE 4: 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 mobilehome 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.

(c) Board of Supervisors. The Board of Supervisors, shall be the appropriate authority after a recommendation from the appropriate Planning Commission to hear and decide applications for lot reduction permits located within the area regulated by any Comprehensive Land Use Plan (CLUP) which does not comply strictly with policy 2.8.10 or policy 3.5.17(d) of the Airport Comprehensive Land Use Plan, upon making the findings by 4/5 vote as required by General Plan Policy 2.8.11. (Adopted 8/88)

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.

(c) That the lot for which the lot reduction permit is requested will be used only for residential purposes.

110-43. Lapse of Lot Reduction Permit

A lot reduction 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 lot reduction permit, whichever date is last to occur. The recordation of a parcel map in conformance with an approved lot reduction permit shall occur within this three-year period.

ARTICLE 5: 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 at least one of the following findings is made. This may not be used in connection with a tentative subdivision map. The grant of a lot size exception in an AG zone shall comply with the provisions of Government Code Section 664.74.4 if encumbered by a Williamson Act Contract. (Amended 6/13/01)

(a) Dedication for public streets or other facilities is required that is in excess of dedication normally required, pursuant to the adopted County Transportation Plan or otherwise required by a public agency.

(b) The location of natural features or existing site improvements will cause odd or irregular lot shape if strict adherence to lot area and/or width standards is required. This section is applicable only if sufficient overall land area exists.

(c) An existing nonresidential use, or a nonresidential use proposed concurrently with a lot size exception request, does not require the minimum parcel size required by the existing zoning. Such nonresidential uses may include institutional uses such as day care centers, churches, private schools, hospitals, fraternal lodges, and public buildings. Conveyance of residential development rights may be required as a condition of the lot size exception.

(d) The lot area reduction does not exceed 10% of the zone minimum lot area requirement and the resulting lot(s) is/are deemed compatible with the surrounding area.

(e) Two-thirds or more of the legally created lots existing within 500 feet of the proposed parcel map are of similar size or shape in the same zone.

(f) The project consists of a remainder lot created prior to May 1983 as a result of a gift deed conveyance to a non-profit charitable organization or to a college or university level education facility.

(g) The project is located within a Neighborhood Preservation Area (NPA) and maintenance of the existing zoning is an integral part of the intent of the NPA. The proposed lot exception would be consistent with the policies of the existing Community Plan and General Plan, and would be compatible with the existing lotting pattern in the immediate vicinity. (Amended 2/97)

110-52. Exceptions from the Requirements for Public Street Frontage for Lots Served by a Private Drive

The appropriate authority may authorize an exception from the public street frontage provisions in any zone or from the road improvement standards of Code Section 120-11 and 120-12 to permit a single family dwelling or mobilehome and accessory buildings to be erected and used. The appropriate authority shall find 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 right-of-way and improvements.

(c) Adequate provisions are made for emergency and service provider vehicles.

110-52.1. Exceptions from Multiple Family Development Standards

The Project Planning Commission may authorize Exceptions from any multiple family development standard that is set forth in Title III, Chapter 5, Article 2. (Amended 6/96**)**

110-53. Appropriate Authority Empowered to Grant Exceptions

(a) Zoning Administrator. Zoning Administrator shall be the appropriate authority to hear and decide applications for exceptions whenever said applications are filed contemporaneously with an application which would normally be heard by the Zoning Administrator pursuant to the provisions of this Code.

(b) 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.

(c) 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.

(d) 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.

(e) Board of Supervisors. The Board of Supervisors shall be the appropriate authority, after a recommendation from the appropriate Planning Commission, to hear and decide applications for exceptions located within the area regulated by any Comprehensive Land Use Plan (CLUP) which does not comply strictly with policy 2.8.10 or policy 3.5.17(d) of the Airport Comprehensive Land Use Plan, upon making the findings by 4/5 vote as required by General Plan Policy 2.8.11. (Adopted 8/88)

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.

ARTICLE 6: 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; to provide economy in housing opportunities; and to provide a means of 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.

(c) Board of Supervisors. The Board of Supervisors shall be the appropriate authority, after a recommendation from the appropriate Planning Commission, to hear and decide applications for special development permits located within the area regulated by any Comprehensive Land Use Plan (CLUP) which does not comply strictly with policy 2.8.10 or policy 3.5.17(d) of the Airport Comprehensive Land Use Plan, upon making the findings by 4/5 vote as required by General Plan Policy 2.8.11. (Adopted 8/88)

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. A condition of rezoning may require that property be developed only if in compliance with an approved Special Development Permit.

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 requirements of the Land Use Zone in which the project is located, except that the appropriate authority may permit increased densities over the maximum permitted by the Land Use Zone, as listed below:

(a) Density increase up to 50 percent of permitted density if the appropriate authority finds:

(1) 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.

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

(3) 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.

(b) Density increase up to 25 percent of permitted density if the appropriate authority finds:

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

(2) That the amount of the increased density is proportional to the amount of increased energy conservation achieved which exceeds adopted regulations.

(c) In addition to (a) or (b), the appropriate authority must find that the project will not be a hazard or nuisance in the community at large or establish a use or development inconsistent with the goals, objectives and policies of the General Plan and will not result in significant damage to environmentally sensitive or significant physical features that may exist on the site. (Amended SZC 96-0021)

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(b) 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 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, park 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(b) of the Zoning Code shall provide a study substantiating the stated energy savings.

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

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

(f) 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.

(g) 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. (Amended SZC 96-0021)

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 or by the substantial energy savings proposed pursuant to Section 110-65(b). 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 Public Works.

(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.

110-72. 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.

ARTICLE 7: 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 Planning Department Office and the Office of the Secretary of the Planning Commission.

110-82. Development Regulations

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) Location, screening, security, emergency facilities, and containment proposed for all hazardous materials storage, both above and below ground

(l) Lighting, location, general nature, shielding devices

(m) Landscaping plans

(n) Grading plans

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

(p) Domestic fire protection and irrigation water sources

(q) Sewage disposal methods

(r) Existing and proposed uses

(s) Location of proposed loading areas and docks

(t) Location of all trip reduction facilities as required by Section 330-140, et seq.

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 Title I, Chapter 15, Article 3, of this Code.

110-84.1. Development Plan Review - Multiple Family Projects

(a) For a multifamily project with 80 or fewer dwelling units which is consistent with the underlying zoning and which complies with applicable development standards, the sole review requirement is Development Plan Review by the Planning Director (or designee) and the sole appeal from the decision of the Planning Director is the Board of Zoning Appeals (BZA).

(b) For multifamily project with more than 80 dwelling units which is consistent with the underlying zoning and which complies with applicable development standards, Development Plan Review shall be by the Project Planning Commission, and that review shall be strictly limited to review of compliance with the development standards set forth in this Code. (Multifamily projects with more than 150 dwelling units in the LC or SC zones are subject to the grant of a conditional use permit by the Project Planning Commission.)

(c) Exception: For any property encumbered by a zoning agreement which requires review by a hearing body other than that specified in subsections (a) or (b), Development Plan Review by that hearing body shall be strictly limited to review of compliance with the development standards set forth in this Code unless additional provisions are expressly set forth in the conditions of approval of the zoning agreement. (Amended 6/96)

110-84.3 Development Plan Review – Relating to Fair Oaks Boulevard Corridor Planning Area (Adopted 4-8-08)

(a) The boundaries of the Fair Oaks Boulevard Corridor Planning Area are shown in the exhibits identified as follows and made part of this Code:

(1) Fair Oaks Boulevard Corridor Planning Area 110-84.3(g)

(b) All land divisions, land use entitlements, rezones and building permits for new and renovation construction within that area depicted in Section 110-84.3(g) shall require development plan review approval by the Carmichael-Old Foothill Farms Community Council prior to the approval of any entitlement, rezone or building permit. Excepted from development plan review are the following:

(1) Building permits for interior remodeling and electrical permits;

(2) Minor building permits and façade changes determined by the Planning Director to be consistent with the Fair Oaks Boulevard Concept Plan;

(3) Building permits for swimming pools and non-residential accessory structures;

(4) Sign permits for parcels that do not have frontage on Fair Oaks Boulevard or Manzanita Avenue except for freestanding signs as noted in Section 110-84.3(f);

(5) Building permits where the building permit application was submitted prior to the effective date of this ordinance; and,

(6) Projects with previously approved development plans that have not expired.

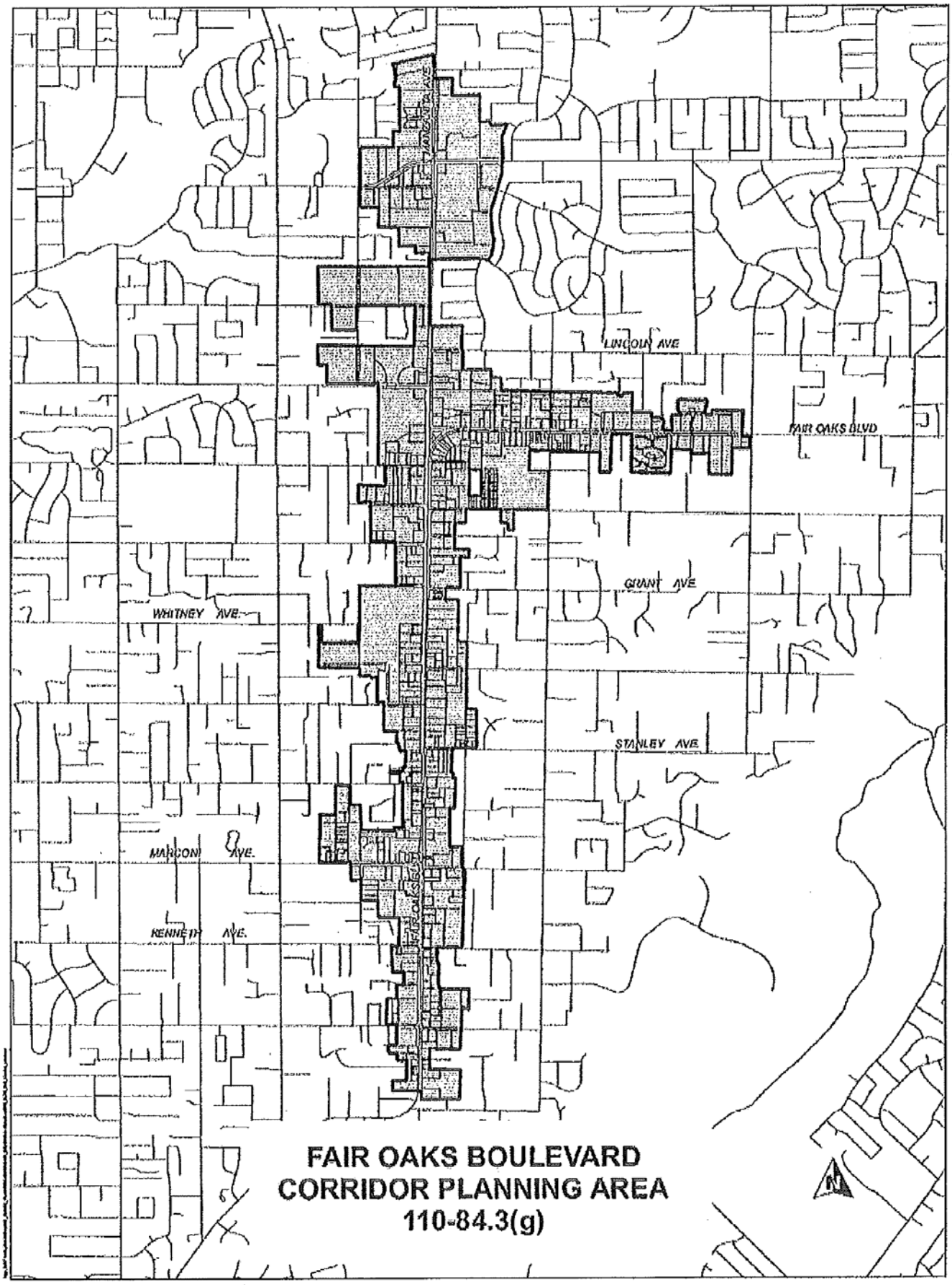
(c) Development shall be consistent with the Sacramento County Commercial and Mixed-Use Design Guidelines.

(d) Mixed use of commercial and residential uses is strongly encouraged, especially in the Colony Main Street District between Marconi Avenue and Carmichael Park.

(e) No development shall be approved unless the Council finds that it will not preclude establishment of a Smart Growth Street, consistent with the Fair Oaks Boulevard Corridor Plan.

(f) Freestanding commercial monument signs shall not exceed a maximum height of 6 feet, unless the Community Council finds that additional height is justified by exceptional design.

(g) Map of Fair Oaks Boulevard Corridor planning area


LINCOLN AVE
FAIR OAKS BLVD
GRANT AVE
WHITNEY AVE.
STANLEY AVE.
MARCONI AVE.
KENNEDY AVE.
FAIR OAKS BOULEVARD
CORRIDOR PLANNING AREA
110-84.3(g)
N

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.

ARTICLE 9: CERTIFICATE OF NONCONFORMING USE

110-100. Generally

A Certificate of Nonconforming Use 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.

110-101. Purpose

The purpose for which Certificates of Nonconforming Use may be issued is to allow continuation of the nonconforming use of land or buildings beyond five (5) years from the date the use became nonconforming. The Certificate shall be issued subject to the findings and limitations listed in Section 120-25 of this Code. (Amended 4/17/02)

110-102. Appropriate Authority

The Director shall be the appropriate authority to review and decide all applications for Certificate of Nonconforming Use.

110-103. Application

Application for a Certificate of Nonconforming Use pursuant to Section 120-25 shall be made in accordance with the provisions of Section 110-01, except that the required map shall consist of a site plan drawn to scale showing the property for which the certificate is requested and the property lines for the properties abutting the subject property (including those properties opposite public or private streets), as well as any additional regulations required by the Director. In addition, specific information may be required, including, but not limited to: name of business, type of business, lot size, building size, site development and zoning history. (Amended 4/17/02)

110-104. Notice

The Director shall notify in writing the applicant, property owner, owners and tenants of abutting properties, and appropriate community council of a request for certificate within 15 days of the date of filing of the application.

110-105. Public Comment

The affected parties shall have 30 days from the date of the above notice to comment in writing to the Planning Department regarding a request for certificate.

110-106. Action by the Director

Within ten (10) days after the comment period has ended, as described in Section 110-105 above, the Director shall either approve or deny the request for certificate of nonconforming use. The Director shall approve the request only if information submitted by the applicant, the public, and County records is sufficient to make a positive statement of findings as required by Sections 120-25. The Director shall send written notice of his/her action to the parties listed in Section 110-104 above. (Amended 4/17/02)

110-107. Terms and Conditions

A Certificate may be issued subject to conditions reasonably related to making the current use conform with reasonable standards in the current zone. Conditions may include a term of expiration where deemed appropriate by the granting authority. A Certificate may be revoked in the same manner and for the same reasons as provided in Section 110-10 of the Zoning Code of Sacramento County. The use permitted by the Certificate is subject to restrictions on expansion, extension, change and discontinuance in Sections 120-42. (Amended 6/95) (Amended 4/17/02)

110-108. Appeal

Any person may appeal the approval or denial of the certificate within 15 days of the date on the notice of action. Said appeal shall be heard by the Board of Zoning Appeals and except as specifically provided herein, shall be processed in accordance with Title I, Chapter 15, Article 3, of the Zoning Code.

ARTICLE 10: DENSITY BONUSES FOR LOWER AND VER LOW INCOME HOUSEHOLDS

110-110. Purpose and Intent

This Article is intended to provide incentives for the production of housing for very low, lower income, or senior households in accordance with Government Code Sections 65915 and 65917. In enacting this Article, it is the intent of the Board of Supervisors to facilitate the development of affordable housing and to implement the goals, objectives, and policies of the County's Housing Element, specifically Policies HE-14 (d) and HE-43 of the 1994 Housing Element.

110-111. Definitions

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

(a) "Additional Incentive" means such regulatory concessions as specified in subdivision (h) of Government Code Section 65915 which include, but are not limited to, the following:

(1) Reduced minimum lot sizes and/or dimensions.

(2) Reduced minimum lot setbacks.

(3) Reduced minimum outdoor and/or private outdoor living area.

(4) Increased maximum lot coverage.

(5) Increased maximum building height and/or stories.

(6) Reduced on site parking standards, including the number or size of spaces and garage requirements.

(7) Reduced minimum building separation requirements.

(8) Reduced street standards, e.g., minimum street widths.

(9) A reduction of site development standards or a modification of Zoning Code or architectural design requirements.

(10) Allowing the Housing Development to include non-residential uses and/or allowing the Housing Development within a commercial zone (e.g., allowing multi-family projects in excess of 150 units in the LC and SC zones) or as otherwise allowed by the Board.

(11) Other regulatory incentives or concessions which result in identifiable cost reductions or avoidance.

(12) A density bonus of more than twenty-five percent (25%).

(13) The waiver, reduction or deferral of planning, plan check, construction permit and/or development impact fees.

(14) Direct financial aid (e.g., redevelopment set-aside, Community Development Block Grant funding) in the form of a loan or a grant to subsidize or provide low interest financing for on or off site improvements, land or construction costs.

(15) Other requirements specifically required of multifamily development proceeding by right.

(b) "Affordable Rent" means monthly housing expenses, including a reasonable allowance for utilities, for rental Target Units reserved for Very Low or Lower Income Households, not exceeding the following calculations:

(1) Very low income: Fifty percent (50%) of the area median income for Sacramento County, adjusted for household size, multiplied by thirty percent (30%) and divided by 12.

(2) Lower income: Sixty percent (60%) of the area median income for Sacramento County, adjusted for household size, multiplied by thirty percent (30%) and divided by 12.

(c) "Affordable Sales Price" means a sales price at which Lower or Very Low Income Households can qualify for the purchase of Target Units, calculated on the basis of underwriting standards of mortgage financing available for the development.

(d) "Density Bonus" means a minimum density increase of at least twenty-five percent (25%) over the otherwise Maximum Residential Density.

(e) "Density Bonus Housing Agreement" means a legally binding agreement between a developer and the County to ensure that the requirements of this Article are satisfied.

(f) "Density Bonus Units" means those residential units granted pursuant to the provisions of this Article which exceed the otherwise Maximum Residential Density for the development site.

(g) "Equivalent Financial Incentive" means a monetary contribution or one or more Additional Incentives, based upon a land cost per dwelling unit value, equal to one of the following:

(1) A Density Bonus and an Additional Incentive(s); or

(2) Such portion of the Density Bonus and Additional Incentive for which the Equivalent Financial Incentive is substituted pursuant to the provisions of Section 110-112 (c).

(h) "Housing Cost" means the sum of actual or projected monthly payments for all of the following associated with for-sale Target Units: principal and interest on a mortgage loan, including any loan insurance fees, property taxes and assessments, fire and casualty insurance, property maintenance and repairs, homeowner association fees, and a reasonable allowance for utilities. Adjustments should be made as necessary for downpayment assistance.

(i) "Housing Development" means construction projects consisting of five or more residential units, including single family, multifamily, and mobilehomes for sale or rent, pursuant to this Article.

(j) "Lower Income Household" means households whose income does not exceed the lower income limits applicable to Sacramento County, as published and periodically updated by the State Department of Housing and Community Development pursuant to Health and Safety Code Section 50079.5

(k) "Maximum Residential Density" means the maximum number of residential units permitted by the County's General Plan Land Use Element and Zoning Ordinance at the time of application, excluding the provisions of this Article. If the housing development is within a planned development overlay zone, the maximum residential density shall be determined on the basis of the general plan and the maximum density of the underlying zone.

(l) "Non-Restricted Unit" means all units within a Housing Development excluding the Target Units.

(m) "Qualifying Housing Development" is a Housing Development where the applicant or developer of the Housing Development agrees to provide one of the following:

(1) At least twenty percent (20%) of the total units of the Housing Development as Target Units affordable to Lower Income Households;

(2) At least ten percent (10%) of the total units of the Housing Development as Target Units affordable to Very Low Income Households; or

(3) Senior Citizen Housing.

(n) "Qualifying Resident" means senior citizens or other persons eligible to reside in Senior Citizen Housing.

(o) "Senior Citizen Housing" means a housing development consistent with the California Fair Employment and Housing Act (Government Code Section 12900 et seq.), which has been "designed to meet the physical and social needs of senior citizens," and which otherwise qualifies as "housing for older persons" as that phrase is used in the federal Fair Housing Amendments Act of 1988 (P. L. 100-430) and implementing regulations and as that phrase is used in California Civil Code Section 51.2 and 51.3.

(p) "Target Unit" means a dwelling unit within a Housing Development which will be reserved for sale or rent to, and affordable to, Very Low or Lower Income Households, or Qualifying Residents.

(q) "Very Low Income Household" means households whose income does not exceed the very low income limits applicable to Sacramento County, as published and periodically updated by the State Department of Housing and Community Development pursuant to Section 50105 of the California Health and Safety Code.

110-112. Density Bonus Criteria

(a) A developer seeking approval of a Density Bonus and an Additional Incentive shall file an application with the Department of Planning and Community Development which shall process such application concurrently with any other application(s) required for the Housing Development. Such application shall include such information as may be specified by the Director. The Board may establish an application fee for such applications.

(b) The application shall be heard by the Project Planning Commission unless any other applications required for the Housing Development which are being processed concurrently require Board approval, in which case the application shall be heard by the Board. The hearing body shall approve the Density Bonus and Additional Incentive for Qualified Housing Developments unless:

(1) it makes a written finding that the additional concession or incentive is not required in order to provide for affordable housing costs as defined in Health and Safety Code Section 50052.5 or for rents for Targeted Units to be set as specified in subdivision (c) of Government Code Section 65915; or

(2) the County provides other incentives of equivalent financial value based upon the land cost per dwelling unit.

(c) The County may provide an Equivalent Financial Incentive in lieu of granting some or all of the Density Bonus and Additional Incentive requested by the developer. The value of the Equivalent Financial Incentive shall equal at least the land cost per dwelling unit savings that would result from the Density Bonus and Additional Incentive or such portion of the Density Bonus and Additional Incentive for which the Equivalent Financial Incentive is substituted.
Any such Equivalent Financial Incentive must contribute significantly to the economic feasibility of providing the Target Units pursuant to this Article.

(d) In determining the minimum number of Density Bonus Units to be granted pursuant to this Section, the Maximum Residential Density for the site shall be multiplied by at least 0.25. When calculating the number of permitted Density Bonus Units, any fractions of units shall be rounded to the next larger integer.

(e) In determining the number of Target Units to be provided pursuant to this Section, the Maximum Residential Density shall be multiplied by 0.10 where Very Low Income Households are targeted, or by 0.20 where Lower Income Households are targeted. The Density Bonus Units shall not be included when determining the total number of Target Units in the Housing Development. When calculating the required number of Target Units, any resulting decimal fraction shall be rounded to the next larger integer.

(f) In cases where a density increase of less than twenty-five percent (25%) is requested, no reduction will be allowed in the number of Target Units required. In cases where a density increase of more than twenty-five (25%) is requested, the requested density increase, if granted, may be considered an Additional incentive as defined in Section 110-111 (a).

(g) In cases where the developer agrees to construct more than twenty percent (20%) of the total units for Lower Income Households, more than ten percent (10%) of the total units for Very Low Income Households or Senior Citizen Housing with 20 or 10 percent of the units reserved for Lower- or Very Low-Income Households, respectively, the developer is entitled to only one Density Bonus and an Additional Incentive (or an Equivalent Financial

Incentive). The County may however at its discretion grant multiple Additional Incentives to facilitate the inclusion of more Target Units than required by this Article or in order to increase the affordability of the Target Units.

(h) The hearing body, as part of its review of an application for a Density Bonus and an Additional Incentive, may waive or modify applicable development and zoning standards which would otherwise inhibit the utilization of the density bonus on the site which is the subject of the application pursuant to the provisions of Section 110.52.1. Applicants seeking a waiver or modification of development or zoning standards shall show that such waivers or modifications contribute significantly to making the Housing Development economically feasible.

110-113. Development Standards

(a) Target Units must be constructed concurrently with Non-Restricted units unless both the County and the Developer/applicant agree within the Density Bonus Housing Agreement to an alternative schedule for development.

(b) Target Units shall remain restricted and affordable to the designated group for a period of not less than fifty-five (55) years or a longer period of time if required by the construction or mortgage financing assistance program, mortgage insurance program, rental subsidy program or other applicable legal requirement.

(c) In determining the maximum Affordable Rent or Affordable Sales Price of Target Units the following household and unit size assumptions shall be used, unless the Housing Development is subject to different assumptions imposed by other governmental regulations:

SRO (residential hotel) unit	75% of 1 person
0 bedroom (studio)	1 person
1 bedroom	2 person
2 bedroom	3 person
3 bedroom	4 person
4 bedroom	6 person

These assumptions shall not be used to prohibit actual occupancy of these units by larger families than indicated.

(d) Target Units must be built on-site wherever possible and, when practical, be dispersed within the housing Development. Where feasible, the number of bedrooms of the Target units should be equivalent to the bedroom mix of the non-Target Units of the Housing Development;
except that the Developer may include a higher proportion of Target Units with more bedrooms. The design and appearance of the Target Units shall be compatible with the design of the total standards, except those which may be modified as provided by this Article.

(e) Circumstances may arise in which the public interest would be served by allowing some or all of the Target Units associated with one Housing Development to be produced and operated at an alternative development site. Where the developer and the County form such an agreement, the resulting linked developments shall be considered a single Housing Development for purposes of this Article. Under these circumstances, the developer shall be subject to the same requirements of this Article for the Target Units to be provided on the alternative site.

(f) A Density Bonus Housing Agreement shall be made a condition of any Density Bonus approved pursuant to this Article. The Agreement shall be recorded as a restriction on the parcel or parcels on which the Target Units will be constructed. The Agreement shall be consistent with Section 110-114.

110-114. Density Bonus Housing Agreement

(a) As a condition to approval of any Density Bonus pursuant to this Article, the applicant shall agree to enter into a Density Bonus Housing Agreement with the County or the Sacramento Housing and Redevelopment Agency.

(b) The executed Density Bonus Housing Agreement shall be recorded on the parcel or parcels designed for the construction of Target Units. The approval and recordation shall take place prior to final map approval, or, where a map is not being processed, prior to issuance of building permits for such parcels or units. The Density Bonus Housing Agreement shall be binding on all future owners and successors in interest.

(c) The Density Bonus Housing Agreement shall include the following provisions:

(1) The total number of units approved for the Housing Development, including the number of Target Units;

(2) A description of the household income group to be accommodated by the Housing Development, as set forth in Section 110-112 and the standards for determining the corresponding Affordable Rent or Affordable Sales Price and Housing Cost;

(3) The location, unit sizes (square feet), and number of bedrooms of Target Units;

(4) Tenure of use restrictions for Target Units as set forth in Section 110-113;

(5) A schedule for completion and occupancy of the Target Units;

(6) A description of the specific Density Bonus and of the additional incentives or equivalent financial incentives being provided by the County;

(7) A description of remedies for breach of the agreement by either party, including the provision that tenants and/or qualified purchasers are third party beneficiaries under the agreement; and

(8) Any other provisions appropriate to ensure implementation and compliance with this Article.

(d) In the case of for-sale housing developments, the agreement shall provide for the following conditions governing the initial sale and use of Target Units during the applicable use restriction period:

(1) A requirement that affordable for-sale units shall, upon initial sale, be sold to eligible Very Low or Lower Income Households at an Affordable Sales Price and Affordable Housing Cost, or to Qualified Senior Citizen Residents, as defined in this Article.

(2) A requirement for initial occupancy by eligible Owner-Occupant, Very Low or Lower Income Households, or Qualified Senior Resident, as defined in this Article; and

(3) The terms for future sales and recapture of any equity in order to insure continued affordability for the requisite time period.

(e) In the case of rental housing developments, the Agreement shall provide for the following conditions governing the use of Target Units during the use restriction period:

(1) The rules and procedures for qualifying tenants, establishing Affordable Rent, filling vacancies, and maintaining Target Units for qualified tenants;

(2) Provisions requiring owners to verify tenants incomes and maintain books and records to demonstrate compliance with this Article; and

(3) Provisions requiring owners to submit an annual report to the County, which includes the address, unit number and income of each household occupying the Target Units, and which identifies the bedroom size and monthly rent or cost of each Target Unit.

ARTICLE 11: DESIGN REVIEW

(Adopted 8/2006)

110-120. Generally

Compliance with the Community Design Guidelines is required for any commercial, industrial, residential, mixed-use, or public works project that meets (a) below and either (b) or (c).

(a) Located in any one of the following land use zones:

Commercial Zones: BP, SC, LC, GC, AC, TC, C-O
Industrial Zones: MP, M-1, M-2
Special Zones: SPA
Non-residential projects in residential zones
Residential projects in commercial zones
Residential projects in all zones at a density of eight dwelling units per acre or higher.

(b) Requires any one or more of the following discretionary entitlements or approvals:

General Plan Amendment
Community Plan Amendment
Rezone
Conditional Use Permit
Variance
Exception
Development Plan Review
Special Development Permit
County facility or public works projects not already subject to the Pedestrian Master Plan

(c) Requires any one or more of the following non-discretionary approvals:

Building permits.
Development Plan Approvals – staff level and others that are designated as non-discretionary.
Improvement Plans involving the reconstruction of parking lots.

Building permits for interior remodeling are exempt from this requirement.

110-121. Purpose

The purpose of Design Review is to: 1) create a sense of place in Sacramento County's mixed-use, commercial, business and multi-family residential districts; 2) create mixed-use, commercial, business and multi-family residential districts that are designed to promote the safety and convenience of the pedestrian; 3) promote high quality design; and 4) promote compatibility between new development and surrounding development.

110-122. Appropriate Authority to Conduct Design Review

(a) Design Review Administrator. For discretionary projects, the Design Review Administrator shall conduct design review and make findings and recommendations to the appropriate hearing body regarding compliance with the Community Design Guidelines. For non-discretionary projects, the Design Review Administrator shall conduct design review and make findings and recommendations to the Planning Director regarding compliance with the Community Design Guidelines.

(b) Design Review Advisory Committee. The Design Review Advisory Committee shall conduct design review and make findings and recommendations regarding compliance with the Community Design Guidelines. The Design Review Advisory Committee shall not have any final authority over projects and shall serve in an advisory and technical guidance capacity to the Design Review Administrator and Planning Director. The Planning Director shall adopt administrative procedures for conduct of meetings of the DRAC and the referral and review process. The Design Review Advisory Committee shall consist of the following three members: three individuals with a professional background in architecture, landscape architecture, or urban design appointed by the Planning Director. At least one of the design professionals shall have significant and demonstrated experience in the design of retail commercial development. Each member of the Design Review Advisory Committee shall be appointed to serve a one-year term.

110-123. Application

In addition to the information required by Section 110-01, the following information shall be submitted as part of the application for any project subject to design review:

(a) Context analysis board;
(b) Preliminary concepts; and
(c) Completed design review checklist.

110-124. Findings and Recommendations

The appropriate hearing body for approval of discretionary projects, or the Planning Director for issuance of non-discretionary permits, shall find that the project: 1) substantially complies with the Community Design Guidelines as proposed or modified; or 2) would substantially comply with the Community Design Guidelines if modified with recommended modifications; or 3) does not comply with the Community Design Guidelines and should, as consequence, not be approved.

110-125. Conflicts with Other Provisions of the Zoning Code or County Code

To the extent that any other provision of the Zoning Code or Sacramento County Code conflicts with any provision of this Article or the Community Design Guidelines or the Multi-Family Residential Design Guidelines approved by the Board of Supervisors, the provisions of this

Article or the Community Design Guidelines or the Multi-Family Residential Design Guidelines shall prevail. No separate entitlement shall be required for any aspect of the project which is not consistent with the Zoning Code or Sacramento Code but is consistent with this Article, or the Commercial and Mixed Use Community Design Guidelines the Multi-Family Residential Design Guidelines.

110-126. Appeals

(a) Non-discretionary projects. Any appeal of the Planning Director for which design review was conducted pursuant to this Article shall be heard by the appropriate Community Council, or if there is no Community Council, by the Project Planning Commission, notwithstanding Section 115-34 of this Code.

(b) Discretionary projects. Appeals shall be made pursuant to Title I Article 3 of this Code.

SECTION 2. Section 115-34, Chapter 15, Article 2, of the Zoning Code is amended as follows:

Except as provided in Section 110-26, 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. However, the appeal shall be heard by the Board of Supervisors if it is filed on the basis of any of the following:

(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, or

(c) A decision of the above-named decision-makers relates in any manner to an adult bookstore, adult motion picture theater, adult live theater, or an adult video tape store. (Amended 11/95)

CHAPTER 12: DEVELOPMENT AGREEMENTS

ARTICLE 1: 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) A Resolution of Intention of the Board of Supervisors;

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

(d) A 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 Title I, Chapter 1, Article 4.

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.

(b) 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.

CHAPTER 13: SCHOOL IMPACT MITIGATION WITHIN THE ELK GROVE UNIFIED SCHOOL DISTRICT

113-01.

(a) On and after the effective date of this ordinance all land use designations within the District which permit residential development shall be conditional designations and are hereby conditioned in the manner substantially as set forth in Section 113-03. No applications for tentative subdivision maps or tentative parcel maps, use permits, development plan review, or similar entitlements requested for the ultimate purpose of residential development, unless substantially consistent with prior, approved tentative maps, shall be approved for property within the boundaries of the Elk Grove Unified School District which are inconsistent with said conditional land use designations.

(b) In no event shall these provisions be construed to impair previously approved use permits, variances, building permits, or any other entitlement for use which is required in order to comply with a zoning ordinance.

113-02.

(a) No building permits shall be issued for any residential development project within the Elk Grove Unified School District unless such development is consistent with the conditional land use designations established by Section 113-01.

(b) The Board of Supervisors hereby finds that issuance of building permits for residential development projects which were approved prior to the effective date of this ordinance would imperil the public welfare, health, and safety of the residents of the Elk Grove Unified School District. The Board has heard, read, and considered voluminous evidence relating to the overcrowding of children within existing school facilities which creates immediate health and safety problems both physically and from the standpoint of educational impairment, the latter of which may lead to a spiraling deleterious effect upon the present and future residents of the District as well as present and future residents of the other areas of the County.

Further, the Board finds that issuance of building permits for residential developments which are inconsistent with the land use designations established by Section 1 hereof would not be in compliance with the zoning established by that section.

(c) This section is severable from the remaining provisions of this ordinance and if it is determined to be invalid such determination shall not invalidate the remaining provisions.

113-03.

No building permit shall be issued until the developer/owner contributes an amount equivalent to $1.09 per square foot of residential building area to the Elk Grove Unified School District for the construction of school facilities. This amount shall be in addition to any developer fees required pursuant to Government Code section 65995 and the school district's Mello-Roos tax (Elk Grove Unified School District (CFD #1 [Measure A]). Such additional contribution shall be calculated using the same square footage methodology as that provided pursuant to Government Code section 65995. This additional contribution shall be adjusted for inflation each January 1 based upon the change in the Engineering New Record Construction Cost Index (average of 20 cities and San Francisco) for the prior year. (Amended 1992)

CHAPTER 15: ADMINISTRATION

ARTICLE 1: ENFORCEMENT

115-01. Administrative Official

This Code shall be enforced by the Director of the Building and Code Enforcement. The Director may be provided with the assistance of such other persons as he or she 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 enforce it. Any provision which confers authority on the Planning Director, the Director of Neighborhood Services Department or the Director of the Department of Planning and Community Development shall instead be deemed to confer such authority to the Director of Building and Code Enforcement. (Amended 6/2011)

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 requirements established in connection with zoning agreements, variances, conditional use permits, special development permits, exceptions or other permits granted pursuant to this Code) 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. (Amended 11/95)

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.

115-09.1. Alternative Abatement Procedures

In addition to the procedures authorized by Section 115-08, upon a determination by the Director that a violation exists, the notice required by Section 115-01 may include a notice to the owner that costs of abatement, as defined by Section 115-09.2 may be assessed against the owner if the violation is not corrected. If such notice is provided it shall include a provision that the owner may, within fifteen (15) days from the date notice was mailed, request in writing the opportunity to appear before the Board of Supervisors to contest the Director's determination. That request shall be subject to the same fee as charged for a appeal of the Director's determination, unless a different fee is established by the Board of Supervisors, but such request shall be heard by the Board of Supervisors.

115-09.2. Costs of Enforcement-Confirmation

a. Costs. When proceedings under this Code result in the correction of a violation of this Code or in a final judgment that a violation exists subsequent to the date specified in any notice issued pursuant to the provisions of this code, all costs of such proceedings and abatement incurred by the County may be assessed against the property. Such costs may include, but not by way of limitation, those incurred in inspecting property, publication, mailing and posting of notices, conducting hearings, processing and defending challenges to decisions or actions and pursuing any judicial action. It is the purpose of this section to allow the assessment against property of costs of proceedings if a violation is corrected in any manner.

b. Attorneys' Fees. Pursuant to Government Code section 25845, attorneys' fees may be recovered by the prevailing party. However, in no action, administrative proceeding, or special proceeding shall an award of attorneys' fees to a prevailing party exceed the amount of reasonable attorneys' fees incurred by the County in the action or proceeding.

c. Accounting of Enforcement Costs. The Director shall keep an account of unpaid administrative and other costs of enforcement proceedings, and shall submit to the Clerk of the Board of Supervisors an itemized written report showing such unpaid costs and their proposed assessment to the respective properties. The report shall be filed with the Clerk of the Board of Supervisors not later than fifteen (15) calendar days in advance of the confirmation hearing required below.

d. Clerk to Schedule Public Hearing to Confirm Report of Costs. Upon receipt of the report of costs, the Clerk of the Board of Supervisors shall schedule a public hearing before a County Hearing Officer appointed pursuant to Government Code section 27720 to receive protests and confirm the report.

e. Notice of Public Hearing to Confirm Report of Costs. Notice of the time, date and place of the hearing proposed assessment, together with reference to the report on file with the Clerk, shall be given to the (i) owner or owners as shown on the last equalized assessment roll available on the date of mailing of the notice, (ii) each party in interest of each parcel of property proposed to be assessed, and to (iii) any party known to be in possession of the property proposed to be assessed.

f. Time for Giving Notice. Such notice shall be served not later than fifteen (15) calendar days in advance of the hearing.

g. Service of Notice.

1. Owner. Notice to the owner or owners of each property proposed to be assessed shall be served by certified mail, postage prepaid, addressed to the owner at the address shown on the last equalized assessment roll, or any other address or addresses ascertained to be more accurate. If no address or owner is shown on the last equalized assessment roll, then notice shall be given by publication in a paper of general circulation within the County. Notice shall also be posted on the property. The notice published in a newspaper of general circulation shall show the name or names of the owner or owners if known, the assessor's parcel number, the street address of the property, if the property has an address and the address is known to the Director, the name of the street or road upon which such property abuts, if the property abuts upon a street or road, the amount of the proposed assessment and reference to the report of costs on file with the Clerk. Such publication shall be made not later than fifteen (15) calendar days in advance of the hearing.

2. Party in interest. Notice to each party in interest of each property proposed to be assessed shall be served by certified mail, postage prepaid, addressed to the party in interest at the address shown on the instrument of record creating such interest in the property, or any other address or addresses ascertained to be more accurate. If no address for such party in interest is known, then notice shall be given by publication in a paper of general circulation within the County. Such publication shall be made not later than fifteen (15) calendar days in advance of the hearing.

3. Public. Notice of the time, date and place of the public hearing by the County Hearing Officer shall be published once in a newspaper of general circulation published within the County. Such publication shall be made not later than fifteen (15) calendar days in advance of the hearing.

4. Party in possession. Notice of anyone known to be in possession of the property proposed to be assessed shall be served by certified mail, postage prepaid, to the party known to be in possession to the property address or any other address or addresses ascertained to be more accurate.

5. Service Effective. Service shall be complete and effective as of the date of mailing or publication, as may be appropriate, as herein provided. The failure of any person to receive such notice shall not affect the validity of any proceedings taken pursuant to this section.

h. Proof of Service. Proof of service by mail shall be certified by written declaration under penalty of perjury executed by the person effecting service, declaring the time, date and manner in which service was made. The declaration, together with any receipt card returned in acknowledgment of receipt by certified mail, shall be affixed to the copy of the notice retained by the Director. Proof of posting a copy of the notice shall be certified by written declaration under penalty of perjury executed by the person effecting posting and declaring the time, date and location posting was effected. Proof of service by publication shall be certified by written declaration under penalty of perjury executed by the person authorized to so by the newspaper of general circulation declaring the date the notice was published by a newspaper of general circulation within the County, and a copy of the published notice shall be affixed to such declaration.

i. Protests. Protest or objection to all or part of the report of costs may be in writing or may be given orally at the hearing for confirmation of the report of costs. Written protests or objections to all or part of the report of costs shall specify the hearing date, hour and description of the subject property.

j. Public Hearing by County Hearing Officer; Confirmation of Costs. Upon the day and hour fixed in the notice a County Hearing Officer shall conduct a public hearing to consider and pass upon the report of costs, together with any such protests or objections thereto. The County Hearing Officer may continue the hearing from time to time. The County Hearing Officer may make such revision, correction or modification of the report or the charge as he may deem just and shall then confirm the report by written notice to the Director.

    1. Personal Obligation. If, after the hearing at which each owner shall have the opportunity to address the issue, the County Hearing Officer orders the charge to be a personal obligation of each owner of the property involved, then he shall direct collection of the charge by use of all appropriate legal remedies.

    2. Special Assessment. If, after the hearing at which each owner shall have the opportunity to address the issue, the County Hearing Officer orders that the charge shall be assessed against the property, he shall confirm the assessment, cause the same to be recorded on the assessment roll, and thereafter said assessment shall constitute a special assessment against and a lien on the property.

k. Service of Confirmed Report of Costs. Promptly following confirmation of the report by the County Hearing Officer, the Director shall serve upon the owner or owners, and all parties in interest, a copy of the confirmed report of costs. The confirmed report of assessment shall include the following items: (i) the amount of the confirmed costs and whether such costs are assessed as a personal obligation or special assessment, (ii) demand that the same be paid in full to the County within thirty (30) days from the date of service, (iii) a statement that failure to receive payment within the time allotted shall result in the costs either becoming a personal obligation of the owner or a special assessment lien against the subject property, and (iv) a statement identifying the right to appeal to the Board the confirmed report of costs. Service of the confirmed report of costs shall be effected in the same manner as service of the notice of hearing as set forth above in this section, except for the requirements of posting the property and publication in a newspaper of general circulation unless the last equalized assessment roll does not list the owner(s) or address(es) for the property to be assessed.

115-09.3. Costs-Assessments

a. Costs Liened if Not Paid within Thirty Days. If the costs as confirmed have not been received by the County within thirty (30) days of the date notice thereof is effective, or an appeal to the Board is final, and costs are ordered to be assessed against the property, the costs shall be assessed against the parcel of land, as authorized by Section 25845 of the Government Code. A notice of abatement lien may be recorded against the subject property and notice thereof shall be transmitted to the tax collector. Collection of the special assessment shall be in the same manner as ordinary county taxes, and shall be subject to the same penalties and the same procedures and sale in case of delinquency as provided for such taxes. All laws applicable to the levy, collection, and enforcement of county taxes are applicable to the special assessment. (Repealed and Replaced 3/2011)

b. Transfer to Bona Fide Purchaser. If, subsequent to the service of the notice and order, and prior to notice being given to the tax collector for collection as set forth in subsection a. above, the property subject to the notice and order is sold, or title otherwise transferred to a bona fide purchaser for value, said costs shall be the responsibility of the owner of record as of the date said notice and order was placed in the United States postal system or posted on the property, whichever is later. (Repealed and Replaced 3/2011)

c. Remedies Cumulative. In addition to assessing the unpaid costs as provided in subsection (a), above, the Tax Collector or his designated representative may pursue any remedy provided by law for collection of the unpaid costs. (Repealed and Replaced 3/2011)

115-09.4. Treble Costs

Pursuant to Government Code Section 25845.5, upon entry of a second or subsequent civil or criminal judgment within a two year period finding that an owner is responsible for a condition that may be abated pursuant to Government Code Section 25845, a court may order the owner to pay treble the costs of abatement. (Amended 3/92)

115-09.5 Appeal (Added 3/2011)

a. Manner of Appeal. Any person entitled to service of a confirmed report of costs may appeal the County Hearing Officer's decision to the Board of Supervisors by filing at the office of the Clerk an appeal fee, established by resolution of the Board, and a written appeal. The appeal shall not be deemed filed until payment of the appeal fee is received by the Clerk; provided, however, that the appeal fee required may be waived on the basis of financial hardship.

b. Form of Appeal. The written appeal shall state:

1. The names of all appellants participating in the appeal.

2. A brief statement setting forth the legal interest of each of the appellants in the property described in the confirmed report of costs.

3. A brief statement in ordinary and concise language of the material facts claimed to support the contentions of the appellant(s).

4. A brief statement in ordinary and concise language of the relief sought and the reasons why it is claimed the confirmed report of costs should be reversed, modified or otherwise set aside.

5. The signature of each party named as an appellant and their official mailing address(es).

6. The verification (by declaration under penalty of perjury) of at least one appellant as to the truth of the matters stated in the appeal.

c. Failure to Notice Appeal. Failure of any person to properly appeal pursuant to this section shall constitute a waiver of his or her right therein.

d. Processing of Appeal. Upon receipt of any appeal and appeal fee filed pursuant to this section, the Clerk shall immediately transmit a copy of the written appeal to the Director. The Director shall thereafter provide the Clerk a copy of the confirmed report of costs for the property indicated in the appeal.

e. Scheduling and Noticing Appeal for Hearing. As soon as practicable after receiving the copy of the written appeal transmitted by the Clerk, the following shall occur:

1. Date. The Clerk shall fix a date, time, and place for the Board's hearing of the appeal. Such date shall be within fifteen (15) days of the filing of the appeal and payment of the appeal fee.

2. Notice. The Clerk shall give written notice of the time and place of the hearing at least five days prior to the date of the hearing to each appellant and the Director by causing a copy of such notice to be delivered to the appellant personally or by mailing a copy thereof, certified postage prepaid return receipt requested, addressed to each appellant at his or her address shown on the appeal. Notice shall be effective upon personal delivery or five days after mailing.

f. Action by Board. Following its consideration of the confirmed report of costs, the written appeal, and any objections or arguments raised at the public hearing, the Board may make such revision, correction or modification of the report as it may deem just. The report as submitted or as revised, corrected or modified shall thereafter be confirmed or rejected as set forth in this Article.

g. Form and Finality of Decision. The decision of the Board shall be in writing and shall contain (i) the amount of the confirmed costs and whether such costs are assessed as a personal obligation or special assessment, (ii) a demand that the same be paid in full to the County within thirty (30) days, (iii) a statement that failure to receive payment within the time allotted shall result in the costs either becoming a personal obligation of the owner or a special assessment lien against the subject property, and (iv) a statement that judicial review is governed by California Code of Civil Procedure section 1094.6. A copy of the decision shall be delivered to each appellant personally or sent to him or her by certified mail, postage prepaid, return receipt requested. The decision of the Board of Supervisors on the report and on all objections or protests shall be final and conclusive when served as herein provided.

115-09.6 Time for Contest of Assessment

The validity of any cost confirmation made under the provisions of this code shall not be contested in any action or proceeding unless the same is commenced within thirty (30) days after the service of confirmed report of costs is effective. (Added 3/2011)

ARTICLE 2: 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 addresses 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) Statement of proposed hazardous materials handling.

(h) 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.

115-14. 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.

Notwithstanding the above, the Director may authorize either the Project or the Policy Planning Commission to hear applications for community plan amendments and rezones. (Amended 11/5/03)

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.

As soon as practicable after receipt from the Department of Environmental Review and Assessment of the proposed environmental document related to any project, the Planning Director shall cause the posting of notice of the application and the hearing on the property subject to any application. Such posted notice shall be in a form and shall contain such content as may be approved and required, from time to time, by the Planning Director. Such posted notice shall be maintained by the applicant until removed by the Planning Director or Director's agent. For all projects for which such posting is done after September 1, 3008, the applicant shall be responsible for any costs of such posting as well as the costs of replacing the notice should it be removed or destroyed prior to removal by the Director. (Amended 7/2008)

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 denied 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 Title I, Chapter 15, Article 3, 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 action, 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 on 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. Action by the Board of Supervisors shall become effective thirty (30) days from the date of the final hearing or thirty days from the date the Chairperson of the Board of Supervisors signs the approval document, whichever is later, unless a court review thereof is commenced within that thirty-day period.

For purposes of this Section, 'approval document' shall mean the ordinance enacting the zoning reclassification unless the Board of Supervisors has imposed conditions on such reclassification. In that event, 'approval document' shall mean both the ordinance enacting the reclassification and any agreement or other document setting forth the conditions imposed by the Board of Supervisors. (Amended 1993)

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.

ARTICLE 3: 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 Commission.

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

Except as provided in Section 110-26, 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. However, the appeal shall be heard by the Board of Supervisors if it is filed on the basis of any of the following: (Amended 8/06)

(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; or
(c) A decision of the above-named decision-makers relates in any manner to an adult bookstore, adult motion picture theater, adult live theater, or an adult video tape store. (Amended 11/95)

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 the next regularly scheduled meeting following 30 days after the date the Notice of Appeal was received.

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 rehear 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 shall review the entire proceeding held before the Planning Commission, de novo, and may make any order it deems just and equitable, including the grant of any permit.

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, legality 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.

ARTICLE 4: 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, 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.

115-44.

(a) The land use zones listed below shall be included within the corresponding land use type listed below, and such land use types shall be used for all purposes specified pursuant to Chapter 16.87 of the Sacramento County Code, including establishing, paying, and collecting roadway fees and transit fees.

Land Use Type	Land Use Zone
Single Family Residential	AR-10 through RD-7 and RM-2
Multiple Family Residential	RD-10 through RD-40
Commercial	GC - General Commercial LC - Limited Commercial AC - Auto Commercial TC - Highway Travel Commercial SC - Shopping Center C-O - Commercial Recreation
Business and Professional Office	BP - Business and Professional
Industrial	M-1 - Light Industrial M-2 - Heavy Industrial
Industrial/Office Park	MP

Special Planning Area Land Use Zone (SPA) and Combining Land Use Zones shall be included within the above land use types as designated by the Director of the Department of Planning and Community Development, who shall determine which land use zone or zones authorize the uses and densities which correspond most directly to the uses and densities allowed in the areas within the SPA or Combining Zones.

Uses allowed by use permit in any of the zones described in this subdivision shall be included within the above land use types as designated by the Director of the Department of Planning and Community Development, instead of being included on the basis of the underlying land use zone in effect on the parcel of property. The Director shall determine which land use zone or zones authorize the uses and densities which correspond most directly to the uses and densities allowed by the use permit.

(b) In any land use zone specified in subdivision (a), no building permit shall be issued (and no improvement plans for a mobilehome park shall be approved) until the roadway fees and transit fees are paid as required by Chapter 16.87 of the Sacramento County Code. (Adopted 8/88)

ARTICLE 5: 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) (1) Zoning boundaries of the Flood (F) combining and Natural Streams (NS) combining land use zones are intended to represent the 100-year floodplain as determined by Public Works. The 100-year floodplain will be based on the best available information, which may include the National Flood Insurance Program Flood Insurance Rate Map, County drainage master plan, historic flooding events, or other available information.

(2) When Public Works revises the 100-year flood elevation based upon detailed engineering data, the zoning boundaries of an (F) or (NS) land use zone may be adjusted by the Planning Director or Designee so as to accurately reflect the 100-year floodplain.

(3) Upon development of a property, the Project Planning Commission shall determine the exact location of the 100-year floodplain based on a topographic survey of the property at one foot intervals and the 100-year flood elevation as determined by Public Works. (Amended 1993)

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.

CHAPTER 20: NONCONFORMING LOTS, USES, STRUCTURES AND SIGNS

ARTICLE 1: 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 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, or Ordinance No. SZC 77-110, as amended.

ARTICLE 2: 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 or mobilehome may be erected on a legal lot not meeting the public street frontage requirement of the zone subject to the following conditions:

(a) At least 20 feet of frontage exists and will be utilized as access, or

(b) A private road from the lot to a paved public maintained street is used which meets the following standards:

(1) Sixteen-foot wide 2-inch asphalt over 4-inches aggregate base including turnaround facilities when deemed necessary by the local fire district when only two primary dwellings would access the private drive.

(2) Twenty-foot wide 2-inch asphalt over 4-inch aggregate base including turnaround facilities when deemed necessary by the fire district when more than two primary dwellings would access the private drive.

(c) Irrevocable Offers of Dedication to a width(s) acceptable to Public Works are granted to conform to an existing or proposed public street system.

(d) Project proponents who desire a lesser standard may apply to the Subdivision Review Committee (SRC) for an Exception.

120-12. Agricultural-Residential Lots, Public Street Frontage

In any agricultural-residential zone as defined by this code, or interim general and limited agricultural zone as defined by this code, or A-10 interim agricultural holding zone, a single family dwelling or mobilehome may be erected on a legal lot not meeting the public street frontage requirement of the zone subject to the following conditions:

(a) At least 20 feet of frontage exists and will be utilized as access, or

(b) A private road from the lot to a paved publicly maintained street is used which meets the following standards:

(1) In cases where two or fewer primary homes will be served by the private drive the private drive will consist of 4-inch aggregate base or equivalent to a width of sixteen (16) feet including adequate turnaround facilities when deemed necessary by the local fire district.

(2) In cases where three or more primary homes will be served by the private drive, the private drive will consist of 4-inch aggregate base or equivalent to a width of twenty (20) feet including adequate turnaround facilities when deemed necessary by the local fire district.

(c) Irrevocable Offers of Dedication to a width(s) acceptable to Public Works are granted to conform to an existing or proposed public street system.

(d) Project proponents who desire a lesser standard may apply to the Subdivision Review Committee (SRC) for an Exception.

120-13. C-l and C-2 Commercial Zones

In the C-l Limited Commercial and C-2 General Commercial Zones a side street yard may be less than fifty-six (56) feet in depth subject to the following conditions: (Amended 2/2010)

(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-l, C-2, M-l or M-2 zone.

(d) The side street yard depth shall not be less than thirty-one (31) feet.

120-14. Residential, Agricultural-Residential, Agricultural and Recreational Zones
(Amended 6/13/01)

(a) In any AR-5, AR-10, AG-20, AG-40, AG-80, AG-160, A-5, or A-10 land use zone, or any of the above land use zones with flood combining (F), or other overlay land use zone classification as defined in this Code, one single-family dwelling and accessory uses may be erected on the property notwithstanding the required lot area or lot width provisions of this Code, only if either:

(1) The property satisfies all the following:

(aa) The property is 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,

(bb) The lot, as of January 15, 1988 was owned by an owner different from the owner of a lot or lots having a common boundary line with the single lot; and

(cc) The requirements of subdivision (c) are complied with; or

(2) The property satisfies all of the following:

(aa) The property is a group of lots, each of which was legally created and recorded prior to the effective date of the ordinance changing the property to one of said zones,

(bb) The property consists of all of the lots having a common boundary line which were in the same ownership as of January 15, 1988, up to and including the minimum number of lots necessary to meet the lot area and lot width provisions of this Code for the zone in which the group of lots is located, and

(cc) The requirements of subdivision (c) are complied with.

(b) In any AR-1 land use zone, AR-2 land use zone, residential land use zone, or recreation 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, not withstanding the required lot area or lot width provisions of this Code, provided the requirements of subdivision (c) are complied with.

(b) Each lot described in subdivisions (a.1) and (b) and each group of lots described in subdivision (a.2) shall be deemed to be a legal nonconforming single-family dwelling site, provided all yard requirements of the zone in which the lot is located are met and 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 Title III, Chapter 10, Article 2 of this Code. (Adopted 2/88)

(d) The provisions of subsections (a)(1) and (a)(2) above shall not apply to lots legally created after March 1972, pursuant to a land division created in compliance with the State Subdivision Map Act provided all lots are a minimum one (1) gross acre in size. (Adopted 4/97)

(e) Existing legally established structures located on parcels that do not meet the requirements of subsections (a) through (d) above may be completely restored or rebuilt provided all current development standards are maintained, and upon issuance of the necessary building permits. (Amended 6/13/01)

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 classification, 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.

120-17. General Agricultural Uses

In any zone listed in Section 201-02, Table I, where General Agricultural Uses are a permitted use, that use is permitted on a parcel of two (2) acres gross size, or larger, regardless of the lot size required by the zone in which the parcel is located. Development shall be regulated as provided in Title III, Chapter 10, Article 1, or Article 2. (Amended 1993)

120-18. RD-1 (F) Residential Lots, Area and Public Street Frontage

(a) In any RD-1 land use zone with a flood combining (F), one single-family dwelling and accessory uses may be erected on the property, notwithstanding the required lot area and public street frontage provisions of this Code, only if the property satisfies all of the following:

(1) The property is a single lot which was legally created and recorded prior to April 24, 1996; and

(2) The lot size of the property is 6,000 square feet or greater; and

(3) The General Plan Land Use designation for the property is "Agricultural Cropland"; and

(4) All requirements of subdivision (b) are complied with.

(b) Each lot described in subdivision (a) shall be deemed a legal nonconforming single-family dwelling site, provided all the following requirements are met:

(1) All yard requirements of the RD-1 zone are met; and

(2) The property owner of the lot enters into an agreement with the County to participate in all existing maintenance agreements covering the property for sewer, water and private streets. (Amended 4/96)

ARTICLE 3: NONCONFORMING USE OF LAND

120-20. Continuation

Except as provided in Section 120-21 of this Article and subject to the provisions of Section 120-28 of the Article, the nonconforming use of land may be continued for a period of five (5) years, and thereafter upon issuance of a certificate of non-conforming use pursuant to Section 120-25 of this Article, subject to all of the following restrictions:

(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) Notwithstanding the provisions of Section 120-02 of Article 1, if such use is discontinued for a period of more than ninety (90) days, it shall not thereafter be re-established.

(d) If the use requires either a general or special business license and such license is terminated pursuant to Sections 4.02.065, 4.02.070 or 4.02.075 of the Sacramento County Code, such use shall not thereafter be continued. (Revised 12/97)

120-21. Limitation

Notwithstanding the provisions of Section 120-20 of this Article, the nonconforming use of land shall be discontinued immediately in any of the following cases:

(a) Where no buildings are employed in connection with such use; or

(b) Where the only buildings employed are accessory or incidental to the principal use of the land and the replacement cost of such building does not exceed $1,000.00. (Revised 12/97)

120-22. Lack of Required Off-street 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

Persons who have been authorized to occupy mobilehomes as permanent dwellings on property in the unincorporated area of Sacramento County and who on September 22, 1971, lawfully occupied said mobilehome shall be permitted to continue said occupancy at the same location on the property on which the mobilehome is located. Mobilehomes legally established may be replaced, provided, however, on parcels of land two (2) acres (gross) or smaller in size, the architectural standards set forth in Section 305-09 shall be met. Mobilehomes or Manufactured homes established in conformance to a Certificate of Mobilehome Compatibility issued by Sacramento County shall be considered legally conforming uses. (Amended 3/24/99)

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.

120-25. Continuation of Nonconforming Use of Land

The nonconforming use of land may be continued beyond five (5) years from the date the use became nonconforming, upon issuance of a certificate of nonconforming use by the Director. The Director shall issue such certificate only if all of the following findings can be made:

(a) Such use was made nonconforming by a rezoning action initiated by the Board of Supervisors or by a Zoning Code amendment adopted by the Board of Supervisors.

(b) Prior to the effective date of the action taken in (a) above, the use was a legally established use in conformance with the Zoning Code in effect at that time.

(c) No complaints of any kind are pending before the Zoning Enforcement Section of the Department of Planning and Community Development regarding the property and no enforcement action of any kind is pending regarding the property. For purposes of this section, "enforcement action" shall include, but not be limited to notices given by the Zoning Enforcement Section, stipulated judgments or other settlement documents requiring performance of some activity, and enforcement litigation. The pendency of any complaint or any action based solely on the nonconforming status of the property shall not be the basis for denial of the certificate.

(d) If the use is one which is required by this Code to be located at least 500 or 1,000 feet from any residential, interim residential, estate, agricultural residential, or agricultural land use zone, then the use shall meet the required distance from any such land use zone.

(e) If the use is one for which a valid business license has been continuously held for the entire period it has been required.

A certificate may be issued subject to conditions reasonably related to making the current use conform with reasonable standards in the current zone. Conditions may include a term of expiration when deemed appropriate by the granting authority. A certificate may be revoked in the same manner and for the same reasons as provided in Section 110-10. The use permitted by the certificate is subject to the restrictions set for in Section 120-20 of this Article. (Amended 6/95; 11/95; 12/97)

120-26. Convenience Store Operation

Provided that the below listed conditions are met in any commercial zone or any zone where lawfully established a convenience store, neighborhood market, or a food market ancillary to a service station shall be considered a "permitted use". As a "permitted use", the use shall be subject to all regulations applicable to such "permitted use" required by the zone in which said property is located.

The subject business may operate regardless of the hours it is open and regardless of its location in relationship to the property line of residentially zoned property, or the location of a public or private school (kindergarten through the twelfth grade), provided that:

(a) The use of convenience store, neighborhood market, or food market ancillary to a service station, was established on or before August 5, 1982; and/or

(b) The hours of operation of the store, on August 5, 1982, were prior to 6:00 a.m. or were after 11:00 p.m.

In order to establish such use, a business must register this fact with the Sacramento County Office of Planning and Community Development by July 1, 1988, on a form provided by that office to declare such status.

Business so registered will be required by July 1, 1989, to have the business property in compliance with the then in effect (August, 1982) development standards for the land use zone of that business on that date, unless notified by the Zoning Enforcement Section of the Planning and Community Development Department to comply at an earlier time.

120-27. Existing Cardrooms

Cardrooms in existence as of May 3, 1995 may continue to operate in accordance with the provisions of this Article, except that where cardrooms located within 500 feet of a residential zone propose to operate between the hours of 2:00 a.m. and 9:00 a.m., Sunday through Thursday, such businesses must first apply for and obtain a conditional use permit from the Board of Supervisors. (Amended 4/96)

120-28. Continuation of Use of Land Made Nonconforming Due To Distance Limitations

Notwithstanding the provisions of Section 120-20 of this Article, and subject to the provisions of Section 120-42 of this Article, the use of land which is subject to a distance separation requirement from other specified uses that was legally established, but has been rendered nonconforming as a result of an incompatible use being established within the prescribed distance separation requirement, may continue subject to all of the following restrictions:

(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 the land use is located.

(c) Notwithstanding the provisions of Section 120-20 of Article 1, if such use is discontinued for a period of more than ninety (90) days, it shall not thereafter be re-established.

(d) If the use requires either a general or special business license and such license is terminated pursuant to Sections 4.02.065, 4.02.070 or 4.02.075 of the Sacramento County Code, such use shall not thereafter be continued. (Revised 12/97)

120-29. Existing Adult Bookstores

Notwithstanding any provisions of the Zoning Code to the contrary, adult bookstores that were lawfully established in conformance with the Zoning Code, and which have continuously held a valid business

license to operate an adult bookstore since such use was first established, may continue to operate subject to the restrictions set forth in subdivisions (a)-(d) of Section 120-28. (Adopted 4/04)

ARTICLE 4: 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, structure or bridge 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. (Amended 1993)

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

This section shall apply to all restoration of non-conforming buildings, structures and bridges with the exception of those located within the Natural Streams zone. 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. Only the cost of improvements requiring a building permit shall be included in the fifty (50%) percent of the value limitation (i.e., does not include paint, carpet, drapery, etc.) 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. (Amended 1993) (Amended 3/24/99)

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.

120-35. Enlargements of Existing Structures in Neighborhood Preservation Areas

Not withstanding the provisions of the above Sections, an enlargement may be made to an existing nonconforming building or structure located in a Neighborhood Preservation Area, provided that said enlargement (addition or expansion) conforms to the regulations of the specific NPA ordinance. (Adopted 2/88)

120-36. Existing Single Family [and Duplex] Residences in Commercial and Industrial Zones

Notwithstanding the provisions of Section 120-33 above, an existing legally established single family or duplex residence located in a Commercial, Industrial, IR or the "O" zone may be completely restored or rebuilt provided all current residential development standards are maintained, and upon issuance of the necessary building permit. (Amended 1993) (Amended 4/17/02)

ARTICLE 5: NONCONFORMING USE OF BUILDINGS

120-40. Continuation

The nonconforming use of a conforming building or structure may be continued for a period of five (5) years, and thereafter upon issuance of a certificate of non-conforming use pursuant to Section 120-41 of this Article, subject to all of the following restrictions:

(a) The nonconforming use of the building shall not be expanded or extended in any way.

(b) The nonconforming use of the building shall not be changed, except to a use which conforms to the regulations of the zone on which the conforming building is located.

(c) Notwithstanding the provisions of Section 120-02 of Article 1, if the nonconforming use of the building is discontinued for a period of more than ninety (90) days, it shall not thereafter be re-established.

(d) A conforming building or structure used in connection with a nonconforming use of land may be maintained or repaired subject to the limitation that any such repair or maintenance during any twelve (12) consecutive month period shall not exceed twenty-five (25) percent of the current replacement cost of the conforming building or structure.

(e) If the nonconforming use of the conforming building or structure requires either a general or special business license and such license is terminated pursuant to Sections 4.02.065, 4.02.070 or 4.02.075 of the Sacramento County Code, such nonconforming use of the conforming building or structure shall not thereafter be continued.

(f) A conforming building or structure used in connection with a nonconforming use of land may not be restored or remodeled unless the use of such building or structure conforms to the regulations of the zone in which the underlying land is located. (Revised 12/97)

120-41. Continuation of Nonconforming Use of Buildings

The nonconforming use of buildings may be continued beyond five (5) years from the date the use became nonconforming upon issuance of a certificate of nonconforming use by the Director. The Director shall issue such certificate only if all of the following findings can be made:

(a) Such use was made nonconforming by a rezoning action initiated by the Board of Supervisors or by a Zoning Code amendment adopted by the Board of Supervisors.

(b) Prior to the effective date of the action taken in (a) above, the use was a legally established use in conformance with the Zoning Code in effect at that time.

(c) No complaints of any kind are pending before the Zoning Enforcement Section of the Department of Planning and Community Development regarding the property and no enforcement action of any kind is pending regarding the property. For purposes of this section, "enforcement action" shall include, but no be limited to, notices given by the Zoning Enforcement Section, stipulated judgments or other settlement documents requiring performance of some activity, and enforcement litigation. The pendency of any complaint or any action based solely on the nonconforming status of the property shall not be the basis for denial of the certificate.

(d) If the use is one which is required by this Code to be located at least 500 or 1,000 feet from any residential, interim residential, estate, agricultural land use zone, such use is, in fact, the required distance from any such land use zone.

(e) If the use is one for which a valid business license has been continuously held for the entire period it has been required.

A certificate may be issued subject to conditions reasonably related to making the current use conform with reasonable standards in the current zone. Conditions may include a term of expiration where deemed appropriate by the granting authority. A certificate may be revoked in the same manner and for the same reasons as provided in Section 110-10. The use permitted by the certificate is subject to the restrictions set forth in Section 120-40 of this Article. (Amended 12/3/97)

120-42. Continuation of Nonconforming Use of Conforming Building Made Nonconforming Due To Distance Limitations

Notwithstanding the provisions of Section 120-40 of this Article, the use of a conforming building which is subject to a distance separation requirement from other specified uses that was legally established, but has been rendered nonconforming as a result of an incompatible use being established within the prescribed distance separation requirement, may continue subject to all of the following restrictions:

(a) The nonconforming use the building shall not be expanded or extended in any way.

(b) The nonconforming use of the building shall not be changed, except to a use which conforms to the regulations of the zone on which the conforming building is located.

(c) Notwithstanding the provisions of Section 120-02 of Article 1, if the nonconforming use of the building is discontinued for a period of more than ninety (90) days, it shall not thereafter be re-established.

(d) A conforming building or structure used in connection with a nonconforming use of land may be maintained or repaired subject to the limitation that any such repair or maintenance during any twelve (12) consecutive month period shall not exceed twenty-five (25) percent of the current replacement cost of the conforming building or structure.

(e) If the nonconforming use of the conforming building or structure requires either a general or special business license and such license is terminated pursuant to Section 4.02.065, 4.02.070 or 4.02.075 of the Sacramento County code, such nonconforming use of the conforming building or structure shall not thereafter be continued.

(f) A conforming building or structure used in connection with a nonconforming use of land may not be restored or remodeled unless the use of such building or structure conforms to the regulations of the zone in which the underlying land is located. (Amended 12/3/97)

120-43. and 120-44. (Repealed 12/3/97)

ARTICLE 6: 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 non-directory 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.

120-57. Exception for Off-site Signs

Off-site signs, except directional subdivision signs and regional directional subdivision signs, in industrial and commercial zones, that were lawfully erected pursuant to the Zoning Code in effect immediately prior to December 26, 1985, and which do not comply with Ordinance No. SZC 85-124 shall be nonconforming signs subject to the remedies in Business and Professions Code Section 5412. The failure to have a conditional use permit for an off-site sign as of December 26, 1985, shall not, by itself, cause a sign to become nonconforming.

CHAPTER 25: GENERAL TERMINOLOGY AND DEFINITIONS

ARTICLE 1: 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 an establishment that devotes twenty-five percent (25%) or more of the total floor area open to the public or twenty-five percent (25%) or more of the total stock on hand, to the sale or rental of books, magazines, periodicals or other printed matter, photographs, motion pictures, films, video tapes, or video disks which are distinguished or characterized by an emphasis upon the depiction or description of "Specified Anatomical Areas" or "Specified Sexual Activities" as defined in Sections 125-171.4 and 125-171.5, respectively. (Amended 4/04)

130-03.5.5. Adult Day Health Center

A licensed facility that provides an organized day program of therapeutic, social and health activities and services to persons fifty-five (55) years, or older, or other adults with functional impairments for the purpose of restoring or maintaining optimal capacity for self-care.

130-03.6. Adult Motion Picture Theater

Adult motion picture theater is a building or portion thereof or area, open or enclosed which regularly features motion pictures distinguished or characterized by an emphasis on matters depicting, describing or relating to "Specified Sexual Activities" as defined in Section 125-171.5 or "Specified Anatomical Areas" as defined in Section 125-171.4. (Amended 3/3/99)

130-03.7. Adult Live Theater

An adult live theater is a building or portion thereof or area, open or enclosed, which regularly features persons who appear in a state of nudity or state of semi-nudity, or live performances which are characterized by specified sexual activities. For purposes of this definition, the term "regularly features" means that the adult live theater features nudity, semi-nudity or specified sexual activities as a permanent focus of its business and gives special prominence to such content on a permanent basis." (Amended 3/3/1999) (Amended 4/21/04)

130-03.8. Adult Uses

As used in this Code, adult uses shall mean sexually oriented businesses. (Amended 11/95)

130-03.9 Repealed 4/04

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. Deleted 7/98

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.

130-04.05. Agricultural Building

Agricultural building is a structure designed and constructed to house farm implements, hay, grain, poultry, livestock or other horticultural products. This structure shall not be a place of human habitation or a place of employment where agricultural products are processed, treated or packaged; nor shall it be a place used by the public.

130-04.06. Agricultural Products

"Primary processing" of agricultural products mean the act of changing an agricultural crop, subsequent to its harvest, from its natural state to the initial stage of processing of that crop in order to prepare it for market or further processing at an off-site location. Examples of primary processing include nut hulling and shelling, bean cleaning, corn shelling and sorting, grape sorting and crushing, primary processing of fruits to juice and initial storage of the juice, without fermentation, cleaning and packing of fruits. (Amended 7/98)

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 feedlots are excluded.

130-07. Agricultural Uses, Incidental

Row crop cultivation and animal husbandry other than kennels, hog farms, feedlots, and the keeping of pets, 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 or 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

The use of any lot, or portion thereof, for the dismantling or wrecking of automobiles or other motor vehicles, or for the keeping for sale of parts or equipment resulting from the dismantling or wrecking of automobiles or other motor vehicles.

130-24.5 Bar

"Bar" means any premises designed, maintained, operated, used or intended to be used for the selling or serving of alcoholic beverages to the public for consumption on the premises which does not qualify as, or is not part of, a bona fide public eating place as defined in Business and Professions Code Section 23038. (Approved 2/11/04)

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.

130-25.3. Bed and Breakfast Inn

A dwelling, including on-site accessory structures, containing a single living unit which serves as the residence for the owner or manager and not more than five (5) guest rooms which for compensation provide temporary night-to-night lodging with or without meals.

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, with the intent of the operation being a profit making business. The term boarding house shall not include a residential care facility providing care to six (6) or fewer persons, exclusive of the operator's family, or persons employed as facility staff. Further, the term does not include a residential dwelling being shared with other individuals who constitute a family.

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 height shall be the vertical distance above a reference datum measured to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the average height of the highest gable of a pitched or hipped roof. The reference datum shall be selected by either of the following, whichever yields a greater height of building:

(a) The elevation of the highest adjoining sidewalk or ground surface within a 5-foot horizontal distance of the exterior wall of the building when such sidewalk or ground surface is not more than 10 feet above lowest grade of the lot.

(b) An elevation 10 feet higher than the lowest grade when the sidewalk or ground surface described in Section (a) above is more than 10 feet above lowest grade.

The height of a stepped or terraced building is the maximum height of any segment of the building. (Uniform Building Code definition.)

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.

130-36.7. Building Size Equivalent

The size of a building or group of buildings at a common work location measured in square feet which is equivalent to a specified level of employment based on trip generation studies conducted by the California Department of Transportation.

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.

130-38.5. Carpool

A group of two to six persons travelling together in a light or medium-duty passenger vehicle.

130-38.7. Cattery

Any lot, building, structure, enclosure or premises whereupon or wherein are kept five (5) or more cats of six (6) months of age or older for more than five (5) days.

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.

130-39.5. Cellular RadioTelephone Communication Facilities

Cellular Radio Telephone Communications Facilities (See Wireless Facilities – Section 130-198.9.d) (Amended 6/98)

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 overnight 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 arranged in one or more dwelling groups, separated from each other by intervening open space giving visual definition to each group. Dwelling groups shall consist of two or more buildings, each containing one or more dwelling units arranged around a court. (Amended 1993)

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.

130-45.7. Commercial Uses

Commercial or related uses conditionally implied by or expressly authorized in the commercial zones.

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 there from the F Zone.

130-46.5. Commercial Coach

(a) A vehicle, with or without motor power, designed and equipped for human occupancy for industrial, professional or commercial purposes.

(b) A structure transportable in one or more sections which do not meet Uniform Building Code as permanent structures, designed and equipped for human occupancy for industrial, professional or commercial purposes, which is required to be moved under permit, and shall include a trailer coach as defined in Section 635 of the Vehicle Code. (Amended 1993)

130-47. Commission

Shall mean the Sacramento County Project Planning Commission.

130-47.01 Community Planning Commission (Amended 8/2010)

A. A Community Planning Commission is such a planning commission established by Chapter 2.30 of the Sacramento County Code. Commencing October 1, 2005, any matter which, pursuant to a provision of this Code, would be heard or considered by the Project Planning Commission or the Zoning Administrator shall, instead, be heard or considered by the appropriate Planning Commission if the project to be heard or considered is located entirely within that Community Commission's jurisdiction. Procedures, including right of appeal or petition to the Board of Supervisors or the board of Zoning Appeals, applicable to such matters shall be the same as if heard by the Project Planning Commission, the Policy Planning Commission or the Zoning Administrator.

B. Notwithstanding the foregoing or any other provision of this Code, from the effective date of this paragraph through and including June 30, 2011, all matters which would have otherwise been heard by a planning commission other than the County Planning Commission shall be heard by said County Planning Commission, the County Zoning Administrator or the Subdivision Review Committee, according to the jurisdiction of each body as set forth in this Code.

C. During the period from the effective date of this ordinance through and including June 30, 2011, the Rio Linda/Elverta Community Planning Commission; the Arden Arcade Community Planning Commission; the Carmichael/Old Foothill Farms Community Planning Commission; and the Fair Oaks Community Planning Commission shall be vested with the responsibilities of a community planning advisory council for that territory of each as described in Section 2.30.080 of the Sacramento County Code.

130-47.07. Community Garden

A garden established and maintained by any group of persons for the sole purpose of providing food for personal consumption, no retail sales are permitted.

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:

(1) apartment size including number of rooms;
(2) rent range;
(3) major kitchen and bathroom facilities;
(4) special facilities for the handicapped, infirmed or senior citizens;
(5) 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:

(1) accessibility to the tenant's place of employment;
(2) accessibility to community and commercial facilities;
(3) accessibility to schools; and
(4) 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 sales using a temporary table, stand, cart, or similar equipment; but not including a mobile vending vehicle licensed and operated pursuant to the provisions of the Sacramento County Code. 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. (Adopted 2/88)

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.

130-48.7. Congregate Care Facility

A residential complex offering independent living accommodations oriented to the particular needs of a segment of the population, (usually senior citizens) and including a variety of common facilities, equipment or services available to the tenants. As a minimum requirement a congregate care facility must maintain congregate cooking and dining programs, and may also offer a variety of congregate recreation, social, transportation, health maintenance or counseling programs. If the facility offers only independent cooking facilities in the private residential units or offers extensive skilled nursing services, the facility is then defined respectively as an apartment complex or a convalescent hospital. (Amended 1993)

130-48.8. Convenience Store

A market with a sales area of 6,000 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.

130-52.1. Crop Sales, Building

A roadside building enclosed on at least three sides and of limited size to be used seasonally as a fresh vegetable, fruit and nut sales area for crops grown both on the premises and/or off-site.

130-52.2. Crop Sales, Stand

An uncovered table or platform with no sides and no closed storage area for the roadside seasonal on-site sale of home grown agricultural crops of fruits, vegetables and nuts.

130-52.3. Damaged Vehicle

A damaged vehicle is any vehicle containing one or more integral or component parts that are damaged but, nevertheless, remain attached to the vehicle.

130-52.5 Crematory

A crematory is a furnace where human remains are burned and reduced to ashes.

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.

130-53.3. Designated Tributary

"Designated Tributary" means a specifically identified stream which has a defined bed and channel which serves to give direction to continuously or periodically flowing water into a larger stream or lake. The approximate locations of designated tributaries are indicated on the Sacramento County Comprehensive Zoning Plan maps.

130-53.5. Development Agreement

As used in this Code, development agreement shall be an agreement adopted pursuant to Government Code Section 65865.

130-53.7. Dismantled Vehicle

A dismantled vehicle is any vehicle that lacks one or more integral or component parts.

130-54. Director

As used in this Code, Director shall mean the Director of Planning and Community Development of Sacramento County or his designee.

130-54.03. Distinguished or Characterized by an Emphasis Upon

"Distinguished or characterized by an emphasis upon" means the dominant or essential theme of the object described by such phrase. For example, when the phrase refers to films or live performances "which are distinguished or characterized by an emphasis upon" matters explicitly depicting, describing or relating to "Specified Anatomical Areas" or "Specified Sexual Activities", the films or live performances so described are those whose dominant or predominant character and theme are the depiction of the enumerated sexual activities or anatomical areas. (Amended 3/3/1999)

130-54.05. Disturbed Soil Types

Disturbed soil types include the following soil classifications as defined by the University of California publication "Soils of Sacramento County," April, 1950, or as amended: tailings, placer diggings, and made land.

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. Major portion shall mean greater than 50% of all income for the family residing in the accessory dwelling. In addition, evidence of agricultural production and/or receipts may be required to verify necessity for such dwellings. (Adopted 2/11/04)

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.

130-59.3. Dwelling, Residential Accessory

Single family detached accessory structure which provides housing for one (1) family for living or sleeping purposes. This use is in addition to the permitted primary residential use of the parcel. In addition, as regulated by 201-02, 201-04 and 305-83. (Amended 05/28/03)

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 vert.

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 therefore 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.

130-65.6. Emergency Shelter

A public or private facility which provides immediate, short term shelter (up to 120 days) for homeless individuals or families that may involve supplemental services. An emergency shelter may consist of one or more buildings. An "emergency shelter program" includes all buildings that are on the same or adjacent parcels and operated by the same entity. (Amended 8/96)

130-65.7. Employee Projections

An estimate of the number of persons expected to be employed in a development project, employment facility, or other common work location based on either (a) the known practices and operating procedures of the occupant/employer, or (b) the building size equivalent for the type of use.

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, noninstitutional in character which provides day care only, with or without compensation.

130-70. Feedlot

(a) "Feedlot" 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) "Feedlot" 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.

130-70.3. Fence

As used by this Code, a fence is a barrier made of durable material to establish a boundary, as a means of protection or to provide confinement. A fence is considered to be from 18 inches high to six (6) feet high, as measured vertically from the established lot grade. For purposes of definition, fences over six (6) feet in height are considered structures.

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, and

(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. (Amended 7/98)

130-72.7. Fortune-teller

Any person who professes to foretell events in other people's lives. Any person who purports to be able to describe events both past, present and future, by reading palms or through the use of any instrument such as cards, bones, glass ball or other device.

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. 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 an arc located within the front fifty (50) feet of the lot, and based on a center point coincidental with the center point of the street curve. If such arc is further than twenty-four (24) (for single family residential) or twenty-six (26) feet (for non-single family residential) from the right-of-way line of the street, that arc will be considered the front yard setback line of the lot. (Amended 1993) (Amended 3/2011)

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.

A funeral establishment does not include a crematory (see Section 130-52.5).

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 noncommercial 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

Garbage includes, but is not limited to, the following: Waste resulting from the handling of edible foodstuffs or resulting from decay, and solid or semisolid putrescible waste, and all other mixed nonrecyclable wastes which are generated in the day-to-day operation of any business, residential, governmental, public or private activity, and may include tin cans, bottles and paper, or plastic food or beverage containers.

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.

130-86.5. Grade, Existing

Existing grade shall mean the natural grade in place prior to the preparation of property for development. For individual recorded lots, existing grade shall mean natural grade or the grade established as a part of the development of the subdivision.

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. Halfplex

See Dwelling, Two-family (Halfplex), Section 130-62.

130-88.2. Halfway House

A residential facility that has been authorized by a recognized judicial systems correction authority to house adults in lieu of confinement in a correctional institution. (Amended 1993)

130-88.5. Hazardous Material

For the purposes of this Code, a hazardous material is any substance, material, or waste for which the filing of a Hazardous Material Disclosure form would be required pursuant to Section 6.96.040, Chapter 6.96, Title 6 of the Sacramento County Code.

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 nonambulatory mentally retarded patients requiring nursing services.

(b) Skilled 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", "L", "Y", 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 four (4) months of age or older for more than five (5) days.

130-103.1. Kill Floors

A small scale customer oriented operation that provide the facilities to persons for the purpose of slaughtering their own animals. Customers may bring their animals to the facility, but more often will purchase an animal at the facility. The animal is killed by trained and licensed personnel and immediately turned over to the customer. Kill floors are licensed and inspected by the State Department of Food and Agriculture under strict performance standards. (Amended 3/24/99)

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.

130-106.2 Liquor Store

“Liquor Store” means any retail business where 50% or more of shelf space is dedicated to alcoholic beverages. (Adopted 2/11/04)

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".

130-106.7. Loading Docks

A designated loading area with either an elevated platform or recessed driveway area for delivering or pick-up of goods. (Amended 3/24/99)

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 and private streets, highways, roads and alleys, or proposed streets and highways as shown on the Circulation Plan, General Plan, or community plan. The net lot area is inclusive of the Public Utilities and Public Facilities Easement, per County Improvement Standards, and would include the land area to the right-of-way. (Amended 1993) (Amended 3/2011)

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 eighty (80%) percent 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 a residential dwelling unit manufactured in the State of California under DOH Insignia after September 15, 1971, and before June 15, 1976, or manufactured pursuant to the National Manufactured Housing Construction Safety Standards Act of 1974 operative June 15, 1976.

130-120.5. Massage (Amended 7/20/05)

"Massage," means any method of pressure or friction against, or stroking, kneading, rubbing, tapping, pounding, vibrating or stimulating of the external surfaces of the body. For the purposes of this Code, massage is further defined to include; therapeutic massage, somatic practitioner, bodywork practitioner, and similar certified services. (Amended 7/20/05)

130-120.6. Massage Establishment

"Massage establishment," means any place of business that offers massage, except for home occupations as defined in section 4.06.055 of the County Business License Ordinance. (Adopted 7/20/05)

130-120.7. Massage Practitioner

"Massage practitioner," means any person who for pecuniary compensation, consideration, hire or reward, engages in the practice of massage. Practitioners under this definition include certified therapeutic message practitioners, somatic practitioners, bodywork practitioners, and other similar certified practitioners. (Adopted 7/20/05)

130-121. Medical Clinic

A facility under the supervision of a physician or group of physicians providing diagnosis and treatment of outpatients.

130.121.2. Mezzanine

An interior floor placed within a room in compliance with Section 1716 of the Uniform Building Code.

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

An entitlement granted to allow installation of manufactured homes from 1981 through 1988. Such certificates are no longer required and all certificate requirements have been deleted from this code. See Section 120-23 for continued validity of previously issued certificates. (Amended 11/90)

130-130.6. Mobilehome, Double-wide

A mobilehome built and transported in two or more sections on separate chassis, designed to be joined together at the point of use to form a single dwelling.

130-130.8. 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 frequently 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.

130-127.06 Pack

"Pack", "packing" or "packed" means the regular compact arrangement of all or part of the fruit or vegetable in a container or subcontainer. (Amended 7/98)

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.

130-128.5. Parcel, Contiguous

Contiguous parcel as used in this Code shall mean any parcel of land that is physically abutting or in actual contact with another property or parcel of land. Parcels separated by public streets shall not be considered contiguous. (Amended 1993)

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.

130-132.3. Pet

Any domesticated animal which is kept for pleasure, rather than utility or sale, in a cage, terrarium, aquarium, or other confinement within a primary dwelling; or, any fish or amphibian which is kept in a pond for pleasure, rather than utility or sale; or, any domestic dog (canis familiaris) or domestic cat (felis catus) kept or generally housed on property.

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 multicolor 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.

130-138.2 Public Utilities and Public Facilities Easement

The easement for Public Utilities and Public Facilities combines the landscape buffer (adjacent to curb), sidewalk, and utility easement, outside of the street right-of-way. Refer to the County Street Improvement Standards for additional criteria. (Added 3/2011)

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.

130-139.1. Recreation Facility, Outdoor

An outdoor recreation facility is one that is open to the general public, groups, clubs, leagues, and organizations, which may or may not involve admission charges or compensation. The facility normally has boundaries and structures and is designed to comply with guidelines for a recreational activity.

An outdoor recreation facility includes activities that may generate excessive noise, dust, traffic and parking, not normally associated with the permitted uses in the zone. Included are soccer, baseball, football and similar activities when conducted as set forth above.

Any use of constructed facilities for private or public motorized sports, such as water-skiing, motocross and go carts, is considered an outdoor recreation facility. Motorized vehicles used strictly for agricultural purposes are not considered an outdoor recreation facility.

Personal recreational uses, clearly incidental to a residential use, such as one basketball stand, one volleyball court, one tennis court, one badminton net, and similar uses are not considered outdoor recreation facilities as defined in this section. (Revised April 26, 2000)

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.

130-142.5. Recreational Vehicle Park

Any parcel area or tract of land or portion thereof where one or more lots are rented, leased, or held out for rent or lease to owners or users of recreational vehicles, and which are occupied for temporary purposes. The presence of any one vehicle in the park shall be limited to a period not to exceed one-hundred eighty (180) days in any one-year period.

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.

130-143.8. Regularly Features

"Regularly features" means with respect to an "Adult Live Theater" or an "Adult Motion Picture Theater" a regular and substantial course of conduct such that the films or performances distinguished or characterized by an emphasis on matters depicting, describing or relating to "Specified Sexual Activities" or "Specified Anatomical Areas" constitute a substantial portion of the films or performances offered as part of the regular business of the "Adult Live Theater" or "Adult Motion Picture Theater". (Amended 3/3/1999)

130-143.9. Remote Teller, Free-standing

A facility separated from the main structure, on the same or a separate parcel of property, where one can conduct financial or other business transactions through the use of computer or other electronic or similar transmission means.

130-144. Residential Care Home

A residential care home or residential care facility is a family home, non-institutional in character, which provides twenty-four (24) hour care, with or without compensation, to persons in need of personal services and training essential for the protection of the individual. 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 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.

130-146.7 Restaurant

"Restaurant" means an establishment where food and drink are prepared, served, and consumed primarily within the principal building. A restaurant use may or may not have within its premises a bar for the sale of alcoholic beverages for on-site consumption. Reference "bona fide public eating place" as defined in the Business and Professions Code 23038. (Adopted 2-11-04)

130-147. Right-of-Way Line

The right-of-way line of any highway or streets as shown on the current Master Plan for Streets and Highways, or Street Improvement Standards (see also "Right-of-Way, Public"), as adopted by the Board of Supervisors. (Amended 3/2011)

130-147.1 Right-of-Way, Public

Right-of-way means land reserved, used or to be used for a street, alley, drainage facility or other public purpose. The width of the street right-of-way is depicted in the County's Improvement Standards and typically includes the roadway and adjacent curb. On September 15, 2009, the Board of Supervisors adopted Resolution 2009-0718 and approved the revised County Street Improvement Standards thereby relocating the street right-of-way from the back of sidewalk to the back of street curb effective November 1, 2009 for all new construction or other applicable situations. The pre=November 1, 2009 Street Improvement Standards show right-of-way at the back of sidewalk which remains in effect for all pre-existing improvements and for any completed map applications accepted by the County before November 1, 2009. The pre-November 1, 2009 Improvement Standards may be used for the design of roadway improvements for developments with relatively short lengths of street frontage upon written request by the developer or their agent and with the written approval of the Director of County Engineering. Locations for which the pre-November 1, 2009 Standards may apply are limited to locations where the roadway is undeveloped (currently a Class C roadway) along the entire frontage of the development and where the length of the proposed development's street frontage is less than three hundred feet. Refer to the Section titled "Use of Older Standards For Improvements On In-Fill Developments" in the November 1, 2009 Street Improvement Standards for additional criteria. The relevant portions of the pre-November 1, 2009 Street Standards are contained in the Appendix section of the November 1, 2009 Street Improvement Standards. This County Zoning Code was subsequently revised and approved by the Board of Supervisors on February 10, 2010 to reflect the new right-of-way location and the corresponding setback distances. (Added 3/2011)

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.

130-148.5. Rubbish

Rubbish includes, but is not limited to, all non-putrescible wastes such as paper, cardboard, grass clippings, tree or shrub trimmings, wood, bedding, crockery, construction waste, and similar waste materials.

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 one thousand feet (1000) from the center of the freeway. 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. A Scenic Corridor is the same as a Special Sign Corridor (Section 335-36). (Amended 1993)

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. Includes a college or university offering instruction beyond the secondary level when instruction focuses on business, management, administration and similar fields, and where instruction is provided in an office-like setting.

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.

130-157.1 Setback, Building

The minimum required distance between any structure and a specified line such as a lot, public or private right-of-way, easement, future street right-of-way as identified through an official control or buffer line that is required to remain free of structures unless otherwise provided herein. (Added 3/2011)

130-157.2 Setback, Applicability

Not all properties are subject to the setback requirements as set forth in this Zoning Code. Properties may be governed by alternative setback standards as identified in applicable Special Planning Area or Specific Plan ordinances. In such instances, standards contained in the Special Planning Area or Special Plan ordinances supersede standards contained in this Code. Additionally, per Sections 110-120, 121 and 135 of the Zoning Code, alternative setback standards can be considered as part of the community design guidelines review and compliance procedures. (Added 3/2011)

130-157.5 Sexually Oriented Business

As used in this Code, a sexually oriented business is an adult bookstore, adult video tape store, an adult motion picture theater or a live adult theater, or any establishment that consists of any combination of such uses. (Amended 11/95)

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 include empty sign frames and sign panels and exclude 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. (Amended 1993)

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, except as provided for in Section 335-09.5 (j). Sign copy, excluding shopping center or building identification name, shall be reasonably equal and/or proportional to tenant frontage.

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.

130-168.4. Sign, Portable

Any on-site or off-site advertising device, as described in Section 130-159, which is not permanently attached to a building or to the ground.

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 or an adjacent parcel as provided in Sections 335-15 (b)(4) and 335-20 (b)(5).

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 within 1,000 feet of the point on the property at which sales are conducted, or within 1,000 feet of the 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.

130-170.5. Single Room Occupancy Residential Unit (SRO)

A habitable room, separate from common cooking or bathroom or other areas suitable for living space, typically, for one or two individuals. SRO units may have separate bathrooms or separate kitchens, but not both. (Amended 8/96)

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 inpatient or outpatient 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 130-126.1 above.

(e) Single heads of households residing with one or more minor children and qualified under one of Items (a) through (d), above.

130-171.4. Specified Anatomical Areas

Specified anatomical areas are:

(a) The human male or female genitals, pubic area, vulva, anus, anal cleft or cleavage with less than a fully opaque covering; (Amended 4/04)

(b) The female breast with a less than fully opaque covering of any part of the nipple; or (Amended 4/04)

(c) The human male genitals in a discernibly turgid state, even if completely and opaquely covered. (Amended 4/04)

130-171.5. Specified Sexual Activities

Specified sexual activities are:

(a) Actual or simulated sexual intercourse, oral copulation, anal intercourse, oral anal copulation, bestiality, direct physical stimulation of unclothed genitals, flagellation or torture in the context of a sexual relationship, or the use of excretory function in the context of a sexual relationship, any of the following depicted sexually oriented acts or conduct: anilingus, buggery, coprophagy, coprophilia, cunnilingus, fellatio, necrophilia, pederasty, pedophilia, piquerism, sapphism, zooerastia; or (Amended 4/04)

(b) Clearly depicted human genitals in a state of sexual stimulation, arousal or tumescence; or (Amended 4/04)

(c) Acts of human or animal ejaculation, sodomy, oral copulation, coitus or masturbation; or (Amended 4/04)

(d) Fondling or touching of nude human genitals, pubic region, buttocks or female breast; or (Amended 4/04)

(e) Masochism, erotic or sexually oriented torture, beating or the inflection of pain; or (Amended 4/04)

(f) Erotic or lewd touching, fondling or other sexually oriented contact with an animal by a human being; or (Amended 4/04)

(g) Human excretion, urination, menstruation, vaginal or anal irrigation. (Amended 4/04)

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.

130-173.2 State of Nudity

The showing of the human male or female genitals, pubic area, vulva, anus, anal cleft or cleavage with less than a fully opaque covering; the showing of the female breast with a less than fully opaque covering of any part of the areola; or the showing of the human male genitals in a discernibly turgid state, even if completely and opaquely covered. (Adopted 4/04)

130-173.4 State of Semi-Nudity

The showing of the female breast below a horizontal line across the top of the areola at its highest point or the showing of the male or female buttocks. This definition shall include the entire lower portion of the human female breast, but shall not include any portion of the cleavage of the human female breast exhibited by a dress, blouse, skirt, leotard, bathing suit, or other wearing apparel provided the areola is not exposed in whole or in part. (Adopted 4/04)

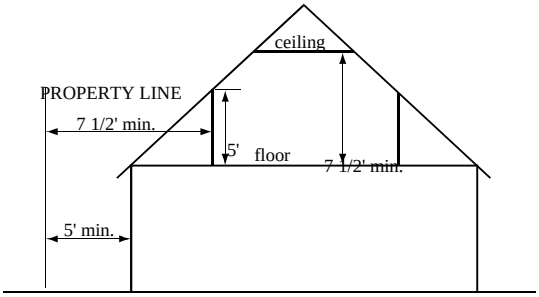
130-173.5. Stock Cooperative

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.

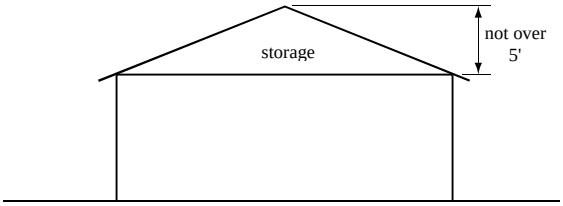
130-174. Story

Story is that portion of a building included between the upper surface of any floor and the upper surface of the floor next above. Also, 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, except where the distance between floor and ceiling, or roof, is less than five (5) feet, in which case the area shall not constitute a story. Building setbacks shall be measured from that portion which constitutes the "story" (see illustrations below).

EXAMPLE OF SECOND STORY



EXAMPLE OF STORAGE OVER SINGLE STORY



If the finished floor level directly above a basement, cellar, or unused under-floor space is more than six (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. (Adopted 2/88)

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.

130-181.6. Tire, Junk

A not new automobile, truck or any other type of motorized vehicle tire that is not directly attached to an operational vehicle and does not meet the Federal or State of California requirements for used tires or recappable casings.

130-181.7. Tire, Junk Handling

The receiving of junk tires with or without a fee for the purpose of storing, shredding, cutting or splitting them.

130-181.8. Tire, New

An unused, newly manufactured or remanufactured automobile, truck or any other type of motorized vehicle tire that is not directly attached to an operational vehicle and meets the Federal and State of California requirements for newly manufactured or remanufactured tires.

130-181.9. Tire, Used

A not new automobile, truck or any other type of motorized vehicle tire that is not directly attached to an operational vehicle and meets the Federal or State of California requirements for used tires or recappable casings.

130-182. Townhouse

An attached dwelling unit, normally two stories high and with an interior stairway to access the second story. The unit must be entirely within a separate, privately owned lot located within a common lot owned by the project Homeowners Association. The property line describing the townhouse lot must follow the common wall of adjoining units and the outer edge of the units exterior walls, but may extend outward to include patios, detached garages, entry areas, parking spaces and similar features. (Amended 1993)

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 temporary human habitation which may be moved upon a public highway without a special permit or chauffeur's license or both issued by the State. (Amended 3/24/99)

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 purposes. The presence of any one vehicle in the park shall be limited to a period not to exceed one-hundred eighty (180) days in any one-year period.

130-189. Travel Trailer Park

Any parcel area, or tract of land or portion thereof, where one or more lots are rented or leased or held out for rent or lease to owners or users of recreational vehicles and which are occupied for temporary purposes. The presence of any one vehicle in the park shall be limited to a period not to exceed one-hundred eighty (180) days in any one-year period.

130-189.8. Truck

For the purposes of this Code, a truck shall be considered a motor vehicle with a manufacturer’s gross vehicle weight rating of not less than ten thousand (10,000) pounds or more. All other vehicles with a manufacturer’s gross vehicle weight rating of not less than ten (10,000) pounds shall be regulated the same as an automobile. (Amended 9/08/04)

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 Title I, Chapter 10 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.)

130-196.5. Vanpool

A group of between seven and fifteen persons travelling together in a van or similar motor vehicle.

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.

130-198.9.b Winery

"Winery" means an agricultural processing facility used for the fermenting and processing of grape juice into wine, the refermenting of still wine into sparkling wine, the processing and distilling of fermented grape juice, mash or wine into brandy, or any combination of these processes. (Amended 7/98)

130-198.9.c Winery Tours and Tasting

"Winery Tours" means guided tours conducted by representatives of a winery to members of the public. "Tasting" means the sampling or tasting of wine by members of the public, in a room or portion of the winery designated for such tasting. (Amended 7/98)

130-198.9.d. Wireless Facilities

That equipment, including towers and antenna, necessary to accommodate a wireless communications system defined by the Federal Communications Commission (FCC) as, "A high-capacity land mobile system in which spectrum assigned is divided into discrete channels which are assigned in groups to small geographic cells covering a defined service area," and further regulated by the Public Utilities Commission (PUC) of the State of California. (Amended 6/98)

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

CHAPTER 1: RESIDENTIAL-OPEN SPACE LAND USE TABLE

ARTICLE 1: PURPOSE

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.

(q.1) **RD-15 RESIDENTIAL LAND USE ZONE** as further regulated in Chapter 15, Article 7.5 of this Title.

(r) **RD-20 RESIDENTIAL LAND USE ZONE** as further regulated in Chapter 15, Article 8 of this Title.

(r.1) **RD-25 RESIDENTIAL LAND USE ZONE** as further regulated in Chapter 15, Article 8.5 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) (DELETED)

(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. A 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. (Board adopted February 10, 1988) (Amended 3/24/99) (Revised 4/26/2000) (Amended 2/14/01) (Amended 4/17/02) (Amended 8/10/05).

TABLE I

PERMITTED USES WITHIN THE BUILDABLE AREA OF RESIDENTIAL-OPEN SPACE LOTS

	USES	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-15/20	RD-25/30	RD-40	(MHP)	RM-2	RR	O	DW
A.	**Residential**																									
1	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	16	28
2	Single Family Dwelling: Over 2 Stories or 30 Feet	X	X	X	X	13	13	X	X	X	X	13	13	13	13	13	13	X	X	X	X		13	13	16	
3	Two Family Dwelling: Duplex and Halfplex														2.1	2	2	2	2	2	2		2			
4	Two Family Dwelling: Over 2 Stories or 30 Feet															13	13	X	X	X	X					
6	Garage Sales (Section 301-06.5)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X		
10	Multiple Family Apartments																	12	1	1	1					
11	Condominiums											12	12	12	12	12	12	12	12	12	12					
12	Townhouse, Row House, or Cluster Development											12	12	12	12	12	12	12	1	1	1					
20	Fraternity House	12	12	12	12	12		12	12	12	12							12	X	X	X					
21	Boarding House																	13	1	1	1					
30	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	16	
31	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	16	
32	Child Day Care Center for More than 8 Children	13	13	13	13	13		13	13	13	13	13	13	13	13	13	13	X	X	X	X	13	13	13	16	
33	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	16	
40	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	28
41	Accessory Buildings as Guest Houses or Employee Quarters	13	13	13	13	13	13	13	13	13	13	13	13	13										13	13	28
42	Agricultural Accessory Dwellings	X	X	X	X	13	13	13	13	13	13															
43	Residential Accessory Dwelling *	25	25	25	25	25	25	25	25	25	25	25	25	25	25	25	25	25	25	25	25			25		
50	Mobilehomes as Primary Residence on a Single Lot	4	4	4	4	4	13	26	26	26	26												X	13	16	28
51	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 and as a Residential Accessory Dwelling on a Permanent Foundation where Permitted Pursuant to #43 above.	X	X	X	X	13	13	26	26	26	26	26	26	26	26	26	26	26	26	26	26		X	13	16	
52	Mobilehomes, Manufactured in the State of California under DOH Insignia after September 15, 1971, and before June 15, 1976, as Primary Residences on a Single Lot with an Approved Foundation System and as a Residential Accessory Dwelling on a Permanent Foundation where Permitted Pursuant to #43 above	X	X	X	X	13	13	26	26	26	26	26	26	26	26	26	26	26	26	26	26		X	13	16	
53	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															27	27	27	27	27	27					
54	Mobilehome Park and Ancillary Uses																					1				

(Amended 2/14/2001) (Amended 4/17/2002)

TABLE I

PERMITTED USES WITHIN THE BUILDABLE AREA OF RESIDENTIAL-OPEN SPACE LOTS

	USES	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-15/20	RD-25/30	RD-40	(MHP)	RM-2	RR	O	DW
A. Residential (continued)																										
60	Mobilehome as an Accessory Dwelling 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	
61	Mobilehome as Clubhouse for Hunting Club (Section 301-52)	3	3	3	3	3	3																3	13		
62	Mobilehome at Construction Sites (Section 301-50 and Section 301-53)	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	13	
63	Mobilehome as an Accessory Dwelling for Night Watchman (Section 301-55)	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	
64	Mobilehome as an Accessory Dwelling for Agricultural Employees	3	3	3	3	13	13	13	13	13	13													13	13	
65	Commercial Coach for Temporary Classrooms (Section 301-55.5)	13	13	13	13	13		13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13		
66	Commercial Coach for Temporary Office (Section 301-54)	13	13	13	13	13		13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13		
67	Single Room Occupancy Residential Units																		38	38	38					
B. Commercial																										
1	Home Occupation	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	11	11	X	13	X
2	Business and Professional Office Limited to the Following Only: Real Estate, Legal, Medical and Dental, Insurance, Accountant, Bookkeeper, Counseling Service								5	5	5	5	5	5	5	5	5	5	5	5	5					
3	Parking for Adjacent Commercial Uses																	13	13	13	13	13				
4	Convenience Center: Self Service Laundromat, Neighborhood Market, Food Store, Barber/Beauty Shop, Newspaper Stand (Section 315-10)															6	6	6	6	6	6					
5	Secondary Service Station															30	30	30	30	30	30					
6	Stand for Display and Sale of Crops Grown on Premises (Section 315-03)	X	X	X	X	X	X	X	X	X	X	13	13	13										X	13	
7	Stand for Display and Sale of Crops Not Grown on Premises (Section 315-03)	13	13	13	13	13	13	13	13	13	13	13	13											13	13	
7.2	Building for Display and Sale of Crops Not Grown either Totally on the Premises or not Grown on the Premises (Section 315-03)	13	13	13	13	13	13	13	13	13	13													13	13	
8	Family Contractor's Business (Section 305-212)	12	12	12	12	12	12	12	12	12	12	12	12	12												
9	Medical Offices	22	22	22	22	22	22	22	22	22	22	22	22	22	22	5	5	5	5	5	5			12		
10	Deleted																									
11	Bed and Breakfast Inn	31	31	31	31	31		31	31	31	31	31	31	31	31	31	31	31	31	31	31			31		
12	Thrift Stores, Bookstores in Churches	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	

TABLE I

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	USES	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-15/20	RD-25/30	RD-40	(MHP)	RM-2	RR	O	DW
C.	**Agricultural**																									
1	Feed Lots	X	X	X	X	X	X	X																		
2	Hog Farms	20	20	20	20	20	20	20	20	21														X	12	
3	General Agriculture (Except Hog Farm and Feed Lots)	X	X	X	X	X	X	X	X	X	29													X	12	
4	Incidental Agriculture, Including Private Stables and Corral	X	X	X	X	X	X	X	X	X	29	X	X	9	9	9	9								X	
5	Field, Vegetable and Horticultural Crops	X	X	X	X	X	X	X	X	X	X	13	13											X	13	
10	Commercial Riding Stables, Boarding Stables and Riding Academy	X	X	X	X	X	X	X	X	10	10	10	10											X	X	
12	Community Garden	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33
20	Forestry	X	X	X	X	X	X	X																X	12	
21	Wildlife Preserve	X	X	X	X	X	X	X	X	X	X													X	X	
30	Crop Dusting Service	12	12	12	12																					
32.5	Primary Processing of Agricultural Products	39	39	39	39	39	39																	12		12
33	Irrigation Disposal of Wastewater	16	16	16	16																					
34	Agricultural Supplies and Services	18	18	18	18																					28
35	Agricultural Equipment Repairs and Maintenance, Including Welding	18	18	18	18																					
36	Kill Floors	35	35	35	35			35	35																	
37	Urban Beekeeping										36	36	36													
38	Winery	12	12	12	12	12	12	12	12															12		12
39	Winery Tasting Room in Conjunction with a Winery	12	12	12	12	12	12	12	12															12		12
40	Constructed, permanent, water-impoundment features such as lakes and ponds	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40
D.	**Institutional**																									
1	Convalescent Hospital, Skilled Nursing or Intermediate Care Facility, Adult Day Health Center, Congregate Care Facility					12		12	12	12	12	12	12	12	12	12	12	12	12	12	12					
2	Hospital	12	12	12	12	12		12	12	12	12	12	12	12	12	12	12	12	12	12	12			12	12	
3	Cemetery	13	13	13	13	13	13	13	13	13	13	12	12	12	12	12	12	12	12	12	12			12	12	
4	Social Rehabilitation Center							12	12	12	12	12	12	12	12	12	12	12	12	12	13					
10	Private Social Center	13	13	13	13	13		12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12		
11	Lodge, Fraternal Hall	12	12	12	12	12		12	12	12	12							12	X	X	X					
12	Animal Hospital and Veterinarian Office	13	13	13	13	13		12	12	12	12	12	12											12		
13	Kennel/Cattery	13	13	13	13	13	13	12	12	12	12	12	12											12		
20	Church	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	16	

(C - Amended 8/10/2005)

TABLE I

PERMITTED USES WITHIN THE BUILDABLE AREA OF RESIDENTIAL-OPEN SPACE LOTS

	USES	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-15/20	RD-25/30	RD-40	(MHP)	RM-2	RR	O	DW
21	Public School K-12	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	12		
22	Private School K-12	13	13	13	13	13		13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	13	12		
23	College or University							12	12	12	12	12	12	12	12	12	12	12	12	12	12					
24	Other Private Schools	13	13	13	13	13		13	13	13	13	12	12	12	12	12	12	12	12	12	12	12	12	12		
30	Buildings and Facilities owned by the Federal and Stat Governments, and located on grounds owned by the Federa and State Governments **(Reference Section 101-11)**	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
31	Public and Government-Owned Buildings and Facilities Federal and State **(Reference Section 101-11)**	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	
32	Public and Government Uses, Other Than Federal and State, Within Privately-Owned Buildings, Facilities and Grounds **(Reference Section 101-11)**	23	23	23	23	23	23	23	23	23	23	23	23	23	23	23	23	23	23	23	23	23	23	23	23	
32.5	Federal and State Uses Within Privately-Owned Building Facilities and Grounds **(Reference Section 101-11)**	23	23	23	23	23	23	23	23	23	23	23	23	23	23	23	23	23	23	23	23	23	23	23	23	23
33	Privately-Owned Uses Within Public and Government-Owned Buildings, Facilities and Grounds **(Reference Section 101-11)**	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	24	
34	Airport (See Section 130-09.5)	12	12	12	12	12	12	12	12	12	12													12	12	
35	Private Landing Strip for Sole Use of Landowner	12	12	12	12																					
36	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	
E. Recreational																										
1	Public Parks and 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	
2	Recreational Uses Oriented to the Waterways in the Delta as Regulated by Title II, Chapter 35 Article 8																									28
3	Recreation Travel Trailer Parks																					13		12	12	28
4	Hunting Clubs, Gun Clubs, Shooting Clubs	13	13	13	13	13	13																	12	12	
5	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	28
6	Boat Harbors, Marinas and Incidental Accessory Uses																							12	12	28
7	Stadiums and Race Tracks																								12	
8	Other Outdoor Recreation Facilities	34	34	34	34	34	34	34	34	34	34	34	34	34	34	34	34	34	34	34	34	34	34	34	34	
9	Hobby Repair of Farm Equipment for Personal Use of Resident	32	32	32	32	32	32	32	32	32	32	32	32	32	32	32										
F. Miscellaneous																										
1	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	
2	Gas or Oil Well (Section 301-19)	X	X	X	X	13	13	12	12	12	12													12	12	

(D - Revised 4/26/2000) (Amended 4/17/2002) (Amended 8/10/05)

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	USES	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-15/20	RD-25/30	RD-40	(MHP)	RM-2	RR	O	DW
3	Food Processing Industry	8	8	8	8	8	8																			
4	Surface Mining	37	37	37	37	37	37	37	37																37	37
5	***Pending Zoning Code Amendment***																									
6	Asphalt and Concrete Recycling						42																			

(Amended 3/24/1999) (Amended 4/17/2002)

201-03. Uses Not Provided for in the Table

If a use is not listed in the table, or shown as a permitted use in any other zone, the Planning Director shall make a determination as set forth in Section 110-30.5. (Amended 1995)

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 Planning Director, pursuant to the provisions of Title I, Chapter 10, Article 7 of this Code. Multiple family development/apartment projects with more than 80 dwelling units are subject to development plan review by the Project Planning Commission. (Amended 6/96)

(2) Duplexes and halfplexes are permitted:

(a) On corner lots with a maximum of ten (10) or fewer units in a single project.

(b) On interior lots with a maximum of ten (10) 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 more than ten (10) units, subject to issuance of a use permit by the Board of Supervisors.

(d) Conversion of existing duplex units to halfplexes is subject to the Uniform Building Code and Building Inspection Division permit processes. (Amended 6/95)

(e) Subject to compliance with development standards in Title III, Chapter 5, Article 4.

(2.1) Within the RD-4 zoning existing, legally constructed duplexes, may be converted to halfplexes subject to meeting all applicable County Building Code requirements and all Building Inspection Division Permit processes. (Amended 9/97)

(3) Permitted subject to issuance of an occupancy permit by the Chief Building Inspector.

(4) Permitted subject to issuance of an occupancy permit by the Public Works, provided the lot area shall be not less than ten (10) acres.

(5) Permitted where buildings and improvements for the project itself do 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. Beauty salon/barbershops are permitted in multi-family projects, regardless of size, where they are clearly incidental to the project, don't advertise off-site, and are only for the convenience of the residents of the project in which they are located.

(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 Title I, Chapter 10, Article 6 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 235-120.

(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) Home occupations are permitted as regulated in Title III, Chapter 5, Article 8 (Sections 305-200 through 305-204), except the home occupation must be conducted completely within the mobilehome and not within accessory structures or open yard areas. Structural alterations to mobilehomes located in mobilehome parks must be processed through the appropriate State agency and any approval by the County to conduct a home occupation is not to be taken as an approval of any proposed or needed structural or design alteration of the mobilehome. Similarly, approval by the State to remodel a mobilehome for purpose of a home occupation is not to be taken as approval of a home occupation business license. (Amended 11/90)

(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. Where the application is for churches exceeding 150 person seating capacity, private schools exceeding 100 students, indoor recreation facilities over 500 person maximum occupancy, theatres exceeding a total seating capacity of 500 or containing more than four (4) screens, or day care centers exceeding 36 children or adults the Project Planning Commission shall be the appropriate authority. Residential Care Homes for which a State License is pending for more than six children, but not more than eight children, prior to the effective date of this ordinance, shall be exempt from the requirement for a conditional use permit. (Amended 1993) (Amended 2/14/01)

(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 of Supervisors upon a recommendation from the Planning Commission. (Adopted 2/88)

(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 if subject parcel meets the lot size standard of the zone in which it is located and pursuant to the findings of Section 301-51(a) and (b); otherwise, subject to the issuance of a conditional use permit by the Zoning Administrator.

(20) Hog farms are permitted subject to compliance with all requirements of the County Health Department.

(21) A maximum of three (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) Such uses will be regulated as set forth in Section 101-11 and as provided for in this Code for the proposed use as if it were a private use to the extent permitted by law. (Amended 3/24/99)

(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 in the RD zoning districts subject to the standards of Section 305-83. If located in AR or AG zones, or if standards of 305-83 are not met, then permitted subject to the issuance of a conditional use permit by the Zoning Administrator, with consideration given to those criteria as listed in Section 305-83.1, Residential Accessory Dwelling Use Permit Criteria. If the proposed residential accessory dwelling is a manufactured home, as defined in Section 130-120.1, the requirements of Section 305-09 shall constitute the architecture requirements for the dwelling. (Amended 05/28/03)

(26) Permitted subject to all the development standards set forth in Title III, Chapter 5, Article 1, and specifically including the architectural requirements of Section 305-09 contained therein.

(27) Permitted subject to issuance of a special development permit pursuant to the provisions of Title I, Chapter 10, Article 6 of this Code.

(28) Permitted subject to compliance with Title II, Chapter 35, Article 8.

(29) On lots 150 feet, or greater, in width, only general agricultural uses are permitted subject to development standards set forth in Title III, Chapter 10, Article 1. On lots less than 150 feet in width, only incidental agricultural uses are permitted subject to development standards set forth in Title III, Chapter 10, Article 2.

(30) 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, Article 2).

(31) Permitted subject to issuance of a use permit by the appropriate authority. The use permit may authorize limited ancillary social gatherings such as conferences, weddings, fundraisers, and other similar events attended by any nonlodger, subject to any conditions imposed including, but not limited to, restrictions on the frequency and timing of events and the maximum number of persons per event. Except as expressly authorized in the use permit, such activities are prohibited.

(32) Repair and maintenance of farm tractors and similar equipment, as a hobby use, is permitted if conducted on a lot one acre, or larger, in size for the benefit of the owner/resident and if conducted within an enclosed building and subject to issuance of a conditional use permit by the Zoning Administrator.

(33) Permitted, provided permission to use the property has been given in writing by the property owner, hours of human habitation are from 7:00 A.M. to 8:00 P.M. and adequate off-street parking is available.

(34) Permitted, subject to issuance of a conditional use permit by the appropriate authority. Such use permit may include indoor facilities and uses if the appropriate authority finds they are clearly accessory to the

requested outdoor use. (See definition for "*accessory use*," Section 130-03 and definition for "*recreation facility, outdoor*," Section 130-139.1) Any outdoor recreation use which was specifically approved by the Board of Supervisors as part of an application for a rezone, use permit, special development permit, tentative subdivision map, or other similar entitlement, and which was in operation prior to the effective date of this ordinance, shall be deemed to have satisfied the requirement for conditional use permit established by this section. (Revised April 26, 2000)

(35) Permitted subject to a conditional use permit by the Project Planning Commission and a valid Kill Floor License from the State Department of Food and Agriculture. The operation may be conditioned to limit hours of operation, limit the frequency of customers, and any other conditions deemed appropriate under the specific circumstances. (Amended 1993)

(36) Allowed only if all conditions and requirements set forth in Section 305-220 are maintained. Urban beekeeping can be withdrawn from any parcel by action of the Zoning Administrator, pursuant to provisions of Title III, Chapter 5, Article 10.

(37) Permitted for short duration, small-scale borrow sites and material removal sites subject to the issuance of a conditional use permit by the appropriate authority and compliance with surface mining standards found in Title II, Chapter 35, Article 4. Short duration sites shall mean sites where less than 200,000 cubic yards of soil, sand, gravel, decomposed granite or rock are removed over a one year period. Conveyor systems for transporting aggregate material may be allowed to extend off of the mine site, on land without the Surface Mining Combining Zone, if approved as a part of a mining use permit and reclamation plan. Surface mining operations conducted in conjunction with a permitted public service project shall be regulated pursuant to Title III, Chapter 1, Article 1, Section 301-13. All other surface mining operations shall be regulated by the Surface Mining Combining Zone pursuant to Title II, Chapter 35, Article 4, Section 235-40 or regulation through the procedures of an existing special planning area's zoning designation. (Amended 6/11/08)

(38) Single Room Occupancy residential units are permitted in the RD-20, RD-25, RD-30 and RD-40 zones subject to development plan review by the Planning Director and compliance with the development standards and locational requirements of Title III, Chapter 5, Article 11. (Amended 8/96)

(39) Permitted if the operation is 5 acres or less. If the operation is more than 5 acres, permitted subject to issuance of a conditional use permit by the Project Planning Commission. (Amended 7/98)

(40) Permitted, except any facilities located in the Delta shall require a conditional use permit from the Board of Supervisors. The Delta boundary shall be defined by Section 201-05. The following features shall be exempt from the use permit requirement in the Delta:

(a) Small ponds, where the design water level does not exceed the lowest adjacent grade level and where the pond is located at least 50 feet from an adjoining property line, with the following acreage limitations based on parcel size:

(1) 0-5 acre parcels – ¼ acre or less
(2) 5-20 acre parcels – ½ acre or less
(3) 20 acres or more – 1 acre or less

(b) Ditches and canals used to transfer water

(c) Swimming pools

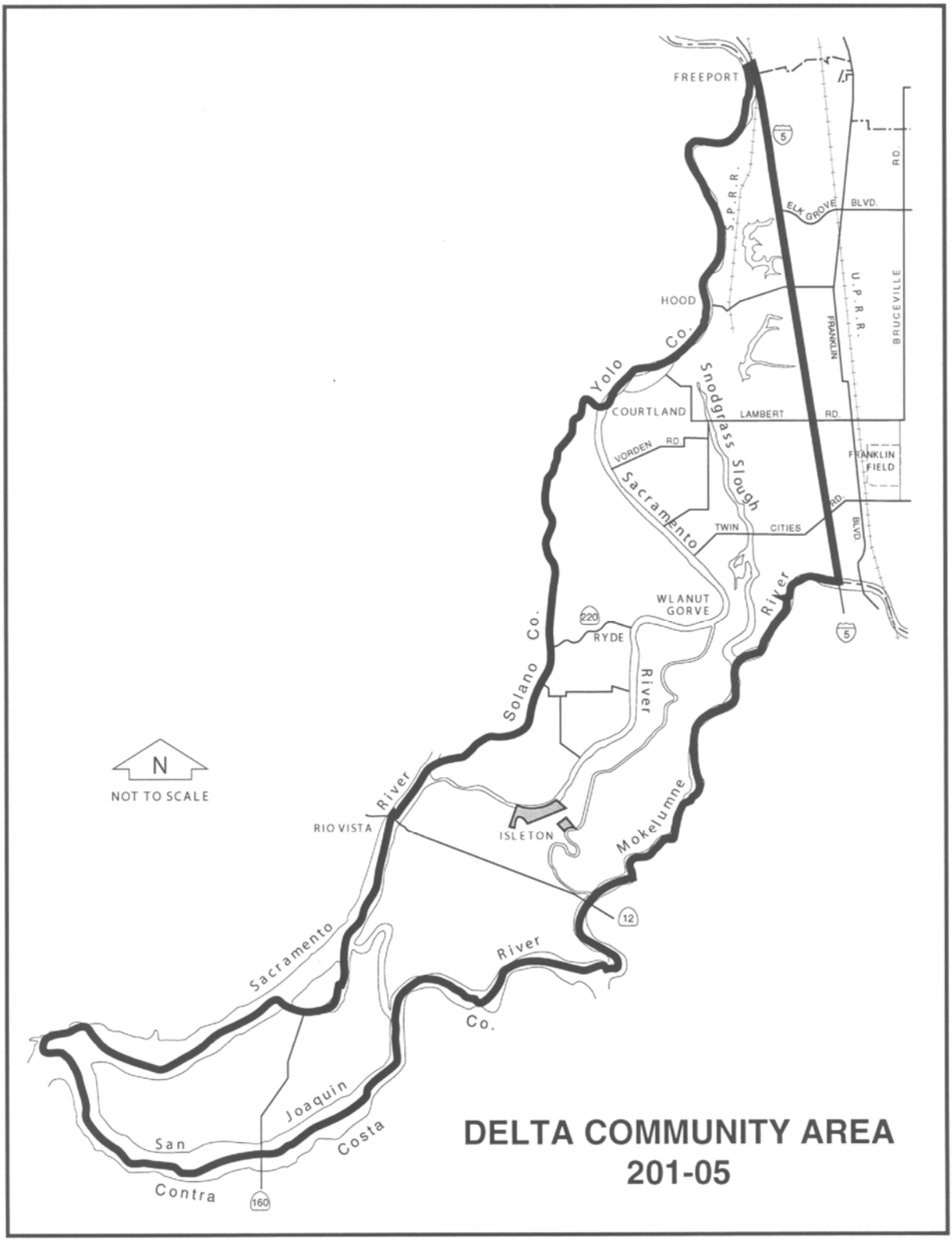
(d) Seasonal, intermittent farming practices to support crop or animal based agriculture. Also included is winter flooding (October 1 – April 1) for wetland habitat purposes.

(e) Reclamation and Levee Maintenance District facilities. (Amended 4/26/2000)

(41) Pending Zoning Code Amendment - This number is not yet approved

(42) Permitted subject to a conditional use permit by the appropriate authority for parcels in the Industrial Reserve Surface Mining Combining IR (SM) zone.

201-05. Delta Boundary Defined



201-06. All residential development as permitted in those certain designated land use zones in this article shall be subject to the provisions of Chapter 22.35, Title 2, of the Sacramento County Code. (Adopted 12/04)

CHAPTER 5: AGRICULTURAL LAND USE ZONES

ARTICLE 1: 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.

ARTICLE 2: AG-160, AG-80, AG-40 AND AG-20 AGRICULTURAL LAND USE ZONES

205-07. Lot Area

(a) Except as provided in Section (c) below, the following gross area requirements shall be adhered to when creating new parcels:

(1) AG-160 - 160 acres
(2) AG-80 - 80 acres
(3) AG-40 - 40 acres
(4) AG-20 - 20 acres

(b) Each lot or parcel shall contain a minimum of five (5) gross acres per accessory dwelling unit located thereon.

(c) Parcels may be created smaller than called for under Section (a) above for the following uses:

(1) Agricultural Processing
(2) Agricultural Organizations
(3) Agricultural Sales
(4) Agricultural Warehousing
(5) Agricultural Specialty Services
(6) Animal Feed Lot/Sales
(7) Agricultural Equipment Repairs, Maintenance
(8) Kill Floors
(9) Hospital
(10) Cemetery
(11) Commercial Riding Stables, Boarding Stables and Riding Academies
(12) Private Social Center
(13) Lodge, Fraternal Hall
(14) Animal Hospital and Veterinarian Office
(15) Kennel/Cattery
(16) Church
(17) Public or Private School, College, or University
(18) Child Day Care Center
(19) Residential Care Home for more than 6 children or adults
(20) Public and Government Buildings or Uses
(21) Airport
(22) Public Utilities and Public Service Facilities
(23) Outdoor Recreation Uses
(24) Fraternity/Sorority House
(25) Similar and like uses to those stated above and as regulated by Section 110-30.5 of this Code.

(d) For the uses stated in Section (c) above the following standards shall apply:

(1) Lot area and lot width shall be the minimum area and width required for the operation of the proposed use and its necessary infrastructure and still comply with all applicable setback requirements as set forth in Title III of this Code. Final determination of the minimum area and width necessary for any use proposed pursuant to Section (c) shall rest with the administrative hearing body empowered to grant such requests. For any parcel encumbered by a Williamson Act Contract, said lot area shall also comply with the provisions of Government Code Section 66474.4.

(2) As a condition of approval of the reduction in lot area for any of the uses stated in Section (c), the owner or owners of the property shall convey to the County the right to develop or construct principal residences on the lot created pursuant to Section 205-07(d)(1) and on the remainder of the property in order 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.

205-08. Lot Width

Each parcel in the AG-160 and AG-80 zones shall have a width of 1,000 feet. Each parcel to be created in the AG-40 and AG-20 zones shall have a width of 500 feet.

205-09. Permitted Uses

The uses permitted in the Agricultural zones 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. (Amended 4/96)

ARTICLE 4: UR - URBAN RESERVE AND IR - INDUSTRIAL RESERVE LAND USE ZONES

205-10. Lot Area

(a) Except as provided in Section (c) below, each parcel created shall contain a minimum of twenty (20) gross acres.

(b) Each parcel shall contain a minimum of five (5) gross acres per accessory dwelling unit located thereon.

(c) Parcels may be created smaller than called for under Section (a) above for the following uses:

(1) Agricultural Processing
(2) Agricultural Organizations
(3) Agricultural Sales
(4) Agricultural Warehousing
(5) Agricultural Specialty Services
(6) Animal Feed Lot/Sales
(7) Agricultural Equipment Repairs, Maintenance
(8) Kill Floors
(9) Hospital
(10) Cemetery
(11) Commercial Riding Stables, Boarding Stables and Riding Academies
(12) Private Social Center
(13) Lodge, Fraternal Hall
(14) Animal Hospital and Veterinarian Office
(15) Kennel/Cattery
(16) Church
(17) Public or Private School, College, or University
(18) Child Day Care Center
(19) Residential Care Home for more than 6 children or adults
(20) Public and Government Buildings or Uses
(21) Airport
(22) Public Utilities and Public Service Facilities
(23) Outdoor Recreation Uses
(24) Fraternity/Sorority House
(25) Similar and like uses to those stated above and as regulated by Section 110-30.5 of this Code.

(d) For the uses stated in Section (c) above the following standards shall apply:

(1) Lot area and lot width shall be the minimum area and width required for the operation of the proposed use and its necessary infrastructure and still comply with all applicable setback requirements as set forth in Title III of this Code. Final determination of the minimum area and width necessary for any use proposed pursuant to Section (c) shall rest with the administrative hearing body empowered to grant such requests.

(2) As a condition of approval of the reduction in lot area for any of the uses stated in Section (c), the owner or owners of the property shall convey to the County the right to develop or construct principal residences on the lot created pursuant to Section 205-10(d)(1) and on the remainder of the property in order 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.

205-11. Lot Width

Each parcel to be created in the UR Urban Reserve zone shall have a minimum width of five hundred (500) feet. Each parcel to be created in the IR Industrial Reserve zone shall have a minimum width of two hundred fifty (250) feet.

205-12. Permitted Uses

The uses permitted in the Reserve zones 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. (Amended 4/96)

CHAPTER 10: AGRICULTURAL-RESIDENTIAL LAND USE ZONES

ARTICLE 1: 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.

ARTICLE 2: 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.

(c) Accessory residential dwelling uses must have a lot area as described in Section 305-83.

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.

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.

ARTICLE 3: 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.

(c) Accessory residential dwelling uses must have a lot area as described in Section 305-83.

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.

ARTICLE 4: 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.

(c) Accessory residential dwelling uses must have a lot area as described in Section 305-83.

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.

ARTICLE 5: 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.

(c) Accessory residential dwelling uses must have a lot area as described in Section 305-83.

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.

CHAPTER 15: RESIDENTIAL LAND USE ZONES

ARTICLE 1: 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.

ARTICLE 2: 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. (Amended 1990)

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 may be measured along an arc located within the front 50 feet of the lot, and based on a center point coincidental with the center point of the street curve. If such arc is further than 24 feet from the right-of-way line of the street that arc will be considered the front yard setback line of the lot. (Amended 1990) (Amended 2/2010)

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 and Design Requirements

For the creation of new lots in the RD-1 zone, the lot area, frontage and width requirements are intended only to regulate the minimum lot size and configuration allowable in the zone, and are not intended as optimum project design standards or a means to calculate a density entitlement.

(a) The overall project shall be subject to the Design and Improvement Standards set forth in Title 22 of the County code as applied by the appropriate approval authority in public hearing. NOTE: Since Title 22 sets forth some design standards that are dependent on variable factors related to location, circumstances and public input into the hearing process, the final design, lot configuration and density of a proposed project should not be assumed in absence of the requisite hearings.

(b) For subdivision projects of five (5) or more, the maximum density shall not exceed one (1) dwelling unit per gross acre of land. In calculating the maximum number of lots, the total number shall be rounded down to the nearest whole number.

ARTICLE 3: 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. (Amended 1990)

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 may be measured along an arc located within the front 50 feet of the lot, and based on a center point coincidental with the center point of the street curve. If such arc is further than 24 feet from the right-of-way line of the street that arc will be considered the front yard setback line of the lot. (Amended 2/2010)

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 and Design Requirements

For the creation of new lots in the RD-2 zone, the lot area, frontage and width requirements are intended only to regulate the minimum lot size and configuration allowable in the zone, and are not intended as optimum project design standards or a means to calculate a density entitlement.

(a) The overall project shall be subject to the Design and Improvement Standards set forth in Title 22 of the County code as applied by the appropriate approval authority in public hearing. NOTE: Since Title 22 sets forth some design standards that are dependent on variable factors related to location, circumstances and public input into the hearing process, the final design, lot configuration and density of a proposed project should not be assumed in absence of the requisite hearings.

(b) For subdivision projects of five (5) or more, the maximum density shall not exceed two (2) dwelling units per gross acre of land. In calculating the maximum number of lots, the total number shall be rounded down to the nearest whole number. For projects of four (4) or less lots this requirement is not applicable.

ARTICLE 4: 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. (Amended 1990)

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 may be measured along an arc located within the front 50 feet of the lot, and based on a center point coincidental with the center point of the street curve. If such arc is further than 24 feet from the right-of-way line of the street that arc will be considered the front yard setback line of the lot. (Amended 1990) (Amended 2/2010)

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 and Design Requirements

For the creation of new lots in the RD-3 zone, the lot area, frontage and width requirements are intended only to regulate the minimum lot size and configuration allowable in the zone, and are not intended as optimum project design standards or a means to calculate a density entitlement.

(a) The overall project shall be subject to the Design and Improvement Standards set forth in Title 22 of the County code as applied by the appropriate approval authority in public hearing. NOTE: Since Title 22 sets forth some design standards that are dependent on variable factors related to location, circumstances and public input into the hearing process, the final design, lot configuration and density of a proposed project should not be assumed in absence of the requisite hearings.

(b) For subdivision projects of five (5) or more, the maximum density shall not exceed three (3) dwelling units per gross acre of land. In calculating the maximum number of lots, the total number shall be rounded down to the nearest whole number. For projects of four (4) or less lots this requirement is not applicable.

ARTICLE 5: 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 (8,500) 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. (Amended 1990)

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 may be measured along an arc located within the front 50 feet of the lot, and based on a center point coincidental with the center point of the street curve. If such arc is further than 24 feet from the right-of-way line of the street that arc will be considered the front yard setback line of the lot. (Amended 1990) (Amended 2/2010)

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 and Design Requirements

For the creation of new lots in the RD-4 zone, the lot area, frontage and width requirements are intended only to regulate the minimum lot size and configuration allowable in the zone, and are not intended as optimum project design standards or a means to calculate a density entitlement.

(a) The overall project shall be subject to the Design and Improvement Standards set forth in Title 22 of the County code as applied by the appropriate approval authority in public hearing. NOTE: Since Title 22 sets forth some design standards that are dependent on variable factors related to location, circumstances and public input into the hearing process, the final design, lot configuration and density of a proposed project should not be assumed in absence of the requisite hearings.

(b) For subdivision projects of five (5) or more, the maximum density shall not exceed four (4) dwelling units per gross acre of land. In calculating the maximum number of lots, the total number shall be rounded down to the nearest whole number. For projects of four (4) or less lots this requirement is not applicable. (Amended 1990)

ARTICLE 6: 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 public street frontage for lots fronting on a curved street or on the curved portion of a cul-de-sac street may be measured along an arc located within the front fifty (50) feet of the lot, and based on a center point coincidental with the center point of the street curve. If such arc is further than twenty-four (24) feet from the right-of-way line of the street, that arc will be considered the front yard setback line of the lot. (Amended 1990) (Amended 2/2010)

	NET LOT AREA	LOT WIDTH	PUBLIC STREET FRONTAGE
SINGLE FAMILY			
Where a Public Water Supply and Public Sewerage Facility are both in use			
Interior Lots	5,200 square feet	52 feet	52 feet
Corner Lots	6,200 square feet	62 feet	62 feet
Where either a Public Water Supply or a Public Sewerage Facility, but not both, is in use			
Interior Lots	10,000 square feet	52 feet	52 feet
Corner Lots	10,000 square feet	62 feet	62 feet
Where neither a Public Water Supply nor a Public Sewerage Facility is in use			
Interior Lots	1 acre	52 feet	52 feet
Corner Lots	1 acre	62 feet	62 feet
TWO FAMILY			
Where a Public Water Supply and Public Sewerage Facility are both in use			
Interior Lots	8,500 square feet	80 feet	80 feet
Corner Lots	8,500 square feet	80 feet	80 feet
Where either a Public Water Supply or a Public Sewerage Facility, but not both, is in use			
Interior Lots	15,000 square feet	100 feet	100 feet
Corner Lots	15,000 square feet	100 feet	100 feet
Where neither a Public Water Supply nor a Public Sewerage Facility is in use			
Interior Lots	1 acre	100 feet	100 feet
Corner Lots	1 acre	100 feet	100 feet

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 and Design Requirements

For the creation of new lots in the RD-5 zone, the lot area, frontage and width requirements are intended only to regulate the minimum lot size and configuration allowable in the zone, and are not intended as optimum project design standards or a means to calculate a density entitlement.

(a) The overall project shall be subject to the Design and Improvement Standards set forth in Title 22 of the County code as applied by the appropriate approval authority in public hearing. NOTE: Since Title 22 sets forth some design standards that are dependent on variable factors related to location, circumstances and public input into the hearing process, the final design, lot configuration and density of a proposed project should not be assumed in absence of the requisite hearings.

(b) For subdivision projects of five (5) or more, the maximum density shall not exceed five (5) dwelling units per gross acre of land. In calculating the maximum number of lots, the total number shall be rounded down to the nearest whole number. For projects of four (4) or less lots this requirement is not applicable. (Amended 1990)

ARTICLE 6.5: 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 public street frontage for lots fronting on a curved street or on the curved portion of a cul-de-sac street may be measured along an arc located within the front fifty (50) feet of the lot, and based on a center point coincidental with the center point of the street curve. If such arc is further than twenty-four (24) feet from the right-of-way line of the street, that arc will be considered the front yard setback line of the lot. (Amended 1990) (Amended 2/2010)

	NET LOT AREA	LOT WIDTH	PUBLIC STREET FRONTAGE
SINGLE FAMILY			
Where a Public Water Supply and Public Sewerage Facility are both in use			
Interior Lots	4,000 square feet	40 feet	40 feet
Corner Lots	5,200 square feet	52 feet	52 feet
Where either a Public Water Supply or a Public Sewerage Facility, but not both, is in use			
Interior Lots	10,000 square feet	52 feet	52 feet
Corner Lots	10,000 square feet	62 feet	62 feet
Where neither a Public Water Supply nor a Public Sewerage Facility is in use			
Interior Lots	1 acre	52 feet	52 feet
Corner Lots	1 acre	62 feet	62 feet
TWO FAMILY			
Where a Public Water Supply and Public Sewerage Facility are both in use			
Interior Lots	6,200 square feet	62 feet	62 feet
Corner Lots	8,500 square feet	80 feet	80 feet
Where either a Public Water Supply or a Public Sewerage Facility, but not both, is in use			
Interior Lots	15,000 square feet	100 feet	100 feet
Corner Lots	15,000 square feet	100 feet	100 feet
Where neither a Public Water Supply nor a Public Sewerage Facility is in use			
Interior Lots	1 acre	100 feet	100 feet
Corner Lots	1 acre	100 feet	100 feet

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 and Design Requirements

For the creation of new lots in the RD-7 zone, the lot area, frontage and width requirements are intended only to regulate the minimum lot size and configuration allowable in the zone, and are not intended as optimum project design standards or a means to calculate a density entitlement.

(a) The overall project shall be subject to the Design and Improvement Standards set forth in Title 22 of the County code as applied by the appropriate approval authority in public hearing. NOTE: Since Title 22 sets forth some design standards that are dependent on variable factors related to location, circumstances and public input into the hearing process, the final design, lot configuration and density of a proposed project should not be assumed in absence of the requisite hearings.

(b) For subdivision projects of five (5) or more, the maximum density shall not exceed seven (7) dwelling units per gross acre of land. In calculating the maximum number of lots, the total number shall be rounded down to the nearest whole number. For projects of four (4) or less lots this requirement is not applicable. (Amended 90)

ARTICLE 7: 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 public street frontage for lots fronting on the curved street or on the curved portion of a cul-de-sac street may be measured along an arc located within the front fifty (50) feet of the lot, and based on a center point coincidental with the center point of the street curve. If such arc is further than twenty-four (24) feet from the right-of-way line of the street, that arc will be considered the front yard setback line of the lot. (Amended 1990) (Amended 2/2010)

	NET LOT AREA	LOT WIDTH	PUBLIC STREET FRONTAGE
Where a Public Water Supply and Public Sewerage Facility Are Both in Use			
Single Family			
Interior Lots	4,000 square feet	40 feet	40 feet
Corner Lots	5,200 square feet	52 feet	52 feet
Two Family			
Interior Lots	6,200 square feet	62 feet	62 feet
Corner Lots	7,200 square feet	72 feet	72 feet
Multiple Family			
Interior Lots	5,200 square feet	52 feet	52 feet
Corner Lots	6,200 square feet	62 feet	62 feet
Where either a Public Water Supply or a Public Sewerage Facility, but not both, is in use			
Interior Lots	10,000 square feet	52 feet	52 feet
Corner Lots	10,000 square feet	62 feet	62 feet
Where neither a Public Water Supply nor a Public Sewerage Facility is in use			
Interior Lots	1 acre	52 feet	52 feet
Corner Lots	1 acre	62 feet	62 feet
The net lot area, lot width, and public street frontage requirements listed above shall not apply for lots which are proposed to be created for townhouses, rowhouses, or similar ownerships within a larger project.			

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.

215-63. RD-10 Density and Design Requirements for Lot Creation Projects

For the creation of new lots in the RD-10 zone, the lot area, frontage and width requirements are intended only to regulate the minimum lot size and configuration allowable in the zone, and are not intended as optimum project design standards or a means to calculate a density entitlement.

(a) The overall project shall be subject to the Design and Improvement Standards set forth in Title 22 of the County code as applied by the appropriate approval authority in public hearing. NOTE: Since Title 22 sets forth some design standards that are dependent on variable factors related to location, circumstances and public input into the hearing process, the final design, lot configuration and density of a proposed project should not be assumed in absence of the requisite hearings.

(b) For subdivision projects of five (5) or more, the maximum density shall not exceed ten (10) dwelling units per gross acre of land. In calculating the maximum number of lots, the total number shall be rounded down to the nearest whole number.

ARTICLE 7.5: RD-15 MULTIPLE FAMILY RESIDENTIAL LAND USE ZONE

215-65. Lot Area, Width and Public Street Frontage

The minimum net area, lot width, and public street frontage of each lot in the RD-15 zone shall be as set forth below. The public street frontage for lots fronting on a curved street or on the curved portion of a cul-de-sac street may be measured along an arc located within the front fifty (50) feet of the lot, and based on a center point coincidental with the center point of the street curve. If such arc is further than thirty-one (31) feet from the right-of-way line of the street, that arc will be considered the front yard setback line of the lot. (Amended 1990) (Amended 2/2010)

	NET LOT AREA	LOT WIDTH	PUBLIC STREET FRONTAGE
Where a Public Water Supply and Public Sewerage Facility Are Both in Use			
Single Family			
Interior Lots	4,000 square feet	40 feet	40 feet
Corner Lots	5,200 square feet	52 feet	52 feet
Two Family			
Interior Lots	6,200 square feet	62 feet	62 feet
Corner Lots	7,200 square feet	72 feet	72 feet
Multiple Family			
Interior Lots, Used for Residential Purposes	5,200 square feet	52 feet	52 feet
Interior Lots, Used for Non-Residential Purposes	6,200 square feet	52 feet	52 feet
Corner Lots	6,200 square feet	62 feet	62 feet
Where either a Public Water Supply or a Public Sewerage Facility, but not both, is in use			
Interior Lots, Used for Residential Purposes	10,000 square feet	52 feet	52 feet
Corner Lots, Used for Residential Purposes	10,000 square feet	62 feet	62 feet
Interior Lots, Used for Non-Residential Purposes	15,000 square feet	52 feet	52 feet
Corner Lots, Used for Non-Residential Purposes	15,000 square feet	62 feet	62 feet
Where neither a Public Water Supply nor a Public Sewerage Facility is in use			
Interior Lots	1 acre	52 feet	52 feet
Corner Lots	1 acre	62 feet	62 feet
The net lot area, lot width, and public street frontage requirements listed above shall not apply for lots which are proposed to be created for townhouses, rowhouses, or similar ownerships within a larger project.			

215-66. Density Requirements – Multiple Family Dwelling

Every lot used for a multiple family dwelling shall have a maximum density not to exceed fifteen (15) 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.

215-67. Permitted Uses

The uses permitted in the RD-15 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.

ARTICLE 8: 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 public street frontage for lots fronting on a curved street or on the curved portion of a cul-de-sac street may be measured along an arc located within the front fifty (50) feet of the lot, and based on a center point coincidental with the center point of the street curve. If such arc is further than thirty-one (31) feet from the right-of-way line of the street, that arc will be considered the front yard setback line of the lot. (Amended 1990) (Amended 2/2010)

	NET LOT AREA	LOT WIDTH	PUBLIC STREET FRONTAGE
Where a Public Water Supply and Public Sewerage Facility Are Both in Use			
Single Family			
Interior Lots	4,000 square feet	40 feet	40 feet
Corner Lots	5,200 square feet	52 feet	52 feet
Two Family			
Interior Lots	6,200 square feet	62 feet	62 feet
Corner Lots	7,200 square feet	72 feet	72 feet
Multiple Family			
Interior Lots, Used for Residential Purposes	5,200 square feet	52 feet	52 feet
Interior Lots, Used for Non-Residential Purposes	6,200 square feet	52 feet	52 feet
Corner Lots	6,200 square feet	62 feet	62 feet
Where either a Public Water Supply or a Public Sewerage Facility, but not both, is in use			
Interior Lots, Used for Residential Purposes	10,000 square feet	52 feet	52 feet
Corner Lots, Used for Residential Purposes	10,000 square feet	62 feet	62 feet
Interior Lots, Used for Non-Residential Purposes	15,000 square feet	52 feet	52 feet
Corner Lots, Used for Non-Residential Purposes	15,000 square feet	62 feet	62 feet
Where neither a Public Water Supply nor a Public Sewerage Facility is in use			
Interior Lots	1 acre	52 feet	52 feet
Corner Lots	1 acre	62 feet	62 feet
The net lot area, lot width, and public street frontage requirements listed above shall not apply for lots which are proposed to be created for townhouses, rowhouses, or similar ownerships within a larger project.			

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.

ARTICLE 8.5: RD-25 MULTIPLE FAMILY RESIDENTIAL LAND USE ZONE

215-75. Lot Area, Width and Public Street Frontage

The minimum net area, lot width, and public street frontage of each lot in the RD-25 zone shall be as set forth below. The public street frontage for lots fronting on a curved street or on the curved portion of a cul-de-sac street may be measured along an arc located within the front fifty (50) feet of the lot, and based on a center point coincidental with the center point of the street curve. If such arc is further than thirty-one (31) feet from the right-of-way line of the street, that arc will be considered the front yard setback line of the lot. (Amended 1990) (Amended 2/2010)

	NET LOT AREA	LOT WIDTH	PUBLIC STREET FRONTAGE
Where a Public Water Supply and Public Sewerage Facility Are Both in Use			
Single Family			
Interior Lots	4,000 square feet	40 feet	40 feet
Corner Lots	5,200 square feet	52 feet	52 feet
Two Family			
Interior Lots	6,200 square feet	62 feet	62 feet
Corner Lots	7,200 square feet	72 feet	72 feet
Multiple Family			
Interior Lots, Used for Residential Purposes	5,200 square feet	52 feet	52 feet
Interior Lots, Used for Non-Residential Purposes	6,200 square feet	52 feet	52 feet
Corner Lots	6,200 square feet	62 feet	62 feet
Where either a Public Water Supply or a Public Sewerage Facility, but not both, is in use			
Interior Lots, Used for Residential Purposes	10,000 square feet	52 feet	52 feet
Corner Lots, Used for Residential Purposes	10,000 square feet	62 feet	62 feet
Interior Lots, Used for Non-Residential Purposes	15,000 square feet	52 feet	52 feet
Corner Lots, Used for Non-Residential Purposes	15,000 square feet	62 feet	62 feet
Where neither a Public Water Supply nor a Public Sewerage Facility is in use			
Interior Lots	1 acre	52 feet	52 feet
Corner Lots	1 acre	62 feet	62 feet
The net lot area, lot width, and public street frontage requirements listed above shall not apply for lots which are proposed to be created for townhouses, rowhouses, or similar ownerships within a larger project.			

215-76. Density Requirements-Multiple Family Dwelling

Every lot used for a multiple family dwelling shall have a maximum density not to exceed twenty-five (25) 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.

215-77. Permitted Uses

The uses permitted in the RD-25 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.

ARTICLE 9: 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 public street frontage for lots fronting on a curved street or on the curved portion of a cul-de-sac street may be measured along an arc located within the front fifty (50) feet of the lot, and based on a center point coincidental with the center point of the street curve. If such arc is further than thirty-one (31) feet from the right-of-way line of the street, that arc will be considered the front yard setback line of the lot. (Amended 1990) (Amended 2/2010)

	NET LOT AREA	LOT WIDTH	PUBLIC STREET FRONTAGE
Where a Public Water Supply and Public Sewerage Facility Are Both in Use			
Single Family			
Interior Lots	4,000 square feet	40 feet	40 feet
Corner Lots	5,200 square feet	52 feet	52 feet
Two Family			
Interior Lots	6,200 square feet	62 feet	62 feet
Corner Lots	7,200 square feet	72 feet	72 feet
Multiple Family			
Interior Lots, Used for Residential Purposes	5,200 square feet	52 feet	52 feet
Interior Lots, Used for Non-Residential Purposes	6,200 square feet	52 feet	52 feet
Corner Lots	6,200 square feet	62 feet	62 feet
Where either a Public Water Supply or a Public Sewerage Facility, but not both, is in use			
Interior Lots, Used for a Single Family Dwelling or Non-Residential Purposes	10,000 square feet	52 feet	52 feet
Corner Lots, Used for a Single Family Dwelling or Non-Residential Purposes	10,000 square feet	62 feet	62 feet
Interior Lots, Used for a Multiple Family Dwelling	15,000 square feet	52 feet	52 feet
Corner Lots, Used for a Multiple Family Dwelling	15,000 square feet	62 feet	62 feet
Where neither a Public Water Supply nor a Public Sewerage Facility is in use			
Interior Lots	1 acre	52 feet	52 feet
Corner Lots	1 acre	62 feet	62 feet
The net lot area, lot width, and public street frontage requirements listed above shall not apply for lots which are proposed to be created for townhouses, rowhouses, or similar ownerships within a larger project.			

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.

ARTICLE 10: 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 public street frontage for lots fronting on a curved street or on the curved portion of a cul-de-sac street may be measured along an arc located within the front fifty (50) feet of the lot, and based on a center point coincidental with the center point of the street curve. If such arc is further than thirty-one (31) feet from the right-of-way line of the street, that arc will be considered the front yard setback line of the lot. (Amended 1990) (Amended 2/2010)

	NET LOT AREA	LOT WIDTH	PUBLIC STREET FRONTAGE
Where a Public Water Supply and Public Sewerage Facility Are Both in Use			
Single Family			
Interior Lots	4,000 square feet	40 feet	40 feet
Corner Lots	5,200 square feet	52 feet	52 feet
Two Family			
Interior Lots	6,200 square feet	62 feet	62 feet
Corner Lots	7,200 square feet	72 feet	72 feet
Multiple Family			
Interior Lots, Used for Residential Purposes	5,200 square feet	52 feet	52 feet
Interior Lots, Used for Non-Residential Purposes	6,200 square feet	52 feet	52 feet
Corner Lots	6,200 square feet	62 feet	62 feet
Where either a Public Water Supply or a Public Sewerage Facility, but not both, is in use			
Interior Lots, Used for a Single Family Dwelling or Non-Residential Purposes	10,000 square feet	52 feet	52 feet
Corner Lots, Used for a Single Family Dwelling or Non-Residential Purposes	10,000 square feet	62 feet	62 feet
Interior Lots, Used for a Multiple Family Dwelling	15,000 square feet	52 feet	52 feet
Corner Lots, Used for a Multiple Family Dwelling	15,000 square feet	62 feet	62 feet
Where neither a Public Water Supply nor a Public Sewerage Facility is in use			
Interior Lots	1 acre	52 feet	52 feet
Corner Lots	1 acre	62 feet	62 feet
The net lot area, lot width, and public street frontage requirements listed above shall not apply for lots which are proposed to be created for townhouses, rowhouses, or similar ownerships within a larger project.			

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 12: RM-2 MOBILEHOME SUBDIVISION LAND USE ZONE

215-110. Intent

It is the intent of this Article to provide regulations for the placement of mobile homes on individual lots within an approved subdivision specifically designed and designated for the sale, not rental, of lots to accommodate mobile homes 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 public street frontage for lots fronting on a curved street or on the curved portion of a cul-de-sac street may be measured along an arc located within the front fifty (50) feet of the lot, and based on a center point coincidental with the center point of the street curve. If such arc is further than twenty-four (24) feet from the right-of-way line of the street, that arc will be considered the front yard setback line of the lot. (Amended 11/90) (Amended 2/2010)

	NET LOT AREA	LOT WIDTH	PUBLIC STREET FRONTAGE
SINGLE FAMILY			
Where a Public Water Supply and Public Sewerage Facility are both in use			
Interior Lots	5,200 square feet	52 feet	52 feet
Corner Lots	6,200 square feet	62 feet	62 feet
Where either a Public Water Supply or a Public Sewerage Facility, but not both, is in use			
Interior Lots	10,000 square feet	52 feet	52 feet
Corner Lots	10,000 square feet	62 feet	62 feet
Where neither a Public Water Supply nor a Public Sewerage Facility is in use			
Interior Lots	1 acre	52 feet	52 feet
Corner Lots	1 acre	62 feet	62 feet
TWO FAMILY			
Where a Public Water Supply and Public Sewerage Facility are both in use			
Corner Lots	8,500 square feet	80 feet	80 feet
Where either a Public Water Supply or a Public Sewerage Facility, but not both, is in use			
Corner Lots	15,000 square feet	100 feet	100 feet
Where neither a Public Water Supply nor a Public Sewerage Facility is in use			
Corner Lots	1 acre	100 feet	100 feet

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.

215-114. 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-four (24) feet. No recreation vehicles, trailers or boats shall be stored in said front yard. (Amended 2/2010)

(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 mobile homes and seven and one-half (7-1/2) feet for two-story buildings and mobile homes.

(d) Side Street Yard: On corner lots there shall be a side street yard of not less than nineteen (19) feet measured from the right-of-way for all single family detached mobile homes and accessory structures. All other buildings shall provide side street yards of not less than twenty-five (25) feet. (Amended 2/2010)

215-115. Roofed Area

The total roofed area including mobile homes, accessory buildings, ramadas, canopies, carports, and awnings shall not exceed fifty (50) percent of the net area of the lot.

CHAPTER 20: RECREATION LAND USE ZONES

ARTICLE 1: 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.

ARTICLE 2: 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.

ARTICLE 3: "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.

CHAPTER 25: COMMERCIAL LAND USE ZONES

ARTICLE 1: 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.

ARTICLE 2: 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) C-O Commercial Recreation Zone as further regulated in Article 9 of this Chapter.

(h) MP Industrial Office Park Zone as further regulated in Article 5 of Chapter 30 of this Title. 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. No equipment, material, goods, furniture or appliances may be stored and/or displayed outside an enclosed building or outside of a solid screen fenced area and be visible from a public street, unless that equipment, material, goods, furniture or appliances is normally used out-of-doors. A temporary use permit for promotional display should be secured if this temporary outside display use is proposed. No equipment may be displayed within required yard areas unless specifically permitted to do so by Section 225-13. (Adopted 2/88) (Amended 3/3/99, 3/24/99, 4/17/02, 7/20/05 and 8/10/05.)

225-12. Uses Not Provided for in the Table

If a use is not listed in the table or shown as a permitted use in any other zone, the Planning Director shall make a determination as set forth in Section 110-30.5. (Amended 6/95)

TABLE II
PERMITTED USES WITHIN THE BUILDABLE AREA OF COMMERCIAL LOTS
For corresponding numerical descriptions – See Section 225-14. Special Conditions.
MP* – *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**	**DW**
A. Automotive Sales, Service, Repair									
1. Auto Sales, New and Used					14	X			
2. Auto Rental or Lease Agency, Including Limousine Service	37		37	37	X	X	X		
3. Auto Wholesaler, or Retail Auto Broker, with auto storage/display limited to a maximum of two vehicles.		X	X	X	X	X	X		
4. Auto, Minor Service-Repair-Replacement									
a) Automatic Transmission			3	3	X	X	3		
b) Auto Tire, Sales-service			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, Service, 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 and Cleaning for Resale)			10	10	X	X	10		
n) Auto Glass Installation and Sales			3	10	X	X	10		
o) Auto Smog Inspection (No Repair)			3	10	10	10	10		

TABLE II
PERMITTED USES WITHIN THE BUILDABLE AREA OF COMMERCIAL LOTS
For corresponding numerical descriptions – See Section 225-14. Special Conditions.
MP* – *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**	**DW**
5. Auto, Major									
a) Auto Major Repair					10	10	10		
b) Auto Transmission Rebuild					10	10	10		
c) Auto Radiators Rebuild					10	10	10		
d) 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		
6. Auto Service Station, Primary	11		11	11	11	11	11		
7. Auto Service Station, Secondary	11		11	11	11	11	11		
8. Auto Storage - Antique					10	10			
8.5 Auto Storage - Indoor	X				X	X			
9. Auto Parts and Accessory Store			10	10	X	X	10		
10. Auto Wash, Self-Service or Automatic			14	14	14	X	14		
11. Camper Shell - Sales, Repair, Rent					10	X	14		
12. Motorcycle, Sports Cycles, Trail bikes, Jet Skis, Snowmobile, Ultra-Light, Moped - Sales, Rent, Service, Repair and Dismantling			3	37	4	4	37	37	
13. Truck Sale, Lease, Rent or Repair (primary use)					37	37	37		
14. Truck Service Stations, Excluding Truck Terminal					11	11	11		
15. Utility Trailer - Rental, Service, Sales				14	X	X	X		
16. Utility Trailer or Truck, Rent or Storage as Ancillary to Permitted Uses				58	59	59	59		
B. Business Services									
1. Addressing and Mailing Services	X		2	X	X	2			
2. Advertising Business	X	X	X	X	X	X			
3. Alarm/Warning System - Sales and Service	X			10	10				

TABLE II
PERMITTED USES WITHIN THE BUILDABLE AREA OF COMMERCIAL LOTS
For corresponding numerical descriptions – See Section 225-14. Special Conditions.
MP* – *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**	**DW**
4. Armored Car Service					10	10			
5. Off-Site Sign, Except Directional Subdivision Signs and Regional Directional Subdivision Signs							23		
5.5. Relocation of Off-Site Sign, Except Directional Subdivision Signs and Regional Directional Subdivision Signs					53	53	53		
6. Billboard Sign Agency - Service Yard and Workshop					10				
7. Blueprinting-Photostating Service	X		X	X	X				
8. Computer Programming/ Software and System Design	X	X	X	X	X	X	X		
9. Computer Sales, Rental and Lease	14		X	X	X	X	X		
10. Computer Service and Training	X		X	X	X	X	X		
11. Data Processing Service (see Section 130-53)	X	X	X	X	X				
12. Delivery Service	X		14	X	X	X			
13. Disinfecting-Fumigating Service	X				10				
14. Drafting Service	X	X	X	X					
15. Equipment Rental Agency - Office Related Uses Only			10	14	10	10	7		
16. Furniture Rental Agency			10	X	X	X			
17. Gardening-Landscaping - Service Yard and Workshop					10				
18. Janitorial Service	X				10				
19. Locksmith - Safe Repair Shop	X			10	10				
19.5. Mail or Delivery Service Pickup Station	36		36	36	36	36	36		
20. Locksmith - Key and Lock Shop	X		X	X	X	X			
21. Mail Order Business	X		X	X	X	X			
22. Messenger Service	X	X	X	X	X				

TABLE II
PERMITTED USES WITHIN THE BUILDABLE AREA OF COMMERCIAL LOTS
For corresponding numerical descriptions – See Section 225-14. Special Conditions.
MP* – *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**	**DW**
23. Office Machines and Equipment Sales and Minor Repair	X		X	X	X				
24. Pest Control Service	X				10				
25. Photocopy Service	X	X	X	X	X	X	X		
26. Print Shop	X		X	X	X	X	X		
27. Printing Plant	X				X				
28. Remote Teller, Freestanding for Pedestrian Use		14	14	14	14	14	14		
29. Sign, On-Site	X	X	X	X	X	X	X	X	
30. Stenographic Service	X	X	X	X	X		7		
31. Studio - Radio, Television, Recording	X	X	X	X	X				
32. Telegraph Office	X	X	X	X	X		X		
33. Telephone Answering Service	X	X	X	X	X		7		
34. Ticket Agency	X	X	X	X	X	X	X		
35. Wholesale Distributor's Service Facility	14		14	14	10	14			
C. Health Services									
1. Acupuncture Clinic or Office	X	X	X	X	X	X			
1.5. Adult Day Health Center	X	X	X	X	X			14	
2. Ambulance Service			14	X	X	X	X		
3. Clinic, Child-Family Guidance	X	X	X	X	X				
4. Clinic, Counseling	X	X	X	X	X				
4.5. Clinic, Diet Counseling with Incidental Sales of Diet Products	X	X	X	X	X				
5. Clinic; Kidney Dialysis	X	X	X	X	X				
6. Clinic; Physical Therapy	X	X	X	X	X				
7. Convalescent Hospital		14		14	14			14	
8. Eyeglasses, Frames, Contact Lens - Sales and Service	X	X	X	X	X				
9. Hearing Aids - Sales and Service	X	X	X	X	X				
10. Hospital		14		14	14			14	

TABLE II
PERMITTED USES WITHIN THE BUILDABLE AREA OF COMMERCIAL LOTS
For corresponding numerical descriptions – See Section 225-14. Special Conditions.
MP* – *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**	**DW**
11. Laboratory - Medical, Dental or Optical	X	X	X	X	X				
12. Laboratory - Research, Analysis	14			10	10				
13. Medical or Dental Office	X	X	X	X	X	X			
14. Psychiatric Facility				14	14				
15. Sanitarium		14		14	14				
16. Social Rehabilitation Center		14		14	14				
17. Orthopedic Appliances Sales/Service	X	X	X	X	X				
D. Personal Services									
1. Barber Shop		49	X	X	X		X		
2. Bath House - Sauna, Turkish, Steam, Spa and Tanning			X	X	X		7		
3. Beauty Shop		49	X	X	X		X		
4. Child Care Center	X	X	X	X	X		7		
4.5 Crematory					63				
5. Dressmaker	X		X	X	X				
6. Electrolysis		49	X	X	X		X		
6.5. Fortune Teller, Palmist, Tarot-Card Reader				11	11				
7. Funeral Establishment (not including a crematory)		14		14	X				
8. Massage (and as regulated by the Business License Ordinance) (Amended 7/20/05)		X	X	X	X		X	X	X
8.2. Deleted (7/20/05)									
9. Reducing-Body Building/Aerobics Studio	37	37	X	X	X		7		
10. Shoe Shine Parlor	X	49	X	X	X	X	7		
11. Studio - Dance, Voice, Music, Gymnastics	37	14	X	X	X				
12. Tailor	X		X	X	X				
13. Tattoo Shop				14	X				

TABLE II
PERMITTED USES WITHIN THE BUILDABLE AREA OF COMMERCIAL LOTS
For corresponding numerical descriptions – See Section 225-14. Special Conditions.
MP* – *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**	**DW**
135. Wedding Chapel, Reception Hall	37	37	37	X	X				
14. Wig Sales and Service		49	X	X	X		7		
15. Dating Service (Computerized Video Matching)	X	X	X	X	X				
16. Social Center	37	37	37	37	37				
E. Miscellaneous Services									
1. Blacksmith Shop					10	10			
2. Cold Storage - Frozen Food Locker			10	10	10				
3. Farm Equipment - Rental and Incidental Storage					10				51
4. Grooming Service, Such as Poodle Grooming			X	X	X	X			
5. Kennel, Cattery, Boarding/Training			14	14	14	14	14		
55. Dog Training (no boarding and owner present during training/classes)					X				
6. Laboratory, Materials Testing	14				14				
7. Laundromat, Self-Service	X		X	X	X		X		
8. Laundry or Cleaning Agency, Retail (On-Site Cleaning Permitted)	X		X	X	X				
9. Laundry or Cleaning Pickup Station	X	49	X	X	X				
10. Laundry or Cleaning Plant, Wholesale Facility					10				
103 Moved Building Storage, Temporary (7 Days or Less)					50				
11. Parking Lot or Garage as Primary Use	48	48	48	48	48	48	48	48	
12. Photography Studio, Including Incidental Processing	X	X	X	X	X				
13. Picture Framing Shop	X		X	X	X				
14. Public Auction or Flea Market					14				
15. Storage Building - Mini	X			14	X	14	14		
16. Taxidermist				X	X				
17. Towing Service			3	3	X	X	3		

TABLE II
PERMITTED USES WITHIN THE BUILDABLE AREA OF COMMERCIAL LOTS
For corresponding numerical descriptions – See Section 225-14. Special Conditions.
MP* – *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**	**DW**
17.5. Towed Vehicle Storage (Operable Vehicles)					54	54			
18. Travel Agency	X	X	X	X	X	X	X		
19. Veterinarian-Animal Hospital	X	14	X	X	X	X	X		
20. Warehousing and Storage	10				10				
21. Welding Shop	14				10	10			
22. Equipment Rental					56				
F. Repair Services (See Section A for Auto Repair)									
1. Appliance Repair Shop	X		2	X	X				
1.5. Electronic Equipment Repair	X	X	X	X	X				
2. Grinding-Sharpening Service				14	10	X			
3. Lawn Mower Engine and Garden Power Tool - Sales, Service, Repair			3	37	4	4	37		
4. Shoe Repair Shop	X		X	X	X				
5. Television and Radio Repair Shop	X		2	X	X				
6. Tool Reconditioning			4	4	4	4	4		
G. Eating/Drinking/Lodging									
1. Apartment Hotel			15	15	15		15		
2. Bar-Tavern			X	X	X	X	X	14	
3. Bakery, Pastry Shop			X	X	X	X	X		
4. Bed and Breakfast Inn				52	52		52	52	
4.5. Brew Pub (No Wholesale or Off-Site Sale of Beer, Wine, or Alcohol)			X	X	X	X	X		
5. Catering Service			X	X	X	X	X		
6. Delicatessen	49	49	X	X	X	X	X		
7. Drive-in Cafe			37	X	X	X	X		
8. Hotel				14	14		X	14	
9. Motel				14	14		X	14	
10. Resorts								14	
11. Restaurant-Coffee Shop-Cafeteria	49	49	36	36	36	36	36	37	51
12. Soda Fountain-Ice Cream Parlor	37	49	X	X	X	X	X		

TABLE II
PERMITTED USES WITHIN THE BUILDABLE AREA OF COMMERCIAL LOTS
For corresponding numerical descriptions – See Section 225-14. Special Conditions.
MP* – *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**	**DW**
13. Snack Bar Incidental to a Park, Boat Dock, Other Water-Oriented Use	49	49	36	36	36	36	36		51
H. Entertainment/Recreation Services									
1. Arcade - Electronic, Mechanical, or Video Games			47	47	47	47	47	47	
2. Art Gallery		X	X	X	X		X		
3. Art Studio			X	X	X		X		
4. Boat Docks or Launch, Private or Public								37	51
5. Card Room			11	11	11	11	11	11	
6. Carnival			6	6	6	6	6	6	
7. Circus			6	6	6	6	6	6	
8. 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	
9. Dance Hall-Ballroom-Discotheque			12	12	12	12	12		
10. Dancing as an Incidental Use in a Bar or Restaurant			12	12	12	12	12		
11. Electronic, Mechanical or Video Games			46	46	46	46	46	46	
12. Hunting Preserves								X	
13. Library		X	X	X	X				
14. Live Theater			37	37	X				
15. Marinas and Ancillary Facilities								14	51
16. Motion Picture Theater			37	37	X	37	37		
17. Museum		X	X	X	X		X		
18. Park, Including Boat Launch, Camping, Picnicking, Travel Trailer and Recreation Vehicle									51
19. Physical Fitness Studio	37	37	X	X	X	X	X		

TABLE II
PERMITTED USES WITHIN THE BUILDABLE AREA OF COMMERCIAL LOTS
For corresponding numerical descriptions – See Section 225-14. Special Conditions.
MP* – *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**	**DW**
20. Race Track								14	
21. Recreation Facility, Indoor	37	49	37	37	37	37	37	37	
22. Recreation Facility, Outdoor	14		14	14	14	14	14	14	
23. Sideshow			6	6	6	6	6		
24. Stadiums								14	
I. Food, Drug, Liquor Sales									
1. Bakery, Pastry Shop			X	X	X	X	X		
2. Bakery, Wholesale Only					X				
3. Butcher and Meat Market			X	X	X	X			
4. Butcher, Wholesale, Excluding Slaughterhouse					10				
5. Candy Store			X	X	X	X			
6. Certified Farmers Market			50	50	50	50	50	50	
7. Coin-Operated Dispenser		X	X	X	X	X	X	X	
8. Convenience Store/Neighborhood Market (Less than 6,000 square feet in size)			45	45	45	45	45		
85. Drive-in Dairy, Excluding Creamery			37	X	X	X	X		
9. Drive-in Food Market or Stand			37	X	X	X	X		
10. Drug Store – Non-prescriptive Drugs and Sundries		49	X	X	X				
11. Food Market Ancillary to Service Station			45	45	45	45	45		
12. Liquor Store			X	X	X		1		
13. Prescription Pharmacy	X	49	X	X	X		X		
14. Supermarket-Food Store			X	X	X	X	14		
15. Winery Sales Facility-Tasting Room			X	X	X		37		
J. General Merchandise Sales									
1. Book-Record Store		49	X	X	X				
2. Bottled Gas Sale and Related Storage					37		37		
3. Building Material and Lumber Sales			1	1	10				
			X						

TABLE II
PERMITTED USES WITHIN THE BUILDABLE AREA OF COMMERCIAL LOTS
For corresponding numerical descriptions – See Section 225-14. Special Conditions.
MP* – *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**	**DW**
4. Clothing and Apparel Store				X	X				
5. Costume Shop - Sale and Rent			X	X	X				
6. Curio-Novelty Shop		49	X	X	X		7		
7. Electronic Equipment Store	X	49	X	X	X				
8. Firewood-Fuel Sales			1	1	X	1	1		
9. Flea Market or Public Auction					14				
10. Florist	X	49	X	X	X		7		
11. Garage Equipment and Tool Sales			1	1	X	X			
12 General Retail or Department Store			X	X	X				
13. Gift-Card Shop	X	49	X	X	X		X		
14. Gun shop-Gunsmith	X		X	X	X	X			
15. Hardware Store			X	X	X				
16. Hay, Seed and Grain Store					X				
17. Hotel-Restaurant Equipment Sales	X				X				
18. Jewelry Store - Sales, Repair			X	X	X		7		
19. Lapidary Shop	X		X	X	X				
20. Military Surplus Store				X	X				
21. Music Store, Including Instrument Repair	X		X	X	X				
22. Newspaper-Magazine Stand	X	49	X	X	X	X	X		
23. Nursery, Plants			13	10	10				
24. Office Machines and Equipment Sales and Minor Repair	X		X	X	X				
25. Ornamental Rock Sales and Related Storage					10				
27. Pawn Shop				X	X				
28. Pet Store, No Kennel			X	X	X	X			
29. Photographic Supply-Camera Store	X		X	X	X		X		
30. Pool Table Sale and Repair Service	X		X	X	X				
31. Portable Swimming Pool - Supply Sales			1	X	X				

TABLE II
PERMITTED USES WITHIN THE BUILDABLE AREA OF COMMERCIAL LOTS
For corresponding numerical descriptions – See Section 225-14. Special Conditions.
MP* – *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**	**DW**
32. Power Tools - Sales, Repair			X	X	X	X	X		
33. Public Auction of New Clothing and Apparel, within an Enclosed Building			14	14	14				
34. Shoe Store			X	X	X				
35. Stamp-Coin Store	X		X	X	X				
36. Stationery Store	X	49	X	X	X		7		
37. Television and Radio Sales			X	X	X				
38. Tobacco Shop	X	49	X	X	X		7		
39. Toy Store		49	X	X	X		7		
40. Trophy-Emblem Store			X	X	X				
405. Video Store, Sales and Rental		49	X	X	X		X		
41. Watches - Sales, Repair			X	X	X				
42. Wholesale Store	X				X				
K. Home Accessories and Services									
1. Antique Store			1	X	X		X		
2. Appliance Store			X	X	X				
3. Carpet Cleaning Plant					10				
4. Floor Covering, Drapery or Upholstery Store	37		X	X	X				
5. Furniture Cleaning, Refinishing, Re-upholstery Shop	37			14	10				
55. Upholstery Shop (no refinishing)			X	X	X				
6. Furniture Store			X	X	X				
7. Gardening-Landscaping Supply Store			1	X	X				
8. Interior Decorators Service Yard and Workshop	14				10				
9. Paint and Wallpaper Store			X	X	X				
10. Tree Service					10				
11. General Glass Sales, Services			X	X	X				

TABLE II
PERMITTED USES WITHIN THE BUILDABLE AREA OF COMMERCIAL LOTS
For corresponding numerical descriptions – See Section 225-14. Special Conditions.
MP* – *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	DW
L. Recreation Equipment Sales									
1. Athletic Equipment and Sporting Goods Store			X	X	X		14		
2. Bicycle Sale, Rent, Service			X	X	X	X	X		
3. Boat Parts and Accessories Store			4	4	X	X	14	14	
4. Boat Sale, Rent Service			14	14	14	14	14	37	51
5. Camper Shell - Sales, Repair, Rent					10	X	14		
6. Hang Glider - Sales and Service			3	37	4	4	37	37	
7. Marine Supply Store			4	4	X	X	14	14	51
8. Motorcycle, Sports Cycles, Trail Bikes, Jet Skis, Snowmobile, Ultra-Light, Moped - Sales, Rent, Service, Repair and Dismantling			3	37	4	4	37	37	
9. Recreational Vehicle and Boat Storage			14	14	14	14	14	37	
10. Saddlery Shop	X		X	X	X				
11. Swimming Pool, Spa - Sales and Service			X	X	X				
12. Tackle Shop			X	X	X	X	X	14	51
13. Travel Trailer-Mobilehome, Motorhome, Camper - Sales, Rent, Storage			14	14	14	14	14	14	
14. Water Recreation Equipment - Rental, Sales			10	10	X	X	10	14	51
M. Manufacturing/Processing									
1. Assembly - Light Manufacturing	40				40				
2. Beverage Bottling Works					14				
3. Boat Building and Major Repair of Boats					14			14	
4. Cabinet Shop	14				14				
5. Concrete Batch Plant					24				
6. Creamery					14				

TABLE II
PERMITTED USES WITHIN THE BUILDABLE AREA OF COMMERCIAL LOTS
For corresponding numerical descriptions – See Section 225-14. Special Conditions.
MP* – *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**	**DW**
7. Egg Processing Facility					10				
8. Ice Manufacturing Plant					14				
9. Machine Shop	14				10	10			
10. Photographic Processing Plant, Wholesale Facility	X			X	X				
11. Recycling Center	X		X	X	X	X	X		
12. Building Trades Service Yard and Workshop					10				
N. Membership Organizations									
1. Church	X	X	X	X	X	X	X		
2. Citizens Improvement Club - Community Center		X	X	X	X				
3. Labor Union Hall	37	14	14	X	X				
4. Lodge-Fraternal Hall	37	37	X	X	X				
O. Offices									
1. Accountants, Bookkeepers Office	X	X	X	X	X	X			
2. Bank, Savings and Loan, Finance, Loan, Credit Office	36	36	36	36	36	36			
3. Building Trades Contractors Office	X	X		X	X				
4. Business or Professional Office	X	X	X	X	X	X			
5. Collection, Counseling, Personnel Office	X	X	X	X	X	X			
6. Insurance Office	X	X	X	X	X	X			
7. Interior Decorator Office	X	X	X	X	X				
8. Medical or Dental Office	X	X	X	X	X	X			
9. Public Relations or Advertising office	X	X	X	X	X	X			
10. Real Estate Office	X	X	X	X	X	X			
P. Public Facilities									
1. Privately-Owned Uses within Public and Government-Owned Buildings, Facilities and Grounds	42	42	42	42	42	42	42	42	

TABLE II
PERMITTED USES WITHIN THE BUILDABLE AREA OF COMMERCIAL LOTS
For corresponding numerical descriptions – See Section 225-14. Special Conditions.
MP* – *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**	**DW**
2. Building and Facility owned by Federal and State Governments, and located on Federal and State owned property.	X	X	X	X	X	X	X	X	
3. Public and Government-Owned Buildings and Facilities Other than Federal and State	14	14	14	14	14	14	14	14	
4. Public and Government Uses, Other than Federal and State, within Privately-Owned Buildings, Facilities and Grounds	41	41	41	41	41	41	41	41	
4.5. Federal and State Uses within Privately-Owned Buildings, Facilities, and Grounds	41	41	41	41	41	41	41	41	41
5. Public Utility and Public Service Facility	39	39	39	39	39	39	39	39	
R. Residential									
1. Apartment-Multiple Family Dwelling (Amended 8/10/05)		15	60	60	15				
1.5 Condominiums (Amended 8/10/05)		15	60	60	15				
2. Home Occupation	X	X	X	X	X	X	X	X	
3. Residence of a Caretaker, Proprietor or Owner of a Permitted Use	37	X	X	X	X	X	X	X	
4. Residential Care Homes for Adults or Children		X	X	X	X			14	
5. Residential Uses, Other		25		25				25	
6. Travel Trailer-Mobilehome, Camper, Motorhome - Repair or Service					X	X	14	14	
7. Travel Trailer Park					16		17	16	51
8. Social Rehabilitation Center		14		14	14				
9. Congregate Care Facilities		14	X	X	X			X	
10. Emergency Shelters					61				
11. Single Room Occupancy Residential Units					62				

TABLE II
PERMITTED USES WITHIN THE BUILDABLE AREA OF COMMERCIAL LOTS
For corresponding numerical descriptions – See Section 225-14. Special Conditions.
MP* – *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**	**DW**
S. Schools									
1. Business School	X	X	X	X	X				
2. Charm, Culture School	X	37	X	X	X				
3. College and University		14	14	14	14	14			
4. Driving School	X			X	X	X			
5. Other Private School	14	14	14	14	14	14		14	
6. Private K-12 School	14	14	14	14	14	14			
7. Public K-12 School		X	X	X	X	X			
8. Self-Defense, Judo, Boxing, Gymnastics, Swimming or Similar Activities	37	14	X	X	X				
9. Trade School	14		14	14	X	X			
10. Vocational School (Amended 11/5/03)	X	X	X	X	X				
T. Transportation Facilities and Services									
1. Airport								14	
2. Baggage Transfer Service			14	X	X	X	X		
3. Boat Dock/Pier - Commercial									51
4. Bus Depot			11		11		11		
5. Freight Depot, Excluding Draying and Truck Terminal			10		10				
6. Household Moving and Storage Service					10				
7. Parking Lot/Garage (Primary Use)	48	48	48	48	48	48	48	48	
8. Taxi Cab Service and Storage Facility				10	10	X			

TABLE II
PERMITTED USES WITHIN THE BUILDABLE AREA OF COMMERCIAL LOTS
For corresponding numerical descriptions – See Section 225-14. Special Conditions.
MP* – *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**	**DW**
U. Permits									
1. Certificate of Nonconforming Use	X	X	X	X	X	X	X	X	
2. Home Occupation	X	X	X	X	X	X	X	X	
3. Special Development Permit	14	14	14	14	14	14	14	14	
4. Temporary Concession			38	38	38	38	38	38	
5. Temporary Uses	8	8	8	8	8	8	8	8	
6. Surface Mining					57			57	57

225-13. Table III

Permitted Uses in Yards and Open Spaces of Commercial Lots when a permitted use is already established on the same lot. 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.

TABLE III
PERMITTED USES IN YARDS AND OPEN SPACES OF COMMERCIAL LOTS WHEN A PERMITTED USE IS ALREADY ESTABLISHED ON THE SAME LOT
For corresponding numerical descriptions – See Section 225-14. Special Conditions.

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, Entire 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 Yard Areas						20		
Fences	31	31	31	31	31	31	31	31
Landscaping Features	32	32	32	32	32	32	32	32
Light Standards and 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) Deleted

(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) Deleted 8/95

(10) Permitted if the entire operation, is conducted within a completely enclosed building or screened from view behind a fence or wall as set forth in Title III, Chapter 1, Article 5. (Amended 8/95)

(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) 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 or within a fenced area on the buildable portion of the lot. Shall not intrude on required parking area.

(14) Permitted subject to issuance of a conditional use permit 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.

(16) Permitted subject to issuance of a conditional use permit by the appropriate authority and the standards of Title III, Chapter 5, Article 5.

(17) Permitted subject to the standards of Title III, Chapter 5, Article 5.

(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 Title III Chapter 5, Article 5.

(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 thirty-one (31) feet of a street right-of-way and no merchandise shall exceed ten (10) feet in height when displayed within fifty-six (56) feet of a street right-of-way. Such merchandise shall not project over required landscaped areas. (Amended 6/95) (Amended 2/2010)

(21) New primary and secondary auto service stations are permitted when commercial structures are located 500 feet or more from all Residential, Agricultural-Residential and Agricultural zones. Where this setback is not met these uses are 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.) (Amended 6/95)

(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 for a specific period of time as determined to be appropriate during the public hearing process, subject to the issuance of a conditional use permit by the Board of Supervisors upon recommendation of the Project Planning Commission and the development standards of Title III, Chapter 35, Article 1.

(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. Playground equipment must meet commercial building setbacks. (Amended 4/17/02)

(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 twenty-one (21) 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. (Amended 2/2010)

(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. Playground equipment must meet commercial building setbacks. (Amended 4/17/02)

(31) Fences shall meet the requirements set forth in Title III, Chapter 1, Article 5. (Amended 6/95)

(32) Planter boxes, retainer walls, fountains and ponds may be placed in yard areas provided they are permanent parts of the overall landscaping development. Playground equipment must meet commercial building setbacks. (Amended 4/17/02)

(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 twenty-one (21) feet from the future street right-of-way. (Amended 2/2010)

(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, if in compliance with design standards of Section 315-22 (a) and (b), for drive-up windows and remote tellers. A conditional use permit from the appropriate authority is required when the design standards of Section 315-22 (a) and (b) are not met, or if the drive-up window and/or the order station with amplified sound is located within 300 feet of a residential zone (RD-1 through RD-40), or if the drive-up window or order station without amplified sound is located within 75 feet of a residential zone (RD-1 through RD-40). If building size is 100 square feet, or less,

then the Zoning Administrator shall be the appropriate authority. (Amended 5/98, 4/17/02)

(37) Permitted subject to the issuance of a conditional use permit by the Zoning Administrator. Where the application is for a theatre complex exceeding a total seating capacity of 500 or containing more than four (4) screens, or an indoor recreation facility over 500 person maximum occupancy the Project Planning Commission shall be the appropriate authority. (Amended 1993)

(38) Permitted subject to approval by the Zoning Administrator and the development standards in Section 315-02. (See definition 130-47.5.)

(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) Such uses will be regulated as set forth in Section 101-11 and as provided for in this Code for the proposed use to the extent permitted by law. (Amended 3/24/99)

(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 (7/20/05)

(44) Deleted

(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. The distance shall be measured from the entrance of the commercial facility to the school property line or the zone boundary. 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 Board of Supervisors is required. The Board 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. Development requirements of Title III, Chapter 15, Article 3 are applicable to all such uses.

(46) Permitted in bars and restaurants. Permitted in indoor recreation facilities in operation on the day of adoption of this ordinance. Permitted for two or fewer machines in any other 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. (Amended 5/98)

(47) Permitted subject to approval of a use permit by the appropriate authority and to development standards set forth in Section 315-32.

(48) Ground level and/or underground facilities are permitted. Multi-story parking structures are permitted subject to approval of a use permit by the appropriate authority. All required landscaping, setback, and other development requirements set forth in Title III shall be maintained for any parking facility.

(49) Permitted when located as one tenant in a building and not occupying more than 15% of the total floor area of the building. If the use occupies more than 15% of the total floor area of the building, or is a free-standing use, permitted subject to approval of a use permit by the appropriate authority.

(50) Subject to approval of a temporary use permit by the Zoning Administrator.

(51) Permitted subject to compliance with Title II, Chapter 35, Article 8.

(52) Permitted subject to issuance of a use permit by the appropriate authority. The use permit may authorize limited ancillary social gatherings such as conferences, weddings, fundraisers, and other similar events attended by any non-lodger, subject to any conditions imposed including, but not limited to, restrictions on the frequency and timing of events and the maximum number of persons per event. Except as expressly authorized in the use permit, such activities are prohibited.

(53) Relocation of an existing off-site billboard-type sign is permitted, pursuant to Section 335-12.5 of this Code, subject to issuance of a conditional use permit by the Board of Supervisors upon recommendation of the Project Planning Commission, and further permitted subject to a specific period of time as determined appropriate during the public hearing process.

(54) Permitted, subject to approval of a use permit by the appropriate authority. This use requires an on-site office for vehicle retrieval.

(55) Deleted (6/95)

(56) Rent or lease of equipment, furniture or appliances is permitted provided retail sales of the same item(s) is permitted in the applicable zoning classification of the property. The entire operation, must be conducted within a completely enclosed building or within an area on the buildable portion of the lot and enclosed by a fence or wall that meets the standards set forth in Title III, Chapter 1, Article 5. Some specialized rental operations are specifically listed in the Commercial or Industrial Use Tables and those provisions and requirements shall take precedence whenever applicable. (Amended 8/95)

(57) Permitted for short duration, small scale borrow sites and material removal sites subject to the issuance of a conditional use permit by the appropriate authority and compliance with surface mining standards found in Title II, Chapter 35, Article 4. Short duration sites shall mean sites where less than 200,000 cubic yards of soil, sand, gravel, decomposed granite or rock are removed over a one year period. Conveyor systems for transporting aggregate material may be allowed to extend off of the mine site, on land without the Surface Mining Combining Zone, if approved as a part of a mining use permit and reclamation plan. Surface mining operations conducted in conjunction with a permitted public service project shall be regulated pursuant to Title III, Chapter 1, Article 1, Section 301-13. All other surface mining operations shall be regulated by the Surface Mining Combining Zone pursuant to Title II, Chapter 35, Article 4, Section 235-40 or regulation through the procedures of an existing special planning area's zoning designation. (Amended 6/11/08)

(58) Permitted subject to the issuance of a conditional use permit by the appropriate authority and subject to the ancillary uses and development standards found in Title III, Chapter 15, Article 5.5. (Amended 11/95)

(59) Permitted subject to the ancillary uses and development standards found in Title III, Chapter 15, Article 5.5. (Amended 11/95)

(60) Multiple family projects are permitted with up to 80 dwelling units, subject to development plan review by the Planning Director; with 81 through 150 units, subject to development plan review by the Project Planning Commission; with over 150 units, subject to issuance of a conditional use permit by the appropriate authority. The density shall not exceed 20 dwelling units per acre unless the site is located within ¼ mile of a transit transfer center or trunk line stop. Densities over 40 dwelling units per acre, or over 20 dwelling units per acre, when located more than a ¼ mile from a transit transfer center or trunk line stop, shall require a use permit from the appropriate authority.

(61) Emergency Shelters are permitted in the GC zone provided the standards and locational requirements of Title 3, Chapter 20, Article 4 of the Sacramento County Zoning Code are met. (Amended 8/96)

(62) Single Room Occupancy residential units are permitted in the GC zone subject to development plan review by the Planning Director and compliance with the development standards and locational requirements of Title III, Chapter 5, Article 11. (Amended 8/96)

(63) Permitted provided that the crematory is located not less than five-hundred (500) feet from any agricultural-residential zone, residential land use zone, interim residential zone, or established residential use subject to issuance of a conditional use permit by the Board of Supervisors after a recommendation by the appropriate authority. The crematory can be stand alone or associated with a funeral establishment. Notice required by SZC 110-04 shall be based on a 1,000 foot radius of the exterior boundaries of the subject parcel. The applicant shall be responsible for the cost of the additional noticing requirements.

225-15. All residential development as permitted in those certain designated land use zones in this article shall be subject to the provisions of Chapter 22.35, Title2, of the Sacramento County Code. (Adopted 12/04)

ARTICLE 3: 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 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. (Amended 6/95)

ARTICLE 4: 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 6 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.

ARTICLE 5: 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.

ARTICLE 6: 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.

ARTICLE 7: 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 6 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.

ARTICLE 8: 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) If both public water and sewerage facilities are in use, there is no minimum lot area requirement.

(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. Became Part of 225-72

225-74. Became Part of 225-72

ARTICLE 9: 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.

CHAPTER 30: INDUSTRIAL LAND USE ZONES

ARTICLE 1: 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 nonindustrial uses by separating them from industrial activities and by prohibiting the use of such space for residential or other nonindustrial 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 nonindustrial 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.

ARTICLE 2: 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-l 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. (Adopted 2/88) (Amended 3/24/99, 4/17/02 and 8/10/05.)

230-12. Uses Not Provided for in the Table

If a use is not listed in the table or shown as a permitted use in any other zone, the Planning Director shall make a determination as set forth in Section 110-30.5. (Amended 6/95)

TABLE IV
PERMITTED USES WITHIN THE BUILDABLE AREA OF INDUSTRIAL LOTS
For corresponding numerical descriptions – See Section 230-13. Special Conditions.
MP* – *See Commercial Tables for additional uses.*

	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, Including Sales and Installation		1	1
7.	Inspection station		1	1
8.	Automobile Service Station	6	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
15.	Motorcycle - Repair, Dismantling		18	18
16.	Auto and Truck Auction		12	12
17.	Auto Storage, Indoor		X	X
18.	Auto Storage, Outdoor		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

TABLE IV
PERMITTED USES WITHIN THE BUILDABLE AREA OF INDUSTRIAL LOTS
For corresponding numerical descriptions – See Section 230-13. Special Conditions.
MP* – *See Commercial Tables for additional uses.*

	USES	MP*	M-1	M-2
3.	Canneries		13	13
4.	Butcher, Wholesale (Excluding Slaughterhouse)		12	X
5.	Honey Extraction		1	X
6.	Winery, Brandy Distillery or Brewery		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
	(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, Cafeteria When Located as One Tenant in a Building and Not Occupying More than 15% of the Total Floor Area (See K-3)	X	X	X
5.	Firewood, Fuel - Sales and Storage		1	1
6.	Hay, Seed, Grain and Farm Equipment Store		1	1

TABLE IV
PERMITTED USES WITHIN THE BUILDABLE AREA OF INDUSTRIAL LOTS
For corresponding numerical descriptions – See Section 230-13. Special Conditions.
MP* – *See Commercial Tables for additional uses.*

	USES	MP*	M-1	M-2
7.	Nursery, Wholesale		X	X
8.	Parts Sales When Incidental to a Permitted Use and Sales and Stockroom Area 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
11.	Mail Order Business	X	X	X
12.	Live Theater (not adult related) (Amended 8/10/05)		X	
E.	**Government Uses, Buildings and Airports**			
1.	Buildings and Facilities owned by the Federal and State Governments and located on grounds owned by the Federal and State Governments.	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 Nonclassroom Facilities	12		12
8.	Private Airports, Landing Fields and Heliports Approved by CAD and FAA		12	12
F.	**Industrial Yard Use**			
1.	Draying and Freight Yard		1	X
2.	Feed and Fuel Yard		1	X
3.	Truck Terminal Yard		1	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		1	1

TABLE IV
PERMITTED USES WITHIN THE BUILDABLE AREA OF INDUSTRIAL LOTS
For corresponding numerical descriptions – See Section 230-13. Special Conditions.
MP* – *See Commercial Tables for additional uses.*

	USES	MP*	M-1	M-2
9.	Machinery Rental Yard		1	1
10.	Public Utility Service Yard		1	1
11.	Heavy Equipment Storage, Sales, Rental, 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		1	1
17.	Parking Yard for Damaged Vehicles		1	1
17.5	Parking Yard for Towed Operable Vehicles (Requires On-site Office for Vehicle Retrieval)		1	1
17.7	Parking lot as a primary use subject to Off Street Parking Development Standards	14	14	14
18.	Recycling Center		X	X
19.	Recycling Plant			7
20.	Hazardous Waste, Storage, Disposal Facility (TSD)		3	3
21.	Junk Tire Handling, including: Junk tire Recycling, Shredding, Cutting, Splitting, and/or Storage		23	23
22.	Storage of Dismantled vehicles		18	7
23.	Moved Building Storage (Long Term)			3
24.	Moved Building Storage, Temporary (7 Days or Less)		20	20
25.	Manufactured Home Sales, Rental, Storage, and Assembly		1	1
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

TABLE IV
PERMITTED USES WITHIN THE BUILDABLE AREA OF INDUSTRIAL LOTS
For corresponding numerical descriptions – See Section 230-13. Special Conditions.
MP* – *See Commercial Tables for additional uses.*

USES	MP*	M-1	M-2
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
12.5 Mixing, batching, and compounding of paint, adhesives and resins		1	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
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			3

TABLE IV
PERMITTED USES WITHIN THE BUILDABLE AREA OF INDUSTRIAL LOTS
For corresponding numerical descriptions – See Section 230-13. Special Conditions.
MP* – *See Commercial Tables for additional uses.*

USES	MP*	M-1	M-2
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	12	1	1
(b) Canvas	12	1	1
(c) Cellophane	12	1	1
(d) Cloth	12	1	1
(e) Cork	12	1	1
(f) Feathers	12	1	1
(g) Felt	12	1	1
(h) Fibre	12	1	1
(i) Fur	12	1	1
(j) Hair	12	1	1
(k) Horn	12	1	1
(1) Glass	12	1	1
(m) Leather	12	1	1
(n) Paper, No Milling	12	1	1
(o) Precious or Semiprecious Stones or Metals	12	1	1
(p) Plaster	12	1	1
(q) Plastic	12	1	1
(r) Shells	12	1	1
(s) Textiles	12	1	1
(t) Tobacco	12	1	1
(u) Wood	12	1	1
(v) Yarns	12	1	1

TABLE IV
PERMITTED USES WITHIN THE BUILDABLE AREA OF INDUSTRIAL LOTS
For corresponding numerical descriptions – See Section 230-13. Special Conditions.
MP* – *See Commercial Tables for additional uses.*

	USES	MP*	M-1	M-2
34.	Rubber and Metal Stamps, Musical Instruments, Toys and Novelties	12	1	1
35.	Lightweight Nonferrous 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
37.	Air Separation Plant	2	2	2
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.	Recreational Vehicle and Boat Storage - Outdoor		14	14
7.	Storage Building-mini	X	1	X
8.	Moving and Storage	1	1	X
9.	General Storage	1	1	X

TABLE IV
PERMITTED USES WITHIN THE BUILDABLE AREA OF INDUSTRIAL LOTS
For corresponding numerical descriptions – See Section 230-13. Special Conditions.
MP* – *See Commercial Tables for additional uses.*

	USES	MP*	M-1	M-2
10.	Recreational Vehicle and Boat Storage Indoor		X	X
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 (Utility Trailers Only/not for Habitation)		1	1
6.	Tree Service		1	1
7.	Delivery Service	X	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	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	X	14	14
25.	Security Service	X	X	X
26.	Video Tape - Editing, Processing	X	X	X

TABLE IV
PERMITTED USES WITHIN THE BUILDABLE AREA OF INDUSTRIAL LOTS
For corresponding numerical descriptions – See Section 230-13. Special Conditions.
MP* – *See Commercial Tables for additional uses.*

	USES	MP*	M-1	M-2
K.	**Miscellaneous**			
1.	Funeral Establishment (not including a crematory)		14	14
1.5	Crematory		29	29
2.	Kennel, Cattery, Board or Training		14	14
3.	Cafe/restaurant - Free-standing or Occupying More than 15% of a Building (See Sec. 230-11 D.4.)	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
8.5	The Nonresidential Uses Listed in Section 225-13 (Table III), Except Those Nonresidential Uses Listed in this Matrix		13	13
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, Section 335-12		21	21
10.5	Sign Relocation, Off-site		22	22
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	28	28	28
14.	Irrigation Disposal of Wastewater as Defined in Section 130-99.1.		13	13
15.	Lagoon Disposal of Wastewater as Defined in Section 130-103-5.		13	13
16.	Gas and Oil Wells (See Section 301-19)		14	14
17.	Public Utility & Public Service Facility	15	15	15
18.	Condominiums, Industrial	X	X	X
19.	Temporary Concession Stand	19	19	19
20.	Labor Union Hall	14	X	X
21.	Certified Farmers Market	20	20	20
22.	Church (Amended 11/5/2003)	X	X	12
23.	Surface Mining		24	24

TABLE IV
PERMITTED USES WITHIN THE BUILDABLE AREA OF INDUSTRIAL LOTS
For corresponding numerical descriptions – See Section 230-13. Special Conditions.
MP* – *See Commercial Tables for additional uses.*

USES	MP*	M-1	M-2
24. Adult Book Stores		25	25
25. Adult Motion Picture Theater		25	25
26. Adult Live Theater		25	25
27. Adult Video Tape Stores		25	25
28. Emergency Shelter		26	
29. Parking Lot/Garage (Primary Use)	27	27	27

230-13. Special Conditions

The following special conditions apply to the uses indicated by the corresponding number on Table IV described 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 screened from view within a fenced-in area, as set forth in Title III, Chapter 1, Article 5, and further, in compliance with Title III, Chapter 25, Article 2 (Industrial Development Standards Adjacent to Scenic Corridors) where applicable. (Amended 8/95, 4/17/02)

(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) Deleted. (1995)

(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 fence, as set forth in Title III, Chapter 1, Article 5, 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. (Amended 8/95)

(8) Deleted. (Amended 1995)

(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 one (1). Permitted for more than one concrete mixer and/or a capacity greater than two (2) cubic yards subject to approval of a use permit by the appropriate authority.

(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 one (1).

(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-in area, as set forth in Title III, Chapter 1, Article 5. (Amended 8/95)

(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 Title II, Chapter 35, Article 7.

(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.

(18) Permitted provided the entire operation is conducted within a completely enclosed building.

(19) Permitted subject to approval of the Zoning Administrator and the standards in Section 315-02.

(20) Permitted subject to approval of a temporary use permit by the Zoning Administrator.

(21) Permitted for a specific period of time as determined to be appropriate during the public hearing process, subject to the issuance of a conditional use permit by the Board of

Supervisors upon a recommendation by the Project Planning Commission pursuant to the provisions of Title III, Chapter 35, Article 1.

(22) Relocation of an existing off-site billboard-type sign is permitted pursuant to Section 335-12.5 of this Code, subject to issuance of a conditional use permit by the Board of Supervisors upon recommendation of the Project Planning Commission and further permitted subject to a specific period of time as determined appropriate during the public hearing process.

(23) Permitted, provided that not more than 500 tires in any form are on-site at any one time. Where more than 500 tires are on-site at any one time, permitted subject to Sacramento County Code Chapter 4.32 and the 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 25, Title III, of the Sacramento County Zoning Code. For purposes of this section, processed tire products manufactured for resale which are stored within an enclosed building and complying with fire safety standards shall not be counted in determining the number of tires on-site.

(24) Permitted for short duration, small scale borrow sites and material removal sites subject to the issuance of a conditional use permit by the appropriate authority and compliance with surface mining standards found in Title II, Chapter 35, Article 4. Short duration sites shall mean sites where less than 200,000 cubic yards of soil, sand, gravel, decomposed granite or rock are removed over a one year period. Conveyor systems for transporting aggregate material may be allowed to extend off of the mine site, on land without the Surface Mining Combining Zone, if approved as a part of a mining use permit and reclamation plan. Surface mining operations conducted in conjunction with a permitted public service project shall be regulated pursuant to Title III, Chapter 1, Article 1, Section 301-13. All other surface mining operations shall be regulated by the Surface Mining Combining Zone pursuant to Title II, Chapter 35, Article 4, Section 235-40 or regulation through the procedures of an existing special planning area's zoning designation. (Amended 6/11/08)

(25) Permitted subject to compliance with the provisions of Article 5, Chapter 25 of Title III. (Amended 11/95)

(26) Emergency shelters are permitted in the M-1 zone if conditions listed in Title 3, Chapter 20, Article 4 of the Sacramento County Zoning Code are met. (Amended 8/96)

(27) Ground level and/or underground facilities are permitted. Multi-story parking structures are permitted subject to approval of a use permit by the appropriate authority. All required landscaping, setbacks, and other development requirements set forth in Title III shall be maintained for any parking facility, where applicable. (Amended 3/24/99)

(28) Permanent residence require a Use Permit from the Zoning Administrator. Temporary mobilehomes are subject to the requirements of the Chief Building Inspector as set forth in 301-55. (Amended 3/24/99)

(29) Permitted subject to issuance of a conditional use permit by the Planning Commission provided the crematory is located not less than five-hundred (500) feet from the boundary line of an agricultural-residential zone, residential land use zone or interim residential zone. Uses located less than five-hundred (500) feet from any agricultural-residential zone, residential or interim residential zone are subject to issuance of a conditional use permit by the Board of Supervisors after a recommendation by the appropriate authority. The crematory can be stand alone or associated with a funeral establishment. Notice required by SZC 110-

04 shall be based on a 1,000 foot radius of the exterior boundaries of the subject parcel. The applicant shall be responsible for the cost of the additional noticing requirements.

ARTICLE 3: 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.

230-24. Lot Area

Each 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. (Amended 8/95)

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, Chapter 35, Article 2.1.

ARTICLE 4: 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.

230-33. Lot Area

Each 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. (Amended 8/95)

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. (Amended 1995)

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, Chapter 35, Article 2.1.

ARTICLE 5: 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. Each 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. (Amended 8/95)

(b) Lot Width. 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. (Amended 8/95)

230-41.5. On-Site Signs

Except as other wise 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, Chapter 35, Article 2.2. (Amended 8/95)

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 and Community Development Department upon the advice of the County Counsel, and shall be noted on the approved site plan.

(f) This section shall not apply where development plans have been reviewed by the appropriate authority in conjunction with an application for a General Plan Amendment, Rezone, or conditional use permit and where such review included the items in subsection (a) above. (Amended 1995)

CHAPTER 35: SPECIAL AND COMBINING LAND USE ZONES

ARTICLE 1: 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.

ARTICLE 2: (F) FLOOD (COMBINING LAND USE)

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.

ARTICLE 3: (PC) PARKWAY CORRIDOR COMBINING ZONE

235-30. 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. The goals promoted by establishment of this zone include:

(a) Preserve and enhance the American River and its immediate environment consistent with the goals and policies of the American River Parkway Plan, an element of the Sacramento 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, bulk and landscaping applicable to parcels of property subject to the regulations of the (PC) Parkway Corridor zone.

(e) Minimize risks to public health, safety and welfare in areas which are potentially threatened by erosional processes.

(f) Ensure that bluff development, including related storm runoff, foot traffic, site preparation, construction activity, irrigation and other activities and facilities accompanying such development, does not create or contribute significantly to problems of erosion or geologic instability on the site or on surrounding areas.

(g) Ensure that bluff development is sited and designed to assure stability and structural integrity for its expected economic lifespan while minimizing alteration of natural landform features.

(h) Ensure that development within the American River Parkway Corridor zone occurs in a manner which maintains a safe environment for homes and other improvements, and protects the aesthetic and environmental quality of the Parkway.

235-31. 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 affect the stability of bluffs or terraces or have an impact on the preservation or enhancement of scenic, recreational, fishery, or wildlife values along or near the American River.

(c) The (PC) Combining Zone contains erosion zones based on geologic hazards resulting from erosional processes. Erosion zones have been defined with development setbacks which

identify areas potentially subject to erosion within the next 100 years. Property owners and developers must address the erosion problems associated with the erosion zones prior to development in the applicable erosion zone.

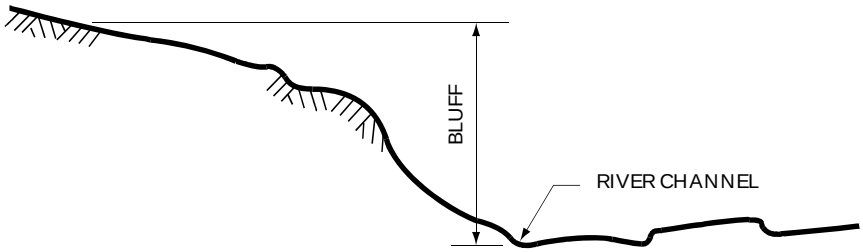
235-31.5. Definitions

The following definitions apply to this Article. The Planning Director or a designee shall resolve disputes with regard to a determination made establishing a bluff or terrace, the edge of a bluff or terrace, toe of a bluff or terrace, 100-year floodplain, designated floodway or other significant topographic or geologic feature. Any person dissatisfied with the determination made by the Director or a designee may appeal such determination as set forth in Section 115-34 of this Code.

(a) Bluff. A bluff is an escarpment or steep face of rock, decomposed rock, sediment or soil resulting from erosion, faulting, folding, or excavation of a landmass. A bluff may be planar or have a curved surface, or it may be step-like in section. As used in this zone, "bluff" is limited to those features having a vertical relief of ten feet or more whose toe is subject to river erosion (See Figure 1).

FIGURE 1

BLUFF

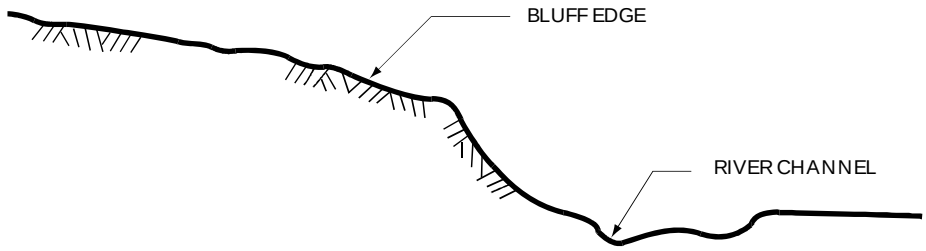


(b) Bluff Edge. The bluff edge is the upper termination of a bluff. The bluff edge can be defined in the following manner:

(1) When the top of the bluff is rounded away from the face of the bluff, the edge shall be defined as that point nearest the bluff at which the slope of the land surface becomes more or less continuous with the general slope of the surrounding land area going away from the river (See Figure 2).

FIGURE 2

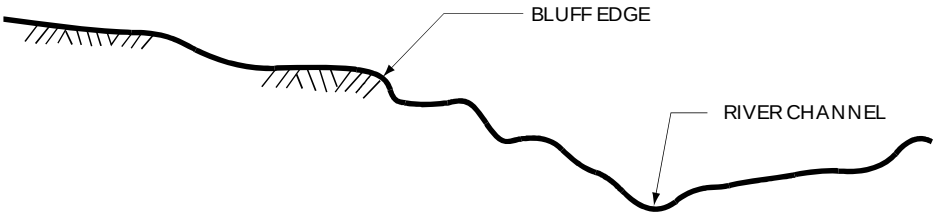
BLUFF EDGE



(2) When there is a step-like feature at the top of the bluff face, the landward edge of the topmost riser shall be defined as the bluff edge (See Figure 3).

FIGURE 3

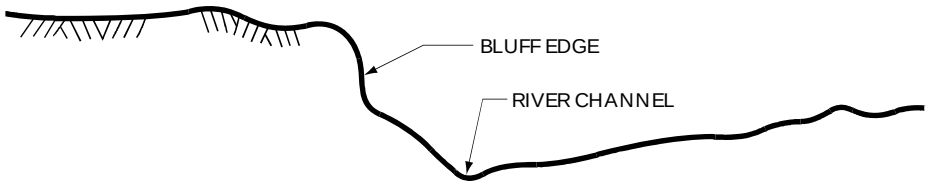
BLUFF EDGE



(c) Bluff Face. The bluff face shall be defined as that portion of the bluff's land surface which extends in a downward gradient from the bluff edge to the toe (See Figure 4).

FIGURE 4

BLUFF FACE

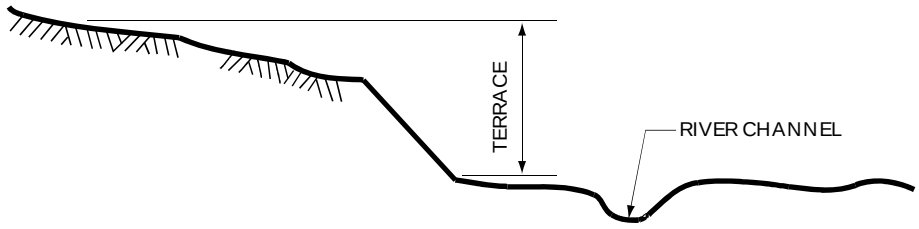


(d) Terrace. A terrace shall be defined as an elevated portion of rock, decomposed rock, sediment or soil resulting from erosion, faulting, folding, or excavation of a landmass. A terrace may have a curved surface or it may be step-like in section. As used in this zone, a

"terrace" is limited to those features having a vertical relief of ten feet or more whose toe is not presently subject to river erosion (See Figure 5).

FIGURE 5

TERRACE



235-32. Use of County Owned Property

County owned or controlled property which is 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 American River Parkway Plan, or any other element of the Sacramento County General Plan.

235-33. Authorized Uses

(a) The following use is permitted in an Erosion Zone as described on Exhibits A through D and within the total setback distance as shown on Table I of Section 235-36 upon submission of geotechnical data as set forth in Section 235-38.1 and approval of a conditional use permit by the appropriate authority as prescribed in Section 110-32 of this Code.

(1) Construction, enlargement or modification of any building or structure for which a building permit is required.

(b) Construction, erection or installation of any structure, wall, abutment, or similar device intended to reinforce, stabilize, or otherwise protect any bluff or terrace from erosion, mass wasting or similar land movement is permitted subject to the submission of geotechnical data as set forth in Section 235-38.1 and approval of a conditional use permit by the appropriate authority as prescribed in Section 110-32 of this Code.

(c) Notwithstanding other provisions of this Article, the following uses, buildings, and structures, either located outside an Erosion Zone or within an Erosion Zones as described in Exhibit A through D, but outside the total setback distance as shown in Table I of Section 235-36, are authorized without the grant of a conditional use permit upon compliance with the provisions of Section 235-37, and provided the buildings or structures meet the development standards specified in Section 235-36; otherwise such uses, buildings or structures shall not be erected or maintained without first obtaining a conditional use permit as set forth in Section 235-33(d).

(1) One single-family detached dwelling, including mobilehome, on each lot.

(2) One two-family dwelling, including mobilehome on each lot.

(3) Accessory uses, buildings and structures (including swimming pools and appurtenant equipment) customarily incidental to and subordinate to single-family detached and two-family dwellings.

(d) Unless otherwise provided in this Article, all uses designated as either permitted or conditional uses in the underlying zone shall be authorized in the (PC) Combining Zone provided a conditional use permit is obtained for any such use as provided in Title I, Chapter 10, Article 3 of this Code.

235-33.2. Findings

In addition to the findings required by Title I, Chapter 10, Article 3, when development is proposed within an erosion zone as described on Exhibits A through D and within the total setback distance as shown on Table I of Section 235-36, the appropriate authority shall not grant a conditional use permit pursuant to Section 235-33 unless it finds and records in writing that:

(a) Development will be sited and designed to assure stability and structural integrity for its expected economic lifespan while minimizing alteration of natural landform features;

(b) Development will not create or contribute to significant problems of erosion or geologic instability on the site or on surrounding areas;

(c) Development will maintain a safe environment for homes and other improvements and protect the aesthetics and environmental quality of the American River Parkway;

(d) Development does not preclude or foreclose future recreation or open space potential in the American River Parkway; and

(e) There are adequate provisions included in the development proposal for maintenance and re-vegetation of the project area.

235-34. Authority of Hearing Body

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 235-33. 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 judgment 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 terrace 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 locally native 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) Regulate the design, as well as require the maintenance of grounds, landscaping or an irrigation or drainage 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.

(l) Require the use of non-combustible roofing and siding materials to minimize structural loss in areas with limited accessibility and which are potentially threatened by the occurrence of fire originating from the Parkway.

(m) Require a fire resistant buffer between the open areas of the parkway and structures adjacent to it, or require locally native plant varieties which are drought and fire resistant. A list of locally native plant varieties is maintained by the Parks and Recreation Department.

(n) Require that disruption to natural riparian vegetation be minimized, and no trees which are native to the area and which are six inches in diameter or larger shall be damaged or removed unless in imminent danger of collapse from erosion.

(o) Require that the area disrupted by the project be re-vegetated in accordance with a re-vegetation program utilizing an approved combination of locally native riparian trees, shrubs, and groundcover. If gabion, rip-rap or other structural measures are used, require that they be screened from public view with locally native vegetation.

(p) Require that the slope and appearance of the project area be compatible with the natural character of nearby slopes or riverbanks.

(q) Require that, where feasible, vegetation be used to prevent further erosion. Gabions, rock and wire mattresses, or wire mesh over stone, may be used where vegetative measures alone are insufficient, but the erosion control program shall include measures to minimize damage to riparian vegetation and wildlife. Rip-rap shall not be used unless slope, stream current, and existing native vegetation are favorable to providing substantial vegetative screening of the rip-rap. Rubble, gunite, cement or sandbags, bulkheads, fences, used tires, and similar materials or structures are prohibited.

(r) Require the review of development at a specified time to ensure compliance with all conditions of approval, zoning agreements, ordinances, statutes, regulations, and procedures applicable at the time of development.

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.

235-36. 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 shall 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 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 structures on lots not protected by levees maintained by a public agency, and also not within the total setback distance in an erosion zone as described on Exhibits A through D.

(1) Accessory buildings shall not exceed 12 feet in height.

(2) Dwellings and other structures shall be screened by live plantings of locally native trees and shrubs to minimize the visual impact of the dwelling or structure from the parkway.

(3) Dwellings and structures shall be finished in earthtones as defined in Section 130-64.

(c) Development standards for uses, buildings or structures on lots which are located within an erosion zone as described on Exhibits A through D and within the total setback distance for that zone as shown on Table I of this section below.

(1) Accessory buildings shall not exceed 12 feet in height.

(2) Dwellings and other structures shall be screened by live plantings of locally native trees and shrubs to minimize the visual impact of the dwelling or structure from the parkway.

(3) Dwellings and structures shall be finished in earthtones as defined in Section 130-64.

(4) Accessory uses, buildings and structures (including swimming pools and appurtenant equipment) customarily incidental to and subordinate to single family detached and two-family dwellings shall not be located closer than 20 feet from the edge of a bluff or terrace.

(5) Construction, erection, or installation of any fence, wall, abutment, or similar device shall not be located closer than:

(a) Twenty (20) feet from the edge of a bluff or terrace when proposed in Erosion Zone 1 or 2; and

(b) Ten (10) feet from the edge of a bluff or terrace when proposed in Erosion Zone 3 or 4.

(6) No form of trenching, grading, earth-filling or similar disturbance of residual or transported soils shall occur within:

(a) Twenty (20) feet from the edge of a bluff or terrace when proposed in Erosion Zone 1 or 2; and

(b) Ten (10) feet from the edge of a bluff or terrace when proposed in Erosion Zone 3 or 4.

TABLE I

DEVELOPMENT SETBACKS

Erosion Zone	Potential Recession Due to Long-Term Channel Migration (1)	Distance of Potential Short-Term Erosion Due to Slope Erosion (2)	Buffer Zone (3)	Total Setback (4)
1	0	20 ft.	20 ft.	40 ft.
2	30 ft.	20 ft.	20 ft.	70 ft.
3	30 ft.	10 ft.	20 ft.	60 ft.
4	30 ft.	10 ft.	20 ft.	60 ft.
5	*	*	*	*

(1) Long-term bluff recession is based on estimated channel migration rate and a 100-year time period.

(2) Distance measured from edge of bluff which is potentially subject to erosion within 10 years.

(3) Buffer zone added to allow for property remaining at end of 100-year period.

(4) The total setback distance is measured from the edge of a bluff or terrace which ever is closer to the river.

*The entire area within Zone 5 is potentially subject to erosion within a 100-year period.

Any reference to Erosion Zones in this Article shall be shown on Exhibits A through D, which are hereby incorporated by this reference into this Article.

235-37. 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 235-33(c) 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 235-38 to make any determination. If, in the opinion of the Director, the proposed development will not meet the development requirements provided in this Article, the Director 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 235-33(d).

235-38. Application Requirements

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. For trees, the species and dbh (i.e. diameter breast height) shall be indicated.

(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 construction materials thereof.

(7) Proposed exterior lighting, if any.

(8) Finished grade of the site at the building.

(9) Location of an irrigation system, subterranean water lines, drainage facilities and other appurtenant equipment.

(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.

235-38.1. Geotechnical Requirements

In addition to other data required pursuant to Section 235-38 for a conditional use permit, the following information shall be required when development is proposed within an Erosion Zone as described on Exhibits A through D and within the total setback distance as shown in Table I of Section 235-36.

(a) A geotechnical investigation and report shall be filed by the applicant. The report shall be prepared by a registered geologist or professional civil engineer with expertise in soils or foundation engineering, surface and groundwater hydrology, river hydraulics, and erosion control. The report shall evaluate the topographic and geologic conditions of the site and the effect of the development. The report shall be based on an on-site investigation in addition to a review of the general character of the area.

The report shall consider, describe and analyze the following:

(1) bluff and site topography, extending the surveying work beyond the site as needed to depict geomorphic conditions that might affect the site;

(2) geologic conditions, including soil, sediment and rock types and characteristics, in addition to structural features, such as bedding, joints and faults;

(3) hydrologic conditions, including surface water drainage, groundwater, and American River 100-year floodplain and designated floodway locations and elevations;

(4) historic, current and foreseeable bluff erosion, including investigation of recorded land surveys and tax assessment records in addition to the use of historic maps and photographs where available, and possible changes in channel configuration and sediment transport;

(5) the potential effects of the development on both on-site and off-site erosion;

(6) the impact of the proposed construction activity on both on-site and off-site erosion;

(7) the effect of foreseeable erosion on the development and potential mitigation measures, including maintenance requirements;

(8) potential effects of seismic forces resulting from a maximum credible earthquake;

(9) any other factors which may affect slope stability and erosion.

(b) The report shall contain a diagram establishing the location of the bluff edge, the toe of the bluff, other significant geologic features and the 100-year floodplain and designated floodway locations. Distances to each feature shall be identified, with measurements taken from a fixed location.

(c) The report shall detail mitigation measures for any potential impacts and shall outline alternative solutions. The report shall express a professional opinion as to whether the project can be designed so that it will neither be subject to nor contribute to significant geologic instability throughout the economic lifespan of the project.

(d) The report shall use a currently acceptable engineering stability analysis method and shall also describe the degree of uncertainty of analytical results due to assumptions and unknowns. The degree of analysis required shall be appropriate to the degree of potential risk presented by the site and the proposed project.

(e) An engineered design for the development and/or erosion protection measures shall be filed by the applicant. The design shall be of sufficient detail to ensure compliance with the American River Parkway Plan and to allow for appropriate consideration of all potential erosion problems affected by and affecting the proposed development and its associated construction activity.

235-39. Exemption

When the procedures set forth in this Article differ from procedures for review of development set forth in any County or privately initiated planned development, special development permit, or zoning agreement, then the procedures set forth in the planned development ordinance, special development permit, or the zoning agreement shall prevail. Notwithstanding the preceding sentence, when this Article prescribes a procedure for review and issuance for permits within an Erosion Zone as described on Exhibits A through D and within the total setback distance as shown in Table I of Section 235-36, the procedures set forth in this Article shall prevail.

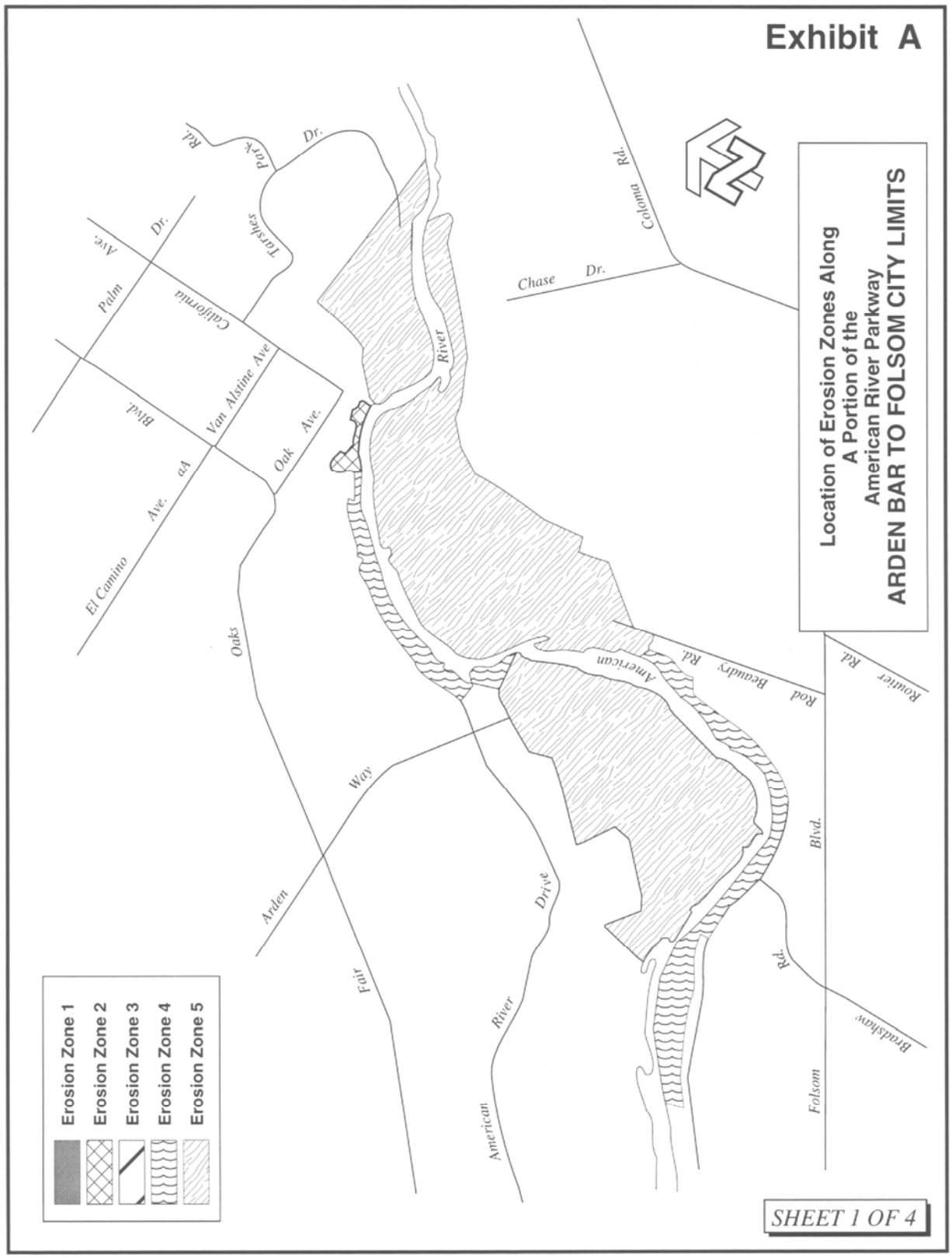


Exhibit A
Location of Erosion Zones Along
A Portion of the
American River Parkway
ARDEN BAR TO FOLSOM CITY LIMITS
Erosion Zone 1
Erosion Zone 2
Erosion Zone 3
Erosion Zone 4
Erosion Zone 5
SHEET 1 OF 4
Coloma Rd.
Chase Dr.
River
Tarshes Path Dr.
Rd.
Palm Ave.
Dr.
California
Van Alstine Ave
Blvd.
Oak Ave.
El Camino Ave.
Oaks
Way
Arden
Fair
Drive
River
American
Rod Beaudry Rd.
American
Roulier Rd
Blvd.
Rd.
Bradshaw
Folsom

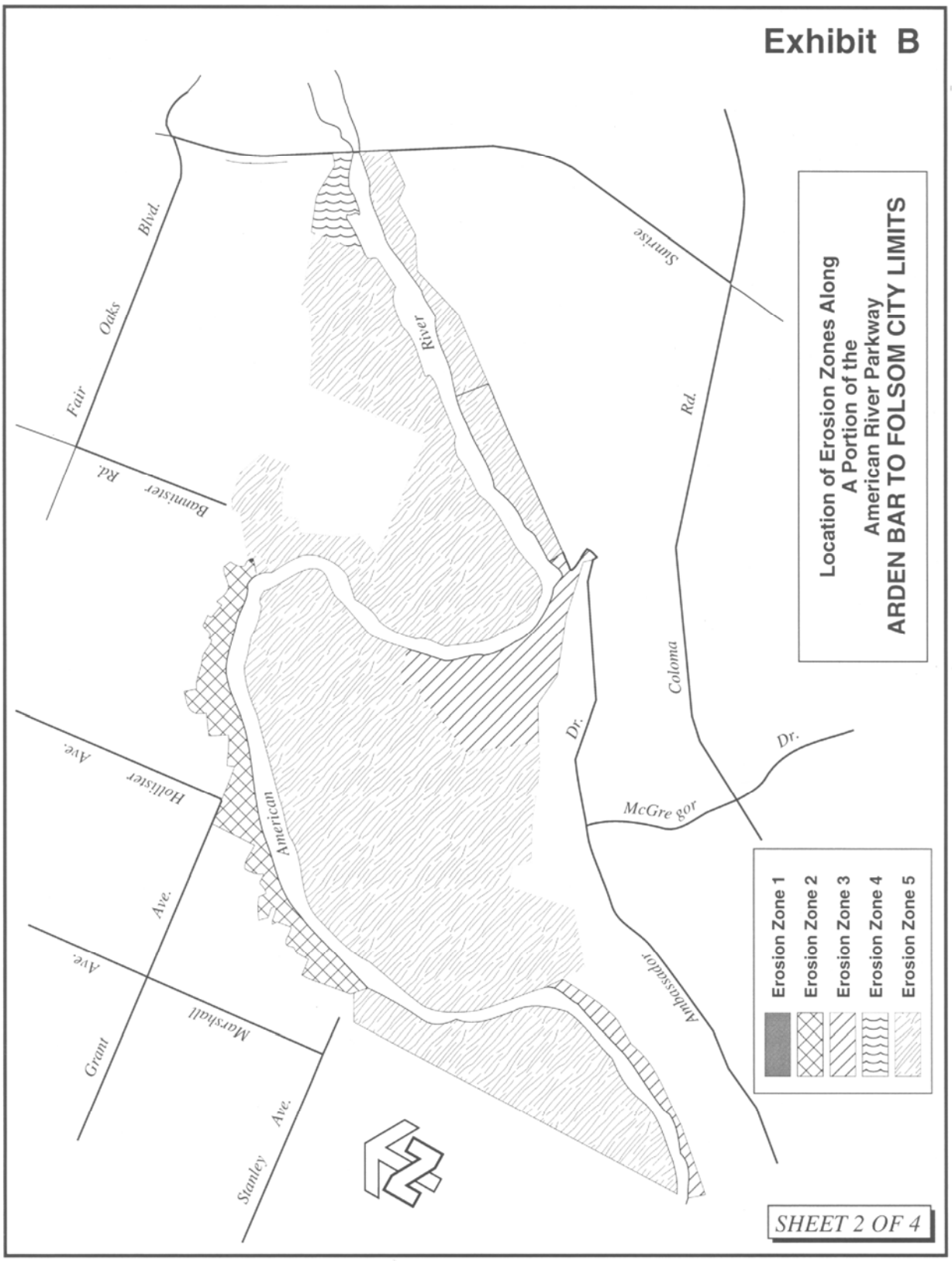


Exhibit B
Location of Erosion Zones Along
A Portion of the
American River Parkway
ARDEN BAR TO FOLSOM CITY LIMITS
Erosion Zone 1
Erosion Zone 2
Erosion Zone 3
Erosion Zone 4
Erosion Zone 5
Fair Oaks Blvd.
Sunrise Rd.
Coloma Dr.
McGregor Dr.
Ambassador
Hollister Ave.
Marshall Ave.
Grant
Stanley Ave.
American River
SHEET 2 OF 4

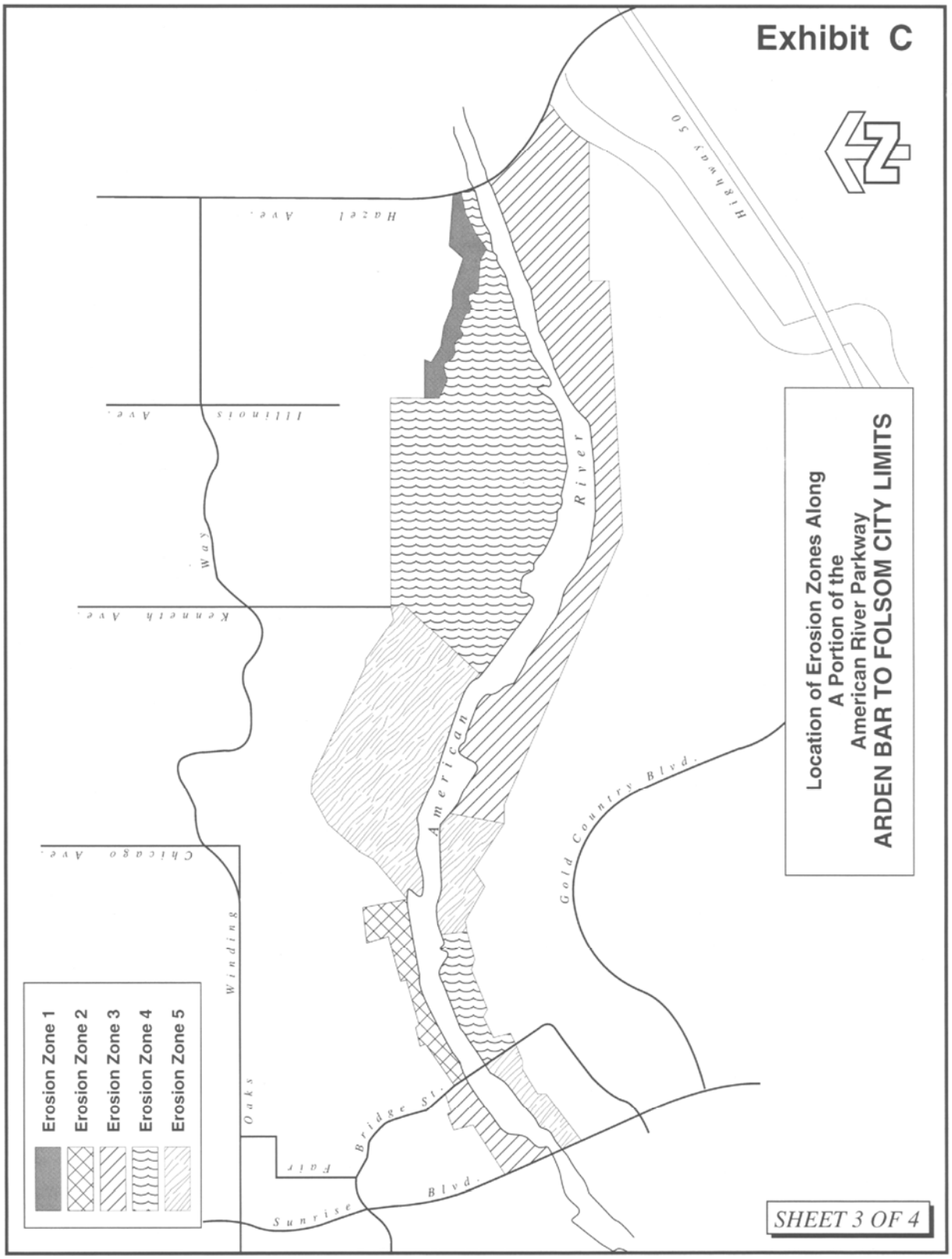


Exhibit C
Location of Erosion Zones Along
A Portion of the
American River Parkway
ARDEN BAR TO FOLSOM CITY LIMITS
Erosion Zone 1
Erosion Zone 2
Erosion Zone 3
Erosion Zone 4
Erosion Zone 5
Hazel Ave.
Illinois Ave.
Kenneth Ave.
Chicago Ave.
Winding Way
Oaks
Fair
Bridge St.
Sunrise Blvd.
American River
Gold Country Blvd.
Hiway 50
SHEET 3 OF 4

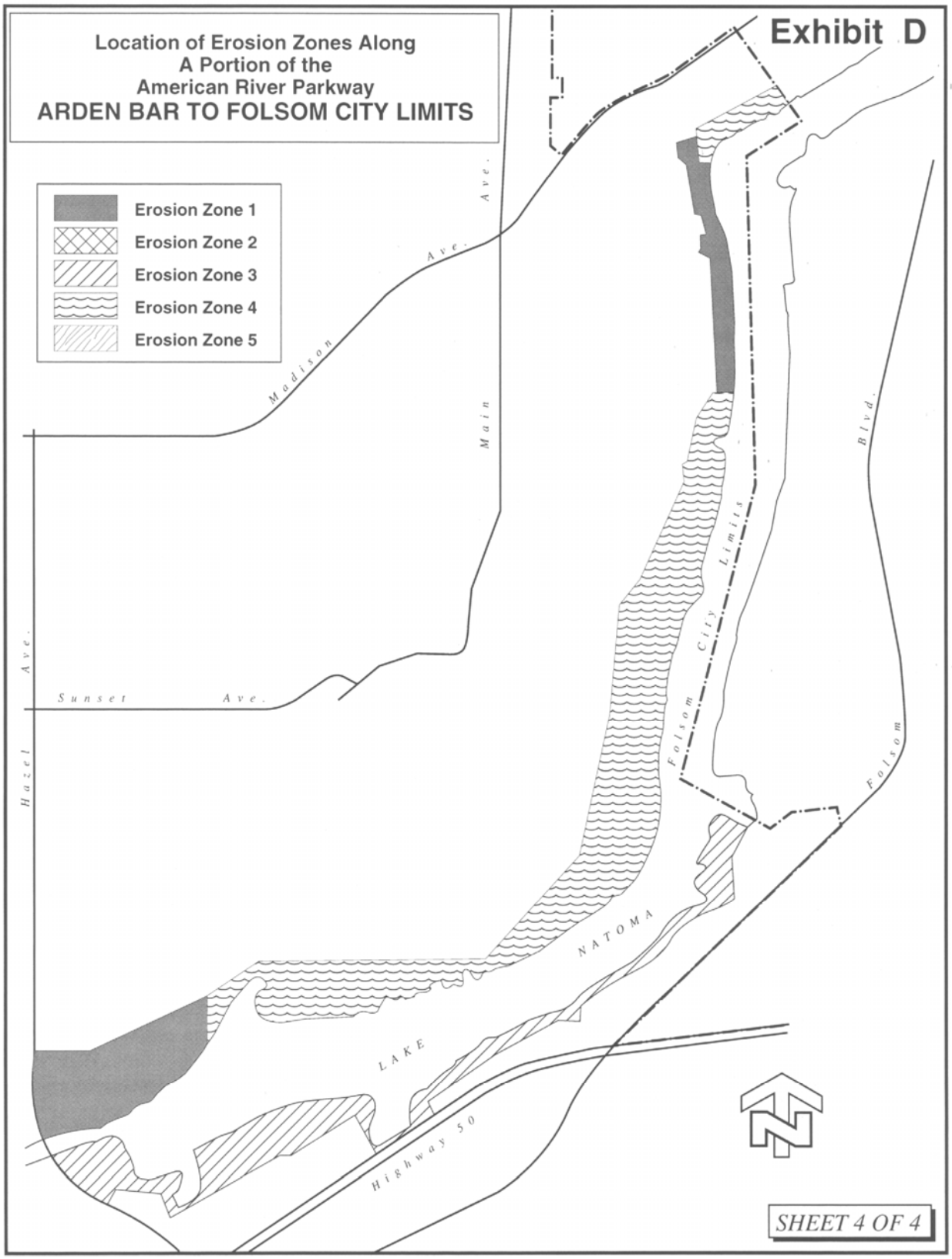


Exhibit D
Location of Erosion Zones Along
A Portion of the
American River Parkway
ARDEN BAR TO FOLSOM CITY LIMITS
Erosion Zone 1
Erosion Zone 2
Erosion Zone 3
Erosion Zone 4
Erosion Zone 5
Madison Ave.
Ave.
Main
Sunset Ave.
Hazel Ave.
Folsom City Limits
Blvd.
Folsom
NATOMA
LAKE
Highway 50
SHEET 4 OF 4

ARTICLE 4: (SM) SURFACE MINING (COMBINING LAND USE ZONE) – (Repealed and replaced 6-11-08)

MINING ADMINISTRATION AND PROCEDURES.

The following 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.

235-40. PURPOSE

The Surface Mining Combining Zone is designed to protect the mineral resources of Sacramento County from incompatible land use; to manage these 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 in compliance with Sacramento County Code Chapter 20.04, Surface Mining and Reclamation.

235-41. DEFINITIONS

(a) The following definitions apply to this chapter:

(1) “Aggregate” means sand, gravel, crushed rock, cobble, and quarried stone.

(2) "Board" means the Board of Supervisors, County of Sacramento, State of California.

(3) "Department" means the Sacramento County Planning and Community Development Department.

(4) “Habitable Structure” means a building used for normal residential activities such as living, sleeping, eating and cooking.

(5) "Mined lands" includes the surface, subsurface and groundwater of an area in which surface mining operations will be, are being, or have been conducted, including private ways and roads appurtenant to any such areas in which structures, facilities, equipment, machines, tools or other materials or property which result from, or are used in surface mining operations, are located.

(6) “Mining Operations” includes all types of surface mining uses including primary uses, ancillary uses and accessory uses.

(7) "Operator" means any person who is engaged in surface mining operations himself, or who contracts with others to conduct operations on his behalf, except a person who is engaged in surface mining operations as an employee with wages as his sole compensation.

(8) "Permit," for the purposes of this chapter, means a conditional use permit to conduct surface mining operations granted by the Board of Supervisors.

(9) "Person" means any natural person, firm, association, joint venture, joint stock company, partnership, club, company, corporation, business trust, or organization of any kind as well as a city, county, district, or the state or any department or agency thereof.

(10) "Potentially incompatible uses" means those uses which, when proximate to surface mining uses, would be potentially detrimental to public health, safety or welfare. Such uses include but are not limited to schools, residences, offices, churches, day care centers, parks, or golf courses.

(11) "Primary Aggregate Uses" means the removal of aggregate pursuant to this Article.

(12) "Reclamation" means the combined process of land treatment that minimizes water degradation, air pollution, damage to aquatic or wildlife habitat, flooding, erosion and other adverse effects from surface mining operations, including adverse surface effects incidental to underground mines, so that mined lands are reclaimed to a usable condition which is readily adaptable for alternate land uses and creates no danger to public health or safety. The process may extend to affected lands surrounding mined lands, and may require backfilling, grading, re-soiling, re-vegetation, soil compaction stabilization or other measures.

(13) Residential Properties. Any land use zone which allows one or more habitable structures, as listed in Section 201-01 of this Code.

235-42. PROHIBITION

No building, structure, vehicle, sign or area in the Surface Mining Combining Zone shall be used, altered, moved, enlarged, or stored in any zone with which the Surface Mining Combining Zone is combined except as specifically provided in this Article or in the underlying zone which is combined with the Surface Mining Combining Zone. No property subject to the Surface Mining Combining Zone shall be used in any manner inimical to the public health, safety or general welfare or so as to constitute a public nuisance.

235-43. USES

(a) Regulation. Any permitted or conditional use in the zone with which the Surface Mining Combining Zone is combined is subject to the regulations of the underlying zone, except as otherwise provided in this Article. The Surface Mining Combining 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, C-O, and (F) land use zones.

(b) Surface Mining Operations. The following types of mining operations are permitted in the Surface Mining Combining Zone subject to approval of a conditional use permit by the Board after receipt of a recommendation by the Project Planning Commission and upon approval of a reclamation plan and financial assurances pursuant to Chapter 20.04 of the County Code:

(1) Aggregate Mining Uses

aa. Primary Aggregate Uses including sand, gravel or cobble mining, hard rock quarrying for crushed rock or dimension stone, and the mining of existing dredger tailings.

bb. Ancillary Uses are production of Ready-mix concrete and asphaltic concrete using materials mined on-site, and recycling of aggregate-based construction materials, if all the following are satisfied:

(I) The Board finds that the environmental impacts have been considered and that there are regional benefits in permitting the ancillary uses.

(II) The Board imposes in a conditional use permit the following conditions:

i. Except for recycling of aggregate-based construction materials, only material mined under the approved use permit can be used to supply the primary aggregate needs of the ancillary uses. Minor quantities of other mined material not available on-site (e.g. natural sands) may be imported as required for ancillary uses.

ii. All ancillary uses shall cease when mining is complete. Their removal shall be provided for in the Reclamation Plan.

(2) Clay, Lignite and Related Minerals Mining: Subject to the regulations set forth in this Article.

(3) Borrow Sites or Pits: Subject to the regulations set forth in this Article, except as otherwise provided in Section 201-02, 225-11, and Section 230-11.

(4) Mining Accessory Uses:

aa. Dimension stone facilities**,** on-site conveyor systems, crushing, sorting, the use of sedimentation ponds, processing facilities and stockpiles, all subject to the regulations set forth in this Article.

bb. Offices, shops, equipment and truck storage yards, scales and weighing equipment.

235-44. PROCEDURES

Applications for a conditional use permit shall follow the guidelines established in this Article, as well as the procedures set forth in Sacramento County Zoning Code, Title I, Chapter 10, Article 1.

235-45. WORK AUTHORIZATION PERMIT

(a) Issuance**.** 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 Department. This permit shall not be issued until the Department is satisfied that all conditions of the use permit, and provisions of this Article have been met. In addition, prior to issuance of the Work Authorization Permit the Planning Department must receive the items listed below. Additional items specific to a project may be required prior to issuance of a Work Authorization Permit.

(1) Proof of a financial assurance in the amount and form approved by the Planning Director and made payable to the County of Sacramento and the Director, Department of Conservation.

(2) Approval by the Sacramento County Environmental Management Department of the setbacks for sewage systems on or near the site, as described in Section 235-52(e)(5).

(3) A final drainage plan pursuant to Section 235-51(h) and approved by the Sacramento County Water Resources Department.

(4) A final lighting plan as described in Section 235-51(k) approved by the Department.

(b) Revocation**.** The Department may revoke or suspend the Work Authorization Permit 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.

(c) Procedures. The procedure for suspension or revocation of a Work Authorization Permit is as follows:

(1) The Department 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.

(2) The operator may request an informal hearing with the Planning Director or his designee to be held within 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.

(3) At the conclusion of the hearing, or the failure of the operator to ask for an informal hearing, the Planning Director shall determine in writing if the permit should continue in force, be suspended, or be revoked. A copy of the decision shall be delivered to the operator.

(4) Decisions of the Planning Director may be appealed to the Board by giving notice and paying applicable fees to the Clerk of the Board not later than 10 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.

235-46. FINDINGS FOR APPROVAL

In addition to any other findings required as a matter of law, the Board shall not grant a conditional use permit unless it finds:

(a) That the plans and reports submitted pursuant to Section 235-51 or Section 235-55 adequately describe the proposed operation.

(b) That the plans and reports submitted pursuant to Section 235-51 or Section 235-55 incorporate all reasonable measures to mitigate significant adverse environmental effects of the proposed operation.

(c) That the plans and reports submitted pursuant to Section 235-51 or Section 235-55 incorporate adequate measures to restore the site to a usable condition compatible with adjacent areas.

(d) That the uses proposed are not likely to adversely affect the public health or safety; 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.

The reasons for denial of a conditional use permit shall be specified in writing.

235-47 PROCESS FOR SEEKING MINOR DEVIATIONS FROM APPROVED USE PERMIT CONDITIONS

(a) The Planning Director may approve requests for minor deviations from approved use permits, when necessitated by extraordinary circumstances. The Planning Director, when considering a request for a minor deviation, shall consider the following criteria, in addition to others that may be relevant to the request.

(1) Whether the request is in substantial compliance with the intent of the use permit and its conditions.

(2) The proximity of the site to sensitive land uses.

(3) For fencing and landscaping, including berms:

aa. Maintenance of visual openness and the preservation of rural character.

bb. In rural areas, the protection of watering systems and/or landscaping from theft.

cc. Consistency with surrounding landscaping patterns.

(b) The decision of the Planning Director may be appealed to the Board of Supervisors. Appeals must be submitted in writing, with appropriate fees, to the Clerk of the Board within 10 days of the date of the determination.

235-48. RECORDATION

No conditional use permit shall be effective until it has been executed by the Chair of the Board and recorded in the official records of the County Recorder of Sacramento County.

235-49. FEES

The County shall establish such fees as it deems necessary to cover the reasonable costs incurred in implementing this Article and the State regulations, including but not limited to, processing of applications, annual reports, inspections, monitoring, enforcement and compliance. Such fees shall be paid by the operator, as required by the County, at the time of filing of the conditional use permit application, Reclamation Plan application, and at such other times as are determined by the County to be appropriate in order to ensure that all reasonable costs of implementing this Article are borne by the mining operator.

235-50. SEVERABILITY

If any section, subsection, sentence, clause or phrase of this Article is for any reason held to be invalid or unconstitutional by the decision of a court of competent jurisdiction, it shall not affect the remaining portions of this Article.

AGGREGATE MINING APPLICATION DATA, STANDARDS AND GUIDELINES.

235-51. APPLICATION DATA FOR AGGREGATE MINING OPERATIONS

In addition to the application data for conditional use permits set forth in Section 110-01, an application for a conditional use permit under this Article shall include the following information:

(a) Mining Plan. The application shall include a mining plan, which shall:

(1) Show the progression of all operations of the facility.

(2) Show the location of equipment, stockpiles, settling ponds, interim drainage, and deposit locations.

(3) Indicate the progression of stripping and excavating through the use of cross sections or elevations.

(4) Indicate the time lag between mining and reclamation, and between original equipment siting and relocations.

(5) Show the proposed plan for concurrent excavation and reclamation, if applicable.

(6) Show the location and type of all fencing that will be erected for safety and security purposes. Also, indicate the approximate timing (construction and dismantling) of site fencing.

(b) Reclamation Plan. The applicant shall submit a reclamation plan that complies with Sacramento County Code Chapter 20.04.

(c) Soil, Geologic and Hydrologic Data. The applicant shall provide the following data:

(1) An estimate of the total quantity of constituent materials (extracted materials, overburden, other) available at the site.

(2) Anticipated dimensions of the excavation area, i.e., areal extent and average depth of overburden and resource materials.

(3) An estimate of the ton per hour plant capacity and the anticipated annual production rates.

(4) Description of the equipment and methods used in the resource recovery for the total operation and for each constituent resource or extracted material.

(5) Soil; geologic, especially lithologic; surface and ground water samplings if required by the Municipal Services Agency; 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 should also be provided.

(6) Fate of overburden following removal, i.e., disposal, sale, storage for later use, other.

(7) Description of drainage course alterations and diversions.

(8) Identification numbers of existing wells on the project site and the location of proposed wells.

(9) Source of water, purpose and rate of water use, and description of disposal methods or treatment of such water.

(10) Source and nature of fill, if any, for reclamation and an engineering stability analysis of final slopes based on the physical characteristics of the slope material, its probable maximum water content, landscaping requirements and other factors.

(11) Identification of all sewage disposal systems within 300 feet of the proposed mining area.

(12) Information regarding mitigation measures proposed to reduce potential nuisances, hazards or environmental impacts if required by the Department.

(d) Traffic and Parking Plan. The application shall include an off-street parking plan for customers, employees and equipment as provided in Section 330-60(c). The plan shall demonstrate that the site provides adequate space for parking, queuing and loading of trucks, as well as parking of employee vehicles to minimize traffic problems to residents on neighboring streets. The application shall also show the anticipated street truck routes from the site to freeway and major arterials, site ingress and egress points, and address the potential benefit of using feasible alternatives to trucks, including conveyor belt systems.

(e) Air Pollution Control Measures. The application shall include dust control measures designed to comply with any relevant rules of the Sacramento Metropolitan Air Quality Management District (SMAQMD), including Rules 402 and 403. The air pollution control measures shall include signage and other notification that provides neighbors with information needed for reporting nuisance dust concerns to the operator and to SMAQMD. Such signage shall be placed at intervals of not more than 500 feet.

(f) Noise Data. The application must include a plan indicating the anticipated noise contour levels on the mining site and adjacent properties along with the measures proposed to control the noise. When mining, processing, and related activities are planned to occur within 500 feet of a habitable structure and/or potentially incompatible use, the mining operator shall provide to the County a noise monitoring program prepared by a qualified acoustical consultant (chosen from a list provided by the Department of Environmental Review and Assessment). The study area radius of the noise monitoring program shall be increased to 1,000 feet if habitable structures and/or potentially incompatible uses are on land with either Agricultural or Agricultural-Residential zoning. The program will be used to evaluate the effectiveness of mitigation measures in reducing noise levels to comply with applicable noise ordinances. A qualified consultant shall test noise levels during the removal of overburden, the extraction of aggregates and the backfill of overburden as they occur at abutting residential boundaries. The owners of habitable structures and/or potentially incompatible uses included in the study area shall be notified when testing is to occur. Further testing may not be required if the consultant determines the mitigation measures are successful in achieving the required noise reduction. If testing indicates that noise standards are exceeded, the testing results shall be reported to the County and additional mitigation measures will be required.

(g) Waste Data. The application shall include a plan showing the kind, amounts and method of removal of solid and liquid waste anticipated to occur at the site. The plan shall indicate the quantity of given water waste that will be discharged into settling or percolation ponds or discharged directly to water courses.

(h) Drainage Plan. The application shall include a draft drainage plan. Approval of a final drainage plan is required before a Work Authorization Permit will be issued as provided in Section 235-45(a)(3).

(i) Hazardous Materials. The applicant shall identify any hazardous materials to be used in the aggregate mining operations and measures proposed for the handling, storage and disposal of those materials.

(j) Landscape Plan. The applicant shall submit a landscape plan to the Department which shall include the location, description and timing of plantings, fences, sound walls, and berms. The description of fencing or sound walls**,** including temporary noise barriers, shall include color and materials, when appropriate. The landscaping plan shall be designed to be generally compatible with the surrounding uses and existing landscaping patterns**,** to the satisfaction of the Senior Landscape Architect, Department of Transportation. In rural areas the following shall be considered when approving the landscape plan:

(1) Maintenance of visual openness and the preservation of rural character through design that may include clustering of plant species.

(2) Protection of watering systems and/or landscaping from theft.

(3) Requests from owners of residential properties located within 500 feet of the parcel or parcels that are being mined.

(k) Lighting Plan. The applicant shall submit a lighting plan that outlines performance criteria and demonstrates that neither public rights-of-way nor adjacent properties will be significantly illuminated during aggregate mining operations. The lighting plan shall describe site-specific standards including a requirement that a minimum of 90% of the light shall be projected downward and within the mining site boundaries. Shielding will be used, as needed, to minimize glare and to minimize light projection into the sky. Approval of the lighting plan is required before a Work Authorization Permit will be issued as provided in Section 45(a)(4).

(l) Regional Analysis of Ancillary Uses. The applicant shall provide a detailed analysis of regional benefits created by locating the ancillary uses on or abutting the mine site as compared to locating the uses on available sites with industrial zoning. The analysis shall include an evaluation of the potential regional benefits to air quality and traffic.

235-52. OPERATING STANDARDS FOR AGGREGATE MINING OPERATIONS

All aggregate mining operations, including sand and gravel mines, hard rock quarries and dredger tailing mining operations, shall be subject to the requirements set forth in this section. This section is 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.

(a) Operating and Haul Out Hours.

(1) When mining, processing, and related activities occur within 1,000 feet of a habitable structure and/or potentially incompatible use on land zoned Agricultural or Agricultural-Residential, or within 500 feet from a habitable structure and/or potentially incompatible uses in all other zones, or are otherwise provided as a condition of use permit, then the hours of operation of mining, processing and related activities, including haul out, shall be:

aa. Monday through Friday: 6:00 a.m. until 9:00 p.m.: maintenance operations beyond mining hours to occur from 9:00 p.m. to midnight.

bb. Saturday: 7:00 a.m. through 3:00 p.m.: maintenance operations beyond mining hours to occur from 3:00 p.m. to 4:00 p.m.

cc. Sunday and labor union holidays: no mining, processing or maintenance.

(2) For all parcels not subject to Section 235-52(a)(1) above, the hours of operation of mining, processing and related activities, including haul out, shall be:

aa. Monday through Friday: 6:00 a.m. until 10:00 p.m.: maintenance operations beyond mining hours to occur from 10:00 p.m. to 6:00 a.m.

bb. Saturday: 6:00 a.m. through 3:00 p.m.: maintenance operations beyond mining hours to occur from 3:00 p.m. to 10:00 p.m.

cc. Sunday and labor union holidays: no mining, processing or maintenance.

(3) Extensions of Operating and Haul Out Hours. The use permit may specify hours of operation and haul out exceeding the hours set forth above for specified activities including haul out, basic uses, and ancillary uses, but not including mining. Any extension of hours through the use permit shall specify the use(s) and the hours, and may specify the circumstances required for using the extended hours and/or the number of days annually that the extended hours may be used.

(4) Exceptions for Operating and Haul out Hours. The Zoning Administrator may permit, on an interim basis, operating or haul out hours different from those allowed under the use permit if he or she finds that the public benefit outweighs the community hardship, and/or public projects are being served by the site and require extended periods of continuous operation, and/or the work requires a continuous pour of concrete. Applicants for exceptions must submit an application and fees for a Zoning Administrator's Action (ZAZ) and a letter stating the specific reason for the exception, the duration of the exception (with approximate dates), the extension of hours requested, and the specific uses to be allowed under the exception. Decisions by the Zoning Administrator may be appealed to the Board of Supervisors. Appeals must be submitted in writing, with appropriate fees, to the County Clerk within 10 days of the date of the decision.

(b) Fences. Unless otherwise provided by condition of the use permit the following fence requirements shall apply:

(1) Fences erected for safety purposes shall be chain-link. Fences erected for other purposes may be of other types, as designated in the use permit.

(2) Fences shall be not less than 6 feet in height above the grade of the property outside the fenced area.

(3) Gates shall be installed to fence height at all entrances.

(4) Fences shall be kept in good repair.

(5) Fences shall conform to the ground to preclude opening of more than 4 inches between the ground and the fence.

(6) Fences shall be placed around mining site and processing site boundaries as necessary to ensure public safety and security.

(c) Warning and Complaint Information Signs.

(1) The operator shall provide warning and trespass signs advising of the aggregate mining operation on the fences at intervals of not more than 500 feet. Signs shall be kept legible and in good repair.

(2) The operator shall provide signs containing information necessary for reporting complaints to the mine operator, and also for reporting fugitive dust to the Sacramento Metropolitan Air Quality Management District. Signs shall be placed to be easily visible by the public.

(d) 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 and/or potentially incompatible uses. Visual screening shall be designed to "soften" views into the pit to create aesthetically pleasing landscaping. Landscaping plans shall locate trees and shrubs, if required, in a natural looking distribution. Berms, if required, should be designed to meander to create a natural-looking effect. Complete blockage of the view into the pit is discouraged. Visual screening may be accomplished by use of berms, fences, landscaping, setbacks or combinations thereof.

(e) Mining Setbacks. Setback areas consisting of mined land shall be reclaimed to original grade within 1 year of the completion of mining activities. Unless otherwise provided as a condition of the use permit, mining areas shall be set back from property lines, public streets and sewage disposal systems as follows:

(1) Periphery of the Mining Site. A 31 foot minimum setback from the property line, the first 5 feet of which shall consist of undisturbed land. (Amended 3/2011)

(2) Periphery of Mining Sites Adjacent to Habitable Structures and/or Potentially Incompatible Uses. The operator shall maintain a 25 foot minimum setbacks from property lines that are adjacent to habitable structures and/or potentially incompatible uses, the first 10 feet of which shall consist entirely of undisturbed land. The setback area consisting of mined land shall be reclaimed to original grade within one year or less of completion of the mining phase.

(3) Periphery of Mining Sites Adjacent to Habitable Structures. For habitable structures existing at the time of mining use permit issuance (including habitable structures primarily used as a residence on a non-residentially zoned property) maintain a minimum of 50 feet of unmined land between the structure and mining activity. The distance from habitable structures is to be measured from the edge of a primary residence or residential accessory dwelling, whichever is closer to the property line. The distance is not to be measured from ancillary structures such as pools, decks, and patios.

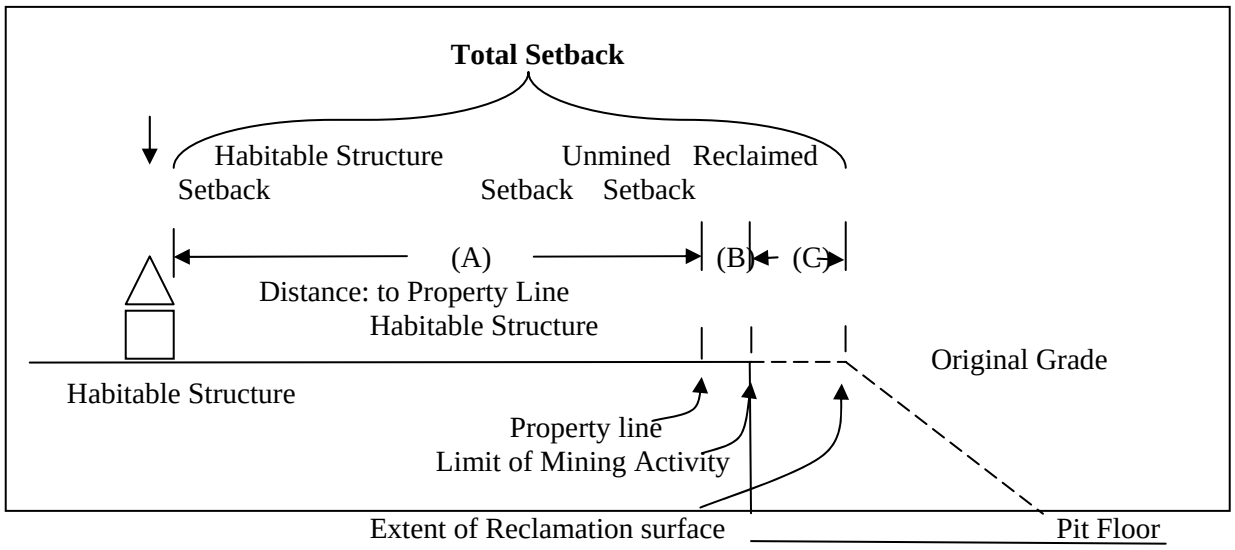
Three setbacks, as applied to this subsection only, are defined:

Total Setback – The distance from the residence to edge of the pit at reclamation. Typically, the total setback will include both residential and mining land.

Unmined Setback – The distance on mining property that is to remain unmined. The minimum unmined setback is 10 feet and the maximum required setback is 50 feet.

Reclaimed Setback – The distance on mining property that may be mined, but must be returned to the original grade at reclamation. It may range from zero up to 15 feet.

Diagrammatic Definition of Setback Components:



aa. If the habitable structure is 80 feet or greater from the mining property line, then the unmined Setback at reclamation shall be no less than 10 feet on the mining property, and the reclaimed setback shall be no less than 15 feet on mining property (see Section 235-52(e)(2)).

bb. If the habitable structure is between 80 feet and 40 feet from the mining property, then the setback standards of Table I shall apply. In no case will the total setback be less than 90 feet.

Table I

Setback Standards: Habitable Structures between 80 feet and 40 feet from Property Line

Distance: Habitable Structure to Property Line (A)		Minimum Setbacks on Mining Property	
Less Than (feet)	Equal to or More Than (feet)	(B) Unmined Setback (feet)	(C) Reclaimed Setback (feet)
80	75	15	10
75	70	20	5
70	65	25	0
65	60	30	0
60	55	35	0
55	50	40	0
50	45	45	0
45	40	50	0

cc. If the habitable structure is less than 40 feet from the mining property line, then the unmined setback at reclamation shall be no less than 50 feet on the mining property. The reclaimed setback may be zero.

(4) Periphery of Mining Sites Abutting Public Streets. There shall be a 31 foot minimum setback from all public streets consisting entirely of unmined land. (Amended 2/2010)

(5) Sewage Systems. 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, and shall be subject to the approval of the Sacramento County Environmental Management Department and the Regional Water Quality Control Board. Approval of these agencies must be obtained on the minimum mining setbacks before a Work Authorization Permit can be obtained, per Section 235-45(a)(2). If setbacks of the mining use permit 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.

(f) Noise Standards. Unless otherwise provided by the Sacramento County Code 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:

(1) The noise limit for a cumulative period of more than thirty (30) minutes in any hour, or;

(2) The noise limit plus 5 dBA for a cumulative period of more than 1 minute in any hour, or the noise limit plus 20 dBA for any period of time.

(g) Standards for Backfilling, Regrading, Slope Stability and Recontouring.

(1) Slope Stability. Final reclaimed fill slopes, including permanent piles or dumps of mine waste rock and overburden, shall not exceed 2:1 (horizontal to vertical) for the purpose of maintaining slope stability, except when site specific geologic and engineering analysis demonstrate that the proposed final slope will have a minimum slope stability factor of safety that is suitable for the proposed end use, and when the proposed final slope can be successfully revegetated.

(2) Slope Compatibility. At closure, all fill slopes, including permanent piles of mine waste and overburden, shall conform with the surrounding topography and/or approved end use.

(3) Final Use. Cut slopes, including final highwalls and quarry faces, shall have a minimum slope stability factor of safety that is suitable for the proposed end use and conform with the surrounding topography and/or approved end use.

(h) Roadways.

(1) Road Repairs. The operator shall repair any damage caused by its hauling operations to structural paving material along the project site roadway segments upon which loaded trucks are routed.

235-53. ADDITIONAL OPERATING STANDARDS FOR HARD ROCK MINING OPERATIONS

In addition to the regulations set forth in Section 235-51, applicants seeking approval for hardrock mining operations must also satisfy the following:

(a) Cal OSHA Compliance. Demonstrate that measures are in place to achieve compliance with California Office of Safety Hazard Administration (Cal OSHA) regulations as well as other applicable state regulations regarding the handling and reporting requirements for use of explosives during mining operations.

(b) Setbacks. Demonstrate the adequacy of mining setbacks and/or mitigation measures to address noise, fly rock, vibration, and aesthetic concerns for the mine site. The operator is required to make a showing that sufficient buffer lands and/or other mitigation measures have been incorporated into the project to address these matters.

235-54. DEVELOPMENT GUIDELINES FOR AGGREGATE MINING OPERATIONS

The Development Guidelines provide guidance intended to achieve goals to minimize mining impacts to sensitive uses in specific circumstances. The guidelines provide a basis for formation of use permit conditions or for directing the approval process.

Not all guidelines will apply to all projects. Each set is defined by a specific circumstance which is followed by a goal statement. The guidelines offer options which may be selected by decision-makers for achieving that goal. In some circumstances a goal may be better achieved through other approaches tailored to the specific situation.

(a) Guidelines for Mining Sites Adjacent to Habitable Structures and/or Potentially Incompatible Uses. Goal: Provide improved protection for sensitive uses from the impacts of nearby mining operations and accommodate potential future urbanization where appropriate.

(1) Slopes. Where mining and residential property are adjacent, or in mine locations inside the County Urban Service Boundary, the reclaimed slope should be no steeper than 3:1.

(2) Haul Roads. Haul roads should be at least 25 feet away from residential property lines.

(3) Stockpiles. No stockpiled soil or material should be placed closer than 25 feet from a property boundary or other required setback, unless the property boundary abuts a mining use. This shall be measured from the toe of the stockpile.

(4) Facilities and Stationary Equipment. No stationary aggregate processing equipment or facilities, such as grisleys and pit feeders but excepting conveyors, should be located within 200 feet of any habitable structure.

(5) Noise Barriers. The operators should provide noise barriers consisting of 8 foot high earthen berms or temporary portable barriers installed and moved along property boundaries as mining progresses. The noise barriers should be maintained in place at least until sufficient pit excavation has occurred to block the line of site between nearby residences and mining activities.

(6) Scenic and Visual Preservation. Use a temporary sound wall for noise and chain

link fence for safety, instead of perimeter planting. Once sites are reclaimed, provide residents the option to remove and replace chain link fencing with lighter cattle fencing at the aggregate producer's expense.

(7) Loading Points. Loading points should be located to minimize noise and ground vibration. Loading points should not be located closer than 50 feet to any residential property line, unless otherwise conditionally permitted.

(8) Good Neighbor Policy/Notification of Mining Activities. In a good faith effort to facilitate communication between aggregate producers and nearby properties containing habitable structures, the mining operator should notify residential property owners located within 800 feet of anticipated mining activities. Notification should be given 3 months prior to the anticipated, initial start-up of mining activities. The aggregate producer should thereafter keep residents informed of all major operational changes.

(b) Guidelines for Mining Operations Abutting County Roads. Goal: Minimize the impacts to county roads from the impacts of abutting aggregate mining operations.

(1) Limitations on Truck Routes. Coordinate with Sacramento County Department of Transportation on appropriate signage for prohibiting truck traffic when a collector is not to be used for truck traffic.

(2) Minimization of Dirt/Gravel from Trucks onto Roadways. A paved surface, gravel surface or mud trap (series of metal bars or grating with space underneath to accumulate material) may be required at distances of not less than 106 feet from right-of-way line into the area of operation in order to minimize the deposit of dirt and gravel from trucks onto the public highway. During hauling operations, any spillage of materials onto public roads should be promptly and completely removed by the operator. (Amended 2/2010)

(c) Guideline for Two-Lane Street With Mining on One Side and a Residence on the Other. Goal: Minimize visual impacts to residential uses across a two-lane street from aggregate mining operations.

The operator should maintain a 31 foot landscaped setback from the ultimate right-of-way line. The aggregate producer should install and maintain landscaping throughout the permitted operation. Ultimately, once the mining site is reclaimed, the owner of the land should be responsible for maintenance of the landscaped setback. Alternatively, if the landscaping is acceptable, upon completion of mining, the landscape strip may be dedicated to a Lighting and Landscape District. (Amended 2/2010)

(d) Guidelines for Processing Plants in the Proximity of Residential Properties. Goal: Minimize visual and noise impacts to residential uses in the proximity of aggregate processing plants.

(1) Processing Plants abutting residentially zoned properties should only be considered after finding that there is no other feasible alternative location or method of transporting the materials to other plants.

(2) Sound-Walls for Processing Plants. The operator should construct an earthen berm or sound-wall or combination berm/soundwall of not less than 8 feet in height early in the stripping phase along adjacent residential/mining property lines within1,200 feet of the processing plant to break the line of site of loaders

and crushers at the processing plant from any sensitive off-site receptor.

(3) Plant Elevations. The operator should consider lowering processing plant elevations to not less than 15 feet below existing grade if natural topography does not mitigate visual impacts sufficiently and when alternative methods for mitigating visual impacts are not feasible, or when noise impacts cannot meet Zoning Code standards.

(4) Noise Conformance. After processing plant start-up, the operator should conduct a noise investigation of the plant to determine what adjustments, if any, must be made to comply with Section 235-51(f). If noise readings taken during initial plant start-up indicate that processing activities exceed noise standards, additional noise measures or plant adjustments shall be made to ensure that noise standards are met.

(e) Guidelines for Fencing and Landscaping in Rural Areas. Goal: Allow flexibility in landscaping and fencing standards, as appropriate, in rural areas.

In remote areas**,** it is not always necessary to construct fencing or landscaping. Alternative fencing, e.g. three-strand barbed wire fencing, may be appropriate in some cases. In rural areas, landscaping should be installed exterior to berms or chain link fencing to provide the least "industrial" appearance and the highest compatibility with neighboring uses. Chain link fencing may be placed in front of landscaping and berms to protect landscaping and watering systems from theft. However, the types of shrubbery chosen must be capable of eventually obscuring the fencing by growing through and around it.

(f) Planting Guidelines. Goal: Successfully establish effective and timely visual barriers when required.

(1) Planting Schedule. To maximize its effectiveness during mining phases, required landscaping should be planted as soon as possible after final project approval, to the extent allowed by the approved mining plan. To provide a reasonable means of securing the use and enjoyment of nearby properties and roadways, plantings along all areas adjacent to neighboring properties or roadways should occur at one time.

(2) Fencing with Slats. Fencing with slats should only be used when complete blockage of the view into the site is needed and if there is no other reasonable alternative such as vegetation or other solid fencing types.

(3) Planting Intervals. Trees and shrubs should be placed to mimic a natural distribution and spaced to allow partial viewing of the pit.

(4) Planting Types. Native plantings are encouraged; however, non-native plants that are preferred by nearby residents may be used.

(5) Irrigation. Plantings should be irrigated with trenching or with individual bubblers on an automatic irrigation system.

(6) Inspections. Plantings should be inspected yearly for the first 5 years after installation to ensure compliance with the Landscape Maintenance Plan. After the first 5 years, inspections should take place every other year.

(g) Guidelines for Berms. Goal: Create visually pleasing berms, when berms are required.

To the extent possible, earthen berms should meander and be contoured to reflect a more natural pattern with variations in width, height, and direction.

(h) Guidelines for Suppressing Dust. Goal: Minimize impacts of dust to surrounding residential and agricultural uses.

(1) Overburden Stockpiles.

aa. Should be treated with appropriate dust suppressants, watered regularly, or otherwise treated to minimize wind erosion.

bb. Every effort should be made to remove overburden during the period of the year when surface soils are moist. If overburden is removed when surface soils are dry, water-spraying equipment should be used to cut dust emission. Water-spraying equipment should likewise be used, as needed, when removing aggregate.

cc. Seeding of stockpiled overburden and exposed soils is required at the next appropriate planting time unless the site is excavated within 6 months of overburden removal, or if site has been partially excavated, but is to remain dormant for a period of more than 1 year. Saleable aggregate products produced by the processing plant are exempt from this provision.

(2) Unpaved Haul Roads.

aa. Unpaved haul roads should be regularly treated with appropriate dust suppressants (e.g. water or chemical dust palliatives). The frequency of application should vary according to the weather and moisture level of the soils on the site, but should be frequent enough to avoid visible dust plumes

(i) Guidelines for Development of Ancillary Uses. Goal: Minimize the impacts of ancillary uses by providing appropriate regulation as needed.

Consider application of the Industrial Development Standards (Title III, Chapter 25, Article 1 and 2) when evaluating proposed ancillary uses.

CLAY, LIGNITE, BORROW SITES AND RELATED MINERAL MINING: APPLICATION DATA, STANDARDS AND GUIDELINES.

235-55. APPLICATION DATA FOR CLAY, LIGNITE, BORROW SITES AND RELATED MINERAL MINING OPERATIONS

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 235-55(a) through 235-55 (e). 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 235-51 (d), (e), (f), and (g) and Sections 235-55 (a) through 235-55 (e).

(a) Mining Plan. The applicant shall submit a mining plan which shall:

(1) Show the proposed area of excavation.

(2) Show the anticipated phased progression of mining.

(3) Show the location of inventory piles and overburden piles.

(4) Show the fate of overburden following removal, such as disposal, sale, storage for other use or other disposition.

(5) Show the estimated surface areas disturbed annually and days of annual production. Show the anticipated pit side slopes and end slopes.

(b) Reclamation Plan. The applicant shall submit a reclamation plan which shall:

(1) 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

(2) Show present and future topography of site after reclamation, showing degree of slopes of remaining excavations, contours, and disposal of drainage.

(3) Show management of mined and unminable portions of deposit.

(4) Show at least an annual–inspection schedule and a report schedule in 5 year intervals. The report shall show 5 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.

(c) Soil, Geologic and Hydrologic Data. The applicant shall provide the following data:

(1) A topographic contour map with at least 10 foot intervals of the existing terrain and the terrain following reclamation.

(2) Anticipated dimensions of the disturbed area and average depth of both overburden and the resource materials.

(3) A summary of sampling data on soil, geologic and hydrologic characteristics and other preexisting studies of the site prepared for the project proponent or other relevant reports which the proponent may be aware. The Environmental Coordinator may require a full report if necessary to prepare an environmental

document.

(4) A description of drainage course alterations and or diversions.

(5) 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.

(6) Runoff and Flood Control. Applicants shall submit with the use permit application a drainage design for approval to the Water Resources Department

(7) The location of all individual sewage disposal systems within 300 feet of the proposed mining area.

(d) Fencing and Posting. The applicant shall show the locations of all fences and signs warning of the aggregate mining operations. Trespass signs shall be posted at reasonable access points. Signs shall be kept in good repair.

(e) Air Pollution Control. The application shall describe methods to be used in:

(1) Dust control on roads and other graded surfaces on the subject property.

(2) Removal of dust and spillage from off-site public streets or roads used by trucks from the subject property.

(3) Control of dust emanating from mined areas and inventory piles.

235-56. OPERATING STANDARDS FOR CLAY LIGNITE, BORROW SITES AND RELATED MINERAL MINING OPERATIONS

All clay, lignite, borrow sites, and related materials mining shall be subject to the requirements set forth in this section. This section is 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.

(a) Mining Setbacks. Mining setbacks of the minable area from property lines shall be as follows:

(1) Mining may take place no closer than 5 feet from a property line not adjacent to a public street right-of-way. The Board may waive this requirement if:

aa. Evidence is provided by the applicant that the setback can be reduced by engineering design, or;

bb. The neighboring property owners consent to the request.

(2) Mining shall be setback 56 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. (Amended 2/2010)

(b) Fences. Unless otherwise provided by condition of the use permit or a deviation is approved, the applicant shall:

(1) Conform fences to the ground so as to prevent any opening between the fence and ground surface from exceeding 4 inches.

(2) Maintain gates to fence height at all vehicular and pedestrian entrances.

(3) Keep fences in good repair.

(4) Post trespass signs on the fences at reasonable access points. Signs shall be kept in good repair.

(c) 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 1:1. 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 nonnatural waste materials.

(d) 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 10 years. Permits may thereafter be renewed for up to 3 successive 5 year periods by the Board of Supervisors if the mining operation is being conducted in conformance with the provisions of the conditional use permit and applicable Federal, State and County regulations.

(e) Registration of Mines under Ordinance 1163. Clay, lignite and other mines registered pursuant to Ordinance No. 1163 of the County of Sacramento are deemed to have a vested right to continue operation of the registered mines. The registration under Ordinance No. 1163 does not exempt the mine nor the operator thereof from the requirements of the Surface

Mining and Reclamation Act of 1975, Division 2, Chapter 9 of the Public Resources Code of the State of California.

ARTICLE 5: (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 or 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.

ARTICLE 6: (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

Only the Board or the Commission may initiate by resolution the proceedings to place parcels within the SPA Land Use Zone. Said resolution shall include reasons for initiating the SPA Land Use Zone.

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:

(a) A list of permitted uses.

(b) Performance and development requirements relating to yards, lot area, intensity of development on each lot, parking, landscaping, and signs.

(c) Other design standards appropriate for the specific site and development.

(d) Legal description of property covered by the ordinance.

(e) 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.

(a) Procedure for review of proposed development. The procedures may include:

(1) Types of projects that require review.

(2) Documents required from developers.

(3) Hearing procedures, if any.

(b) Regulations relating to nonconforming lots, uses, structures, and signs.

(c) Time phasing and sequence of development of projects.

235-95. Findings

An SPA Ordinance shall not be adopted unless the following findings are made:

(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.

ARTICLE 7: (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 Public Works 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 Public Works 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 Public Works, 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 Management 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 Control 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 Regional 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 unseasonable 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 Public Works 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 Public Works 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.

ARTICLE 8: (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. 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 nonconforming 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) The storage of hazardous materials including, but not limited to, herbicides, pesticides, explosives, and similar materials in an area not protected from flooding.

(g) Storage of a recreational vehicles(s) for a period exceeding 180 days in any one-year period.

(h) Private multiple docks accommodating more than three (3) boats are prohibited in all zones except where adjacent to commercial zones.

(i) Private docks are prohibited on parcels created after March 1, 1994 if rezoning is required to create the new parcels.

235-143. Permitted Uses and Activities

The following uses shall be permitted in the DW zone:

(a) Legally established buildings, structures or uses which have become nonconforming by placement of the property in the DW zone may remain nonconforming and may be repaired, restored or replaced. Pursuant to Section 120-31, any expansion of such buildings or structures shall be in conformance with the provisions in effect at the time of such expansion. (Amended 11/90)

(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 public park facilities will be subject only to permits issued by the operating agency.

(i) Property owners' personal recreational uses, excluding docks which are regulated in Section 235-146, 235-147 (h) of this Article.

(j) Private boat docks, swim floats and fishing piers when the requirements of Sections 235-146 and 235-147 (h), are met.

(k) Single family dwellings, including mobilehomes and accessory buildings and structures.

235-145. 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 appropriate authority.

(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) Expansion of existing marinas.

(o) Commercial boat docks, swim floats, fishing piers.

(p) Gas and boat service at existing marinas and docks.

(q) Mobilehome parks in existence as of July 26, 1978 which held a validly issued Use Permit. If said Use Permit has expired, application to renew the Use Permit may be filed and the use may be continued upon approval. (Amended 11/91)

(r) Private boat docks, swim floats and fishing piers that do not meet the requirements of Section 235-146, and 235-147(h). Private multiple docks accommodating more than three (3) boats are only allowed adjacent to commercial zones.

(s) Guest homes, residential accessory dwellings.

(t) Gas and oil wells subject to obtaining permits from the State of California. (Amended 4/17/02)

235-146. Location of Structures in Waterways

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.

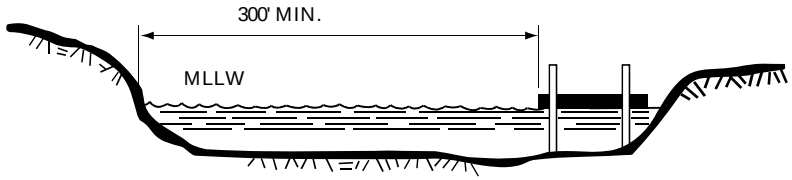
(d) Three hundred (300) feet of clearance between the project and the undeveloped opposite bank, assuming the opposite bank is not to be developed.

(e) Five hundred (500) feet of clearance between the project and any development along the opposite bank.

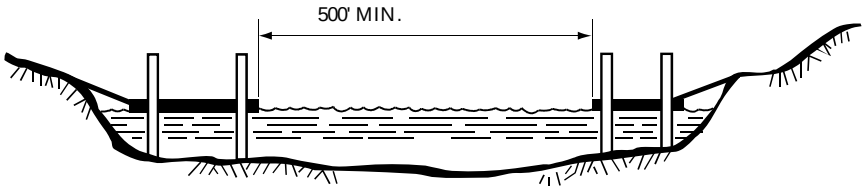
(f) Seven hundred (700) feet of clearance between the project and the undeveloped opposite bank, when development of the opposite bank is physically possible and is zoned for development.

LOCATION OF STRUCTURES IN WATERWAYS

(d)



(e)



235-147. Development Standards

All projects shall meet the following development standards, unless deviations are permitted by a Use Permit:

(a) 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.

(b) Lot Width. Each lot in the DW zone shall have a minimum width of seventy-five (75) feet.

(c) Setbacks.

(1) 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.

(2) 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.

(d) Building Pad Requirements.

(1) The type of fill for the pad is to be approved by the County Health Agency.

(2) Trees exceeding 9 inches in diameter may not be removed except when located in an area needed for the building pad.

(e) Elevation And Floodproofing Requirements. All structures and improvements, if within the floodway or the 100-year floodplain, shall comply with elevation requirements pursuant to the Sacramento County Water Agency Floodplain Management Ordinance and regulations adopted pursuant thereto.

The project shall meet the requirements of the Sacramento County Floodplain Management Program.

(f) Parking. Parking will be as required in Title III, Chapter 30 of the Zoning Code.

(g) 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.

(h) For Private Boat Docks, Swim Floats And Fishing Piers:

(1) Maximum length along the shoreline shall not exceed one-half the width of the lot or 60 feet, whichever is less.

(2) Swimming floats will be permitted that are capable of being removed from the floodway during the flood season.

(3) Docks shall be side tie and/or one berth, and shall accommodate no more than three boats at any one time of any size.

(4) Docks shall be limited to one per parcel which was in existence prior to March 1, 1994. Private docks may be considered by Use Permit for new parcels created after March 1, 1994 when the new parcels are consistent with existing zoning. The purpose of the Use Permit is to review the cumulative impacts of docks on through navigation, levee stability, riparian habitat and to consider evolving policies on waterways use from the state and local studies.

(5) Boat docks, swim floats and fishing piers shall not extend more than 40 feet into the river at MLLW.

(i) Sewage. Any development shall comply with the regulations of the County Environmental Management Department, as provided in the Sacramento County Code and regulations adopted pursuant thereto.

235-148. Special Considerations

The appropriate authority in the consideration of a use permit filed 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) 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.

(5) Flood hazards.

(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.

(3) Flood hazards.

(4) The adequacy of flood warning and evacuation plans.

(d) Private docks permitted with a Use Permit shall be subject to the following additional considerations:

(1) The impacts relative to on-site parking, concentration of boating activities, noise and the relationship to adjoining residential and agricultural uses.

(2) The potential for on-street and off-street parking problems, vehicle traffic and pedestrian safety.

(3) The size of the boating facility relative to the width and size of the lot, the width of the river and basic compatibility with other docks in the area.

235-149. 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, abandoned structures, other hazards.

(b) Installation of boating regulation signs.

(c) Compatibility of the project with existing structures and natural features.

235-150. Written Findings

No conditional use permit application shall be approved until the granting authority shall find that the use, structure or facility will not significantly:

(a) Limit the diversity of public uses appropriate in the waterway.

(b) Result in a substantial adverse environmental impact to natural habitats.

(c) Impede the natural flow of the channel.

(d) Adversely affect the stability of the levee or lands adjacent to the waterway or formation of sandbars or shoals.

(e) Create a safety or navigation hazard.

(f) Cause increased flood heights.

(g) Cause additional threats to public safety.

(h) Reduce the ecological or scenic values of an existing or approved State or local ecological preserve or wildlife management area.

(i) Cause excessive disturbance, dredging, filling or bulkheading to the shoreline, and be incompatible with the existing natural and man-made features.

235-151. Findings on Appeals

When a granting authority is considering an appeal, 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.

ARTICLE 9: (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 noncompatible development in flood-prone 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 <u>new</u> single-family detached dwelling on each lot.

(b) One <u>new</u> 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 <u>new</u> single family detached or two family dwelling.

235-165. Uses Permitted Without a Conditional Use Permit

Notwithstanding Section 235-163, the following uses, buildings, improvements, 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.

(d) Erosion control improvements with Public Works approval in conjunction with existing residential uses, and "low flow" bridges in conjunction with recreation and open space uses operated by a public park district. (Amended 3/24/99)

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 Administrator.

(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 conditional 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.

ARTICLE 10: (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-six (66) feet of frontage on a public street, except as authorized by the appropriate authority. (Amended 2/2010)

235-190. Water Supply and Sanitation Facilities

Public water supply and public sanitary sewerage facilities shall be required.

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 Administrator of Public Works or the Administrator'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

CHAPTER 1: GENERAL PROVISIONS

ARTICLE 1: 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, including any combination of these zones and the (NPA) Combining zone and Special Planning Areas SPA where commercial or industrial uses are permitted, 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 of a temporary use permit from the Zoning Administrator and subject to obtaining a general business license. The Zoning Administrator shall specify the period of sale of the trees to be between Thanksgiving and December 25th, 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 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. Commercial, Industrial and Agricultural Vehicle, Equipment or Trailer Parking (Amended 09/08/04)

No motor vehicle or equipment used for, or designed primarily for, commercial, industrial or agricultural purposes with a manufacturer's gross vehicle weight rating of ten thousand (10,000) pounds or more, and no trailer used for, or designed primarily for, commercial, industrial or agricultural purposes, shall be parked or stored on any agricultural-residential, residential or interim residential zoned property except when loading, unloading, or rendering service; provided, however, that a vehicle 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. (Amended 1988) (Amended 09/08/04)

301-04. Trucks and Trailer Storage in Agricultural Zones (Amended 09/08/04)

The storage, maintenance, and repair of trucks and truck trailers used for, or designed primarily for, commercial or industrial purposes with a manufacturer's gross vehicle rating of ten thousand (10,000) pounds or more 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. (Amended 09/08/04)

301-04.5. Minor Repair and Maintenance of Personal Vehicles

(a) Minor vehicle repair shall include brake part replacement, minor tune-up, change of oil and filter, repair of flat tire, lubrication and other similar operations. Minor automobile repair or maintenance does not include body or painting work of vehicle or vehicle parts.

(b) It shall be unlawful for any person to engage in, or permit others to engage in, minor vehicle repair or maintenance in any agricultural, agricultural-residential, residential, interim estate and interim residential zones under any of the following circumstances:

(1) Using tools not normally found in a residence;

(2) Conducted on vehicles registered to persons, not currently residing on the lot or parcel;

(3) Conducted outside a fully enclosed garage and resulting in any vehicle being inoperable for a period in excess of twenty-four (24) hours.

301-04.6. Major Vehicle Repair and Maintenance

(a) Major vehicle repair and maintenance shall include any vehicle repair or maintenance other than brake part replacement, minor tune-up, change of oil and filter, repair of flat tires, lubrication and other similar operations which shall be considered "minor vehicle repair and maintenance".

(b) Any body or painting work of vehicles or vehicle parts shall constitute "major vehicle repair".

(c) It shall be unlawful for any person to engage in, or permit others to engage in, major repair or maintenance of vehicles in any agricultural, agricultural-residential, residential, interim agricultural holding, interim estate or interim residential zone.

301-04.7. Storage of Unregistered and/or Inoperable Private Vehicles

Storage of not more than two (2) unregistered or inoperable vehicles may be allowed outside a fully enclosed building on a parcel of land located in any agricultural, agricultural-residential, residential, interim agricultural holding, interim estate, or interim residential zone, provided the following standards are met: (Amended 7/24/02)

(a) The parcel size is 10,000 square feet, or larger, for the first vehicle and that 5,000 additional square feet is provided for the second vehicle.

(b) Vehicles are the legal property of the same person/family who resides in the on-site dwelling, as evidenced by a Certificate of Ownership issued by the Department of Motor Vehicles.

(c) Vehicles shall not be stored in the front yard or side street yard.

(d) Vehicles shall be stored behind a six (6) foot high solid wood fence and not be visible from any public street. (Amended 1990)

(e) For purposes of this section, “unregistered vehicles” includes any vehicle which is considered nonoperational pursuant to a current Certificate of Nonoperation issued by the Department of Motor Vehicles of the State of California. (Amended 7/24/02)

301-04.8. Yard Parking Restrictions (Amended/Added 7/24/02)

(a) Vehicle parking or storage in the required front or side street yard of any lot located in a residential zone containing a single family detached dwelling duplex, halfplex, or mobilehome shall be limited to not more than the greater of the following:

(1) 40% of the required front or side street yard area;

(2) or The paved area leading directly to a carport or enclosed garage;

(3) or 400 square feet.

(b) Vehicles subject to these provisions include all vehicles that are permitted to be driven on public streets, and any motorized vehicle, including but not limited to cars and trucks, trailers, recreational vehicles, farm equipment, motorcycles, boats, dirt bikes, ATV's, snowmobiles, and dunebuggies.

(c) Surfacing Requirements:

(1) The following surfacing requirements shall apply to parcels located in residential zones that are less than 15,000 square feet in size: Areas in the front or side street yard used for vehicle parking or storage shall have a hard surface consisting of asphalt, concrete, or grouted continuous brick or cobblestone.

(2) The following surfacing requirements shall apply to parcels located in residential zones that are 15,000 square feet in size or greater: Areas in the front or side street yard used for vehicle parking or storage shall be kept in a dust free condition. Dust free surfaces shall consist of, at a minimum, gravel, turfstone, chipseal, paving stones, or silicon coating.

(d) Deviations from this standard may be approved by the Planning Department. The Planning Department would use the following criteria to approve deviations:

(1) Compatibility of the deviation with surrounding properties.

(2) Written concurrence from adjoining property owners.

(3) Approval by the CPAC.

(e) These provisions shall apply to all residential properties upon the effective date of this ordinance. Non-conforming parking and storage areas that exceed the requirements under paragraph (a) above shall not be used for vehicle parking or storage.

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 of a temporary use permit from the Zoning Administrator. Temporary signs are permitted only with the approval of the Zoning Administrator. See Section 335.09.5(h). Time limits of use shall not exceed thirty (30) days within the first one-hundred eighty (180) days of business and for other business shall be limited to one period not exceeding ten (10) days within a given year.

301-06. Temporary Uses

The Zoning Administrator may approve a temporary use permit to allow the use of property in any zone for a period not to exceed ten (10) days within a given year for the exposition, concert, carnival, vaccination clinics, amusement ride or for the sale of old clothes and second hand merchandise and other similar activities. Temporary use permits are not required when these uses are conducted within mall areas or in a completely enclosed building. 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.

301-06.5. Garage Sales

Garage sales are permitted on any parcel where the sale operator resides, not to exceed 3 sales per calendar year and two consecutive days for each sale. Signs shall not exceed a total of 12 square feet. All signs and merchandise must be displayed within the property boundaries.

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 temporary use permit is first obtained from the Zoning Administrator. Temporary signs are permitted, subject to approval by the Zoning Administrator. Parking shall be provided in accordance with Chapter 30, of this Title. In addition, conditions of approval may regulate hours of operation, landscaping, or other aspects where deemed necessary by the Zoning Administrator. (Amended 1988)

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 is limited to those volumes as established by the local Fire Districts. 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, varnished or similar flammable mixtures when such liquids are stored for maintenance, painting or similar purposes. (Amended 6/95)

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 subregional 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. Preference shall be given to the location of substations in the following rank order:

(aa) Areas designated for industrial or commercial land uses in an adopted plan.

(bb) Undeveloped areas designated for residential use in an adopted plan.

(cc) Areas designated Agricultural-Urban Reserve in an adopted plan.

(dd) 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 thirty-one (31) feet shall be provided on all public street frontages of the parcel. (Amended 2/2010)

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 Title I, Chapter 10, Article 3, 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. Refer also to the Land Use Tables in Title II and Section 101-11, both pertaining to government uses and facilities. A use permit will not be required in any of the following circumstances: (Amended 4/17/2002)

(a) Minor utility distribution facilities such as water well sites, telephone switching vaults, electrical transmission facilities and the like, if the site had been designated on an approved tentative subdivision map and the final map has been recorded, or has been committed to recordation to the satisfaction of the Administrator of Public Works.

(b) County agency facilities which budgetary responsibility wholly or partly rests with the Sacramento County Board of Supervisors, such as the County Water Agency, County Sanitation District, City/County Housing and Redevelopment Agency, and the facility has already been subject to public hearings for the purpose of allocating funds to purchase the property, to construct the facility, or to commit the property to a specific use.

(c) Fire stations if located more than 500 feet from a residential or agricultural residential zone, or if the fire station site had been designated on an approved tentative subdivision, and the public notices for the tentative subdivision map indicated that a fire station site was proposed.

301-13.5. Wireless Communication Facilities

Wireless facilities may be permitted in any zone, subject to the following criteria. For the purposes of this section, zoning district designations are organized into the following: Group I - RD, AR, O, CO, RM-2, DW, RR, and SPA zones (unless otherwise specified in the particular SPA ordinance); Group II - BP, SC, LC, AC, TC, and GC zones; Group III - M-1, M-2, MP, AG, IR, and UR zones.

(a) Building Facade Mounted Antenna may be permitted in Group II and III zones, subject to the grant of a use permit by the Zoning Administrator. In addition to those conditions which the Zoning Administrator may impose pursuant to Section 110-34, the Zoning Administrator may also impose conditions pursuant to Section 301-13.5(f).

(1) No portion of the antenna, support equipment, or cables shall project above the roof parapet or penthouse roof line.

(2) The total of all antenna panels shall not exceed the greater of 10% of the square footage of the facade of the building or 25 square feet per facade.

(3) All equipment shelters, cabinets, or other structures utilized or built in connection with the antennas shall be located within the building being utilized for the antennas, or on the ground outside of any setback area or vehicle parking space allotment required for the underlying zoning district. Wireless equipment located on the roof must meet standards for mechanical equipment located on roofs subject to Section 301-21.

(4) The lowest portion of all antennas shall be located a minimum of twenty (20) feet above grade level.

(5) No portion of the antenna or equipment shall extend out more than 18 inches from the facade of the building.

(6) Antennas and equipment shall be constructed or mounted and painted to blend with the predominant architecture of the building or appear to be part of the building to which it is attached.

(7) All applications shall be referred to the appropriate Community Planning Advisory Council (CPAC) for a recommendation based upon the criteria listed herein.

(8) Any appeal of the action of the Zoning Administrator to approve, deny or conditionally approve a use permit pursuant to this section shall be heard by the Project Planning Commission.

(9) Imposition of conditions of approval shall be limited to those related to the criteria listed herein and those conditions listed in Section 301-13.5(f).

(10) Any antenna that does not meet the requirements listed herein, or is located within a Group I zone, shall be subject to the grant of a use permit by the Project Planning Commission. In addition to those conditions which the Commission may impose pursuant to Section 110-34, the Commission may also impose conditions pursuant to Section 301-13.5(f).

(b) Roof Mounted Antennas may be permitted in the Group II and Group III zones, subject to the grant of a use permit by the Zoning Administrator. In addition to those conditions which the Zoning Administrator may impose pursuant to Section 110-34, the Zoning Administrator may also impose conditions pursuant to Section 301-13.5(f).

(1) All equipment shelters, cabinets, or structures utilized or built in connection with the antennas shall be located within the building being utilized for the antennas, or on the ground outside of any setback area or vehicle parking space allotment required for the underlying zoning district designation. Wireless equipment or structures located on the roof must meet standards for mechanical equipment located on roofs subject to Section 301-21.

(2) Antennas affixed to towers located on the roof of buildings shall be located towards the center of the roof and the height of the tower shall not exceed 12 feet from the roof top.

(3) An application for a use permit for any antenna that does not meet the requirements listed herein, or is located within a Group I zone shall be heard by the Project Planning Commission.

(4) Any appeal of the action of the Zoning Administrator to approve, deny or conditionally approve a use permit pursuant to this section shall be heard by the Project Planning Commission.

(c) Collocations on existing approved monopoles or towers shall be subject to the following criteria:

(1) Additional antennas attached below the topmost existing antenna array, either on the same pole or a replacement pole at the same height, may be permitted subject to a use permit by the Zoning Administrator pursuant to the following criteria:

(aa) All equipment shelters, cabinets, or structures utilized or built in connection with the antennas shall be located within the building being utilized for the antennas, or on the ground outside of any setback area or vehicle parking space allotment required for the underlying zoning district designation.

(bb) Additional antennas shall not extend out horizontally from the pole more than the existing widest projection. The use of close proximity designs are encouraged.

(cc) The pole shall be located a minimum of 100 feet from a Group I zone.

(dd) The antennas and pole shall be painted to match the color of the existing antennas and pole, or shall be painted a muted blue-gray color, or shall be painted or constructed to blend with the prevalent architecture or natural features existing on the subject site.

(ee) All applications shall be referred to the appropriate Community Planning Advisory Council (CPAC) for a recommendation based upon the criteria listed herein.

(ff) Any appeal of the action of the Zoning Administrator to approve, deny or conditionally approve a use permit pursuant to this section shall be heard by the Project Planning Commission.

(gg) Imposition of conditions of approval shall be limited to those related to the criteria listed herein and those conditions listed in Section 301-13.5(f).

(hh) Any antenna that does not meet the requirements listed herein, or is located within a Group I zone shall be subject to the grant of a use permit by the Project Planning Commission. In addition to those conditions which the Commission may impose pursuant to Section 110-34 and development standards in Section 301-13.5(d)(3), the Commission may also impose conditions pursuant to Section 301-13.5(f).

(2) Additional antenna arrays added above existing approved antennas arrays that require the tower height to be increased shall be considered a new monopole and shall be subject to the provisions of Section 301-13.5(d). If the tower height is not increased, then the antenna array shall be subject to the standards set forth in this section.

(d) New Monopoles:

(1) Appropriate Authority:

(aa) Project Planning Commission - Any wireless facilities on new monopoles, including ancillary equipment buildings, which are to be located in Group I zones or do not meet the development standards of this section are subject to the issuance of a conditional use permit by the Project Planning Commission pursuant to Title I, Chapter 10, Article 3. In addition to the development standards in Section 301-13.5(d)(3) and those conditions which the Commission may impose pursuant to Section 110-34, the Commission may also impose conditions pursuant to Section 301-13.5(f).

(bb) Zoning Administrator - Any wireless facilities on new monopoles located in Group II or III zones, and which meet the development standards in Section 301-13.5(d)(2) are subject to approval of a conditional use permit by the Zoning Administrator. In addition to those conditions which the Zoning Administrator may impose pursuant to Section 110-34, the Zoning Administrator may also impose conditions pursuant to Section 301-13.5(f).

(cc) All applications shall be referred to the appropriate Community Planning Advisory Council (CPAC) for a recommendation based upon the criteria listed herein.

(2) Development Standards for Antenna(s) affixed to towers located on the ground in Group II and III zones:

(aa) Any facility located in a Group II or III zoning category shall be separated from any Group I zone by a distance at least three times the height of the tower.

(bb) The height of any tower shall not exceed 65 feet in a Group II zone or 130 feet in a Group III zone.

(cc) The facility shall be separated from any adjacent interior property boundary by 25 feet or public right-of-way by 31 feet or more. (Amended 2/2010)

(3) Development Standards for antenna(s) affixed to towers located on the ground in Group I zones:

(aa) The facility shall be separated from any adjacent interior property boundary by 25 feet or public right-of-way by 29 feet or more.

(bb) The height of any tower shall not exceed 55 feet in Group I zones.

(cc) Deviations from setback and height requirements for towers in the Group I zones may be permitted in conjunction with a use permit hearing if the final hearing body finds at least one of the following criteria can be met.

(I) The tower will be located adjacent to a non-residential use.

(II) The tower will be a collocation site, either with an existing or proposed tower.

(III) The size, shape, topography or existing development of the site would restrict the installation of a wireless facility in compliance with the standards set forth in this section.

(e) Collocation on existing non-building structures or on public owned facilities (i.e., light standards, signage, etc.) shall be permitted as follows:

(1) If incorporated into a sign or on a sign, water tank or similar, the wireless facility shall be treated as a building facade and regulated pursuant to 301-13.5(a).

(2) If attached to a light standard located on private property, the wireless facility shall be treated as a collocation with an existing monopole and regulated pursuant to 301-13.5(c).

(f) The Board of Supervisors finds that it is in the interest of the health, safety, and general welfare of the County to integrate wireless facilities into existing structures or to collocate wireless facilities to reduce the visual and potential visual intrusion of such facilities on the surrounding area, residents and general populace of this County.

(1) Utility providers are therefore encouraged to:

(aa) Employ all reasonable measures to site their antenna equipment on existing structures as facade mounts, roof mounts, or collocation on existing towers prior to applying for new towers.

(bb) Whenever possible avoid locating towers on sites that require painting or lighting per FAA Standards.

(cc) All County agencies, dependent and independent districts, and utility providers shall be encouraged to permit and streamline collocation of cellular facilities on appropriate existing structures subject to reasonable engineering requirements.

(2) The Board authorizes the appropriate authority to impose conditions on the grant of a use permit as it deems necessary to achieve these objectives and those of Section 110-34 and to protect the purposes of the Code. Some examples of conditions are:

(aa) The use of screening, stealthing, use of setbacks and use of architectural features on the subject site.

(bb) The use of close proximity designs when new antennas are placed on poles.

(cc) The use of materials which blend the tower or wireless facility in with the skyline, prevalent architectural or natural features of the subject site.

(dd) All unused or obsolete wireless facilities, towers or equipment shall be removed from their respective sites within six (6) months after operation has ceased.

(ee) Identification signs, including emergency phone numbers of the utility provider, shall be posted at all tower and equipment sites.

(ff) In addition to the requirements listed herein, wireless communication facilities are subject to all other applicable regulations and permits, including those of the Public Utilities Commission (P.U.C.) of the State of California and the Federal Communication Commission (F.C.C.). (Amended 6/98)

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 less than three (3) feet in diameter that receive signals only are not subject to zoning code regulation. Dish antennas that are greater than three (3) feet in diameter or that send signals are subject to the following requirements:

(a) If the antenna is located in a commercial or industrial zone the applicable requirements are:

(1) A dish antenna is permitted to send and/or receive signals to/from satellites if the power output of the associated transceiver does not exceed two watts of power and the dish is six feet in diameter or less. The signal intensity must be maintained below applicable ANSI standards.

(2) Dish antenna(s) may be installed on the roof of a commercial or industrial structure provided that the antenna is enclosed on all sides by a solid screening structure that is

installed to the maximum attainable height of the dish and is composed of materials which are similar in style and color to the predominant composition of the building. Both the antenna and the screening structure are subject to all applicable building code requirements including building structure and wind load integrity.

(3) Dish antenna(s) installed directly on the ground shall be located within the buildable portion of the lot with respect to applicable building setback requirements. The maximum attainable height of the dish shall not exceed the diameter of the dish plus three (3) feet.

(b) If the antenna is located in other than a commercial or industrial zone the applicable requirements are:

(1) A dish antenna is permitted to receive signals only.

(2) A dish antenna shall be installed directly on the ground. The maximum attainable height of the dish shall not exceed the diameter of the dish plus three (3) feet.

(3) The location of the antenna on the lot shall meet all accessory structure requirements applicable to zone.

(4) Only one (1) dish antenna is permitted on each lot.

(5) The distribution of signals to more than one dwelling unit is permitted, provided the distribution is limited to the same parcel or same project as the antenna site.

(c) In any situation where the above provisions do not allow reasonable access to customarily received satellite signals, a use permit shall be considered by the Project Planning Commission with the objective of ascertaining the most aesthetically acceptable alternative siting solution. In no case may the final decision result in denial of reasonable access to satellite signals.

(1) The decision on the use permit application must provide for a reasonable quality of signal reception, taking into consideration the particular circumstances of the property and its surroundings.

(2) The decision on the use permit application may take into consideration all the alternative site locations and reception solutions on the property and the use permit may be conditional for the purpose of reducing the visual impact of the dish antenna as seen from adjacent properties or for the purpose of reducing the potential of safety or health accident. Such conditions may include, but are not limited to: partitions, screening, landscaping, mountings, fencing, height of antenna, and site location within the parcel.

(3) To assure that a property is not denied reasonable access to the satellite signals, because the filing fee of a use permit may be excessive in light of the purchase and installation cost of the equipment, a use permit for a home video satellite antenna shall be one half (1/2) the normal fee for a use permit.

(4) To assure that property is not denied reasonable access to satellite signals by the imposition of conditions that are unreasonably out of proportion in light of the purchase and installation cost of the equipment the commission shall give

consideration to the costs incurred toward satisfying the conditions as they relate to the cost of the system.

(d) In adopting the provisions set forth in this section the Board finds it necessary to assure the right of property to receive appropriate satellite signals and at the same time the Board finds it is desirable to reduce, to the degree possible, the visual impact of satellite dishes as the public finds them generally aesthetically offensive. The Board finds that satellite dishes have been more aesthetically acceptable to the public when they are sited in rear yards, and are kept low, and the Board has adopted standards that allow placement by zoning entitlement. The Board is aware that in very unusual circumstances satisfactory signal reception may not be possible within the parameters of the adopted standards, and therefore finds it appropriate to provide a means of remedy through the application of the use permit process. The Board also recognizes that it is not reasonable to structure the use permit process in such a way that satellite signal access will be denied any property owner, and has therefore taken particular attention in the use permit provisions to assure that reasonable satellite signal access will not be denied any property. Having provided such assurance, the Board finds it appropriate to expect the property owners to install satellite antennas dishes in the most unobtrusive visual configuration as may be reasonably feasible under the particular circumstances under consideration. (Amended 1990)

301-16. Storage of Junk

It shall be unlawful for any person to store or keep, or permit others to store or keep, junk, including, but not limited to, scrap metals or other scrap materials on any lot or parcel, or any portion thereof, in any zone other than a heavy industrial zone.

301-16.5. Accumulation of Garbage, Rubbish and Junk

(a) Except as provided in subdivision (b) of this section, it shall be unlawful for the owner, lessee or occupant of any lot or parcel of property, or any portion thereof, to keep, maintain and/or store any junk garbage and/or rubbish on such lot or parcel.

(b) Notwithstanding the provisions of subdivision (a) of this section, a junkyard may be maintained in the M-2, Heavy Industrial Land Use Zone, subject to the requirements therein.

301-17. Underground Utilities

Unless it is determined by the Planning Director to be impractical due to existing development or natural features, all utilities shall be placed underground for all projects. The Planning Director may request a recommendation from the appropriate utility company if this requirement is protested by the project proponent.

301-19. Oil and Gas Well Locational Criteria

Oil and/or gas well sites proposed to be developed on either industrial or agriculturally zoned land shall not be located within one thousand (1000) feet of the boundary of property zoned for residential, interim residential, interim estate, or recreational purposes. Additionally, no proposed oil and/or gas well site shall be located within 300 feet of a structure used for human habitation.

ARTICLE 2: 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, penthouses and other roof structures for the purpose of shelter for mechanical equipment, 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. (See Section 301-15 for dish antenna regulations.) All construction is subject to approval of Building Inspection. Signs may not be placed on such structures at any height exceeding the height of an otherwise permitted building. Fences, or walls, may be required and conditioned to exceed six (6) feet in height for a project, as determined by the appropriate authority hearing related planning matters on the same parcel of land. (Amended 1990)

301-22. Height Exceptions for Buildings in Residential, Commercial and Industrial Zones

Either the Board of Supervisors or the Project Planning Commission 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.

ARTICLE 3: 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, Window Bays

(a) 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.

(b) Window bays, having a minimum of fifty (50) per cent glass, may encroach twenty-four (24) inches into the required yard area when the finished floor of the window bay is a least fifteen (15) inches above the finished floor of the room. The roof overhang above the window bay may not encroach beyond twenty-four (24) inches into the yard area. (Amended 11/90)

(c) Accessory structures must maintain a minimum three (3) foot setback from property lines for any portion of the structure. (Amended 1993)

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.

301-35. Fire Escapes, Stairways, Balconies, Chimneys

Fire escapes, outside stairways, balconies and water heater enclosures 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. (Amended 11/90)

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 street right-of-way 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".

A setback is measured from the edge of an access easement, a street right-of-way or future street right-of-way as shown on the current Master Plan for Street and Highways adopted by the Board of Supervisors. Unless specified, setback for structures shall be measured from the edge of the easement or right-of-way. Street right-of-way dimensions and width are described in the adopted County Improvement Standards.

Where there is no street right-of-way, access easement, future street right-of-way as identified through an official control, or private road, a setback is measured from the property line. (Added 2/2010)

301-39. Lot Area, Depth, Width and Setback Reduction

Where a lot area or a lot width, depth or setback has been reduced for an existing legally created lot by not more than fifteen (15) percent as a result of acquisition or dedication for a highway, road, drain, or other public purpose, as a result of a dedication pursuant to 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. (Amended 1993)

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.

ARTICLE 4: 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, 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, or remodeled to the extent that the permanent residence is not habitable, provided that a permit is obtained from the Chief, Building Inspection Division, of Public Works. No such occupancy shall be permitted unless a building permit has been issued for the permanent residence. In the event that no permit may be issued due to an unresolved insurance settlement or contract procedure, the Chief Building Inspector may authorize occupancy for a period not to exceed six (6) months when such occupancy is necessary for security of the remaining residence, care of livestock, or other similar necessity. (Amended 3/24/99)

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, or in any zone with a legally established primary residential use, the appropriate authority may grant a conditional use permit for the use of a mobilehome 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 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. Such proof shall be placed in a confidential file to be kept by the secretary of the appropriate hearing authority. (Amended 10/19/05)

(b) That the establishment of the accessory dwelling in the mobilehome is necessary in order to provide the required care and supervision of the handicapped person.

The mobilehome 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 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 mobilehome is located and to protect the general welfare of the community. (Amended 3/24/99)

301-51.5. Guidelines for Placement of Temporary Mobilehomes for Close Care and Supervision (Adopted 10/19/05)

(a) Given the incidental and subordinate nature of the mobilehome to the primary residence, consideration shall be given to placing the unit in reasonable proximity to the primary residence. (Adopted 10/19/05)

(b) To the extent feasible, the yard standards for single family dwellings contained in Title I, Chapter 5, Article 1, of this Code shall be maintained for temporary mobilehomes. (Adopted 10/19/05)

(c) Appropriate and reasonable landscape screening shall be considered and applied via conditions of approval where deemed necessary by the hearing authority. (Adopted 10/19/05)

301-52. Use of Mobilehomes for Hunting Clubs

The Chief Building Inspector may authorize the use of an independent or self-contained mobilehome 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 a permit to occupy is secured from the Chief Building Inspector. (Amended 3/24/99)

301-53. Use of Mobilehomes at Construction Sites

A commercial coach, mobilehome, 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. (Amended 3/24/99)

301-54. Use of Commercial Coaches as Temporary Offices

A commercial coach 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 is secured from the Chief Building Inspector.

A commercial coach 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 a permit is obtained from the Chief Building Inspector.

301-55. Use of Mobilehomes for Night Watchmen

A mobilehome may be used as a residence for a night watchman in any commercial or industrial zone where such use is incidental to a use permitted in said zone, provided a permit is secured from the Chief Building Inspector.

A mobilehome may be used as a residence for a night watchman 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 a permit is obtained from the Chief Building Inspector. (Amended 3/24/99)

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 a permit is obtained from the Chief Building Inspector.

301-56. Mobilehome Health Department Approval

No mobilehome shall be occupied for residential purposes until the mobilehome and the surrounding premises shall have been inspected and approved by the Health Department for compliance with appropriate health laws and ordinances. (Amended 3/24/99)

301-58. Commercial Coaches for Temporary Commercial and Industrial Uses

Commercial coaches may be considered as a temporary use for purposes of reconstruction of an existing permitted use. Such commercial coaches shall:

(a) not diminish the parking requirement or obstruct vehicular circulation,

(b) be within the buildable portion of the lot,

(c) meet all other applicable development standards within said zone.

If all applicable development standards cannot be met, a temporary use permit must be obtained by the Zoning Administrator.

Duration of stay for a commercial coach at approved location is six months. This may be extended for a total duration of one year with Zoning Administration approval. The commercial coach and its installation are subject to approval of the Chief Building Inspector and the issuance of all necessary building permits prior to installation on-site. The applicant shall post a bond as established by the Building Inspection Division to insure removal by the end of the authorized period. (Amended 1993)

ARTICLE 5: REGULATIONS PERTAINING TO WALLS AND FENCES

301-60. Location, Types and Standards

(a) Open ornamental fences, such as wrought iron are permitted on the property line in all zones, subject to the following restrictions.

(1) In commercial and industrial zones, any fence located along a public right-of-way shall be placed behind sidewalks and all required landscaping (i.e., landscape buffer or landscaped planter area). (Amended 2/2010)

(2) In multifamily zones only open ornamental security fences may be located directly outside and adjacent to the back of the sidewalk. All other fences along a public right-of-way in the multifamily zones shall be subject to the requirements of Section 301-66. (Amended 2/2010)

(b) Fences and walls are not permitted within the setback areas of front and side streets, except as set forth above in (a)(1) and (2).

(c) When fencing as set forth in Section 301-61, is not required, security fences such as chain link are permitted on interior property lines within and adjacent to AC, GC, M-1 and M-2 zones.

(d) A solid wood or masonry fence shall be provided and maintained along the interior property line of any multiple-family project, subject to the standards set forth in this article.

(e) All fences in the Single-family, Duplex and Agricultural Zones are subject to Section 305-83.2.

(f) A graffiti-resistant aesthetic surface treatment, appropriate to the location, shall be required for all masonry walls. (Amended 6/95) (Amended 3/24/99)

301-61. Adjacent to Residential and Agricultural-Residential Zones

A masonry wall shall be provided along the interior property lines for all industrial and commercial projects when located adjacent to residential, and agricultural-residential zones, a solid wood or masonry fence shall be provided along the interior property lines for all institutional, projects when located adjacent to residential and agricultural-residential zones. (Amended 6/95) (Amended 3/24/99)

301-62. Screen Fences

(a) Outside storage of materials and equipment shall be located within the buildable portion of the lot and screened from view with solid wood fences, masonry walls or chain-link with slats.

(b) All company vehicles in the MP zone shall be located within the buildable portion of the lot and screened from view with solid wood fences, masonry walls or chain-link fences with slats.

(b) In the M-1 and M-2 zones company vehicles, less than one (1) ton do not require screening and may be parked behind the required landscape area with or without security fencing, as set forth in this article. Company vehicles, exceeding one (1) ton that are permitted on the

public highways and used in the daily operation of the company may be parked within the buildable portion of the lot without screen fencing. (Amended 6/95) (Amended 3/24/99)

301-62.5. Vacant Property

A temporary use permit is required from the Zoning Administrator for security fencing, (including chain link), which may be erected on all property lines and to the edge of the sidewalk. The vacant property shall be maintained in a weed and litter free condition. (Amended 6/95) (Amended 3/24/99) (Amended 2/2010)

301-63. Height

(a) Fences within the front and side street yards shall not exceed six (6) feet in height.

(b) All required fences shall be at least six (6) feet in height and may be erected to a maximum height of eight (8) feet.

(c) Fencing within the M-1 and M-2 zones may have an additional three (3) feet of wire fencing placed on top of a fence to a maximum overall height of nine (9) feet. This is not permitted within the front and side street yards.

(d) Fence height shall be measured from the highest elevation at the property line or at the finished grade of the rear or side yard setback, whichever is higher. If the fence exceeds eight (8) feet above the lower elevation and is adjacent to a single-family residential zone, a use permit from the Zoning Administrator is required. (Amended 6/95) (Amended 3/24/99)

301-64. Deviations from Fence Requirements

Fences that deviate from the standards set forth in this article may be permitted, as a condition of approval when heard in conjunction with another request, or by a fence use permit approved by the Zoning Administrator. Unless approved as a condition or in conjunction with another request walls or fences of sheet or corrugated iron, steel or aluminum, are prohibited with the exception of ornamental fences as provided for in Section 301-60 (a).

Barbed wire, concertina wire and electrical fences require a fence use permit approved by the Zoning Administrator. When such a fence is located in the Agricultural zones or the Heavy Industrial zone (A-2) a fence use permit is not required, unless it is adjacent to a zone other than the agricultural zones or the M-2 zone. (Amended 6/95) (Amended 3/24/99)

301-65. Adjacent to Drive and Street Intersections

When fences, walls, and/or landscape screening are adjacent to street intersections and points of ingress and egress the visibility requirements of Chapter 12.12 of the Sacramento County Code shall be adhered to. (Amended 6/95)

301-66. Sound Walls Adjacent to Streets

Whenever sound walls are required to mitigate sound impacts adjacent to streets, the following standards shall apply. These standards shall not preclude the use of other innovative methods of project design utilizing greater setbacks, building design, mounding, or single-story structures with solid walls facing the street.

(a) Setbacks: Walls shall have an average setback of nineteen (19) feet from the ultimate public street right-of-way and may vary in setback to a minimum of thirteen (13) feet. (Amended 2/2010)

(b) Height: Maximum height of a wall shall not exceed six (6) feet above the finished grade at the base of the wall on the roadway side. (see Item (c) below.)

(c) Earthmounds: When the sound and visual attenuation requires a wall exceeding six (6) feet above the grade of the adjacent roadway, earthmounds shall be used such that no more than six (6) feet of the wall is visible from the roadway. The mounds shall not exceed a 3:1 slope.

The mounds may support the wall or be placed against the wall on the street side. Drainage shall be contained so there is not sheet flow of water onto the sidewalk where the slope exceeds 6:1.

(d) Landscaping: All setback areas shall be landscaped with groundcover, shrubs, vines, mounds and trees such that at least fifty percent (50%) of the wall shall be screened from the adjacent public street within five (5) years. Trees shall be placed so as to cover the fifty percent (50%) of the total landscaped area with a shade canopy within fifteen (15) years of planting. Thirty percent (30%) of the trees shall be evergreen.

(e) Type of Wall: Walls shall be constructed of -- Graffiti resistant -- solid brick or masonry material that requires minimum maintenance and provides the required sound and visual attenuation. An aesthetic surface treatment appropriate to the location shall be required.

(f) Maintenance: An automatic sprinkler system shall be installed and a maintenance program shall be established to provide ongoing maintenance of the wall and landscaped area. The proposed maintenance program shall be submitted with the application and may consist of one, or a combination, of the following:

(1) A homeowners association agreement;

(2) An assessment district, Lighting and Landscape Act District, or similar district;

(3) Other viable alternative presented in public hearing and found acceptable to the appropriate authority. The proposed maintenance program shall be submitted with the application. (Amended 6/95)

ARTICLE 6: LANDSCAPING CARE AND MAINTENANCE

301-70. Purpose

The purpose of this section is to require appropriate long term care and maintenance of all existing landscaping provided for commercial, multi-family, industrial and institutional developments. This section is also intended to set provisions for removal and replacement of unhealthy trees and/or hazardous conditions and, pruning of trees to remove hazardous obstructions, provide adequate clearance and visibility of merchant signage, when the aesthetics of the tree and the shade requirements will not be reduced.

301-71. Care and Maintenance

(a) Automatic irrigation systems shall be maintained.

(b) All plant materials (trees, shrubs, and groundcover) shall be maintained so that harm from physical damage or injury arising from vehicle damage, lack of water, chemical damage, insects, and other pests and diseases is minimized.

(c) It is the responsibility of the property owners to seek professional advice and spray and treat trees, shrubs, and groundcover for diseases which can be successfully controlled if such untreated diseases are capable of destroying an infected tree or other trees within a project.

(d) Property owners shall cooperate with the University of California Agricultural Extension Service and the County Agricultural Commission on methods and procedures by which infestations can be reduced or retarded.

301-72. Tree Pruning

Prior to pruning any tree within the landscape areas, a County Tree Pruning Permit shall be approved by the Planning Director or his designee and the County Tree Coordinator. Tree Pruning shall be performed by a California Landscape Contractor (C-27 or C-61). The licensed contractor shall also be certified by the International Society of Arborculture as a Certified Tree Trimmer or Certified Arborist or other qualified tree expert. The Planning Director or his designee shall require the following information upon submitting the Tree Pruning Permit request:

(a) A site plan indicating the type of tree, size and location of the trees to be pruned.

(b) Reasons for pruning

(c) Evidence that the pruning shall be performed by a Certified Arborist, Certified Tree Trimmer, or other qualified tree expert.

(d) Number of trees to be pruned

Tree pruning is limited to:

(a) Removal of dead wood and diseased, crowed, and weakly attached trunks and branches and which create a hazard to private property and citizens

(b) Provide adequate clearance and visibility for safe use of parking stalls, travel ways and walkways for the passage of persons and vehicles

(c) Remove visibility obstruction of traffic signs

(d) Provide adequate visibility for security patrols

(e) Repair split trees and limbs in order to save the tree and its appearance

(f) Remove or sever roots of trees which are causing damage to public or private property such as curbs, gutters, sidewalk, drainage lines and parking lot surfaces

(g) Provide visibility for merchant signage and increase parking lot lighting only when the aesthetics of the tree and the parking lot shading requirements will not be reduced.

301-73. Removal and Replacement of Landscaping

All plant material removed from a project in which the Planning Department has approved the landscape plan shall be replaced with the following replacement sizes: shrubs - five-gallon size, groundcover - flats. Replacement of trees shall be as specified in Section 301-74.

Tree removal shall be limited to trees which are in poor health, structurally distressed or unsafe. The removal of a tree shall be the final recourse upon determining that it is infeasible to save the tree by any other method (e.g. - pruning, treatment of diseases, fertilizing). Prior to the removal of any tree, a Tree Removal Permit shall be approved by the Planning Director and the County Tree Coordinator or his designee.

The following information shall be required:

(a) A statement of the health and condition of the trees to be removed by a Certified Arborist

(b) Reasons for removal

(c) Landscape Plan indicating size, quantity, species and location of the trees to be removed and replaced

Failure to obtain an approved tree removal permit prior to removing a tree shall require the owner of the project to replace the removed tree as stated in the Replanting Requirements in Section 301-74.

301-74. Replanting Requirements and Replacement Fee

Replacement trees shall be required for trees removed with or without a Tree Removal Permit as set forth below.

Trees removed with a Tree Removal Permit shall be replaced by 24-inch box specimen trees. A 15-gallon size tree may be used as a replacement tree with an additional replacement fee. The replacement fee is based on the difference of the wholesale value between a 24-inch box and a 15-gallon tree as set forth in a fee schedule approved by the Board of Supervisors. The replacement fee may be waived by the Planning Director if the loss of the tree resulted from causes completely out of the control of the property owner.

Trees removed without a Tree Removal Permit or severely and improperly trimmed with or without a Tree Pruning Permit shall be replaced and a replacement fee may be required. The replacement tree is based accordingly with the size of the tree removed or damaged as indicated below:

Size of Damaged/Removed Tree	**Replacement Tree Required**

2 inches	24-inch box
4 inches	36-inch box
6 inches or greater	48-inch box

A 15-gallon size tree may be used as a replacement with an additional replacement fee, as set forth in a fee schedule approved by the Board of Supervisors. Replacement fees shall be deposited into a Parking Lot Shade Tree Violation account. Fees shall be used for tree planting on public property and for public education on tree planting and care, as determined by the Board of Supervisors.

301-75. Mitigation Monitoring and Reporting Program (MMRP)

Prior to accepting an application for tree removal or pruning, the County Tree Coordinator, or his designee shall determine if there is an active MMRP that affects the proposal. If there is an active MMRP an application will not be required and the applicant is to be referred to the Department of Environmental Review and Assessment. (Amended 1993)

ARTICLE 7: TENTS AS PERMANENT STRUCTURES

301-80. Purpose

The purpose of this section is to provide a procedure for permitting tents as permanent structures and to ensure compatibility with the surrounding development.

301-81. Description

Any permanent structure of a cloth, membrane or similar material that exceeds 120 square foot shall be subject to the requirements of this article.

301-82. Use Permit Requirement

Any such structure that is not under a temporary permit, provided for elsewhere in this code, shall require a Use Permit approved by the Project Planning Commission.

301-83. Exclusions

Awnings, canopies and similar structures are excluded from the requirement of this article. (Amended 3/24/99)

CHAPTER 5: RESIDENTIAL USE DEVELOPMENT STANDARDS

ARTICLE 1: 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) Manufactured home, when used as the primary residence on a single lot. The architectural standards set forth in Section 305-09 shall be applicable.

(f) Any use found by the Project Planning Commission, pursuant to Section 110-30.5, 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. (1) For attached sidewalks, there shall be a front yard of not less than twenty-four (24) feet, measured from the right-of-way. (2) For detached sidewalks, the minimum front yard setback will be 24 feet for livable area of the house and/or porches from right-of-way. The garage shall be setback a minimum of 30 feet from the right-of-way. (3) If sidewalks do not exist, the setback shall be 24 feet from the street right-of-way. The garage will be setback a minimum of 19 feet from the back of future sidewalk. (Amended 2/2010)

(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) The main building may project into the required rear yard provided that an equal area is provided as a yard or court within the buildable portion of the lot.

(4) 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.

(c) Side Yard. There shall be a side yard on each side of all buildings as follows:

(1) For a one-story or two-story structure the side yard shall be not less than five (5) feet.

(2) For a three-story structure the side yard shall be not less than twenty-five (25) feet.

(3) 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:

(aa) Total Side Yard Requirement.

(i) For a one-story or two-story structure, the total side yard shall be not less than ten (10) feet.

(ii) For a three-story structure, the total side yard shall be not less than fifty (50) feet.

(bb) Distance Between Buildings. There shall be a distance of not less than:

(i) Ten (10) feet between one-story and two-story structures.

(ii) Thirty (30) feet between one-story or two-story and three-story structures.

(iii) Fifty (50) feet between three-story structures.

(cc) There shall be a 5-foot unobstructed easement provided adjacent to the structure within the adjacent side yard for maintenance and drainage purposes.

(dd) No parking will be allowed within the side yard.

(ee) Windows, doors, or other openings shall not be permitted on the side of a primary structure which is located less than three (3) 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 with attached sidewalks, there shall be a side yard of not less than sixteen and one-half (16-1/2) feet, measured from the back of the right-of-way. The minimum side yard adjacent to a street with detached sidewalk shall be 16.5 feet from the right-of-way.

305-02.2. Yards on Corner Lots

No building or structure, nor the enlargement of any building or structure, shall be erected on a corner lot unless the following yards are provided and maintained.

(a) Front Yard And Side Street Yard. (1) For attached sidewalks, there shall be a front yard of not less than twenty four (24) feet, measured from the right-of-way. (2) For detached sidewalks, the minimum front yard setback will be 24 feet for livable area of the house and/or porches from right-of-way. The garage shall be setback a minimum of 30 feet from the right-

of-way. (3) If sidewalks do not exist, the setback shall be ~~20~~ 24 feet from the street right-of-way.

On corner lots with attached sidewalks, there shall be a side street yard of not less than sixteen and one-half (16½) feet, measured from the back of the right-of-way. The minimum side yard adjacent to a street with detached sidewalk shall be 16.5 feet from the right of way. (Amended 2/2010)

(b) Interior Side Yard. There shall be an interior side yard of not less than five (5) feet for a one (1) story building or a two (2) story building, and twenty-five (25) feet for a three (3) story building.

(c) Rear Yard. Variable for each case. See Section 305-02(b).

(d) Minimum Open Space In Buildable Areas. Each lot shall provide and maintain a minimum open space area within the buildable portion of the lot equivalent to ten (10) percent of the net lot area. (Amended 11/90)

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 maximum height greater than thirty (30) feet from the finished grade of the property, and shall not exceed two (2) stories in height, except that, in accordance with the provisions of Section 201-02, the height from grade may be increased to a maximum of forty (40) feet, two and a half (2.5), or three (3) stories. (Amended 4/17/02)

305-05. Height Criteria

For evaluating increased building height in considering use permit requests, as specified in Section 305-04, the appropriate authority shall consider the following factors:

(a) Uses of all contiguous parcels.

(b) Elevation of the respective parcels.

(c) The height and number of stories of any structures or buildings on contiguous parcels.

(d) The distance of the proposed building from buildings on contiguous parcels.

(e) The beneficial or harmful effect of the height of the building on existing terrain and vegetation.

(f) The opportunity for a higher structure to overlook yard areas of contiguous parcels and invade the privacy of such yard areas.

305-06. Waiver from 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 to be served by a private drive in the RD-5, RD-4, RD-3,

RD-2, RD-1, AR-1 zone, provided that no more than two (2) lots are served by the same private street or drive. (This section does not apply to existing legal lots of record. For those lots, see Code Section 120-11.)

305-07. Waiver from Public Street Frontage Requirements on Agricultural-Residential Lots

Notwithstanding any other provisions of this Code to the contrary, a building or structure used as single family residence may be constructed on a lot to be served by a private drive in the AR-2 or AR-5 zones, provided that no more than four lots are served by the same private street or drive. (This section does not apply to existing legal lots of record. For those lots see Code Section 120-12.)

305-08. Walls Adjacent to Streets

When walls are required adjacent to streets, the standards of Title III, Chapter 1, Article 5, Section 301-60 shall apply.

305-08.5. Building Width

No building for any of the uses specified in Section 305-01 shall have a smallest projected building width of less than 20 feet. For purposes of this section "smallest projected building width" means the smallest dimension attained by the parallel projection of the outside, insulated, enclosing walls of the building when projected from every direction.

305-09. Architectural Standards for Manufactured Homes

In addition to all other requirements of this Article, a manufactured home, as defined in Section 130-120.1, shall comply with the following architectural requirements:

(a) The exterior siding material shall be wood, stucco, stone or masonry, including wood/stove/masonry veneers. Siding shall extend below the top of the foundation or to the finished ground, whichever is applicable.

(b) The roof shall have eave and gable overhangs not less than twelve (12) inches measured from the vertical side of the building.

(c) The exterior roofing surface shall be shingle, shake or tile types of roofing either in natural form or simulated from such materials as metal, plastic or concrete. Specifically excluded are built-up, roll roofs and corrugated, sheet or skin metal or plastic panels.

(d) Manufactured homes shall be secured to a permanent foundation or a foundation system approved by the Chief Building Inspector.

305-09.5. Number of Kitchens

Any home developed pursuant to this chapter shall have no more than one (1) kitchen. For purposes of this section a kitchen is an area within a house that has an appliance(s) to cook food. Exceptions to this requirement may be granted by the Zoning Administrator for residences of developmentally disabled persons. A public hearing for this exception is not required if the request submitted is in the form of Zoning Administrator's Action applications, or may be approved in conjunction with a concurrent zoning entitlement application in public hearing by the final hearing authority.

ARTICLE 2: 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 110-30.5, to be substantially similar to any of the above uses.

305-11. Height Regulations

No building or structure shall have a height greater than three (3) stories, nor greater than forty (40) feet, except as provided in Section 301-22.

305-12. Setback for Structures and Parking Areas from Public and Private Streets

The street setback for all structures, carports, parking areas, fences, patios, enclosed storage area, swimming pools, spas and similar project features shall be thirty-one (31) feet, measured from the right-of-ways or private street. Open ornamental fences such as wrought iron are permitted outside of sidewalk. The building extension allowances set forth in Section 301-31 and 301-35 are permitted. (Amended 2/2010)

The area between the street improvements and street setback line shall be landscaped in compliance with Section 305-17(d). The street setback may be reduced to less than thirty-one (31) feet by application of the following. (Amended 3/24/99) (Amended 2/2010)

(a) The street setback may be reduced to not less than twenty-four (24) feet, provided that the setback for project features along the street frontage averages thirty-one (31) feet. In applying this provision, no portion of a structure or parking area, located at a distance greater than fifty-six (56) feet, may be counted in the averaging calculations, nor may any "required" yards between buildings or otherwise required setback areas be counted.

(b) The street setbacks may be further reduced by five (5) feet for corners of buildings or parking areas when the angle formed by extended lines of the building or parking lot intersecting with the street are between 30° and 60°. (Amended 1993)

305-12.1. Setback from Abutting Single Family Residential Zones for Two-Story Structures

The interior yard setback for all structures greater than one story, or twenty (20) feet, shall be one hundred (100) feet, measured from the property line of abutting land that is zoned AR-1, RD-1, RD-2, RD-3, RD-4, RD-5, RD-7, RD-10, RM-1, R-1-A, R-1-B, or any interim estate zone, or any Special Planning Area with single-family, or two-family, residential as a principle use, unless an exception is obtained from the appropriate authority. (Amended 6/96)

305-12.2. Setback from Abutting Single-Family Residential Zones for Structures less than Two Stories in Height and for Internal Access Drives and Parking Facilities

When wooden fences are used the interior yard setback for all structures less than two stories, or twenty (20) feet in height, parking spaces, carports and internal access drives shall be twenty-five (25) feet, measured from the property line of abutting land that is zoned AR-1, RD-1, RD-2, RD-3, RD-4, RD-5, RD-7, RD-10, RM-1, R-1-A, R-1-B, or any interim estate zone. A six (6) foot high masonry wall with a ten (10) foot wide landscaped planter may be provided in lieu of the twenty-five (25) foot setback. (Amended 3/24/99)

305-12.3. Interior Setbacks for All Situations Not Covered by Section 305-12, 305-12.1 and 305-12.2

In all other cases, the setback requirement shall be as set forth in Section 305-14 as it relates to the building height.

305-13. Replaced by 305-12 (a)

305-13.1. Setback for Trash and Recycle Containers and Enclosures

All trash and recycle containers and enclosures shall be located within an enclosed masonry area with a surrounding wall at least six (6) feet high and no higher than eight (8) feet, with appropriate solid gate. The gate shall not be visible from the public street and shall be constructed with metal posts to withstand heavy use. The enclosure shall be consistent in architecture with the project in which it is located. Enclosures for trash and recycle containers shall be located thirty-one (31) feet from any public street, fifteen (15) feet from the edge of pavement of a private street, and twenty-five (25) feet from any residential zoned property line. Adequate access for refuse pick-up shall be provided. (Amended 1993) (Amended 6/96) (Amended 2/2010)

305-13.1.5. Area for Recycle Containers and Enclosures

There shall be an area provided for recycle containers and enclosures. Recycling enclosures shall be located for functional use by occupants and by the disposal and hauling companies providing collection services. The appropriate authority shall allow flexibility to the above requirements to facilitate the siting and provision of adequate space allocations for recycling collection and storage areas. (Amended 1993)

305-13.2. Setback for Air Conditioning and Mechanical Equipment

All equipment related to the air conditioning of buildings shall be located thirty-one (31) feet from a public street and twenty (20) feet from any property line. Equipment whether on the ground or on roofs shall be screened from public view. (Amended 6/96, 4/17/02) (Amended 2/2010)

305-13.3. Perimeter Fences

A solid wood or masonry fence, with a minimum height of six (6) feet, shall be provided and maintained along the interior property lines of any multiple family project, as regulated by this Article. On that portion of the property 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 highest point on either side of the fence. Fence height 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. Solid wood fences shall be constructed with redwood, cedar or similar premium grade wood. Fence posts shall be of metal or pressure treated Douglas Fir. (Amended 2/88) (Amended 6/96)

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, except that buildings may project into the required open space area if an equal compensating area is provided within the same yard area. Computations of area may be based on portions of buildings and their associated stories: (Amended 6/96, 4/17/02)

(a) One (1) Story Building. Ten (10) feet.

(b) Two (2) Story Buildings. Fifteen (15) feet.

(c) Three (3) Story Buildings. Twenty (20) feet.

(d) Carports open on all sides may be installed above parking spaces that are designed and located in compliance with regulations in effect at the time of carport installation. Freestanding garages and carports that are not open on all sides shall meet standard building setback requirements as set forth herein. For purposes of this section a building face shall be considered open if less than 10% of solid material is installed between the bottom of the primary roof support member and a line located two (2) feet above the parking surface.

(e) Accessory structures, such as recreational facilities, laundries, patio covers, and storage buildings shall meet standard setback requirements as set forth herein.

(f) Accessory features for the use and comfort of all tenants such as free standing shading devises and walkway trellises are not subject to the building open space or lot coverage requirements, but must meet all other development requirements.

(g) 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.

(h) 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. (Amended 11/90)

305-15. Maximum Number of Attached Dwelling Units

There shall not be more than eight (8) dwelling units in each group of attached dwellings when any portion of such building is located within 100 feet of any property zoned AR-1, RD-1, RD-2, RD-3, RD-4, RD-5, RD-7, RD-10, RM-1, R-1-A, R-1-B, or any interim estate zone. (Amended 11/90)

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 firefighting 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 only 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.

(c) Provide a turnout at entrances with a directory board and building number and addresses, as required in Section 305-18(c). When there are less than twenty (20) units in the project, these requirements may be waived by the Planning Department, based on a recommendation from the appropriate Fire District.

(d) Lighting shall be engineered so as not to produce direct glare or "stray light" on adjacent properties. When located adjacent to any property zoned AR-1, RD-1, RD-2, RD-3, RD-4, RD-5, RD-7, RD-10, RM-1, A-1-A, A-1-B, or any interim estate zone, perimeter lighting shall be designed such that the source of the lighting is not visible from adjoining properties.

(e) Tot lots for children shall be provided and indicated on submitted plans.

305.16.5. Architectural Standards

In addition to any other development standards set forth in this Article, the following architectural standards shall be complied with:

(a) Roofing. All buildings shall be constructed with pitched roofs. Roofing materials shall consist of a minimum of 20-year dimensional composition asphaltic shingle, tile, concrete or

similar material. Recessed areas not visible from the ground are permitted for the purpose of placing mechanical equipment.

(b) Siding. Buildings shall not be constructed using T-111 or similar low-grade siding material.

(c) Building Elevations--Unit Identity. For buildings with exterior entrances to the dwelling units, entries shall be covered and/or have individual porches where feasible. Buildings shall be designed to create separate identity of units, including, but not limited to, varied setbacks, window treatments, building materials, and roofs. Continuous fascia gutters shall be provided. (Amended 6/96)

305-17. Landscaping

(a) Landscaping provided shall be cared for, maintained and appropriate permits shall be acquired as specified in Title III, Chapter 1, Article 6 of this Code.

(b) 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.

(c) The setback areas between all parking areas and the public street, except for sidewalks and driveways, shall be landscaped from the edge of pavement to the building and/or parking area with live turf, groundcover, shrubs, mounds, and trees such that vehicles located within the parking areas are screened from view as seen from the public street within five (5) years of planting.

(d) Tree Shading. The landscaped area between the public street and the structures and/or parking areas shall include shade trees from the County Tree List and be placed so as to cover fifty percent (50) of the total landscape area with a canopy within fifteen (15) years of planting. Thirty percent (30) of the trees shall be evergreen.

(e) Parkways And Sidewalks. Sidewalks, except at street intersections, existing sidewalks and bus turnouts, may meander from a minimum of zero (0) feet to a maximum of twenty (20) feet from the edge of pavement. The parkway area between the public street and the sidewalk shall be landscaped and planted with a street tree at least every fifty (50) feet. The parkway shall be a minimum of six (6) feet in width if the street right-of-way is less than 39 feet and eight (8) feet in width if the street right-of-way is greater than 39 feet. (Amended 2/2010)

305-17.5. Storage

A storage unit with a minimum area of twelve (12) square feet shall be provided for each dwelling unit. This requirement may be met by providing a fenced area on the ground level, or by an enclosed floor-to-ceiling area outside of the dwelling unit. The minimum useable height of the storage area shall be six (6) feet. (Amended 6/96)

305-18. Personal Safety

In addition to any safety and security requirement in the Uniform Building Code as adopted by the County, including local amendments, all projects shall comply with the following minimum requirements:

(a) Exterior Doors/Windows. All exterior perimeter doors of a dwelling unit and/or the building other than sliding glass doors shall:

(1) Be solid core doors (windows as provided in (4), below).

(2) Have a minimum one-inch deadbolt lock with hardened, rotating tapered, external cylinder guard collar.

(3) Have a 180° optical door viewer, located between 52 and 58 inches above the finish floor, except where it can be demonstrated that a lower height is appropriate (handicapped unit under CHFA).

(4) Not have a window within 40 inches of the locking device (unless acrylic plastic, or poly carbonate sheeting is installed over the interior of the window).

(5) Side jambs of door frames shall be nailed to the door trimmers with #16 finish nails staggered 12 inches on-center, and door trimmer shall be nailed to the stud with #16 finish nails 12 inches on center or equal.

(b) All sliding glass doors and windows shall have a primary locking device supplemented by a factory installed auxiliary locking device. Each door or window shall be equipped to prevent lifting or prying.

(c) Addressing shall be as provided, as outlined below:

(1) Of a color which contrasts with background colors.

(2) Illuminated at night.

(3) Located in such a manner that emergency service providers would not have to enter alcoves, recessed doorways, etc., to inspect each door (i.e., displayed at each walkway entrance to individual building clusters).

(4) Be at least 4 inches in height for individual units and 6 inches for the project and the range of addresses posted on each building.

(5) Include illuminated directory at each driveway entrance constructed of vandal-resistant material. The lettering, numbering and diagrams shall be large enough so that the driver of a vehicle can read the directory from the driver's seat. Additionally, there shall be a pullout from which to view the driveway, so as not to obstruct the traffic flow.

(6) All addressing, including directories, shall be installed prior to occupancy.

(7) Assigned parking shall not be addressed to correspond.

(8) Where multiple dwellings are serviced by vehicular access to the rear through any driveway, alleyway or parking lot, addressing shall also be displayed so as to be visible from the vehicle and provide adequate direction.

(d) Laundry rooms, recreational buildings, other separate or common indoor facilities shall be:

(1) Provided with locksets of the type required by the Uniform Building Code.

(2) Separate laundry rooms shall be maintained locked, with access keys provided to the tenant and shall be illuminated during hours they are open.

(3) Multipurpose laundry, office, restrooms and recreations rooms shall be under the control of the management, and shall:

(aa) Post the hours available for use in a conspicuous place.

(bb) The facility and/or the building shall be locked when not available.

(cc) The building shall be illuminated during open hours and be controlled by timer or photo cell, except when a management person is on duty.

(e) Lighting. In addition to exit illumination (includes exit doors, corridors, exterior balconies, stairs exit courts and exit passage ways), which is required to be not less than one foot candlepower at the floor level by the Uniform Building Code, Section 3313, the following shall also apply:

(1) Illumination shall be 0.25 footcandles at grade level for surface areas of alcoves, walkways, and yards other than required for exits;

(2) One foot candlepower at floor level for open parking areas and carports;

(3) All lights shall be placed on a timer or photo electronic cell capable of turning the lights on and off one-half hour prior to dawn and one-half hour past dusk;

(4) Care should be taken in design of the illumination system to avoid stray light to adjacent properties.

(f) Parking Assignment. Every effort shall be made to assign parking in such a manner as to allow tenants visibility of assigned stalls.

(g) Fire Safety

(1) Provide water supply (minimum fire flow) to the approval of local Fire Marshal (UFC).

(2) Provide access and fire hydrant(s) prior to site construction to satisfaction of local Fire District.

(3) Fire protection equipment shall be provided and maintained to satisfaction of local Fire Marshal.

(h) Roof ladders shall be protected so as to limit access to building roof tops.

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.

305-19.5. Management and Maintenance

All development standards shall be continuously met for every project. Buildings and premises, including paint/siding, roofs, windows, fences, parking lots, and landscaping shall be kept in good repair. Premises shall be kept free of junk, debris, and abandoned vehicles. If complaints are received regarding lack of maintenance as it relates to the provisions of this article, the following process shall be followed:

(a) Initial investigation and written report by the Planning Department.

(b) Referral to Nuisance Abatement Committee.

(c) The Committee may determine that no violation exists.

(d) If the Committee determines that there is a violation, the owner may be required to submit a maintenance plan outlining how compliance will be achieved.

(e) Any appeal of the determination of the Committee shall be made to the Board of Zoning Appeals.

(f) If the required improvements are not made in accordance with the maintenance plan, the Committee shall forward the matter to the Board of Zoning Appeals for further corrective action. (Amended 6/96)

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.

305-22. Walls

When walls are required, refer to Title III, Chapter 1, Article 5, Section 301-60.

305-24. Application for a Special Development Permit for Alternative Design

When it is determined that the project does not meet the required Code development standards, the applicant may make application for a Special Development Permit for an alternative design, to be heard by the appropriate authority. It is recognized that there are many design alternatives to the standards contained herein that create a quality and compatible project.

The purpose of the Special Development Permit is to provide for high quality multi-family housing. When considering a Special Development Permit, the appropriate authority shall consider the following criteria:

(a) Facilitate the design of quality multifamily development within a framework that promotes creativity;

(b) Create visual interest and variety in the streetscape;

(c) Foster the creation of residential neighborhoods with automobile, bicycle and pedestrian connections, opportunities for neighbors to meet neighbors, and a strong sense of community;

(d) Integrate new development with existing neighborhoods, wherever possible, through automobile, bicycle and pedestrian connections combined with appropriate neighborhood traffic calming measures for safety and security of residents;

(e) Maintain an appropriate scale and pattern of development that is compatible with existing neighborhoods and fosters social interaction;

(f) Minimize impacts related to privacy and shadows to existing residences and open spaces;

(g) Provide adequate, usable, safe and high quality common and private amenity areas;

(h) Minimize impacts to significant natural features such as heritage trees, trails and creeks.

(i) The maximum number of large oak trees can be saved.

305-25. Rehabilitation of Existing Multiple Family Projects

Existing projects that do not meet present Code requirements may be completely restored or rebuilt, subject only to development plan review by the Planning Director for the purpose of assuring the following:

(a) The number of units is not increased.

(b) The size of the buildings is not increased.

(c) The general footprint of the existing buildings is maintained.

(d) Existing units may be converted and/or rebuilt to ancillary uses such as recreation buildings and child care center when the use is restricted to the residents of the project. New structures for such ancillary uses may also be provided when the existing required parking and landscaping is not decreased. Any new structures or exterior modifications to existing structures shall comply with the Architectural Standards (Section 305-16.5) to the extent feasible. (Amended 6/96)

ARTICLE 4: 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 II, 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-nine (29) feet from the edge of the street right-of-way. (Amended 2/2010)

305-52. Lot Area

(a) Duplexes. See Title II, 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 duplex 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

Except as provided in Section 305-55.2 relating to duplexes and halfplexes located on corner lots, no building or structure, nor the enlargement of any building or structure, shall be erected unless the following yards are provided and maintained. For purposes of interpretation and applying this section to halfplex structures, the two adjoining halfplex lots shall be considered a single lot, and the two adjoining halfplex units shall be considered a single structure. No setbacks are required from the property boundary dividing the two halfplex lots/units.

(a) Front Yard. (1) For attached sidewalks, there shall be a front yard of not less than twenty-four (24) feet, measured from the right-of-way. (2) For detached sidewalks, the minimum

front yard setback will be 24 feet for livable area of the house and/or porches from the right-of-way. (3) If sidewalks do not exist, the setback shall be 24 feet from the street right-of-way. The garage shall be setback a minimum of 19 feet from the back of future sidewalk. (Amended 2/2010)

(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) 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) The main building may project into the required rear yard provided that an equal area is provided as a yard or court within the buildable portion of the lot.

(4) 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.

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.

305-55.2. Yards on Corner Lots

No building or structure, nor the enlargement of any building or structure, shall be erected on a corner lot unless the following yards are provided and maintained. In the case of halfplexes, the property boundary which creates the two halfplex lots/units, shall not be considered in determining building setbacks. A drawing illustrating the required setbacks and open space requirements shall be provided.

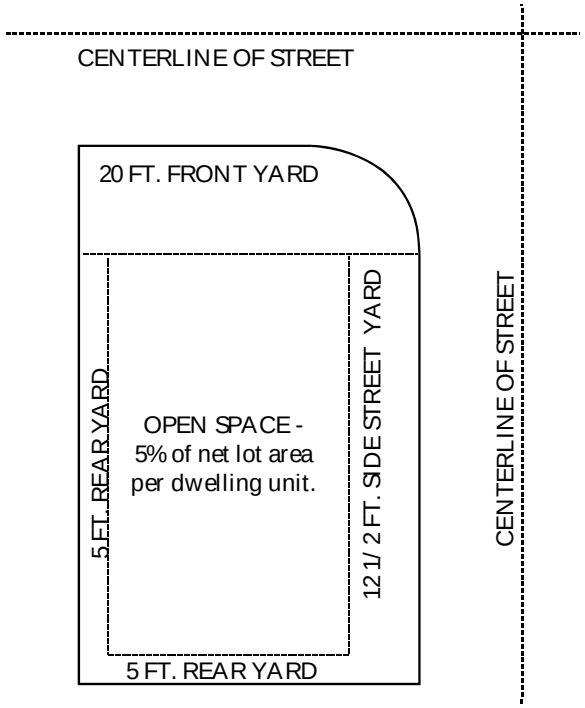
(a) Front Yard And Side Street Yard. There shall be a front yard of not less than twenty-four (24) feet with a garage setback of nineteen (19) feet minimum from the back of the sidewalk. (Amended 2/2010)

(b) Interior Side Yard And Rear Yard. There shall be an interior side yard and rear yard 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) Minimum Open Space In Buildable Areas. Each lot shall provide and maintain a minimum open space area within the buildable portion of the lot equivalent to five (5) percent of the

net lot area for each dwelling unit. In the case of halfplexes, each halfplex lot shall provide the minimum open space required by this Section.

(d) Illustration Of Required Setbacks And Open Space Requirements.



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 percent (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--our (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.

ARTICLE 5: 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 forty-eight (48) feet or greater. (Amended 2/2010)

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 thirty-one (31) 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. (Amended 2/2010)

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.

ARTICLE 6: 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) Habitable Accessory Structures.

(1) Guest house

(2) Accessory mobilehome

(3) Residential accessory dwelling (see Section 305-83)

(b) Ancillary Accessory Structures.

(1) Detached garage and carport

(2) Storage shed

(3) Detached covered patio and deck

(4) Workshop

(5) Greenhouse

(6) Swimming pool and spa

(7) Cabana or similar recreation facility

(c) Miscellaneous Accessory Structures And Uses.

(1) Enclosures for swimming pool or spa equipment

(2) Uncovered decks

(3) Fences

(4) Miscellaneous recreation structures not including portable equipment is regulated under Section 305-83.2 for Accessory Uses/General. (Revised 4-26-2000)

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. Accessory structures are not permitted until the primary structure is present.

305-82. General Regulations

Unless specifically provided in this Code, the following regulations shall pertain to all accessory structures listed in Section 305-80 constructed, enlarged, or otherwise modified after January 12, 1985.

(a) Height. Unless otherwise specified in this Article, accessory structures shall not exceed fourteen (14) feet in height measured from the grade to the plate line of the structure and shall not exceed one story or sixteen (16) feet in height overall.

(b) Area. The total square footage of all accessory structures on a single parcel, except residential accessory dwellings and swimming pools, shall not exceed fifty percent (50) of the habitable floor area of the primary residential dwelling on the same parcel. Exceptions to this area requirement are subject to the issuance of a conditional use permit by the Zoning Administrator.

(c) Building Coverage. Not more than thirty percent (30%) of the required rear yard shall be occupied by accessory buildings. For the purpose of this calculation, all enclosed or roofed space shall be counted as space occupied by accessory buildings.

(d) Number Of Habitable Accessory Structures. Only one habitable residential accessory structure, as described in Section 305-80, shall be permitted on a parcel.

(e) Setbacks. Except as otherwise provided herein, accessory structures shall maintain the setbacks as shown in the following Table 305-83.2.

305-83. Residential Accessory Dwelling Regulations

The following regulations shall pertain to all residential accessory dwellings constructed, enlarged, or otherwise modified after July 1, 2003. Deviations from standards (c) through (k) below may be permitted by the Zoning Administrator in conjunction with a request for conditional use permit. (Amended 05/28/03)

(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 residential accessory dwelling shall be permitted on any lot. (Amended 05/28/03)

(c) Parking. Parking requirements for second units shall be one parking space per bedroom. Additional parking may be required provided that a finding is made that the additional parking requirements are directly related to the use of the second unit and are consistent with existing neighborhood standards applicable to existing dwellings. (Amended 05/28/03)

(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 Public Works.

(e) Setbacks. Front, rear, side, and side-street 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) Height. The appropriate authority may approve a residential accessory dwelling which exceeds the height regulations of Section 305-82 (a) provided the proposed height will not adversely affect adjoining residentially zoned property, and further provided that the residential accessory dwelling does not exceed the allowable height of the primary residential structure on the lot.

(g) Sewer And Water. Public sewer and water facilities shall be provided in the RD zones.

(h) 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.

(i) Maximum Floor Area. Accessory dwellings shall not exceed 400 square feet in habitable floor area. Larger floor areas may be considered via the use permit process, but in no event larger than 1,200 square feet of habitable floor area. (Amended 05/28/03)

(j) 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.

(k) Attached Units. Attached units shall share entrances with the primary unit, and shall be clearly incidental and subordinate architecturally to the primary unit. (Amended 05/28/03)

305-83.1. Residential Accessory Dwelling Use Permit Criteria (Amended 05/28/03)

The following criteria shall be given consideration when acting on conditional use permits for Residential Accessory Dwellings: (Amended 05/28/03)

(a) Lot Area. Lot size relative to the surrounding pattern of development and neighborhood. (Amended 05/28/03)

(b) Number Of Accessory Units. Only one residential accessory dwelling shall be permitted on any lot. (Amended 05/28/03)

(c) Parking. Additional parking may be required provided that a finding is made that the additional parking requirements are directly related to the use of the second unit and are consistent with existing neighborhood standards applicable to existing dwellings. (Amended 05/28/03)

(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 Public Works. (Amended 05/28/03)

(e) Setbacks. Front, rear, side, and side-street 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) Height. The appropriate authority may approve a residential accessory dwelling which exceeds the height regulations of Section 305-82 (a) provided the proposed height will not adversely affect adjoining residentially zoned property, and further provided that the residential accessory dwelling does not exceed the allowable height of the primary residential structure on the lot. (Amended 05/28/03)

(g) Sewer And Water. Public sewer and water facilities may be considered subject to Environmental Health approval. (Amended 05/28/03)

(h) Maximum Floor Area. Larger floor areas may be considered via the use permit process, but in no event larger than 1,200 square feet of habitable floor area. (Amended 05/28/03)

(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. (Amended 05/28/03)

305-83.2. Setback Chart (Amended 2/2010)

MINIMUM SETBACK FROM					
Accessory Use	**Front Property Line**	**Side Street Property Line**	**Side Property Line**	**Rear Property Line**	**Primary Building**
General	24 feet	16 1/2 feet	(6) 3 feet	(6) 3 feet	(7)
Accessory Mobilehome	24 feet	16 1/2 feet	5 feet	10 feet	10 feet
Swimming (1) Pool or Spa	(1)	(1)	(2) 3 feet	(2) 3 feet	None
Fences: -Six (6) feet or less in height -Over six (6) feet in height	None (3)	None (3)	None (3)	None (3)	None (3)
Pad, less than eight (8) inches tall	None	None	None	None	None
MAXIMUM PERMITTED "ENCROACHMENT" INTO REQUIRED YARD AREAS					
Swimming Pool or Spa Equipment	(4) 5 feet	(4) 5 feet	3 feet	3 feet	N/A
Air Conditioning Equipment	(4) 5 feet	(4) 5 feet	0 feet	0 feet	N/A
Other Mechanical Equipment	(5) 5 feet	(5) 5 feet	(5) 5 feet	(5) 5 feet	N/A N/A

(Amended 1993) (Amended 3/24/99)

(1) Swimming pools and spas may not be located: a) within the required front or side street yard; b) within a recorded setback except the rear yards of through lots unless otherwise prohibited by a recorded subdivision map; c) within a public utility easement; d) or within a public easement. The provisions herein shall not affect requirements of SPA zones.

(2) The Chief of the Building Inspection Division may approve setbacks of less than three (3) feet. For the purpose of this Section, setback shall be from the right-of-way or property line to the water line.

(3) Fences over six (6) feet in height are permitted on interior property lines upon the grant of a conditional use permit by the Zoning Administrator. Fences over six (6) feet in height are permitted when setback three (3) feet from an interior property line, after first securing an approved building permit. Fences over six (6) feet in height are prohibited in required front and side street yards, except as required by Section 301-61. Fence height may be modified by a condition of approval where the appropriate authority finds that different screening requirements are necessary.

(4) Provided said equipment is within a solid fenced yard or enclosure.

(5) Provided equipment shall be no closer than two (2) feet from any property line.

(6) Accessory structures must maintain a minimum three (3) foot setback from property lines for any portion of the structure, except that smaller structures or sheds which do not exceed 120 square feet in area and 9 feet in height overall may be placed on the property line.

(7) There is no required distance between an accessory structure and a primary building/dwelling; however, when the distance is less than six (6) feet the accessory structure must meet the same setbacks from the property line as required for the primary structure. (Amended 1993) (Amended 1997) (Amended 3/24/99)

305-84. Location – Accessory Mobilehomes

Accessory mobilehomes shall not be located:

(a) Within twenty-four (24) feet of the front property line. (Amended 2/2010)

(b) Within sixteen and one/half (16 ½) feet of the side street property line. (Amended 2/2010)

(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.

(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. (Amended 3/24/99)

305-87. Location – Mechanical Equipment Other than Swimming Pool, Air Conditioning Equipment and Spa Equipment

Mechanical equipment other than swimming pool, air conditioning 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.

ARTICLE 7: 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 nontechnical 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 and Community Development Department. The questionnaire shall direct the tenant to return the completed form directly to the County Planning and Community Development 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.

305-99. 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 90 days from the date of issuance of subdivision public report by the State Department of Real Estate unless the tenant gives prior written notice of intention not to exercise the right. 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. The required relocation assistance shall be applicable to all units from the date of final approval of the use permit to the closing of escrow for the final unit in the project.

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:

(aa) Fifty-nine (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.

(bb) Fifty-nine (59) years when the tenant is elderly or handicapped with a moderate income or greater. Rents may be increased at the prevailing market rate.

(cc) 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 overcrowding 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 and 305-116) 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.

305-116. 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 percent (5%); provided, that a use permit may be approved where the vacancy rate is equal to or less than 5 percent (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.

305-117. Lapse of Use Permit

Pursuant to Section 110-33, an approved conditional use permit, if not used for the purpose for which it was granted, shall lapse three years following the date on which the permit became effective. Since the regulations related to condominium conversions are unique in that, one, measures come into place with the filing of the application for the use permit; two, in terms of the financial obligations related to eligible tenants and; three, rental limitations, the following provision shall apply to use permits for condominium conversions:

A use permit shall be deemed in effect if, within three (3) years from the date of approval, one of the following occurs:

(a) A final subdivision map is recorded for all or a portion of the property involved in the use permit, or

(b) Pursuant to the approved Relocation Assistance Plan, written evidence has been filed with the Planning and Community Development Department that more than ten percent (10%) of eligible tenants have been relocated.

305-118. Right to Terminate Conversion

Within three (3) years of the approval of a use permit for a condominium conversion or pursuant to Section 305-117, after the use permit is in effect, the applicant may elect not to pursue the completion of all or part of the approved conversion. Upon the acceptance of a notice of termination by the approving authority, along with evidence that all remaining eligible tenants have been notified in writing, the conditional use permit shall be deemed lapsed and void. Acceptance of the notice of termination shall be an administrative authority of the Director of Planning and Community Development. Such acceptance shall be by a written notice of acceptance which may be withheld to such time as the Director is assured that any required tenant obligations incurred during the preconversion process have been satisfied.

ARTICLE 8: 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.

305-200.5. Purpose

It is the purpose of this Article to:

(a) Recognize the home as a viable location for certain types of occupations, and

(b) To ensure the compatibility of home occupations with the principle residential uses in order to protect the integrity and character of neighborhoods, and

(c) Minimize noise, traffic nuisances, hazardous material usage, and other possible effects of commercial uses being conducted in residential areas.

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 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) Deleted

(l) No process is used which is hazardous to public health, safety, morals, or welfare;

(m) Visitors, customers, or deliveries shall not exceed that normally and reasonably occurring for a residence, including not more than one business visitor an hour and eight a day, and not more than one delivery of products or materials a week.

(n) No more than one home occupation shall be permitted per residence.

(o) Storage of hazardous materials is limited to below those thresholds as established by the local Fire Districts which do not require any special permits or licenses. (Amended 6/95)

305-201.3. Examples of Permitted Home Occupations

The below listed uses are a sample of some types of home occupations which may be permitted. The list is not intended to be all inclusive, but intended to give the intent and direction of this Article. In all cases, these uses are subject to the conditions of Section 305-201.

(a) Architectural service

(b) Art restoration

(c) Consulting services

(d) Data processing

(e) Direct sale product distribution (Amway, Avon, Jaffra, Tupperware, Herbalife)

(f) Engineering service

(g) Flower arranging

(h) Insurance sales or broker

(i) Interior design consultant

(j) Jewelry making; jeweler

(k) Real Estate sales or broker

(l) Telephone answering, switchboard, call forwarding

(m) Typing, word-processing service

(n) Wallpapering

(o) Watch repair

(p) Writing, computer programming

305-201.5. Restricted Home Occupations

The following specific home occupation uses shall be permitted, subject to further limitations as follows:

(a) Beauty/barbershops limited to one operator only.

(b) Contractors and subcontractors offices are permitted 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.

(c) Furniture repair and restoration shall be limited to one occupant of the dwelling on a part-time basis, subject to approval of Building Inspection and Fire Marshal, as applicable. There shall be no pickup or delivery at the location by the public.

(d) Assembly, repair, or reconstruction of small electronic, mechanical or garden equipment (including lawnmowers), or small household appliances, shall be limited to one occupant of the dwelling on a part-time basis, subject to the approval of the Chief Building Inspector and Fire Marshal, as applicable. There shall be no pickup or delivery at this location by the public. All testing of equipment shall be performed within an enclosed building. All equipment or appliances assembled, repaired, or reconstructed, pursuant to this Section, shall not exceed six (6) feet in height, length or width, one-hundred (100) pounds in weight, or five (5) horsepower. No more than twelve (12) pieces of equipment, in any condition, shall be on-site.

(e) 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.

(f) 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.

(g) Private lessons, on a part-time basis, providing individual instruction in academic subjects, athletics, the arts, crafts, or other similar discipline, provided that only one student may be present for instruction or practice at any time.

(h) Taxicab, limousine, or pedicab service, provided that a vehicle parked at, or near, the residence shall not be on-call and available for service; no vehicle shall be dispatched from the residence by radio, telephone, or other means, but may be parked at the residence when

not in service. The activity associated with the service shall only occur at the residence between the hours of 7:00 a.m. to 9:00 p.m. No more than one vehicle may be parked at, or near, the residence, except that a conditional use permit may be approved by the Zoning Administrator to allow one additional vehicle to be parked or stored at the residence.

(i) Shoe Repair, on a part-time basis, providing that no more than eight (8) visitors a day either drop off or pickup such items. No sales of any kind are permitted. The use will not be conducted in such a fashion as to constitute either a public or private nuisance.

(j) Certified massage practitioner as a home occupation (incidental to the residential use only) is permitted if all the following criteria are met:

(1) Only one client is on-site at a time and by appointment, only.

(2) The use shall be conducted on a part-time basis.

(3) The practitioner must have a certificate of training from a State-approved school (Department of Education, Office of Post-Secondary Education).

(4) The use will not be conducted in such a fashion as to constitute either a public or private nuisance.

(k) Gardening, landscape maintenance (part-time)

(l) Home crafts (including ceramics with kiln up to six cubic feet) part-time)

(m) House cleaning service (part-time)

(n) Sales representative (office only)

(o) Swimming pool cleaning (part-time)

(p) Dressmaking, sewing, tailoring, contract sewing (one operator)

(q) Locksmith (part-time)

305-202. Prohibited Uses

The following uses are expressly prohibited as home occupations:

(a) Ambulance Service

(b) Ammunition reloading, including custom reloading

(c) Boarding house, bed-and-breakfast hotel, time share condominium

(d) Carpentry, cabinet makers

(e) Ceramics (kiln of six cubic feet or more)

(f) Churches, religious instruction

(g) Health salons, gyms, dance studios, aerobic exercise studios

(h) Medical, dental, chiropractic, or veterinary clinics

(i) Mortician, hearse service

(j) Palm reading, fortune telling

(k) Private clubs

(l) Repair, or reconditioning, of boats or recreation vehicles

(m) Restaurants or taverns

(n) Retail sale from site (except direct distribution and artists originals).

(o) Storage, repair or reconditioning of major household appliances, including refrigerators, freezers, clothes washers and dryers, dishwashers, stoves, heating and air condition equipment.

(p) Storage, repair or reconditioning of motorized vehicles or large equipment on-site.

(q) Tattoo service

(r) Tow truck services

(s) Veterinary uses (including boarding) but excluding "mobile veterinarians" (Amended 4/17/02)

(t) Welding Service (office only)

305-203. Part-time Home Occupation

Any home occupation which is permitted on only a part-time basis shall be limited to a maximum of 32 hours per week and 8 hours per day. Operating hours shall not begin before 7:00 a.m. or extend later than 9:00 p.m.

305-204. Conditions

The Director or his designee shall be authorized to recommend that reasonable conditions be imposed on any home occupation if such conditions are necessary to meet the intent of this Article. Recommended conditions shall be attached to the business license of the home occupation as provided in Sacramento County Code Section 4.06.090.

ARTICLE 9: 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.

ARTICLE 10: URBAN BEEKEEPING

305-220. Application

Urban beekeeping is allowed only if all four of the following conditions are met and maintained:

(a) The hive(s) owner must maintain current registration status of the bee colony(s) with the Sacramento County Agricultural Commissioner in compliance with applicable State Statutes, including required hive movement notices. Any colony that is not properly registered shall be removed from the property and may not be returned to the property for at least six (6) weeks from the date of registering the colony at another site.

(b) The hive(s) owner must be a resident in a dwelling that is located on the same parcel of land on which hive(s) is registered.

(c) The hive(s) location and physical set-up arrangement on the property must be in conformance to the performance standards set forth in Section 305-221 of the Code. In addition, nuisance behavior by bees may require the hive owner to take remedial actions upon notice by Sacramento County. Procedures for such notice are set forth in Section 305-221. Failure to comply with specified remedial actions will constitute a violation of the Zoning Code for enforcement purposes.

(d) Urban beekeeping is allowed only on property which has not been declared as a location where bee hives are potentially a hazard to public health and safety. Procedure for declaring property where urban beekeeping is not allowed is set forth in Section 305-221. Those procedures may require removal of all bee colonies from the property through no direct fault of the beekeeper but because a health or safety situation has been shown to exist. Once property has been declared unsafe for urban beekeeping, it shall not be legal to maintain bees on that property until such status is removed from the property in writing.

305-221. Withdrawal

Urban beekeeping privileges may be withdrawn from any property by written notification to the property owner by the Sacramento County Zoning Administrator. Withdrawal must be done with cause, however, the cause need not be the fault of the beekeeper, nor be a factor that is under the control of the beekeeper. Any condition or combination of circumstances which, in the opinion of the Zoning Administrator jeopardizes endangers or otherwise constitute an actual, potential or perceived menace to public health or safety will constitute valid cause to withdraw license to keep bee colonies on the property. Such withdrawal may be appealed to the Board of Zoning Appeals. Once any property owner has been noticed of withdrawal of privilege to keep bee colony(s) on a particular property, such privilege may be reestablished only upon written request and approval of the Zoning Administrator.

(a) Written documentation over a medical doctors signature certifying that the medical condition caused by beestings to a resident of abutting property would constitute a higher than normal death threatening or hospitalization event will constitute sufficient cause to withdraw the privilege of urban beekeeping from any specific property.

(b) Abnormally aggressive behavior by bees toward defending their hive beyond the property lines may constitute sufficient cause to withdraw the privilege of urban beekeeping from any specific property.

305-222. Performance Standards

(a) There shall be no more than two (2) bee colonies established on the property, except two (2) additional temporary colonies are allowed for hive separation or new swarm establishment purposes. Such temporary colonies shall be removed from the property within two (2) weeks.

(b) Colonies shall be placed in the rear yard of the property and in no case shall the hives be closer than 25 feet from a public or private street or 15 feet from abutting property.

(c) A permanent fresh water source shall be maintained within 15 feet of the hives.

305-223. Bee Advisory Committee

The activities of bees may create a nuisance to other properties in the neighborhood. For this reason, this ordinance establishes Bee Advisory Committee to provide a source of expertise and a procedure for utilizing that source to enhance the education of beekeepers in general and to provide assistance to the County in mitigating nuisance problems that may occur.

(a) Purpose of Bee Advisory Committee:

The purpose of the Bee Advisory Committee is educational and advisory only. Any official County actions shall be through the established authority of the Zoning Administrator with or without the recommendation of the Committee the Zoning Administrator may request the Committee to investigate any alleged nuisance situation, and with expressed permission of the beekeeper or other involved property owners may investigate, give advice and recommendation to the beekeeper and recommend appropriate actions to the Zoning Administrator.

(b) Composition of the Bee Advisory Committee:

Zoning Administrator will initially appoint a volunteer chairperson who will then establish and maintain a list of volunteer members. Subsequently, the Committee may establish its own procedures for conducting activities including appointing a chairperson.

(c) While recommendation made by the Committee need not be limited, the following are examples of actions that may be appropriate.

(1) Requeening the colonies.

(2) Replacement of colonies.

(3) Design and placement of hives and watersource.

(4) Removal of hives for specific period of time.

(5) Baffling and shielding of hives or features to change flight patterns.

It is not the intent of this ordinance, that Committee be involved with any of the Zoning Administrators actions concerning health or safety issues as set forth in Section 305-221. Appropriate actions is those cases shall be based on the recommendations of medical doctors.

ARTICLE 11: SINGLE ROOM OCCUPANCY RESIDENTIAL FACILITIES

305-230. Intent

It is the intent of these provisions in the Zoning Code to allow the development or conversion of Single Room Occupancy residential units in the RD-20, RD-25, RD-30, RD-40 and GC zones if development standards and locational requirements as defined and set forth below are met. The provision of this type of living quarters is expected to provide affordable housing opportunities and diversity in the County housing stock, as set forth in the Housing Element of the Sacramento County General Plan.

305-231. Development Standards

(a) Common Dining, Lounge or Meeting Room Facilities: Unless cooking facilities are provided in all rooms, SRO buildings shall provide one or several common dining, lounge or meeting room facilities. The minimum total amount of common space provided shall be 10 square feet per unit with a minimum of 150 square feet. A maximum of 50% of the required common space can be exterior designated areas.

(b) Facility Size: The maximum number of SRO's in one facility shall not exceed 125 units excluding manager's unit. A use permit from the Board of Supervisors is required to exceed the 125-unit maximum count in one facility. For conversion of an existing structure to an SRO facility, the same 125-unit maximum count shall be utilized. If a converted facility exceeds 125 units, a use permit from the Board of Supervisors is required.

(c) Security: Applicants shall consult with the Sheriff's Department Community Resources Bureau for advice on security measures prior to submitting an application for Development Plan Review. The Planning Department shall obtain recommendations from the Sheriff's Department prior to approval of development plans. The Sheriff's Department recommendations may address, but are not limited to:

(1) locations for Closed Circuit TV (CCTV) units (these units may be monitored or taped as required)

(2) location and design of entrances into the facility, including visibility of the entry way/lobby from outside of the building

(3) alarms on exit doors

(4) type of locks (for the overall facility and for individual rooms)

(5) optical viewers (peep holes)

(6) lighting

If either the Sheriff's Department or the applicant do not agree with the Planning Director's action on the Development Plan Review application as it pertains to security measures, the Planning Director shall forward the application to the Project Planning Commission. The Project Planning Commission's deliberations shall be limited to review and determination of the security measures to be incorporated into the project, and that determination with respect to security measures shall be final. The Commission shall then remand the application back to the Planning Director for final action.

(d) Manager's Office:

(1) Facilities with 16 units or more shall be required to have a 24-hour desk staffed service.

(2) Facilities with over 30 units shall be required to have a 24 hour desk staffed service and an on-site resident manager .

(3) Facilities with fewer than 16 units shall provide a 24-hour telephone service (limited to outgoing calls only) in the lobby with posted phone numbers of responsible operators, unless staffed desk service is provided. Those phone numbers shall be posted in each room and in a conspicuous location in the common area. Phones limited to outgoing calls only shall not apply to telephones in residents' rooms.

(e) Parking: Off-street parking, provided in the ratio of one space for every five units, plus an additional space designated exclusively for the manager. Additional area shall be designated as "phantom" parking which if developed as parking would result in the total amount of parking provided to be equivalent to one parking space per two units. The Planning Director, based upon valid complaints by neighbors, Fire or Sheriff personnel, or other agencies concerned with Health and Welfare issues, may request that some or all of the additional phantom parking area be fully improved for use by project residents or visitors. Until such time as the phantom parking area is needed for parking, it shall be maintained in live landscaping.

(f) Setbacks, height, landscaping, or other development standards not otherwise addressed in this Article shall be as set forth in Section 305-10 et seq. (Multiple Family Development Standards).

(g) Development Plan Review: All SRO facilities shall be subject to approval of Development Plans by the Planning Director prior to issuance of building or occupancy permits.

As set forth in section (c) above, with respect to security measures, if either the Sheriff's Department or the applicant do not agree with the Planning Director's action on the Development Plan Review application, the Planning Director shall forward the application to the Project Planning Commission. The Project Planning Commission's deliberations shall be limited to review and determination of the security measures to be incorporated into the project, and that determination with respect to security measures shall be final. The Commission shall then remand the application back to the Planning Director for final action.

For all matters other than the determination of appropriate security measures, the normal appeal process shall apply as set forth in Title I, Chapter 15, Article 3 of this Zoning Code.

At the time of application for Development Plan Review, facility proponents shall submit, for concurrent review by the Sheriff's Department and Planning Department, a set of House Rules for the SRO facility. Such House Rules shall include, but not be limited to rules governing the following:

(1) on site consumption of alcoholic beverages

(2) alterations to living units

(3) on site automobile repair

(4) use of common areas, including quiet time

(5) garbage and litter control

(6) guests, including visitation

(7) harassment

(8) heating

(9) inspections of living units

(10) insurance of personal property

(11) keys/lock outs

(12) laundry room use

(13) loitering

(14) pets

(15) phones

(16) registration of occupants

(17) smoking

(18) soliciting

(19) subletting

(20) substance abuse

(h) A Child Care Center is allowed, ancillary to the SRO facility, subject to the following criteria:

(1) Parking: The freestanding center or a center in a mixed use project shall provide one (1) parking space per every eight (8) children licensed for the center.

(2) Fences: If the proposed center abuts a residential zone, a minimum six-foot high solid wall of masonry, brick, stucco or similar material shall be provided. The wall shall be placed along all property lines which abut a residential zone. A masonry wall shall not be required,

a. If the center is separated from a residential zone by an alley or a public street; or

b. If the center will be located in an existing commercial building which did not require a wall when built, no expansion of the building will occur and the building is located between the play yard and the residential zone.

(3) Outdoor Play Areas: Outdoor play areas shall be separated from vehicular circulation, parking areas, equipment enclosures, storage areas, refuse and recycling areas.

(i) Storage: Provide a minimum of 72 cubic feet of secure storage space for each unit; the storage space may be provided either inside or outside of the unit.

(j) Transit: Facilities must either be located within one-half (1/2) mile of a designated transit corridor or existing bus route, or evidence must be submitted to the Planning Department, in conjunction with Development Plan Review, that transportation will be provided between the facility and a transit corridor or bus line.

305-232. Locational Requirements

(a) SRO facilities with 16 units or more must be situated more than one thousand (1,000) feet from any other SRO facility. [1,000 feet measured from property line to property line.]

(b) If the proposed project is separated by a freeway from other SRO facilities, the 1,000 foot distance shall be measured along the most direct public pedestrian route between the two facilities.

305-233. All SRO Facilities

All SRO facilities shall comply with and be subject to Section 305-19.5 of the Zoning Code regarding Management and Maintenance of Multifamily units.

305-234. All SRO Facilities

All SRO facilities shall be operated so as not to constitute a public nuisance.

CHAPTER 10: AGRICULTURAL USE DEVELOPMENT STANDARDS

ARTICLE 1: 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, graineries, 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. Yards

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 yard of fifty-six (56) feet and a rear, side, and side street yard of not less than fifty (50) feet is provided and maintained. (Amended 2/2010)

ARTICLE 2: 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 as follows:

(a) Buildings or structures maintaining yards as required by Section 310-12(a) shall not exceed 2 stories, or greater than thirty (30) feet.

(b) Buildings or structures maintaining yards as required by Section 310-12(b) shall not exceed one story, except for storage loft, or greater than twenty-four (24) feet with plate line not exceeding twelve (12) feet.

(c) Buildings or structures maintaining yards as required by Section 310-12(d) shall not exceed one story, or greater than sixteen (16) feet with plate line not exceeding ten (10) 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 lines and thirty-six (36) feet from street right-of-way, except as otherwise herein provided. (Amended 2/2010)

(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 thirty-one (31) feet from the front property line, except as otherwise herein provided. (Amended 2/2010)

(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.

(3) Height limited to Section 310-11(c).

310-12.5. Building Area

The maximum area of buildings or structures used for incidental agricultural uses of Section 310-10 and constructed after August 1, 1987 shall be limited to one-thousand (1,000) square feet, unless a use permit is obtained from the Zoning Administrator.

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) The minimum lot area for the keeping of small animals (with a weight of less than seventy-five (75) pounds at maturity), other than pets, on a noncommercial scale as an incidental use, shall be ten thousand (10,000) square feet, except that the Administrator may approve the keeping of small animals on a lot of less than ten thousand (10,000) square feet, subject to the provision of Section 310-15, and a conditional use permit by the Zoning Administrator.

(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) An operator of a commercial or private stable shall not allow dust, odor, or flies to cause nuisance or annoyance to any considerable number of persons in the neighborhood or the public and at a minimum shall comply with the following:

(1) 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, by watering down corral area as often as necessary to prevent dust problems, or by utilizing other more effective dust prevention methods.

(2) The operator of a stable shall take every reasonable precaution to prevent the breeding of flies or the emission of dust or odors into the neighborhood. Reasonable precautions shall include:

(aa) Routine manure and bedding clean out of stalls and routine clean-up of manure deposited on the property.

(bb) Disposal of animal wastes in a manner and location approved by the Department of Health, such as:

(i) properly drying or composting, away from neighboring properties.

(ii) burying (2 feet minimum).

(iii)removal to approved disposal site.

(3) All areas shall be maintained in a sanitary condition and in compliance with the following standards:

(aa) Water usage and drainage shall not mix with manure accumulations and shall not be disposed of contrary to local and state requirements.

(bb) Animal feed shall be stored and utilized in a manner that will not encourage rodent populations.

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 met to the satisfaction of the Chief of Animal Control.

(b) All areas devoted to such uses shall comply with standards adopted by the Department of Public Health relative to noise, dust, odor, and pests, and shall be maintained to the satisfaction of the Director of Public Health.

(c) The keeping of animals on lots smaller than ten thousand (10,000) square feet shall be conducted in accordance with a development plan and management plan approved by the Zoning Administrator at public hearing for a conditional use permit.

(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.

CHAPTER 15: COMMERCIAL USES

ARTICLE 1: DEVELOPMENT STANDARDS FOR TEMPORARY CONCESSIONS

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. Temporary concessions are allowed only in specified commercial and industrial zones subject to the conditional approval of a temporary concession Use Permit by the Zoning Administrator. Such temporary concession Use Permit shall include any conditions appropriate to assure compliance of the requirements of this section, shall include time limits as to when the temporary Use Permit is valid and may include additional conditions and requirements that are found appropriate to assure the use will not be detrimental to health, safety, peace, morals, comfort or general welfare of persons residing or working in the neighborhood:

(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 notarized written permission (on a form provided by the County) 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. 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 thirty-one (31) 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 eighteen and one-half (18-1/2) feet setback from a County right-of-way line. (Amended 2/2010)

(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 thirty-one (31) feet or more from the right-of-way line. Where the table, stand, or cart is set back less than thirty-one (31) feet, the area of the signs shall not exceed a total of six (6) square feet, and shall be placed flat against such equipment. (Amended 2/2010)

(g) No food items shall be prepared and/or sold for immediate consumption on site. (See Section 315-02)

(h) Only one vendor at a time may conduct business on any parcel of property.

(i) At least one trash receptacle shall be provided on-site.

(j) Every operator of a temporary concession stand shall have legal access to restroom facilities within 1,000 feet of the concession. (May be public restrooms, assigned permitted access to private restrooms, or a self-contained recreational vehicle.)

(k) Sale of produce is permitted only in accordance with State Food and Agricultural Regulations, in Title 3 of the California Code of Regulations; as such, sale must take place at a producers "roadside stand", or authorized by a "Direct Marketing Certificate" or "Produce Dealer's License".

(l) The area used for sales or display of merchandise by the temporary concession shall be limited to 200 square feet. Such area shall be identified on the Use Permit and the Use Permit shall be valid only for the area so identified.

(m) Notwithstanding provisions elsewhere in this Code or the Sacramento County Code, the following uses are exempt from the regulations and requirements for a temporary use permit:

(1) The sale of Christmas trees or greens in connection with and on the same premises as a supermarket, hardware or home maintenance or repair store, or other established business, if a temporary structure and electrical wiring are not employed in connection with such sales;

(2) So-called "garage sales" conducted for the purpose of marketing products formerly utilized in a home which have become surplus; provided that such sales are conducted on the residential premises where the goods to be sold were utilized;

(3) The sale from stands of fireworks preceding and in connection with the celebration of the Fourth of July;

(4) The sale of agricultural products on the site where the product is grown; and

(5) Temporary Concessions attendant to certain permitted retail uses: Stands, carts, vehicles, and displays of merchandise are permitted within the pedestrian circulation areas of shopping centers and malls and large retail buildings with over 60,000 square feet of gross floor area. The temporary concessions shall be located within the buildable portion of the lot, and when located outside, no more than 25 feet from the entrance. The use shall be subordinate and incidental to the primary use and have access to the restrooms. (Amended 3/24/99)

(6) Sales of products by nonprofit organizations within the buildable area of a commercial lot. (Amended 1988)

315-02.1. Temporary Concessions for the Preparation and Sale of Food for Immediate Consumption

The Project Planning Commission may consider a Use Permit filed under the provisions of Title I, Chapter 10, Article 3, for a temporary concession for the sale of food intended for immediate consumption. This provision is intended to be applied only in unusual situations where a convenience to customers can be demonstrated because of the locational factors or temporary circumstances and where a permanent facility or a mobile vendor service would be infeasible or inappropriate. The development standards for such concessions are those set forth in Section 315-02 and with the additional requirement that appropriate licensing must be secured from the County Health Department. (Amended 1990)

ARTICLE 1.5: DEVELOPMENT STANDARDS FOR SEASONAL ROADSIDE CROP SALES

315-03. Application

The provisions of this Article shall apply to both Crop Sales Buildings and stands as defined by Section 130-52.1 and 130-52.2 and as regulated by Section 201-02, Table I.

315-04. Purpose

The purpose of this Article is to provide for sales locations in agricultural areas where food products are grown and to set forth development standards which are to be applied to the installation of crop sales facilities on specific properties, as shown by Section 201-02, Table I.

315-05. Development Standards for Seasonal Roadside Crop Sales

No seasonal crop sales use shall be installed, maintained, or operated in any zone unless the standards and requirements set forth in this Section are complied with and maintained:

(1) Each crop sales building shall have no more than one-thousand two-hundred (1,200) square feet of indoor sales area and shall have a total enclosed area of no more than twenty-four hundred (2,400) square feet, including storage. Each crop sales stand shall have a display/storage area of no more than two-hundred (200) square feet, and the use shall not be located in a permanent building.

(2) Only one sales building per parcel is to be associated with this use. The use shall be operated by the property owner.

(3) The use of this building is seasonal, only. The period of operation is to be less than six (6) months in any calendar year.

(4) Hours of operation shall be no greater than sunrise to 10:00 p.m.

(5) Products sold are limited to fresh fruits, vegetables and nuts. Crops sold are to be grown on site or, with permission granted during the use permit hearing process, the appropriate authority may grant approval to include fresh crops grown off-site, or preserved, baked or packaged products that have been prepared on the property from crops grown on the property.

(6) No activities relating to the operation of the seasonal crop sales building, including customer parking, shall occur on public property. All parking areas shall be maintained or surfaced so as to be dust-free.

(7) No part of this use, including 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.

(8) No additional signs beyond the signs otherwise permitted in the zone in which the crop sales use is located shall be permitted, except that signs flat against the building are permitted. The signs shall not exceed two (2) square feet per each lineal foot of the buildings parallel to the street where the setback is fifty-six (56) feet or more from the right-of-way line. (Amended 2/2010)

(9) No food items shall be prepared and/or sold for immediate consumption on-site, excluding canned or bottled beverages.

The Zoning Administrator may grant approval of a Use Permit to prepare and sell foods for immediate consumption, however such sales are limited to the specific items considered and itemized on the Use Permit document.

(10) All buildings and stands shall meet the setback standards of the zone in which the seasonal crop sales use is located.

ARTICLE 2: 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. Lot Standards

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 thirty-one (31) feet. (Amended 2/2010)

(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 eighteen (18) feet wide shall be provided between all buildings and detached sidewalks, excluding approved driveway entrances. In addition, per the County Improvement Standards, a six (6) to eight (8) foot landscaping buffer shall be provided between the curb (i.e., edge of the street right-of-way) and detached sidewalk, unless this requirement is waived by the Director of County Engineering or his designee. (Amended 2/2010)

(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 thirty-one (31) 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. (Amended 2/2010)

(c) Additional planters or landscaped areas shall be provided in public parking areas as specified in and subject to the standards set forth 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 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.

(f) Landscaping provided shall be cared for, maintained and appropriate permits shall be acquired as specified in Title III, Chapter 1, Article 6 of this Code. (Amended 1993)

ARTICLE 3: DEVELOPMENT REQUIREMENTS FOR ALL CONVENIENCE STORES AND NEIGHBORHOOD MARKETS AS RECOMMENDED BY THE SACRAMENTO COUNTY SHERIFF'S DEPARTMENT

315-15. Application

In addition to commercial development standards, the following development requirements shall be applicable to all convenience stores and neighborhood markets as defined in Section 130-48.8 of this Code and permitted in Section 225-11. The Sheriff's Department shall have the authority to waive in writing any of the following provisions.

(a) Project lighting levels shall be as follows: 1.5 footcandles of minimum maintained illumination per square foot of parking surface during business hours and .25 footcandles of minimum maintained illumination per square foot of surface on any walkway, alcove, passageway, etc., from one-half hour before dusk to one-half hour after dawn. All light fixtures shall be vandal-resistant;

(b) Management shall be responsible for the removal of litter from adjacent property and streets that results from this project (with adjacent property owner consent);

(c) Store windows shall be left unobstructed to all viewing of the interior of the business by patrolling police. Design to allow for window surveillance by employees of all outside areas from the employees primary work positions;

(d) Building security to resist crime attempts by both hardware and electronic systems:

(1) Raised cashier stations to give an advantage of height against would-be criminals;

(2) Display counter low enough that the cashier has visibility throughout the store. Install mirrors to increase visibility in any corners or hidden areas;

(3) Buzzer on doors of the coldbox, so that the clerks will know when someone has removed merchandise from the refrigerator areas;

(4) Design cashier station to be visible from the parking area. Do not block windows or doors with posters or signs. Keep counters clean of excess displays to promote the visibility of the cashier station;

(5) Two-way mirrors on inside doors to storage, utility, and office areas. This creates uncertainty as to how many people are actually in the store and tends to deter criminals;

(6) Timed drop safe adjacent to cashier so that no more than $30.00 is available. Premises shall be posted that no more than $30.00 is available;

(7) Height tape installed next to exit, and

(8) A prominently displayed video camera for identifying robbers or shoplifters.

(e) Signs shall be posted prohibiting consumption of alcoholic beverages in the business or in the parking areas;

(f) All illegal activities observed on or around the business shall be promptly reported to authorities;

(g) Business rules shall be posted on the interior in a conspicuous place;

(h) There shall be two (2) toilet facilities available to the public at all times;

(i) Signs shall be posted prohibiting loitering in parking areas, and

(j) Bicycle security racks shall be provided.

(k) 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.

ARTICLE 4: 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 one hundred eighty (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. Nonfood and/or nonbeverage businesses may reduce the stacking space to a minimum of 60 feet. (Amended 4/17/02)

(b) Entrances and exits to drive-up lanes shall be at least twenty-five (25) feet from driveways entering a public street. When a drive-up lane encroaches into the front yard and side street setbacks, twenty-five (25) feet of landscaping shall be provided, with at least ten (10) feet of landscaping between the drive-up lane and the right-of-way. (Amended 3/24/99)

(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.

(e) Drive-up windows and their order stations with amplified sound shall be three hundred (300) feet from residential zones (RD-1 through RD-40). Drive-up windows or remote tellers without amplified sound may reduce the separation distance to a minimum of 75 feet from residential zones. (Amended 5/98, 4/17/02)

ARTICLE 5: 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 one thousand (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 five hundred (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.

ARTICLE 5.5: UTILITY TRUCK AND TRAILER RENTAL AND STORAGE

315-35. Application

The provision of this article shall apply to the rental and storage of utility trucks and trailers as an ancillary use to specified permitted primary uses, as regulated by Section 225-11. (Amended 11/95)

315-36. Ancillary Uses

(a) Permitted Ancillary Use: The rental and storage of utility trucks and trailers may be ancillary to the following uses: auto sales, auto repairs, service stations, storage and warehousing, equipment rental, and vehicle storage.

(b) Conditionally Permitted Ancillary Use: The rental and storage of utility trucks and trailers may be ancillary to all other permitted and conditionally permitted uses regulated by Section 225-11, upon the approval of a conditional use permit by the Zoning Administrator, EXCEPT for those uses in Sections 225-11 (C) Health Services; (D) Personal Services; (G) Eating/Drinking/Lodging; (H) Entertainment/Recreation; (N) Membership Organizations; (R) Residential; and (S) Schools, but not including trade school and vocational school. Appeals from any decision of the Zoning Administrator with respect to any such conditional use permit application shall be made directly to the Board of Supervisors.

(c) If ancillary to a use requiring a use permit, the primary use must have a valid use permit (or a valid Certificate of Nonconforming Use). (Amended 11/95)

315-37. Development Standards

These standards are the minimum standards when the use is either a permitted use or conditional use. The appropriate hearing authority may impose additional conditions, and may waive or modify these standards as part of the use permit process. In zones where this use is a permitted use, the Zoning Administrator may approve deviations through the use permit process. Appeals from any decision of the Zoning Administrator with respect to any such conditional use permit application shall be made directly to the Board of Supervisors. For all new development of a site, the commercial development standards in Title III, Chapter 15, Article 6, shall also apply.

(a) Utility trucks will be permitted based on a ratio of one (1) truck per every 4,000 square feet of lot area, not to exceed a maximum of eight (8) trucks.

Utility trailers will be permitted based upon a ratio of one trailer per every 8,000 square feet of lot area, not to exceed a maximum of (4) trailers.

(b) Utility trucks, unless under 7,000 lbs., GVRW, must have a van body, have no more than two axles, and not be equipped with lift-gate.

(c) Utility trucks or trailers may not be stored or parked within the front or side street yard setbacks; nor within required parking and landscape areas; nor within the required ten (10) foot setback for commercial property adjacent to residential.

(d) Vehicles must be parked in an area with asphaltic concrete or similar surface.

(e) Where the parcel abuts a residential zone, a six foot solid masonry wall shall be constructed along the interior property line. There shall be a minimum ten (10) foot landscaped setback

adjacent to this wall. This area shall be landscaped with the appropriate live plants and irrigation system. On nonconforming parcels, if a minimum 25 foot setback is provided between the parked or stored utility trucks or trailers, and the residentially zoned property, the six foot masonry wall and the 10-foot landscape area are not required in order to accommodate utility trucks and trailers as ancillary uses. (Amended 11/95)

ARTICLE 6: 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 thirty-one (31) feet measured from edge of public right-of-way (per County's Improvement Standards) or edge of pavement of private street. (Amended 4/17/02) (Amended 2/2010)

(b) All Other Commercial Land Use Zones. There shall be a front and side street yard of at least fifty-six (56) feet between any structure within these zones and the public street right-of-way (per County's Improvement Standards) or edge of pavement of a private street. Such yard depth may be reduced to a minimum of thirty-one (31) 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. (Amended 4/17/02) (Amended 2/2010)

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 side yard 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.

(d) Exception For Mechanical Equipment. Mechanical equipment may be located in the required rear yard or interior side yard provided that no structure or equipment shall occupy more than two hundred (200) square feet of the required yard area, or be located within five (5) feet of any property boundary, or extend more than twelve (12) inches above the finished grade. All vents, flues, doorways, or other openings shall be oriented away from the adjacent property boundary. Landscaping shall be provided to screen any portion of such use which extends above ground level.

(e) Exception For Parcels Adjacent To A Scenic Corridor. If the rear yard or interior side yard abuts a Scenic Corridor, as established by Section 335-36, a minimum ten-foot rear or interior side yard shall be provided. The entire ten-foot yard shall be landscaped. Landscaping required in Section 315-45 shall be included in the landscaped yard.

(f) Loading docks adjacent to Residential zoned property shall have a setback of at least seventy-five (75) feet from that zoning boundary. Reference Section 330-120 for additional standards pertaining to loading docks. (Amended 4/17/02)

315-44. Height

(a) For parcels 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-7, RD-10, RD-15, RD-20, RD-25, RD-30, RD-40, RM-1, RM-2, (MHP), AR-1, or AR-2 zone, structures or buildings may not exceed twenty-four (24) feet in height.

If the structure exceeds twenty-four (24) feet in height within one hundred 100 feet of the above zones or if any structure within 100 feet of the above zones has windows or openings located within walls oriented toward such zones that are eight feet above finished grade at the property line, a use permit shall be required as provided in (b) below:

(b) 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 structures 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 or 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.

(c) All other parcels in any commercial zone not subject to (a) or (b) above may have structures and buildings erected to a height not to exceed forty (40) feet, except as provided in Section 301-22.

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 eighteen (18) feet wide in the BP zone and three (3) feet wide in all other commercial zones, measured on a horizontal plane and excluding curbing, shall be provided between all buildings and adjacent to the detached sidewalk, excluding approved driveway entrances. In addition, per the County Improvement Standards, a six (6) to eight (8) foot landscaping buffer shall be provided between the curb (i.e., edge of the street right-of-way) and detached sidewalk. Any area 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 eighteen (18) foot or three (3) foot area above, unless this requirement is waived by the Director of County Engineering or his designee. Per Sections 110-120, 110-121, and 110-124, alternative landscaping and planter requirements may be considered as part of the Community Design Guidelines review and compliance procedures. Vehicle intrusion into the 3-foot landscape area may be analyzed and allowed as part of the design review program. 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. (Amended 2/2010)

(b) A six-foot high perimeter masonry wall 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 thirty-one (31) 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. Refer to Section 301-60 etal for regulations pertaining to fences in general. (Amended 4/17/02) (Amended 2/2010)

(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.

(g) Landscaping provided shall be cared for, maintained and appropriate permits shall be acquired as specified in Title III, Chapter 1, Article 6 of this Code. (Amended 1993)

315-46. On-site Signs

Except as otherwise provided in Title III, Chapter 35, Article 1, Sign Regulations - 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, Chapter 35, Article 2.1.

315-50. Setback for Trash and Recycle Containers Enclosures

All trash and recycle containers and enclosures shall be located within an enclosed masonry area with a surrounding wall at least six (6) feet high and no higher than eight (8) feet, with appropriate solid gate. The enclosure shall be consistent in Architecture with the project in which it is located. Enclosures for trash and recycle containers shall be located at least thirty-one (31) feet from any public street, fifteen (15) feet from the edge of pavement of a private street, and twenty-five (25) feet from any residentially zoned property line. Adequate access for refuse pick-up shall be provided. (Amended 1993) (Amended 2/2010)

315-51.

There shall be an adequate area provided for recycle containers and enclosures. Recycling enclosures shall be located for functional use by occupants and by the disposal and hauling companies providing collection services. The appropriate authority can allow flexibility on the above requirements to facilitate the siting and provision of adequate space allocation for recycling collection and storage areas. (Amended 1993)

CHAPTER 20: INSTITUTIONAL USE DEVELOPMENT STANDARDS

ARTICLE 1: 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, intermediate care facilities.

(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.

(1) 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 110-30.5, to be substantially similar to any of the above uses.

(q) Adult Day Health Center.

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 eighteen (18) feet wide shall be provided between all buildings and detached sidewalk, excluding approved driveway entrances. In addition, per the County Improvement Standards, a six (6) to eight (8) foot landscaping buffer shall be provided between the curb (i.e. edge of the street right-of-way) and detached sidewalk. (Amended 2/2010)

(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 zones. A six (6) foot high perimeter fence of solid wood, masonry 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 thirty-one (31) 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. (Amended 3/24/99) (Amended 2/2010)

(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.

(g) Landscaping provided shall be cared for, maintained and appropriate permits shall be acquired as specified in Title III, Chapter 1, Article 6 of this Code. (Amended 1993)

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 thirty-one (31) feet measured from edge of public right-of-way (per County's Improvement Standards) or edge of pavement of private street. (Amended 2/2010)

(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.

320-07. Setback for Trash and Recycle Containers Enclosures

All trash and recycle containers and enclosures shall be located within an enclosed masonry area with a surrounding wall at least six (6) feet high and no higher than eight (8) feet, with appropriate solid gate. The enclosure shall be consistent in Architecture with the project in which it is located. Enclosures for trash and recycle containers shall be located at least thirty-one (31) feet from any public street, fifteen (15) feet from the edge of pavement of a private street, and twenty-five (25) feet from any residentially zoned property line. Adequate access for refuse pick-up shall be provided. (Amended 1993) (Amended 2/2010)

320-08.

There shall be an adequate area provided for recycle containers and enclosures. Recycling enclosures shall be located for functional use by occupants and by the disposal and hauling companies providing collection services. The appropriate authority can allow flexibility on the above requirements to facilitate the siting and provision of adequate space allocation for recycling collection and storage areas. (Amended 1993)

ARTICLE 2: 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 110-30.5 to be substantially similar to such specific use.

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.

ARTICLE 4: EMERGENCY SHELTERS

320-30. Intent

It is the intent of these provisions to allow development or conversion of emergency shelters in the GC and M-1 zones if development standards and locational requirements are met. The provision of these shelters will provide temporary shelter in the unincorporated County area(s).

320-31. Development Standards

(a) Comply with Development Standards for Institutional uses - Section 320-01 of Sacramento County Zoning Code.

(b) All emergency shelters shall be subject to Development Plan Review and approval by the Planning Director prior to issuance of a building permit or occupancy permit. All emergency shelters shall include, at a minimum, the following:

(1) Provide telephone(s) for use by clients.

(2) On-site personnel during hours of operation when clients are present. The manager's area shall be located near the entry to the facility.

(3) Provide adequate interior and exterior lighting.

(4) Provide secure areas for personal property.

(5) The Planning Department shall obtain recommendations from the Sheriff's Department prior to approval of development plans.

(c) Parking: Off-street parking, provided in the ratio of one space for every ten adult beds, plus an additional space designated exclusively for the manager. All parking is required to be off-street and on-site.

(d) Maximum Number of Beds: No more than one-hundred (100) beds shall be provided in any single Emergency Shelter.

(Note: The maximum number of beds does not apply in situations of disaster or catastrophic conditions.)

A use permit by the Board of Supervisors is required to exceed the one-hundred (100) bed limit.

(e) Hours of Operation: Facilities shall establish and maintain set hours for client intake/discharge. These hours shall be posted.

(f) Transit: Emergency facilities must either be located within one-half (1/2) mile of a designated transit corridor or existing bus route; or, if a facility is not within one-half mile of a transit corridor or bus route, submit evidence to the Planning Department, in conjunction with Development Plan Review, that transportation will be provided between the facility and a transit corridor or bus line.

320-32. Locational Requirements

Emergency shelters must meet the following locational requirements:

(a) Shelter programs serving single adults only must be situated more than one thousand (1,000) feet from any other similar program; a public park; a public or private K-12 school; an indoor or outdoor recreational facility primarily designed to serve persons under 18 years old; a child care facility or single family residential zone. [1,000 feet measured from property line to property line.] Programs may have multiple buildings.

(b) All other shelter programs must be situated more than one thousand (1,000) feet from any other similar program. [1,000 feet measured from property line to property line.] Programs may have multiple buildings.

(c) Emergency shelters not meeting these requirements are subject to approval of a Use Permit by the Board of Supervisors.

(d) If the proposed project is separated by a freeway from other emergency shelter programs or other affected uses as set forth above, the 1,000-foot distance shall be measured along the most direct public pedestrian route between the shelter programs or affected uses. (Amended 8/96)

CHAPTER 25: INDUSTRIAL DEVELOPMENT STANDARDS

ARTICLE 1: 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, M-2 or MP land use zone unless the standards and requirements set forth in this Article are complied with and maintained. Reference Article 2 (following) of this same chapter pertaining to development adjacent to designated Scenic Corridors. (Amended 6/95, 4/17/02)

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, M-2 or MP zone, nor shall any use be conducted on the M-1, M-2 or MP zone unless the following yards are provided and maintained:

(a) Front And Side Street Yards.

M-1 And M-2 Zones. Fifty-six (56) feet for buildings and storage of equipment and material measured from the edge of public right-of-way (per County's Improvement Standards) or edge of pavement of private street. The fifty-six (56) foot setback may be reduced to thirty-one (31) feet when additional landscaping is provided equivalent to the amount of building area encroachment. (Amended 2/2010)

MP Zone. Thirty-one (31) feet measured from edge of public right-of-way (per County's Improvement Standards) or edge of pavement of private street. A minimum of 18 feet of landscaping is required between the building and the sidewalk. (Amended 2/2010)

Parking And Yard Areas. Vehicles less than one ton may parking in the remaining portions of the yard area not required for landscaping.

In the M-1 and M-2 zones, company vehicles less than one (1) ton do not require screening and may be parked with or without security fencing, within the setback areas as set forth above; company vehicles exceeding one (1) ton and that are permitted on public highways and used in the daily operation of the company may be parked within the buildable portion of the lot without screen fencing.

All company vehicles in the MP zone shall be located within the buildable portion of the lot and screened from view with solid wood fences, masonry walls or chain link fences with slats. (Amended 3/24/99)

(b) Side And Rear Yards. A side or rear yard is not required when the parcel within the M-1, M-2 or MP zone, is adjacent to a rail line or spur track or abuts any of the following zones: SC, LC, GC, AC, TC, M-1, M-2 or MP. A side and rear yard of ten (10) feet is required, when abutting any agricultural zone. [Text Note: (Merger Section 230-41.(d) and (e) with Section 325-02.(b) and (c), reduces rear yard of 15 feet to 10 feet)].

(c) Side And Rear Yard When Abutting Residential and Agricultural Residential Zones. (Amended 4/17/02)

M-1 And M-2 Zones: Fifteen (15) feet for building and storage. Parking may be located within the required yard area.

MP Zone: Fifty (50) feet landscaped area. Office uses may encroach to twenty-five (25) feet.

Parking for vehicles less than one (1) ton may encroach to twenty-five (25) feet. Vehicles exceeding one (1) ton and the storage of equipment and materials shall not be located in the fifty (50) foot landscape area. (Amended 6/95)

325-03. Landscaping

For any use within the M-1, M-2 or MP zones, no building or structure may be erected or enlarged unless the following development requirements are maintained in connection with such buildings or uses:

(a) Front And Side Street Yards.

M-1 And M-2 Zones. A planter or landscaped area at least three (3) feet wide, measured on a horizontal plane and excluding curbing, shall be provided between all buildings and detached sidewalk, excluding approved driveway entrances. In addition, per the County Improvement Standards, a six (6) to eight (8) foot landscaping buffer shall be provided between the curb (i.e., edge of the street right of way) and detached sidewalk. (Amended 2/2010)

MP Zone. A planter or landscaped area at least eighteen (18) feet wide, measured on a horizontal plane and excluding curbing, shall be provided between all buildings and detached sidewalk, excluding approved driveway entrances. In addition, per the County Improvement Standards, a six (6) to eight (8) foot landscaping buffer shall be provided between the curb (i.e., edge of the street right of way) and detached sidewalk. (Amended 2/2010)

Street Trees. Fifty (50) feet on center within a minimum planter area of 7 feet by 8 feet, at least five (5) feet but no further than ten (10) feet from the sidewalk.

Visual Screen. Shrubs and other natural growth combined with berms and other features to provide a visual screen at least three (3) feet in height.

Landscaping Within The Right-Of-Way. The area between the right-of-way and the street improvements shall be landscaped unless waived by the Public Works Administrator.

Visibility At Intersections. Visibility shall be maintained in accordance with Chapter 12.12 of the Sacramento County Code.

(b) Interior Side And Rear Yards.

M-1, M-2 And MP Zones. No landscaping is required when located adjacent to commercial and industrial zones.

(c) Yards Adjacent To Residential and Agricultural Residential Zones. (Amended 4/17/02)

M-1 And M-2 Zones: Screen trees, no further than thirty (30) feet apart, shall be planted within 7 foot by 8 foot planters, at least five (5) feet, but no further than ten (10) feet from the barrier wall.

MP Zone: Screen trees capable of reaching a height of 30 feet at maturity, shall be planted 30 feet on center within fifteen (15) feet of the barrier wall. Other trees, a minimum fifteen (15) gallon size, shall be placed so as to cover fifty percent (50%) of the landscape area within fifteen (15) years.

(d) Required planter and landscaped areas shall be protected from vehicle encroachment as specified in Title III, Chapter 30, of this Code.

(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 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.

(f) Landscaping provided shall be cared for, maintained and appropriate permits shall be acquired as specified in Section 301-70 through 301-74 of this Code.

(g) Landscaping shall conform to requirements of the Water Conservation Code set forth in Title 14, Chapter 14.10 of the Sacramento County Code.

(h) Landscaping with parking lots shall be as set forth in Title III, Chapter 30 of this Code.

(i) Landscaping and screening adjacent to freeways shall be as set forth in Title III, Chapter 25, Article 2 of this Code.

325-04. Height Requirements

(a) The maximum height in the MP, M-1 and M-2 zones shall be twenty-four (24) feet when buildings or structures are located within 100 feet or contiguous to parcels zoned for agricultural, agricultural-residential or residential purposes. Buildings beyond 100 feet may be a maximum of forty (40) feet in the MP zone or one hundred (100) feet in the M-1 and M-2 zones.

(b) The maximum height in the Industrial Zones when buildings or structures are located on property contiguous to parcels zoned for uses other than those listed in (a) above shall be forty (40) feet in the MP zone, and one hundred (100) feet in the M-1 and M-2 zones. Such height may be increased to a maximum of one hundred fifty (150) feet pursuant to Section 301-22 of this Code, wherein development plans are reviewed by the Planning Commission or the Board of Supervisors. (Amended 6/95)

325.04.5. Criteria to Exceed Height Requirements

Where buildings or structures are proposed to exceed twenty-four (24) feet as described in 325-04 (a), above or where structures within 100 feet of those same zones have windows or openings that are eight (8) feet above finished grade at the property line located within walls oriented toward such zones, a conditional use permit must be obtained from the Project Planning Commission.

The Planning Commission shall consider the following factors in acting on any such use permits:

(a) The uses of all contiguous parcels pursuant to Section 130-128.5 of this Code.

(b) The elevations of the respective parcels.

(c) The height and number of stories of any structures or buildings on contiguous parcels.

(d) The distance of the proposed building from buildings on contiguous parcels.

(e) The beneficial or harmful effect of the height of the building on existing terrain and vegetation.

(f) The opportunity for a higher structure to overlook yard areas of contiguous parcels and invade the privacy of such yard areas.

(g) The impact of the proposed structure on traffic circulation. (Amended 6/95)

325-05. Setback for Trash and Recycle Containers Enclosures

All trash and recycle containers and enclosures shall be located within an enclosed masonry area with a surrounding wall at least six (6) feet high and no higher than eight (8) feet, with appropriate solid gate. The enclosure shall be consistent in architecture with the project in which it is located. Enclosures for trash and recycle containers shall be located at least thirty-one (31) feet from any public street, fifteen (15) feet from the edge of pavement of a private street, and twenty-five (25) feet from any residentially zoned property line. Adequate access for refuse pick-up shall be provided. (Amended 1995) (Amended 2/2010)

325-05.5. Fences and Walls

Fences and walls shall be as set forth in Title III, Chapter 1, Article 5 of this Code. (Amended 6/95)

325-06.

There shall be an adequate area provided for recycle containers and enclosures. Recycling enclosures shall be located for functional use by occupants and by the disposal and hauling companies providing collection services. The appropriate authority can allow flexibility on the above requirements to facilitate the siting and provision of adequate space allocation for recycling collection and storage areas. (Amended 1995)

325-07. 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.

325-08. 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. Loading docks shall be set back 75 feet from residentially-zoned property and subject to the standards set forth in Section 330-120 of this Code.

325-09. Bus Turnouts

Provisions for bus turnouts shall be made where appropriate.

325-10. On-site Signs

Signs are regulated as set forth in Title III, Chapter 35, Article 1 and 2.1.

325-11. Parking

Parking and landscaping within parking lots shall be as set forth in Title III, Chapter 30 of this Code.

ARTICLE 2: INDUSTRIAL STANDARDS FOR PROPERTIES ADJACENT TO A SCENIC CORRIDOR

325-20. Application

In addition to the general standard 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 (40) 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 (6) fence shall be installed along the freeway right-of-way, constructed of wood, brick, rock, or other masonry materials. 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.

(3) 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 (4) feet and the required landscaping may include only trees planted forty (40) 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 ten (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 forty (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 (6) fence designed to shield stored materials from public view. Said fence shall be constructed of wood, brick, rock or other masonry material.

(2) Said fence shall extend along both sides of any exterior storage area for a distance of one hundred (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.

ARTICLE 3: 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.

(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 setup 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 Code of Regulations: "Minimum Standards for Management of Hazardous and Extremely Hazardous-Wastes".

ARTICLE 4: GUIDELINES FOR JUNK TIRE HANDLING, JUNK TIRE STORAGE, OR A TIRE SHREDDING BUSINESS

325-40. Application

In addition to the general standards set forth in Articles 1 and 2 of this Chapter, the standards set forth in this Article shall apply to all junk tire handling activities.

325-41. Fire Department Review

No use permit to allow junk tire handling as a conditional use shall be approved unless the approving authority has considered any recommendations concerning potential fire hazards associated with the proposed use made by the Chief of the fire protection district with jurisdiction over the proposed use.

325-42. Development Standards for Which a Use Permit Is Required

(a) Junk tires shall be removed from the site within thirty (30) days after their receipt or acquisition.

(b) An approved site shall contain no more than one (1) acre of junk tire storage area.

(c) All equipment necessary to conduct the proposed junk tire handling activities shall be at the site and in operating condition before operations (including collection, receipt or storage of junk tires) commence. Any shredder to be used shall be capable of shredding at least two hundred fifty (250) passenger tires an hour.

(d) The approved junk tire operation shall comply with all Federal, State and local statutes or ordinances, including nuisance laws, noise and air quality standards. The granting of a use permit under this Section shall not be deemed to indicate that all such statutes have been obeyed.

(e) Junk tires shall be stored behind a visual screen fence no higher than eight (8) feet and shall not be stacked higher than the height of such fence. Fences shall be required between a licensed facility under this Section and any adjoining parcel which has a more restrictive land use zoning. Appropriate building permits must be secured prior to the fence construction if over six (6) feet in height.

(f) Junk tires located on properties approved pursuant to this Section shall be located at least five hundred (500) feet from property zoned or used for residential or agricultural/residential purposes.

(g) If junk tires are to be stored within areas subject to flooding, no storage is to be permitted during the winter flood season from November 1st through March 31st.

(h) No junk tires shall be stored within one hundred (100) feet of any area where any material is burned, including, but not limited to, farming activities, vehicle dismantling yards, welding shops, or any other activity utilizing flame or fire.

ARTICLE 5: ADULT LAND USE REGULATIONS

325-50. Purpose and Intent

(a) As defined in this Code, sexually oriented businesses include adult book stores, adult motion picture theaters and adult live theaters. Subparagraph (g) of Government Code Section 65850 provides that the Board of Supervisors may regulate, pursuant to a content neutral ordinance, the time, place and manner of operation of sexually oriented businesses. As hereinafter set forth, the Board of Supervisors has determined that the regulations of this Chapter serve a substantial governmental interest and do not unreasonably limit alternative avenues of communication and are based on narrow, objective and definite land use standards. (Amended 4/04)

In adopting this Chapter, the Board of Supervisors takes legislative notice of, and relies upon, the experience and studies of the following jurisdictions concerning the adverse secondary effects of sexually oriented businesses: Phoenix, Arizona; Tucson, Arizona; Garden Grove, California; Los Angeles, California; Whittier, California; Denver, Colorado; Indianapolis, Indiana; Minneapolis, Minnesota; Saint Paul, Minnesota; Kansas City, Missouri; New York, New York; Oklahoma City, Oklahoma; Amarillo, Texas; Austin, Texas; Dallas, Texas; Newport News, Virginia; Renton, Washington; Seattle Washington, and the findings of federal and state court decisions in establishing the reasonableness and the constitutionality of the provisions of this Chapter and the reliance there to the specific effects such adult businesses may have on the residents and businesses of Sacramento County, and the proximity of such businesses to other land uses, including but not limited to churches, schools, parks, places frequented by children, and other sexually oriented businesses. (Amended 4/04)

(b) The Board of Supervisors, as a result of concerns regarding the harmful secondary effects of sexually oriented businesses, finds that such establishments require special regulations to restrict the location, operation, and concentration of these businesses.

(c) Preliminary to the adoption of this Article, the Board of Supervisors, in response to concerns regarding the harmful secondary effects of sexually oriented businesses, adopted interim urgency ordinances restricting the location of sexually oriented businesses to industrially zoned property within the unincorporated area of the County of Sacramento. This Article continues the locational criteria of the interim urgency ordinances.

(d) Increasing urbanization, changing community standards, and evolving legal standards for the regulation of such sexually oriented businesses dictated that the County of Sacramento address its regulations of such establishments so as to provide for such uses taking into consideration the compatibility thereof with existing land uses and land use regulations, and to minimize cumulative impacts and harmful secondary effects. (Amended 4/04)

(d) The Board of Supervisors recognizes that the land uses regulated by this Chapter constitute protected expressions of speech and that said uses must be permitted, and reasonably available to potential patrons, within certain areas of the unincorporated area of the County of Sacramento. The Board also recognizes that the nature of such uses, and the activities of patrons on or near the premises on which the adult uses are located, can be a threat to the public health, safety and welfare of the citizens of the County of Sacramento. The Board is fully aware that the activities conducted in such businesses are provided protection under the federal and state constitutions. Accordingly, the Board finds that the regulations of this Article are based on narrow, objective and definite standards that are intended to provide a

reasonable number of available sites for such uses while minimizing the harmful secondary effects of these uses. (Amended 11/95) (Amended 4/04)

(e) It is the intent of the Board of Supervisors to prohibit nude dancing within the unincorporated area of Sacramento County, with the exception of existing businesses that have been continuously lawfully licensed for such use by the County since on or before July 1, 1998. The prohibition is based on federal and state court decisions regarding local regulation of public nudity, including but not limited to, *Barnes v. Glen Theater, Inc.*, 501 U.S. 560 (1991)*; Erie v. Pap's A.M. (Kandyland),* 529 U.S. 277 (2000); *Schultz v. City of Cumberland,* 228F.3d 831 (7th Cir. 2000)*;* and *Tily B. v. City of Newport Beach,* 69 Cal.app.4th 1 (1998). Businesses featuring nude dancing that have been continuously licensed by the County for such use since on or before July 1, 1998, may continue to feature nude dancing, pursuant to California Penal Code sections 318.5 and 318.6. (Amended 4/04)

325-51. Location Conditions

Sexually oriented businesses are permitted subject to compliance with all of the following conditions:

(a) Such use is more than 1,000 feet from any property zoned for a land use listed in subsections (g)-(v), inclusive, of Section 201.01, or regulated by Title V of this Code. (Amended 4/04)

(b) Such use is situated more than 1,000 feet from any other sexually oriented business. (Amended 4/04)

(c) Such use is located more than 1,000 feet from any of the following uses:

(1) Single-family, duplex or multi-family residences.

(2) Child day care center. (Amended 4/04)

(3) Library.

(4) Public park.

(5) Church.

(6) Community center. (Amended 4/04)

(7) Public or private K-12 school.

(8) Indoor or outdoor recreation facilities that are primarily designed to serve persons under the age of eighteen (18). (Amended 4/04)

(d) The 1,000 foot separation shall be measured as a radius from the primary entrance of the sexually oriented business to the nearest property line of the property so zoned or used. (Amended 4/04)

(e) Such sexually oriented business is situated in either a M-1 or M-2 land use zone. (Amended 11/95) (Amended 4/04)

325-52 Additional Regulations for Adult Live Theaters (Adopted 4/04)

(a) It shall be unlawful for any person on the premises of an adult live theater or any other sexually oriented business to appear in a state of nudity. (Adopted 4/04)

(b) The provisions of this Article requiring an opaque covering of specific anatomical areas may not be complied with by applying an opaque covering simulating the appearance of the specific anatomical part required to be covered. (Adopted 4/04)

(c) This section shall not be applicable to any live adult theater that was in compliance with the local requirements of Section 325.51 of this Code as of July 1, 1998, and has continuously held a valid business license to operate an adult live theater from the date that it was originally established. (Adopted 4/04)

CHAPTER 27: TRIBUTARY STANDARDS

ARTICLE 1: DEVELOPMENT STANDARDS FOR PROPERTY ADJACENT TO DESIGNATED TRIBUTARIES

327-01. Application

No building or structure shall be erected or maintained within the 100-year floodplain of designated tributaries, as defined in Section 130-53.3, and no lot shall be created unless the standards and requirements set forth in this Article are complied with and maintained.

327-02. Development Standards

The following development standards shall apply to the placement of structures within floodplains of designated tributaries.

(a) All construction except fences shall be located either

(1) Outside the 100-year floodplain of the tributary, or

(2) At least twenty-five (25) feet from the center line of the designated tributary and outside the floodway.

(b) All construction shall maintain a habitable finished floor elevation at least one (1) foot above the water surface elevation of the 100-year floodplain.

(c) 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 Water Resources Division of Public Works so as to prevent an obstruction or diversion of flood and drainage flow and to minimize adverse effects to natural riparian vegetation.

(d) Tributary channels shall remain in their natural state and shall not be altered (i.e., piped or channelized) unless the proposal is heard and approved by the appropriate authority in conjunction with any application for rezone, use permit, special development permit, variance or other similar application. If no such application has been filed, the proponent of such alteration shall apply for a development plan approval to be heard by the Project Planning Commission.

(e) All proposed projects within designated tributary floodplains shall meet the requirements and regulations set forth in the Tree Ordinance of the Sacramento County Code, Title 19, Chapter 19.04.

(f) No fill shall be permitted within the 100-year floodplain of designated tributaries unless:

(1) The 100-year flood depth prior to the fill is less than two (2) feet, and

(2) The fill is for the minimum area to accommodate a structure and allow for a five (5) 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 (9) inches in diameter or larger which cannot be successfully transplanted or otherwise protected from the impact of the fill, and

(4) The toe of the fill will not encroach within twenty-five (25) feet of the center line of the designated tributary, and

(5) The fill will not result in adverse hydrologic impacts on the stream, as determined by the Water Resources Division.

327-03. Lot Standards

Any new lot which is proposed to be created adjacent to a designated tributary, as defined in Section 130-53.3, must provide either:

(a) A buildable area outside the 100-year floodplain of that tributary, or

(b) A buildable area which is located at least twenty-five (25) feet from the center line of the tributary and which provides for construction with a minimum habitable floor elevation that is at least one foot above the water surface elevation of the 100-year floodplain and is outside the floodway.

327-04. Interpretation

The locations of "designated tributaries" indicated on the Comprehensive Zoning Plan maps are approximate. Therefore, in order to ensure compliance with the provisions of this Article, the proponent of any application for entitlement on any property located within two hundred (200) feet of the center line of a designated tributary must demonstrate the applicability of development standards set forth in this Article.

CHAPTER 30: OFF-STREET PARKING

ARTICLE 1: 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 eighteen (18) inches of bench or pew length and one seat per twenty-four (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 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 Planning and Community Development or his/her 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 Planning and Community Development or his/her designee shall review the parking requirements of the proposed use. No new business license shall be issued until the Director or designee has approved the parking plan. Two copies of such plan drawn to scale shall be submitted 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 or 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 one hundred (100) or more employees may reduce their parking requirement by providing shower and clothing locker facilities for bicycle commuting employees. Maximum reduction: two percent (2%) of required parking.

(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: two percent (2%) 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: two percent (2%) 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 Administrator 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 Inoperable or Unregistered Vehicles

(a) Except as set forth in Section 301-04.7 of this Code and subsection (b) of this Section, it shall be unlawful for any person to park or store, or permit others to park or store, any automotive vehicle or any trailer without current registration from the Department of Motor Vehicles on any lot in any residential, interim residential, interim estate, recreation, agricultural, interim agricultural, or agricultural-residential zone.

(b) Notwithstanding the prohibitions set forth in subsection (a) of this section, an automotive vehicle or a trailer without current registration from the Department of Motor Vehicles may be parked or stored in a fully enclosed building.

(c) Except as set forth in Section 301-04.7 of this Code and subsection (d), below, it shall be unlawful for any person to park or store, or permit others to park or store, any automotive vehicle or any trailer in an inoperable condition, on any lot in any residential, interim residential, interim estate, recreation, agricultural, interim agricultural, or agricultural-residential zone.

(d) Notwithstanding the prohibitions set forth in subsection (c) of this Section, an automotive vehicle or a trailer in an inoperable condition may be parked or stored in a fully enclosed building.

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.

ARTICLE 2: 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 predominantly 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 one thousand (1,000) square feet of gross floor area.

Up to ten percent (10%) of the required number of parking spaces may be contractually committed to be used for park-and-ride purposes without affecting the total parking requirement of the center provided that the contracted spaces meet applicable current parking lot design standards and that the center meets or exceeds its calculated parking requirement. (Amended 11/90)

330-21. Deleted 11/10/04

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 one thousand (1,000) 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 one thousand (1,000) 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 ten percent (10%) of the gross floor area of the shopping center.

330-23.5. Veterinarian Hospitals

For veterinarian hospitals parking shall be provided at a ratio of at least four and one-half (4.5) spaces for ever one thousand (1,000) square feet of gross floor area. (Amended 1993)

330-24. Banks

For banks, parking shall be provided at a ratio of at least five (5) spaces for every one thousand (1,000) 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 percent (10%) of the gross floor area of the shopping center. The greater requirement shall apply to that portion of the cumulative bank floor area exceeding ten percent (10%) 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 one thousand (1,000) 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 percent (10%) 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 percent (10%) 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 one thousand (1,000) 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 ten percent (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 ten percent (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 one thousand (1,000) 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 one thousand (1,000) 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 ten percent (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.

Up to ten percent (10%) of the total building area of a shopping center may be used as restaurant(s) and bars(s) with the parking based on the applicable parking requirement of the shopping center as a whole rather than the above seating capacity requirements. For that portion above ten percent (10%), parking shall be based on seating capacity using that area of the restaurant or bar that has the greatest seating capacity as the basis of determining the seating capacity. For the purpose of applying this provision, only those facilities on a parcel that are party to a mutual parking agreement may be considered or in the case of separate parcels, only those facilities which have secured a Special Review of Parking Permit from the County and are party to a mutual parking agreement may be considered. (Amended 11/90)

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 thirty (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 ten percent (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 Public Works.

330-46. Parks

Public parks over ten (10) acres in size shall provide at least five percent (5%) 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 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, and intermediate care facilities, parking shall be provided at a ratio of at least one (1) space for every three (3) 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 Title II, Chapter 30, Article 5 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 (1,000) 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 Administrator 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 persons receiving care in the home.

330-64. Child Day Care Centers

Child day care facility, child care centers, and similar uses licensed by the County or State, shall provide at least one (1) parking space for each employee plus one (1) parking space for every eight (8) children enrolled or in attendance. 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, one hundred (100%) percent of the requirement specified in this Article for the principal use requiring the greatest amount of parking shall be provided, and seventy percent (70%) 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.

330-68.5. Bed and Breakfast Inns

Bed and breakfast inns shall provide one (1) parking space per guest room and two (2) parking spaces for the resident owner or manager.

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 (0.6) 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 fifty percent (50%) of the unassigned spaces may be compact-sized spaces. In projects where no spaces are assigned, up to thirty percent (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 (1.5) 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) That the reduction would preserve existing landscaping and open space that would otherwise have to be removed to provide additional parking.

(4) 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) Elderly Housing. When considering parking for elderly or senior citizen residential housing projects, the following minimum standards shall be maintained.

0.5 spaces per unit fixed parking (fully improved), and

0.5 spaces per unit overflow or future parking reserve

Overflow parking shall provide an aggregate base capable of supporting passenger vehicles. These areas shall be sodded and the perimeters of such parking spaces outlined and properly signed.

The overflow parking shall be used for additional parking for peak demand periods; i.e., Christmas, Easter, Mother's Day, etc., while maintaining a landscaped atmosphere with usable open space.

The Director, based on valid complaints by neighbors, Fire or Police personnel, or other agencies concerned with Health and Welfare issues may, at any time, request that future parking areas be fully improved for use by project residents and visitors.

(e) 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.

ARTICLE 3: PARKING SIZE AND LOCATION

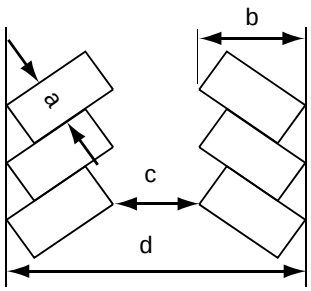
330-80. Off-street Parking Spaces

Except as otherwise provided in this Chapter, every use shall provide the required parking spaces in a paved 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:

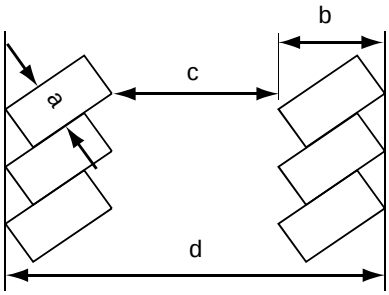
ANGLE PARKING				
Angle	**Stall Width a**	**Stall to Curb b**	**Aisle c**	**Two Rows + Aisle d**
90°	9'-0" 9'-6" 10'-0"	19'-0" 19'-0" 19'-0"	25'-0"** 24'-8"** 24'-0"**	63'-0" 62'-6" 62'-0"
60°	9'-0" 9'-0" 9'-6" 10'-0"	21'0" 21'-0" 21'-3" 21'-6"	20'-0"** 19'-0"* 18'-6"* 18'-0"*	62"-0" 61'-0" 61'-0" 61'-0"
45°	9'-0" 9'-0" 9'-6" 10'-0"	19'-10" 19'-10" 20'-2" 20'-6"	20'-0"** 16'-4"* 15'-2"* 14'-0"*	59'-8" 56'-0" 55'-6" 55'-0"

**Two-way aisle
* One-way aisle

ANGLE PARKING



One-Way Aisle



Two-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 fifty percent (50%) 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". Compact parking spaces shall be distributed throughout the parking lot. Where an entire section of the parking lot is restricted to compact car parking with an angle of ninety degrees (90°), the aisle width may be reduced from the standard twenty-five (25) feet to twenty-three (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. (Amended 1993)

330-82. Parking Spaces for the Handicapped

Parking spaces shall be provided for the handicapped in accordance with the Uniform Building Code and American With Disabilities Act and subject to approval by the Chief Building Inspector. Designated spaces are to be incorporated into the overall parking requirement for the project.

330-83. Special Provision for 90 Degree Single-loaded Parking Aisles

Parking lot aisles which serve as access to parking spaces on one side only may be reduced to a width of twenty (20) feet provided either a landscaped planter or pedestrian sidewalk at least five (5) feet in width is installed adjacent to said aisle.

ARTICLE 4: IMPROVEMENT REQUIREMENTS FOR 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 parking and loading areas in accordance with specifications 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 (not a chain-link fence with slats) shall be provided and maintained along the edge(s) of any 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.

330-92.5. Request for Special Review of Improvement Requirements for Parking Areas

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 a 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 modification may be granted by the Project Planning Commission upon petition for a use permit for a Special Review of Improvement Requirements for Parking Areas by a project proponent. The project proponent shall submit, with the request, whatever evidence and documentation is necessary to demonstrate that unusual conditions warrant improvement reduction, such as the multiple use of a parking area by uses in need of special open areas or needing special layout of all improvements to facilitate such multiple use. In no case may a parking reduction and development standards reduction be considered for the same parking facility. The appropriate authority shall require, as a condition of approval of the parking area improvement reduction, that evidence of long term agreement for joint use or multiple use be of record. This may either be in the form of recorded agreements or covenants.

330-93. Bumper Curbs, Wheel Stops

To insure the proper maintenance and utilization of these facilities, 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 Administrator 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 Administrator 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 partially visual 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.

Bus shelters may be located within this planter if approved by the Administrator 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.

(a) 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 a landscaped island measuring a minimum of 8 feet by 16 feet at a ratio of one island for every 8 spaces. As a minimum, the islands shall be placed every 10 spaces: (Amended 3/24/99)

(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**
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 aboveground 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.

330-94.1.

Landscaping provided shall be cared for, maintained and appropriate permits shall be acquired as specified in Title III, Chapter 1, Article 6 of this Code. (Amended 1993)

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 Administrator 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 parking areas and curb cuts for driveways shall be approved by the Administrator 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 groundcover separating the entrance and exit lanes, including small signs denoting "enter only" and "exit only" appropriately placed, when approved by the Public Works Administrator; 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

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 degree (90°) angle stalls are required.

ARTICLE 5: 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.
and
330-122. (Deleted by 96-0032) (Amended 9/96)

ARTICLE 6: 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 storage 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:

Use	Bicycle Spaces for		Bicycle Parking Facility Class	
	Employees	**Patrons or Visitors**	**Employees**	**Patrons or Visitors**
All commercial, office, & 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 every 50 vehicle spaces required	-0-	Class I lockers, or Class II racks in an enclosed 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
Institutional uses within commercial and industrial zones	1 bicycle space for every 25 vehicle spaces required	-0-	Class I lockers, or Class II racks in an enclosed lockable area	N/A
Institutional uses within other zoning classifications	Bicycle parking shall be determined at the time of issuance of a conditional use permit.			

Use	Bicycle Spaces for Residents	Bicycle Parking Facility Class
Multiple Family	1 bicycle space for every 3 units for complexes of 30 units or less. 1 bicycle space for every 4 units for complexes of 31 to 100 units. 1 bicycle space for every 5 units for complexes of 101 or more units	Class I lockers, or Class II racks in an area enclosed to a minimum height of 6 feet, covered and lockable

(b) In no case shall there be fewer than two (2) 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.

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.

ARTICLE 7: TRIP REDUCTION REQUIREMENTS

330-140. Applicability

The provisions of this Article shall apply to all major development projects defined as follows:

(a) Any commercial, industrial, institutional, or other use which is expected to employ two hundred (200) or more persons, as determined by either actual employee projections or equivalent development size, pursuant to Section 330-142, and

(b) Any existing facility or development which increases its gross floor area and, after such increase, exceeds the minimum equivalent development size described in Section 330-142.

(c) The Planning Director may, if projected traffic conditions warrant, apply the provisions of this Article to developments smaller than those specified in Section 330-142.

330-141. Exempt Projects

Notwithstanding any other provisions of this Code, the following uses and activities shall be specifically exempt from the provisions of this Article.

(a) Development projects expected to employ fewer than two hundred (200) persons.

(b) Temporary construction activities on any affected project, including activities performed by engineers, architects, contractors, subcontractors, and construction workers.

330-142. Equivalent Development Size

For the purpose of this Article, the following minimum development sizes shall be considered equivalent to the two hundred (200) employee threshold described in Section 330-140. Minimum development size shall be based on the size of the overall development, not a particular phase or building within the development when determining if Sections 330-143 through 330-147 apply.

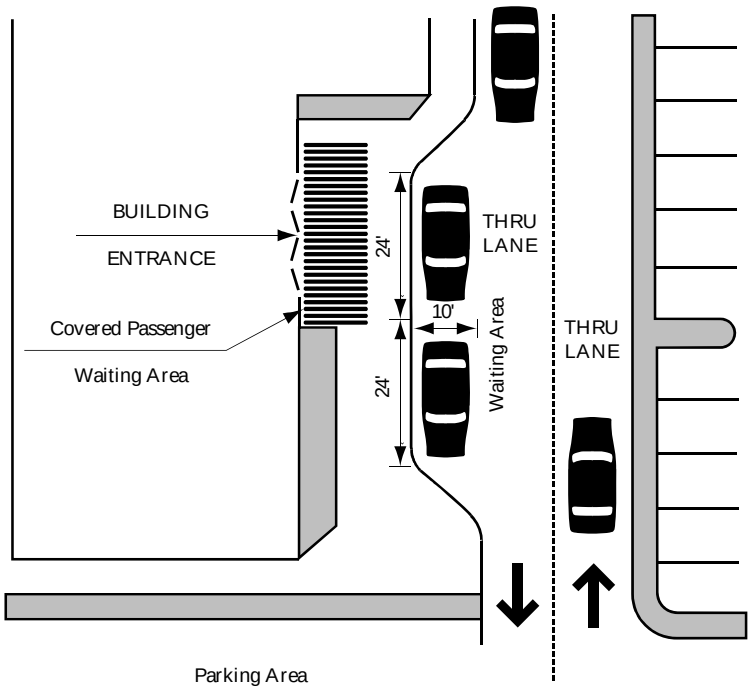
Type of Use	**Minimum Development Size** (in square feet) **Equivalent to 200 Emlployees**
Office (excluding medical)	50,000
Industrial Office Park (MP)	60,000
Hospital and Medical Offices	80,000
Commercial	100,000
Light Industrial (M-1)	95,000
Heavy Industrial (M-2)	130,000
Mixed or Multiple Uses	(a)

(a) The minimum development size for mixed or multiple use developments shall be calculated based on the employment equivalent of the square footage or areas devoted to each type of use.

330-143. Passenger Loading Areas

Public parking areas for major development projects shall designate a passenger loading area or areas for embarking and disembarking passengers from ridesharing vehicles. Such passenger loading areas shall be located at the point(s) of primary pedestrian access from the parking area to the adjacent building, or buildings, and shall be designed in such a manner that vehicles waiting in the loading area do not impede vehicular circulation in the parking area. The passenger loading areas shall be designed as a turn-out as indicated by the below diagram and shall be large enough to accommodate the number of waiting vehicles equivalent to 0.5% (one-half of one percent) of the required parking for the project.

PASSENGER LOADING AREA



330-144. Preferential Parking Spaces for Carpool and Vanpool Vehicles

All major development projects shall reserve and designate at least ten percent (10%) of the employee parking spaces for the project for ridesharing vehicles by marking such spaces "Carpool/Vanpool Only". The number of preferential parking spaces must be increased above ten percent (10%) of the employee parking as necessary to accommodate all legitimate carpools and vanpools. Such spaces shall be located near the building entrance(s), covered, shaded, or in some other obvious way be determined as preferential. For purposes of this Section, the factors listed below shall be used to determine the number of employee parking spaces.

Type of Use	Percent of Total Parking Devoted to Employee Parking
Office (excluding medical)	70%
Hospital and Medical Office	50%
Commercial	30%
Industrial	70%

330-145. Shower and Locker Facilities

All development projects above the minimum development size threshold shall provide shower and locker facilities for use by employees or tenants who commute to the site by bicycle or walking. Such facilities shall be clearly indicated on all development/improvement plans. The use of such facilities shall be provided at no cost to the user, except that at any development where a fee is charged for employee parking, the use of shower and locker facilities may be assessed at a charge not to exceed one-half the charge for employee parking.

One (1) shower and eight (8) lockers with minimum dimensions of 12 inches X 18 inches X 36 inches shall be provided for each two hundred (200) employees or fraction thereof, based on the equivalent development size data in Section 330-142. The design and/or management of the shower and locker facilities shall provide for access by both male and female employees. The shower and locker facilities must be located convenient to one another and should be located near the employee bicycle parking facilities whenever possible.

330-146. Transit Waiting Shelters

Prior to the issuance of any building permit or approval of any improvement plans for any major development project, the property owner or project proponent shall sign and record an agreement with the County of Sacramento to provide for any easement(s) and/or construct a concrete foundation, and provide an electrical connection necessary to accommodate placement of a transit waiting shelter. Determination as to if a transit waiting shelter(s) easement and/or concrete foundation, and electrical connection is needed shall be made by the Planning Director after direct consultation with the public agency which provides, or is authorized by law, to provide transit services to the general public in the project area.

This Section shall not be interpreted to require the provision of an easement and/or concrete foundation, or electrical connection, at a distance of more than one hundred (100) feet from the perimeter of the project site. (Amended 3/24/99)

330-147. Requirement for Transportation System Management Plan

In addition to the other provisions of this Article, the Director shall be authorized to require the applicant, developer, or property owner of a development project to prepare a comprehensive Transportation System Management Plan, pursuant to Section 330-148, in conjunction with any application for a rezone, use permit, special development permit, development plan approval, special review of parking, development agreement, or variance, or a request for a building permit if the Director finds:

(a) That the proposed project has the potential to increase local and/or area-wide traffic congestion with an accompanying deterioration in air quality on a project specific or cumulative basis; or

(b) That due to the proposed project's location and/or operational characteristics, development and implementation of a Transportation Systems Management Plan would have the potential for significantly reducing peak hour commute trips.

Similarly, for any development project which is expected to employ five hundred (500) or more persons, as determined by Section 330-142, the Director shall require the applicant to prepare a Transportation System Management Plan, pursuant to Section 330-148, in conjunction with any application for a rezone, use permit, special development permit, development plan approval, special review of parking, development agreement, variance, or a request for a building permit.

330-148. Contents of Transportation System Management Plan

A Transportation System Management Plan, as required by Section 330-147, is intended to describe the full set of facilities and services to be provided by a development project which is proposed to reduce the number of employee commute trips to the site. The plan shall include an exhibit indicating the location of trip reduction facilities and a written description of all trip reduction facilities and services. Facilities and services contained in the plan shall include those described in Sections 330-143 through 330-146, above, and Chapter 10.64 of the County Code plus any other facilities, amenities, or services intended to encourage carpool, vanpool, transit, bicycle, or pedestrian commuting. Such additional facilities and services may include, but are not limited to:

(a) Bikeway linkages to establish bicycle routes, transit routes, or adjacent residential and commercial areas.

(b) Walkways and other pedestrian linkages to nearby transit stops.

(c) Transit stations, timed-transfer stops, transit shelters, on-site sale of transit passes/tickets and possible transit subsidies.

(d) Community park-and-ride lots.

(e) Provision of an employee transportation coordinator.
- on-site at 1,000 or more employees
- full time at 2,000 or more employees

(f) Preferential parking program.

(g) Alternative commute mode information services.

(h) Work schedule management program.

(i) Commuter matching services.

(j) Bicycle facilities including storage, showers and lockers.

(k) Provision of an owners/tenants association with responsibility for ongoing implementation of the plan including any necessary funding.

330-149. Review of Transportation System Management Plan

For any development project which is required to prepare a Transportation System Management Plan pursuant to Section 330-147, the appropriate authority shall consider the plan during its review and consideration of the application and may require the construction of any or all facilities contained in the plan as a condition of approval of the project.

330-150. Binding Agreements

The owners/tenants association, or the property owner(s) on behalf of a future owners/tenants association, shall sign and record an agreement with the County of Sacramento obligating the association to implement all the requirements of the Transportation Systems Management Plan and to provide any necessary funding to carry out the provisions of the plan.

CHAPTER 35: SIGN REGULATIONS

ARTICLE 1: 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 the following standards are met:

(a) Number Of On-Site Signs. Not more than one (1) for lease and one (1) for sale sign is to be placed on the property (one Assessor's parcel) except that property bounded by more than one (1) street is authorized one (1) for sale sign and one (1) for lease sign facing each street.

(b) Size And Location. The size and location shall be determined according to the following charts:

(1) Developed/Improved Property
(Amended 2/2010)

	Zone	**Maximum Sign Area in Square Feet**	**Setback from Dedicated Public Street Right-of-Way**
		If Sign Is:	**The Setback is:**
Industrial and Commercial	M-1, M-2, MP, BP, SC, LC, GC, AC, TC, C-O, CC, C-1, C-2	32 square feet 24 square feet 16 square feet	31 feet 21 feet 16 feet
Permanent Agricultural	AG-160, AG-80, AG-40, AG-20, UR, IR, RR, A-80, A-20	24 square feet	31 feet
Agricultural Residential	AR-10, AR-5, AR-2, AR-1, A-10, A-5, A-2, A-2-B, A-1-A, A-1-B, O	16 square feet	24 feet
Residential	RD-1, RD-2, RD-3, RD-4, RD-5, RD-7, RD-10, RD-20, RD-30, RD-40, MHP, RM-2, Interim Estate Zones, Interim Residential Zones	5 square feet	14 feet
Special Zones	SPA, DW	Area and setback requirements in special zones shall be determined by the type of use allowed and shall be consistent with the above standards	

(2) Undeveloped/Unimproved Property

Zone	Maximum Sign Area in Square Feet	Setback from Dedicated Public Street Right-of-Way
	If Sign Is:	**The Setback is:**
Undeveloped/Unimproved Property in any Zone	24 square feet	31 feet

(c) Illumination. Signs shall not be illuminated.

(d) Sign Attachment. Signs shall be permanently attached as follows:

(1) Permanently attached to structures.

(2) Permanently attached to ground except that signs on skids are allowed in developed parking areas and sites under construction. All skids and framing for sign shall be painted either white or earth tone colors.

(e) Height. If attached to building, the sign shall not exceed the roof line or parapet wall of the building. If free standing, the maximum height is six (6) feet except when site grade is lower than the grade at the right-of-way line, sign height may be increased so the bottom of the sign panel is equal to the elevation of the grade at the right-of-way line. In no case shall a sign exceed a total height of ten (10) 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 thirty (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 fourteen (14) feet from the County right-of-way line (per County's Improvement Standards) line for all agricultural-residential and residential zoned parcels. For all other parcels, the sign setback shall be 16 feet from the County right-of-way. (Amended 2/2010)

(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 fourteen (14) feet for agricultural-residential and residential zoned parcels and sixteen (16) feet for all other zones. (Amended 2/2010)

(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 Planning Director 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 sixteen (16) feet from County right-of-way. (Amended 2/2010)

(3) Sign shall be non-luminous 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. (Amended 1993)

(5) Alternative Size And Location Consideration. In lieu of items one (1) through four (4), above, a permanent subdivision sign located within the public street right-of-way is permitted in any zone, subject to the issuance of a conditional use permit by the Board of Supervisors upon recommendation of the Project Planning Commission when the Board of Supervisors finds that the proposed sign meets the following:

(aa) The surface area of the sign (one side) is no more than twenty-four (24) square feet.

(bb) The edges of the sign are no closer than three (3) feet from the side edge of the median island and at least twelve (12) feet from both ends of the island.

(cc) The nearest edge of the sign is no closer than twenty-six (26) feet from the extension of the entering street's right-of-way line. A greater distance is required if horizontal curvature is involved. (Amended 2/2010)

(dd) The sign shall be no higher than six (6) feet above the nearest roadway surface.

(ee) The sign shall not weigh more than two hundred (200) pounds.

(ff) The sign shall be of a breakaway type, be mounted on a breakaway base, or be mounted on breakaway wooden posts no more than four (4) inches by four (4) inches in diameter of redwood, or Douglas Fir.

(gg) The sign may be placed only on streets with design speeds of thirty-five (35) miles per hour, or less.

(hh) Signs shall not be illuminated.

(ii) Maintenance shall be the responsibility of sign owner.

(b) Directional Subdivision Signs. Temporary directional subdivision signs are permitted in any zone, except MP, BP, C-O and Special Sign Corridors, subject to the approval of a Temporary Sign Use Permit by the Zoning Administrator and the maintenance of the following:

(1) The signs shall be located at primary streets providing directions to the subdivision.

(2) The signs shall be limited to a monument sign, not to exceed ten (10) feet in height, not to exceed thirty-two (32) square feet in area, and shall be set back a minimum of sixteen (16) feet from County right-of-way line. If the grade at the location of the sign is below the grade at street right-of-way, then the sign height may be increased to a maximum of twelve (12) feet in height upon the approval of the Zoning Administrator. (Amended 2/2010)

(3) The total number of off-site signs, including regional subdivision signs, shall not exceed six (6) signs for each final subdivision map.

(4) A minimum distance of seventy-five (75) feet shall be maintained between a directional subdivision sign and any other sign.

(5) The permit for the directional subdivision signs shall be valid for five (5) years from the approval date.

(6) Approved signs shall have a legible, all-weather metal tag or plate affixed to the sign in an exposed location indicating the Temporary Sign Use Permit Control Number, date of approval, date of expiration, and the name and address of the permittee.

(c) Subdivision Signs. Subdivision signs are permitted in any zone, subject to the approval of Temporary Sign Use Permit by the Zoning Administrator and the maintenance of the following:

(1) The signs shall be located at the primary entrance to a subdivision in which a subdivision sales program is active, or at the model homes.

(2) The signs shall be limited to a monument sign not exceeding ten (10) feet in height, not exceeding thirty-two (32) square feet in area, and shall be set back a minimum of sixteen (16) feet from the County right-of-way line. (Amended 2/2010)

(3) 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.

(4) The permit for the subdivision sign shall be valid for five (5) years from the date of approval or to the termination of the subdivision sales program, whichever is first.

(5) Approved signs shall have a legible, all-weather metal tag or plate affixed to the sign in an exposed location indicating the Temporary Sign Use Permit Control Number, date of approval, date of expiration, and the name and address of the permittee.

(d) Deleted

(e) Regional Directional Subdivision Signs. Temporary multisectioned directional subdivision billboard-type signs are permitted in the Agricultural-Residential, Residential, M-1 and M-2 zones (except they are not permitted in the Special Sign Corridors), subject to the approval of a Temporary Use Permit by the Zoning Administrator and the maintenance of the following:

(1) Each sign shall meet the following location criteria:

(aa) The sign shall only be located adjacent to streets with future rights-of-way of eighty (80) feet or wider, providing directions to the subdivision. Each sign shall be located at least three hundred (300) feet from any existing off-site sign, including regional subdivision signs and seventy-five (75) feet from any other freestanding sign. All sign separation measurements are to be measured radially.

(bb) The sign shall not require the removal or severe trimming of existing landscaping from planter areas required by the Sacramento County Zoning Code.

(cc) The sign shall not reduce parking availability as required by Title III, Chapter 30, of this Code.

(dd) The sign shall not be a visibility hazard to traffic on adjacent streets or parking areas.

(ee) The sign shall be placed within the buildable area of the lot as defined in Section 130-30.

(2) Multisectioned regional subdivision signs shall be limited to pole signs not to exceed fourteen (14) feet in height and shall contain no more than four sections, each 4 feet by 8 feet (32 square feet) in area. Sign area shall not exceed one hundred twenty eight (128) square feet per side.

(3) Double-faced signs must have panels which are no further apart than twenty-four (24) inches.

(4) The total number of off-site signs for any single subdivision shall not exceed six (6) signs of any type.

(5) The issuance of a temporary use permit pursuant to this section shall not be subject to issuance of a variance from the above standards pursuant to Title I, Chapter 10, Article 2, of this Code.

(6) Regional boards shall be designed to have four directional subdivision advertising sections per panel side.

(7) All parts of the supporting structure and all exposed surfaces of each regional subdivision sign shall be kept painted or covered with a durable material at all times.

(8) No type of advertising is permitted on the regional subdivision sign other than directions to residential subdivisions located within Sacramento County.

(9) The permit for the regional directional subdivision sign shall be valid for five (5) years from the date of approval.

335-04.1. Disolvement of Sign Trust Account

Effective with the adoption of this amendment November 14, 1990 funds which have been held as security to assure removal of permitted signs shall be transferred from the Sign Trust Account to the Revenue Account. All existing bonds, instruments of credit, firm letters etc, shall be considered released as of the above date. Valid requests for return of outstanding cash deposits pursuant to the removal of sign for which cash security is held by the County shall be paid from the Revenue Account. (Amended 11/90)

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 sixteen (16) feet from the street right-of-way. (Amended 2/2010)

(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 commercial zone in which it is located. Identification signs for churches in all other zones are permitted provided:

(a) There are not more than two (2) on-site signs, one of which may be a freestanding sign. This limitation shall apply irrespective of the number of uses on the property.

(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 sixteen (16) feet from the street right-of-way. (Amended 2/2010)

(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 percent (75%); 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, including neighborhood watch signs.

(g) Signs on buses and taxis as advertising devices.

(h) **DELETED** (Reference 335-13 Mass Transit Shelters) (Amended 4/17/02)

(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 in accordance with Section 325-02(a) in the Industrial zones and not parked in the required front or side street yards of the Commercial zones. (Amended 3/24/99)

(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 percent (50%).

(k) Signs that are painted on or attached to the windshield of a vehicle or boat, properly located for display.

(1) 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 nonconforming 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.

(p) Freestanding signs which only indicate the street address of the property on which the sign is located, providing that it does not exceed an area of four (4) square feet and is located with a setback of at least eleven (11) feet with a height no greater than thirty (30) inches. (Amended 2/2010)

(q) The flag of the United States, the State of California, and the official flag of any government or nonprofit organization. (Amended 9/87)

335-09. Prohibited Signs

The following signs are prohibited in all zones:

(a) Moving or rotating signs, except barber poles at barbershops.

(b) Signs with flashing, moving, or animated illumination, except barber poles at barbershops.

(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(d)(2) and Section 335-01(g), Portable Off-Site Directional Signs.

(g) Temporary signs, except as provided for Temporary Construction Signs in Section 335-02, Real Estate Signs in Section 335-01, Temporary Sales or Construction Office in Section 301-07, Sales of Christmas Trees in Section 301-02, Promotional Displays and Sales in Section 301-05, Temporary Uses in Section 301-06, and Temporary Concessions Stands in Section 315-02.

(h) Inflatable or lighter-than-air devices of any kind when attached or secured from the ground or to any object on the ground. (Amended 11/90)

(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.

(1) Banners, pennant flags, and string pennant flags.

(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.

(o) Signs on exempt structures (Section 301-21) exceeding the height of an otherwise permitted building, except where permitted pursuant to Section 301-09.5 (k). (Amended 1995)

335-09.5. Special Provision

(a) Electronic type readerboards or video boards are permitted subject to obtaining a conditional use permit from the appropriate authority, provided that the message shall be for on-site advertising, or 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). A time interval of four (4) seconds minimum for changing copy or display shall be adhered to, consistent with and pursuant to the standard adopted by the State of California, Department of Transportation (Cal Trans). Further, if the electronic/readerboard portion of any sign is 50% or less than the overall area of the message area, then the sign is permitted without the necessity of obtaining a use permit. When considering use permit requests, the appropriate authority may grant deviations from underlying standards pursuant to Sacramento County Commercial Design Guidelines, and shall use the following criteria:

1. Pole/monument signs shall be designed to be architecturally compatible with building materials of the principal structure.

2. The proposed readerboard sign or signs:

2.1. Are proportional and in scale with the buildings.

2.2. Are compatible in design, color, and material with the building and surrounding area.

2.3. Do not constitute a special privilege over adjoining uses.

2.4. Do not block from view existing buildings and existing signs.

2.5. Are legible/readable.

2.6. Are in keeping with the intent of the sign regulations.

(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. The height may be increased to a maximum of five feet if signs are located within the buildable area of the project. (Amended 4/17/02)

(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. Except as provided herein, setback for signs shall be measured from the future right-of-way as provided by Section 301-37 to the closest edge of the sign. For streets which are improved to a width less than the future right-of-way, setback for signs may be measured from the existing improvements meeting current County standards, provided that a relocation agreement shall be recorded at the owner's expense which guarantees that the property owner agrees to relocate the sign at his/her own expense to the required setback from the right-of-way at such time that the County widens (or causes to be widened) the street to the future right-of-way. For parcels where improvements are not complete to meet present County standards, setback shall be measured from that point which would abut County standard improvements if they were installed. For parcels that do not have existing improvements and where other parcels within the same block have improvements, the setback may be measured from a projection of existing street improvements within the same block. In no case shall a sign be located within the dedicated 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 up to 30 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 Code of Regulations, Title 24, State Building Code, Part 2, Section 2-1721, entitled "Protruding Objects."

(j) A business may be advertised on a directory pole sign that is located on a nonadjacent parcel when the project utilizes common facilities, such as driveways and parking areas. (Amended 9/87).

(k) Identification signs on exempt structures (Section 301-21) are permitted in the M-2 zone subject to a minimum parcel size of fifty (50) acres and provided all other development standards are met for the structures.

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 (4) 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-nine (29) feet in the Interim Residential zones, and twenty-four (24) feet in the Residential and Agricultural-Residential zones. In the Commercial or Industrial zone, the street setback shall be sixteen (16) feet, and the separation from any other freestanding sign shall be seventy-five (75) feet. (Amended 2/2010)

(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. (Amended 9/87)

335-11. Identification Signs

(a) Identification signs for public and private schools, colleges, universities, and parks are authorized in any zone, provided:

(1) There shall be no more than one such on-site sign at each major entrance to the school or park.

(2) Each 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 sixteen (16) feet from the right-of-way line. (Amended 2/2010)

(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 and may be computed at seventy-five percent (75%) of the total area; 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.

(9) Signs for schools located on the same parcel as a church shall be regulated by Section 335-07, Church Signs.

(10) 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.

(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, or signage applied to a conforming wall or fence (in such case, area shall be computed by circumscribing the lettering and counting at 100%). (Amended 2/88)

(4) A monument sign shall set back at least sixteen (16) feet from the right-of-way of the public street. (Amended 2/2010)

(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-1O, RD-20, RD-30, RD-40, Interim Multiple Family R-3, R-2A zones or any zone combined with the Mobilehome Park (MHP) combining land use zone, 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 sixteen (16) 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. (Amended 2/2010)

(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.

(5) An additional five (5) square feet is permitted on conforming monument signs to advertise "Units for Rent", "Apartment for Rent", or "Vacancy", notwithstanding provisions for temporary promotional displays, pursuant to Section 335-09.5(h). (Amended 2/88)

(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 Located in the TC

Travel Commercial Zone And M-1 And M-2 Industrial Zones. Except for Directory Pole Signs, the following standards shall apply to any off-site signs located in the TC zone (see Table II) and M-1 and M-2 industrial zones (see Table IV) 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; nor closer than seventy-five (75) feet from any on-site freestanding sign. No off-site sign shall be located within two hundred (200) feet of a parcel located within any Agricultural, Agricultural-Residential, or Residential zone; nor shall any such off-site sign be
located more than one thousand (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-six (56) feet from the right-of-way, except where the parcel of land has been developed under the provisions of Section 315-42(b). An off-site sign may be permitted with a setback the same as the building on the parcel with a minimum setback of thirty-one (31) feet. (Amended 2/2010)

(c) Height. The maximum height for off-site signs shall be thirty (30) feet.

(d) Measurement. The following methods shall be used to measure the spacing of off-site signs regulated by this section:

(1) When measuring the separation of signs or uses along a public street, the location of each sign shall be projected at right angles to the center line of the street and distance measured along the street center line between the two points projected thereto.

(2) When measuring distance between signs located on parcels located at intersecting streets, the sign location is to be projected at right angles to the street center line and the distance is measured on the center line of the two streets between the two projected points. Only one off-site sign shall be permitted per corner parcel.

(3) Any measurement from a sign to another land use zone shall be by straight line measurements from the closest point of the sign to the zoning boundary.

(e) Aesthetics.

(1) The sign will not require removal or substantial trimming of existing vegetation or landscaping.

(2) The sign will not obstruct or obscure on-site signs on the same or adjacent properties.

(f) Traffic Safety.

(1) The sign will not be a visibility hazard to traffic on adjacent streets or parking areas.

(2) The sign will not reduce parking availability as required by Title III, Chapter 30, of this Code.

(3) The sign will not interfere with on-site vehicular circulation.

(g) Compatibility. The sign will not have substantial detrimental effects on views from and light striking adjacent or surrounding properties.

335-12.5. Standards and Guidelines for Relocation of Existing Off-site Signs Currently Located in Commercial, Agricultural-Residential or Industrial Zones to Specified Commercial or Industrial Zones

Off-site signs which meet the eligibility criteria of Subsection (a), below, should be relocated from one location to another location, subject to securing an approved use permit from the Board of Supervisors after a recommendation from the Project Planning Commission. Denial of a use permit application by the Project Planning Commission shall be final unless an appeal is filed with the Board of Supervisors, pursuant to Title I, Chapter 15, Article 3.

(a) Eligibility Criteria For Existing Signs And Site Locations.

(1) Existing sign has been documented by the applicant/owner to have been lawfully erected and maintained.

(2) Site has not been acquired by any public agency necessitating sign removal.

(3) Existing sign owner and/or property owner has not been notified by Sacramento County that the sign must be amortized because it is presently located in an agricultural or residential zone.

(4) The sign is located in a commercial, agricultural-residential or industrial zone.

(b) No sign removal or new sign construction shall occur prior to securing an approved relocation use permit.

(c) Relocated signs shall comply with Section 335-12(a) through (g).

(d) Proposed Sign And Site Location Guidelines For Relocated Signs Within Commercial Areas. The following guidelines are not mandatory, but should be considered by the hearing bodies during public hearings on use permit applications for relocated signs.

(1) All relocated off-site signs should be freestanding and should be built with a single supporting post, if at all possible, and should be located on no more than two (2) supporting posts.

(2) Signs should not be relocated into a Special Sign District.

(3) Double-paneled signs should not have an interior angle between the face of the panels greater than twenty degrees (20°).

335-13. Mass Transit Shelter Signs

A sign shall be permitted upon a mass transit shelter in any zone, provided:

(a) There is no more than one (1) single-faced or two-faced sign upon or within any mass transit shelter.

(b) Each face of such sign does not exceed thirty (30) square feet in area, for each basic size of a mass transit shelter, or multiple thereof, as defined in Section 301-14.

(c) The brightness of the light source shall not exceed the lighting criteria as set forth in Sections 21466 and 21466.5 of the Vehicle Code of the State of California or five (5)

footcandles, whichever is less. Certification of the light source shall be provided from a licensed Professional Engineer prior to the issuance of any building permits.

(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.

ARTICLE 2: 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 the maximum area determined by any of the following:

(aa) One (1) square foot of sign area is allowed per foot of building/tenant frontage.

(bb) Buildings with tenants having primary frontage to a courtyard or the side of a building 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.

(cc) Where a tenant has building frontage to a public street and a courtyard or the side of a building which is not 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 is limited to eight (8) feet in height within the courtyard or side of the building when on a wall and, where otherwise attached to a building as per (3) as follows, is 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) 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 percent (75%); 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.

(aa) Sign copy which is applied to an awning or canopy shall be computed at one-hundred percent (100%) of the area within a line enveloping the sign copy.

(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. Backlighting of awnings, canopies, and similar structures shall be based on the following:

(aa) If the lighting system is fluorescent, the fixtures shall be UL rated for protected outdoor use, with cool-white tubes not to exceed 800 milliamps and not to exceed 2 tubes per fixture. Fixtures shall be no closer than 12 inches from the fabric and the distance between fixtures shall be such that an average of 12 inches per tube between the outermost tubes is not exceeded.

(bb) If the lighting system consists of (or includes) other than fluorescent tubes, the luminance level produced by such system shall not exceed the luminance level produced by a fluorescence system using the above criteria. Conformance shall be confirmed by calculations that compare the allowable fluorescent luminance with the proposed alternate luminance based upon a report from a qualified electrical engineer and approved by the Planning Director.

(6) Special Provisions For Tenants Without Building Frontage. Tenants with primary frontage to an enclosed mall or interior hallway of a building may attach a sign to the exterior of the building, as described in subsections (2) through (4), above, upon the granting of a conditional use permit by the appropriate authority. In consideration of said use permit, the appropriate authority shall determine that the sign or signs:

(aa) Are proportional and in scale with the building.

(bb) Are compatible in design, color, and material with the building and surrounding area.

(cc) Do not result in the total area of all signs attached to the building exceeding the area allowed for the building by subsection (1), above.

(dd) Make reasonable provisions for all tenant space with primary frontage to the enclosed mall or interior hallway.

(ee) Are, in all other respects, consistent with the intent of the sign regulation.

(Amended 2/88)

(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.

(bb) Setback. Setback shall be sixteen (16) feet from existing street improvements or right-of-way line as provided in Section 335-09.5(g). Measurement shall be from right-of-way or street improvements to closest edge of sign or support structures. (Amended 2/2010)

(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.

(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.

(4) Parcels that have no public street frontage shall be allowed to advertise on an existing legal freestanding sign located on a contiguous commercial parcel which fronts on a public street. Such signs shall be limited to a maximum size of twelve (12) square feet in area and shall be in addition to the sign area allowed for the parcel having public street frontage.

ARTICLE 2.1: 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 shall not exceed the maximum area determined by any of the following:

(aa) Building Frontage. The total area of all signs attached to a building with less than fifty-six (56) 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-six (56) 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. (Amended 2/2010)

(bb) Tenant Design Frontage. Buildings which are designed such that the primary entrance to tenant space is from a courtyard or a side of the building rather than a public street may have two (2) square feet per foot of tenant building frontage facing the courtyard or side of the building rather than being based on building frontage facing a public street. Where a tenant has design frontage, including public entrances, facing a public street and either a courtyard or side of the building, sign area entitlement may be based on the design frontage facing either the public street or courtyard or side of building, but not the total frontage; however, once the allotted sign area has been computed, it may be distributed over both faces of the design frontage provided the maximum sign area on the building facing the public street shall not exceed three (3) square feet per foot of building frontage.

(cc) Exception Adjacent to Residential Zones. Exception to the provisions of (bb), above, is where the courtyard or side of the building is immediately adjacent to a residential zone. In that instance, the sign area is limited to one (1) square foot per foot of tenant design frontage facing the courtyard or side of the building. Illumination of signs is limited to eight (8) feet of height within the courtyard on side of the building when on a wall, and where otherwise attached to a building as per (3) as follows, is limited to ten (10) feet in height when the courtyard or side of the building is less than fifty (50) feet and twelve (12) feet in height when fifty (50) or more feet.

(2) 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 percent (75%); 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.

(aa) Sign copy which is applied to an awning or canopy shall be computed at one hundred percent (100%) of the area within a line enveloping the sign copy.

(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 degrees (60°) from the horizontal. Exceptions to this provision are as follows:

(aa) Signs may be attached to the fascia 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 fascia 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 pursuant to this paragraph (cc) 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.

(5) Special Provisions For Tenants Without Building Frontage. Tenants with primary frontage to an enclosed mall or interior hallway of a building may attach a sign to the exterior of the building as described in subsections (2) through (4), above, upon the

granting of a conditional use permit by the appropriate authority. In consideration of said use permit, the appropriate authority shall determine that the sign or signs:

(aa) Are proportional and in scale with the building.

(bb) Are compatible in design, color, and material with the building and surrounding area.

(cc) Do not result in the total area of all signs attached to the building exceeding the area allowed for the building by subsection (1), above.

(dd) Make reasonable provisions for all tenant space with primary frontage to the enclosed mall or interior hallway.

(ee) Are in all other respects consistent with the intent of the sign regulations.

(b) Non-directory Signs.

(1) Area. Non-directory 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. Non-directory pole signs shall be located so that the part of the sign located closest to the street right-of-way line, including support structure, shall be set back not less than sixteen (16) feet from existing public street improvements or right-of-way line as provided in Section 335-09.5(g). (Amended 2/2010)

(4) Height. The maximum height of a non-directory freestanding sign with a sixteen (16) 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. (Amended 2/2010)

(5) Commercial or industrial parcels that have no public street frontage shall be allowed to advertise on an existing legal freestanding sign located on a contiguous commercial or industrial parcel which fronts on a public street. Such signs shall be limited to a maximum size of twelve (12) square feet in area and shall be in addition to the sign area allowed for the parcel having public street frontage.

(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/monument signs shall be located so that the part of the sign located closest to the street right-of-way line, including supporting structure, shall be set back not less than sixteen (16) feet from existing public street improvements or right-of-way line as provided in Section 335-09.5 (g). (Amended 2/2010)

(4) Height. The maximum height of a directory freestanding sign shall be twenty-five (25) feet.

(d) Spacing Of Directory And Non-directory Signs. One freestanding sign, whether directory or non-directory, 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 and limited to one (1) directory sign for the purpose of Section 335-20 (c) (1) and (4). (Amended 11/90)

(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 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. (Amended 11/90)

(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 non-directory 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. For purposes of this Section, no exposed incandescent bulb rated at greater than eleven (11) watts and no exposed neon tube larger than eleven (11) millimeters in diameter shall be permitted. Spacing between incandescent bulbs shall be a minimum of six (6) inches on center. See Section 335-09 for prohibited signs. Backlighting of awnings, canopies and similar structures shall be based on the following:

(1) If the lighting system is fluorescent, the fixtures shall be UL rated for protected outdoor use with cool-white tubes not to exceed 800 milliamps and not to exceed 2 tubes per fixture. Fixtures shall be no closer than 12 inches from the fabric, and the distance between fixtures shall be such that an average of 12 inches per tube between the outermost tubes is not exceeded.

(2) If the lighting system consists of (or includes) other than fluorescent tubes, the luminance level produced by such system shall not exceed the luminance level produced by the fluorescent tubes using the above criteria. Conformance shall be confirmed by calculations that compare the allowable fluorescent luminance with the proposed alternate luminance, based upon a report from a qualified electrical engineer and approved by the Planning Director.

(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 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. All signs to be relocated are subject to the provisions of Section 335-12.5.

ARTICLE 2.2: 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:

Signs. One (1) monument sign is permitted on each parcel set back at least sixteen (16) feet from existing public street improvements or right-of-way line as provided in Section 335-09.5(g), 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 sign(s) 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 percent (5%) of the area of the wall upon which those signs are attached. Signs utilizing individual letters may be computed for area at seventy-five percent (75%) of the circumscribed sign area. (Amended 2/2010)

ARTICLE 2.3: 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 degrees (60°) from the horizontal. Exceptions to this provision are as follows:

(aa) Signs may be attached to the fascia of a building or canopy, not projecting above or below said fascia.

(bb) Signs may be attached to the fascia 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 fascia 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 percent (75%) of the area within straight lines enclosing the copy. All other signs shall be counted at one hundred percent (100%).

(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) Non-directory 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. Non-directory pole signs shall be located so that the part of the sign located closest to the street right-of-way line, including support structure, shall be set back not less than sixteen (16) feet from existing public street improvements or right-of-way line as provided in Section 335-09.5(g). (Amended 2/2010)

(4) Height. The maximum height of a non-directory pole sign with a sixteen (16) 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. (Amended 2/2010)

(5) Spacing Of Non-directory Pole Signs. One pole sign, whether directory or non-directory, 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.

(4) Smog Inspection. Smog inspection signs as required by state law shall be located as provided for other signs with minimum required smog signs exempt from the total area for all signs as determined by Section 335-28 (a).

ARTICLE 2.4: SIGNS – SECONDARY AUTOMOTIVE SERVICE STATION

335-29. Signs, Secondary Automotive Service Station

(a) The total permitted signs on a parcel that includes a secondary automotive service station shall be based on the primary use of the property and the application of Section 335-20. The portion of that total signage that may identify the type of gas, price signs and other signs relating to the station is as follows:

(1) The total square footage of service station signs is seventy-two (72) square feet.

(2) The signs may be located on a freestanding sign, on the building or at the pump island. Signs at the pump island are regulated as follows:

(aa) Signs on a canopy at the pump island shall be located as set forth in Section 335-28 (b) (1), (aa), (cc), (ee), and (ff).

(bb) If there is no canopy over the pump island, Section 335-28(b) (1) (ff) is applicable. A pole or poles may be installed within the 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).

(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).

(b) Exemption to Sign Area and Special Requirements. Same as Section 335-28(h). (Amended 11/90)

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.

ARTICLE 3: 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 attached to a building and which are visible from the freeways, County roads, and County routes designated in Section 335-36, and all freestanding signs are subject to the provisions of Section 335-15.

Identification signs attached to a building and which are not visible from the freeways, roads and routes designated in Section 335-36 are subject to the provisions of the Zoning Code relating to signs in the BP zone (Section 335-15) or the commercial and industrial zones (Section 335-20) as applicable.

(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 Directory 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 for a monument sign.

(2) Maximum height is six feet.

(3) Minimum setback is sixteen (16) feet from existing public street improvements or right-of-way line as provided in Section 335-09.5(g), or as otherwise determined by enforcement agency, when other than a public street. (Amended 2/2010)

(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/monument signs which are not designed as an integral architectural element of the principal structure.

(b) Off-site signs, except: (1) directory monument signs, as provided by Section 335-31(c); and (2) relocated off-site signs as described by Section 335-12.5, with an approved conditional use permit by the Board of Supervisors after a recommendation for approval by the Project Planning Commission, may be relocated within a Special Sign Corridor providing the sign was already located within a Special Sign Corridor.

(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/monument 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 thirty-two (32) square feet of area, twenty (20) feet of height, or devote more than twenty percent (20%) 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 (q).

(g) Special provision signs of Section 335-09.5(b), (c) and (e).

(h) Bus shelter signs of Section 335-13.

(i) Industrial office park signs of Section 335-25. (Amended 2/88)

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 80

(b) South Sacramento Freeway, Route U.S. 99 and 50

(c) El Dorado Freeway, Route U.S. 50

(d) Interstate Freeway Business Route 80

(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.

(1) 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.

(Amended 9/87)

ARTICLE 5: SPECIAL SIGN DISTRICT

335-60. Purpose

The purpose of this Article is to regulate directory and non-directory 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

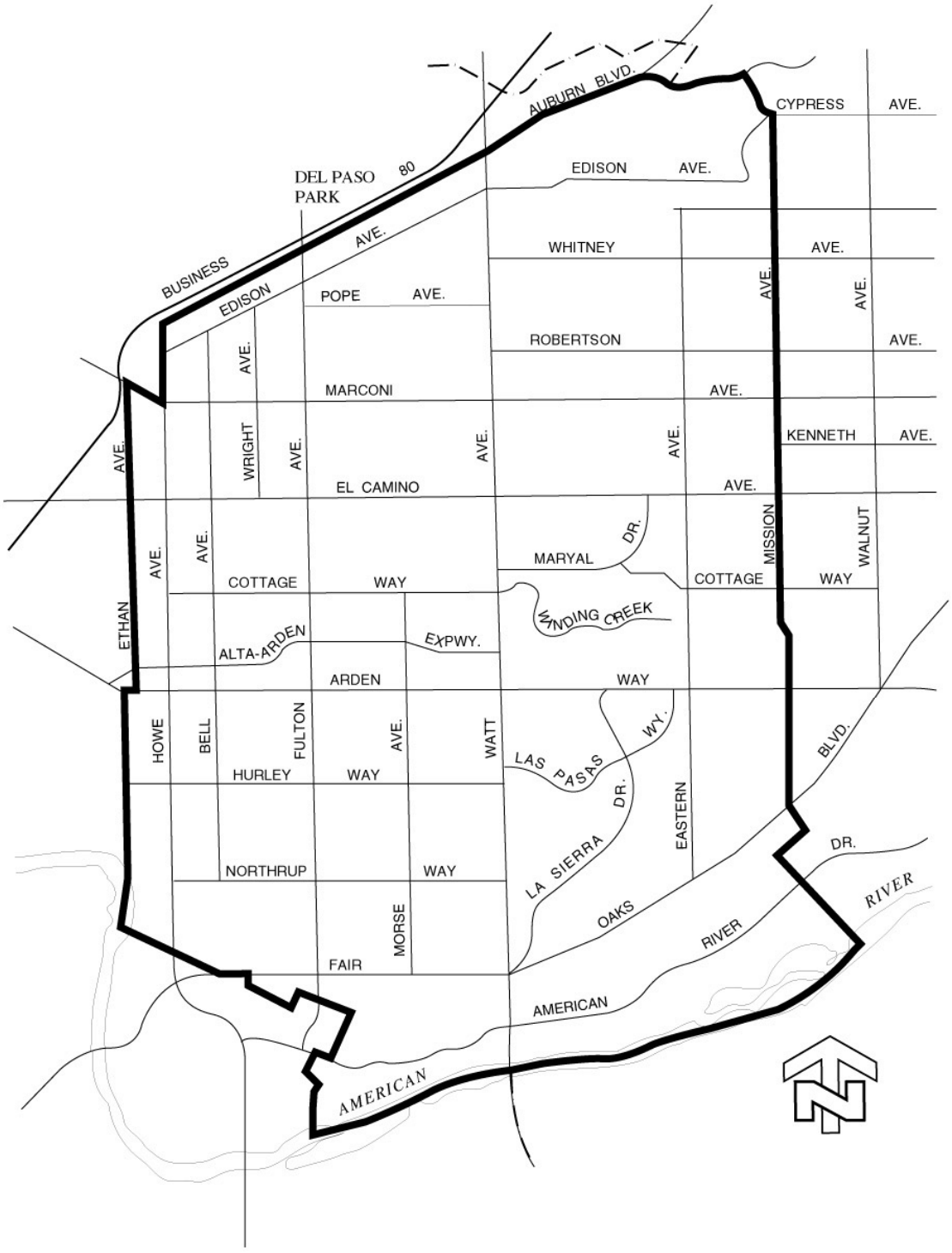
The boundaries of the Special Sign Districts are shown in the exhibits identified as follows and made part of this Code:

(a) Arden-Arcade community, as shown on map labeled 335-61(a)

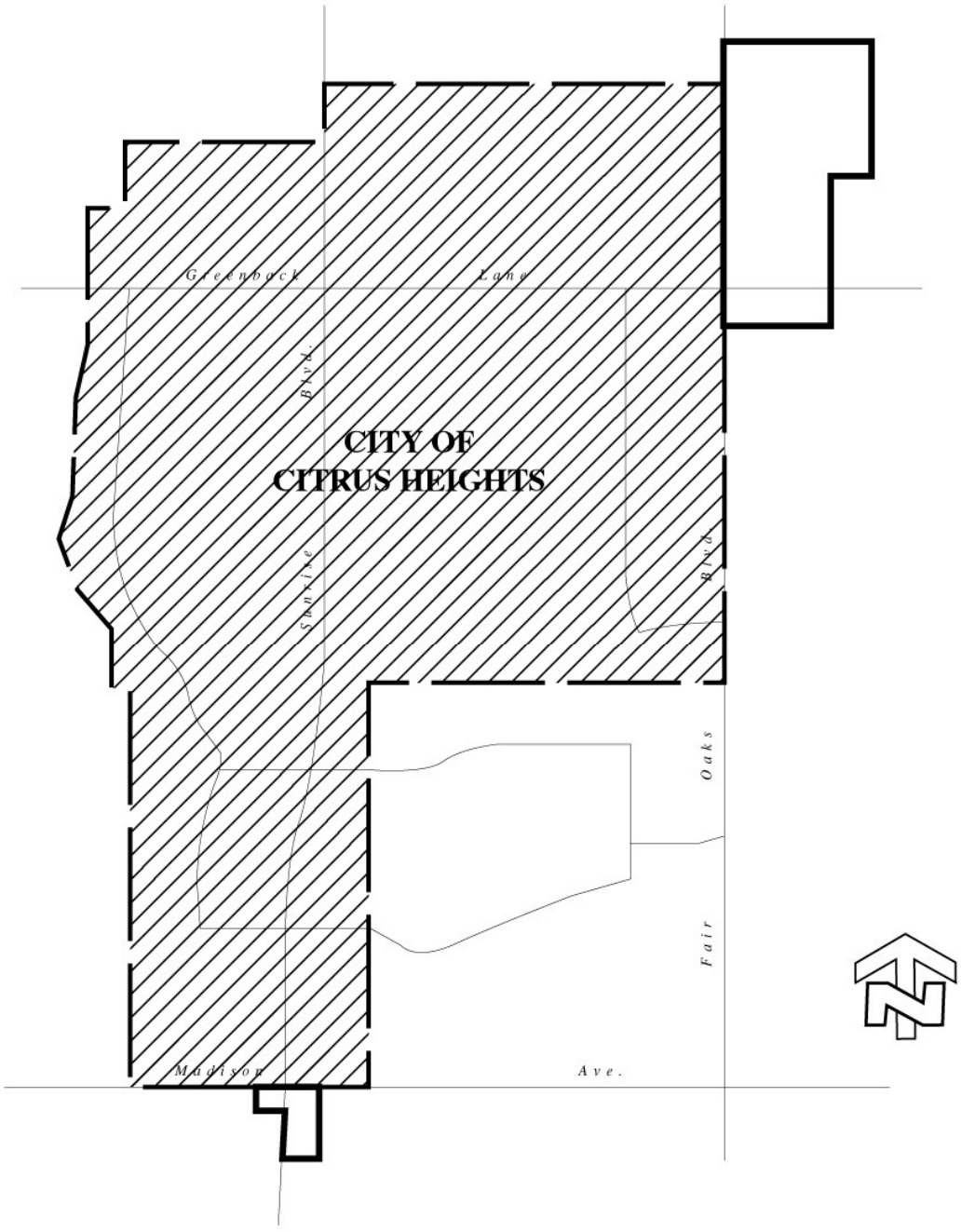
(b) Sunrise/Greenback/Madison area, as shown on map labeled 335-61(b)

(c) Antelope community, as shown on map labeled 335-61(c)

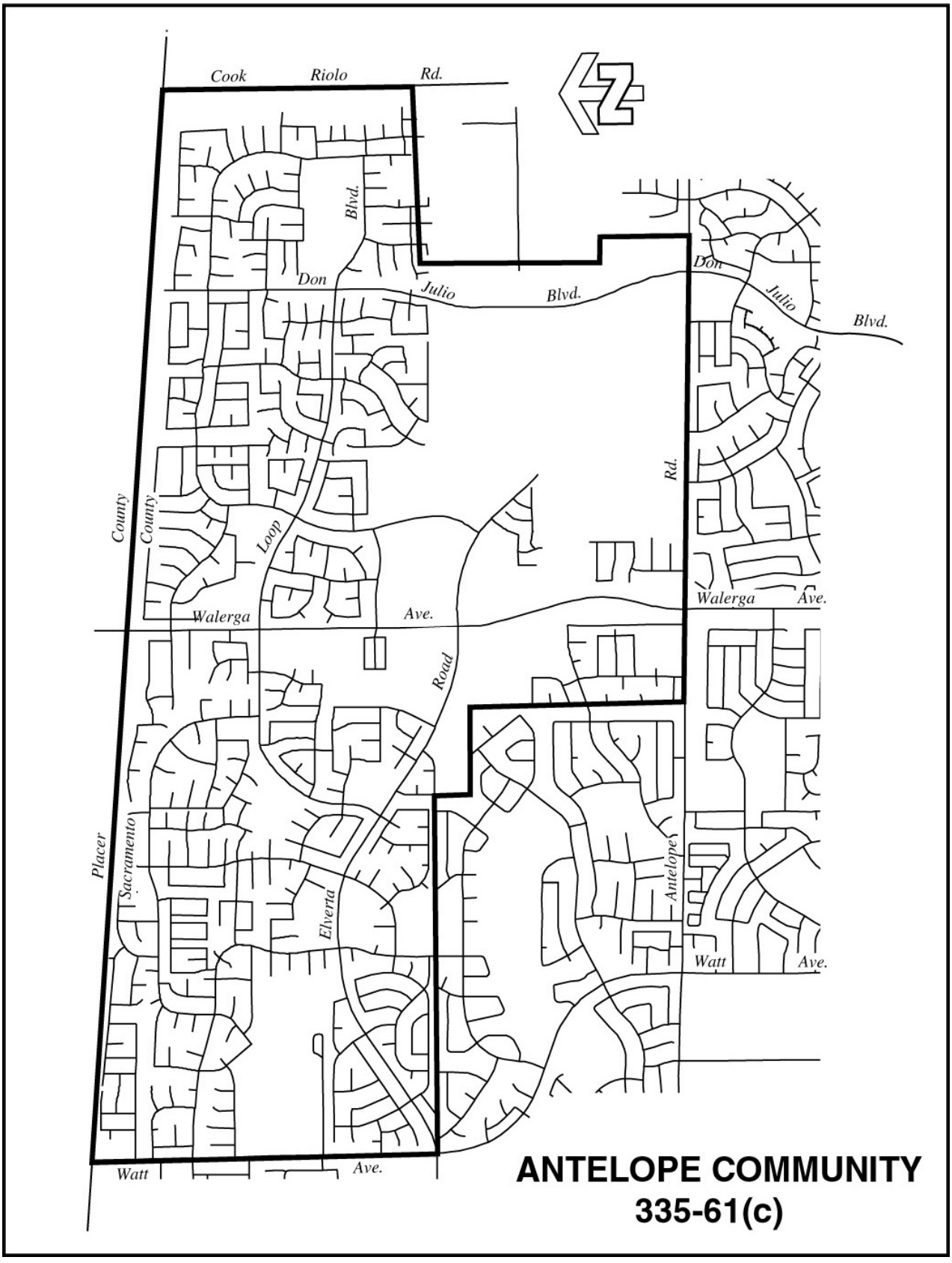
(d) Laguna-Franklin community, as shown on map labeled 335-61(d)

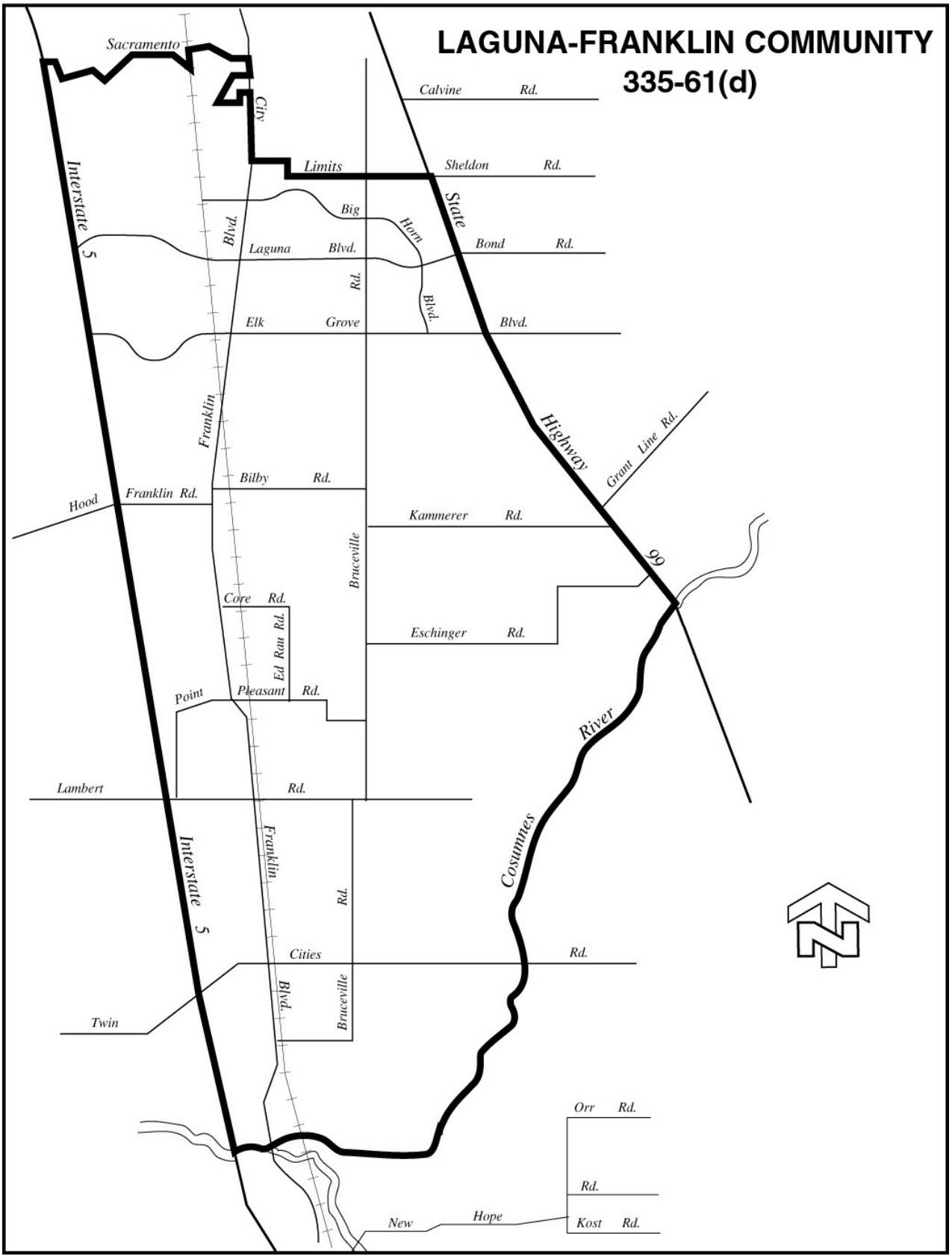


ARDEN-ARCADE COMMUNITY
335-61(a)



SUNRISE/GREENBACK/MADISON AREA
335-61(b)


Cook
Riolo
Rd.
Blvd.
Don
Julio
Blvd.
Don
Julio
Blvd.
County
County
Loop
Rd.
Walerga
Ave.
Walerga
Ave.
Road
Placer
Sacramento
Elverta
Antelope
Watt
Ave.
Watt
Ave.
ANTELOPE COMMUNITY
335-61(c)


LAGUNA-FRANKLIN COMMUNITY
335-61(d)
Sacramento
City
Limits
Interstate 5
Calvine Rd.
Sheldon Rd.
State
Highway
99
Big Horn Blvd.
Laguna Blvd.
Bond Rd.
Elk Grove Blvd.
Franklin Blvd.
Grant Line Rd.
Hood
Franklin Rd.
Bilby Rd.
Kammerer Rd.
Bruceville Rd.
Core Rd.
Eschinger Rd.
Ed Rau Rd.
Point Pleasant Rd.
River
Cosumnes
Lambert Rd.
Franklin Rd.
Interstate 5
Cities Blvd.
Bruceville Rd.
Twin
Orr Rd.
New Hope
Kost Rd.

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 monument or non-directory monument 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 non-directory 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 sixteen (16) feet from existing public street improvements or right-of-way line as provided in Section 335-09.5(g). Similarly, signs shall be located so that the part of the sign located closest to any other property line shall be set back as follows: (Amended 2/2010)

(1) Two feet adjoining any property zoned for any Commercial or Industrial land use zone, or

(2) Ten (10) feet adjoining any property zoned for any Agricultural, Agricultural-Residential, Residential, Recreation, Interim General and Limited Agricultural, Interim Residential, or Open Space land use zone.

(c) Height. The maximum height of a monument sign at 16-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. (Amended 2/2010)

(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 Sacramento County Code Sections 12.12.010 and 12.12.020.

(g) Illumination. Illumination shall be interior lights or spotlighted. Lighting filaments or gas tubes shall not be visible from adjacent property or public streets.

(h) Spacing Of Directory And Non-directory Signs. Spacing of directory and non-directory signs shall be as provided in Section 335-20(d).

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.

335-66. Exceptions to the Special Sign District Provisions

The following specific signs are exempt from the Special Sign District 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 (q).

(g) Special provision signs of Section 335-09.5(b), (c) and (e).

(h) Bus shelter signs of Section 335-13.

(i) Industrial office park signs of Section 335-25.

(Amended 2/88)

ARTICLE 6: 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, Chapter 35, Articles 2 through 6, for specific provisions.

CHAPTER 40: AUTOMOBILE SERVICE STATION

ARTICLE 1: 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 overconcentration 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.

ARTICLE 2: 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.

ARTICLE 3: LOCATION OF PRIMARY AUTOMOBILE SERVICE STATIONS

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 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 new 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, 0, 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, unless the Board can make the finding that the design of the service station along with the conditions placed upon the Use Permit will mitigate any adverse effects the station may have on the abutting residential property. In considering service stations adjacent to residential property the Board recognizes the potential incompatibilities between the land uses and declares the protection of the residential property to a primary consideration, to the degree that insufficient protection of the residential property is grounds for the denial of the Use Permit. 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 nonconforming to the provisions of this Code. (Amended 9/87; 11/90)

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.

ARTICLE 4: 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 for all new primary service stations.

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 twenty-one (21) feet to the street right-of-way. (Amended 2/2010)

340-35. Access Driveways

Driveways shall have a minimum width of thirty-five (35) feet, except that driveways entering streets proposed at an seventy-four (74) foot (Arterial) or ninety-six (96) foot (Thoroughfare) right-of-way shall be forty-five (45) feet wide. In all other respects, driveway width shall be as set forth in the County of Sacramento, Street Improvement Standards adopted by the Board of Supervisors. 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. (Amended 2/2010)

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 percent (20%) of the lot area. For the purposes of this Section not less than seventy percent (70%) 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 percent (30%) 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.

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 an existing, or a proposed, automobile service station site abuts property residentially zoned or residentially used, there shall be a solid masonry wall 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 thirty-one (31) feet from the street right-of-way line said fence or wall shall not exceed two and one-half (2 ½) feet in height. (Amended 9/87) (Amended 2/2010)

340-43. Structure Height

Structures located within the buildable area of the lot shall be subject to height limits of the zone classification of the site. Canopies constructed over pump islands located outside the buildable area of the lot shall not exceed the design clearance height plus the allowable roof structure height as described below:

(a) The design clearance height is the vertical distance between the finish grade and a height equal to the vehicle height for which unencumbered clearance will be provided by the design of the service station. The maximum allowable design clearance height is 14'-6", however lower design clearance heights are permitted at the option of the owner.

(b) The allowable roof structure height shall not extend higher than 2' 6" above the design clearance height. For purposes of this section, the allowable roof height is the vertical distance above the design clearance height measured to the highest point of the coping of a flat roof or to the highest part of a mansard roof on to the average height of the highest gable of a pitched or hipped roof.

(c) Deviations from the design clearance height or allowable roof structure height may be permitted in conjunction with a use permit hearing if the final approving body finds that the overall architectural character of the service station is aesthetically enhanced by such deviation and total service station design is aesthetically compatible and complementary of the surrounding structures. (Amended 11/90)

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 station located as provided herein and other parts of the shopping center or industrial park.

ARTICLE 5: 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 twenty-one (21) feet from the street right-of-way. (Amended 2/2010)

340-62. Signs

Signs and permitted advertising devices may be erected subject to the provisions of Title III, Chapter 35, Article 2.4.

ARTICLE 6: 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 of Public Works who shall make an inspection of the automobile service station site in order to ascertain whether abatement procedures are warranted.

ARTICLE 7: 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, and further provided that such service station has not discontinued its operation for a period of one hundred eighty (180) days or more.

340-81. Repairs, Additions, Alterations, Relocations or Restoration: More than Fifty Percent (50%)

When any repairs, additions, alterations, relocation or restoration made within a twelve (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 percent (50%) 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. Nonconforming 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 nonconforming to or not in compliance with all applicable laws and regulations in effect prior to the effective date of this Chapter.

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