

## Background

On January 1, 2025, AB 2362 (Wilson, 2024) took effect, requiring local jurisdictions to regulate thrift retail stores the same as nonthrift retail stores. Jurisdictions may still regulate limited aspects of a thrift store’s operations, as outlined in State law, to prevent the creation of nuisances.

Certain Special Planning Area (SPA) ordinances have been identified as imposing additional use permit requirements and/or use regulations on thrift stores that are not applied to nonthrift stores.

## Applicable Thrift Store Standards

All thrift stores within the following SPAs must only be subject to regulations applicable to retail stores of the same size as specified in the SPA:

- Courtland (504-100)
- North Highlands Town Center (504-600)
- Fulton Avenue (504-700)
- Old Florin Town (610-010)
- Fair Oaks Boulevard Main Street (611-10)
- North Watt Avenue Corridor Plan (612-10)
- Fair Oaks Boulevard Corridor Plan (6.7.3.A)

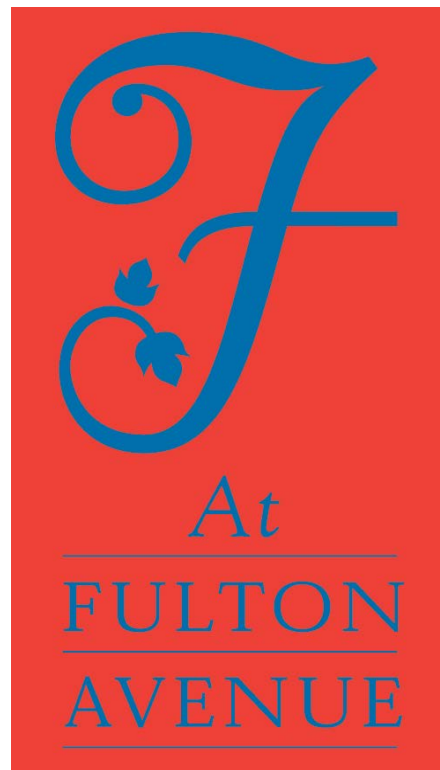
## Fulton Avenue SPA Interim Guidance

In compliance with AB 2362, in the Fulton Avenue SPA, the thrift store use category is removed from Section J of Table 1, Permitted and Restricted Uses Table. Thrift stores are **permitted by right** as a “General retail or Department Store” use in the Fulton Avenue SPA and are not subject to a Conditional Use Permit.

Use (1) Use, Service or facility	Properties with AC Underlying Zone	Corridor Mixed-Use Areas (CMU-A) <u>Avenue Thoroughfare</u>  Corridor Mixed-Use Centers (CMUC-C)-2 <u>Crossroads Centers</u>	Use Standard
<b>J. General Merchandise Sales</b>			
<del>Thrift Store</del>	€	€	
Building material and Lumber Sales	P	P	
General retail or Department Store	P	P	

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# Fulton Avenue Special Planning Area Ordinance



**Adopted By Resolution: 2011- 0165**

**February 23, 2011**

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## **FULTON AVENUE SPECIAL PLANNING AREA**

### **EXECUTIVE SUMMARY**

The Fulton Avenue corridor is one of many commercial corridors in Sacramento County that reflects a historical pattern of development common throughout the county for several decades. Fulton Avenue has a particular uniqueness with its historical presence as a major auto sales district in the region. These corridors represent a range of shopping and services arranged in strip centers extending along a thoroughfare. Commercial corridors were designed to emphasize the convenience of auto access, with stores and services visible to passing motorists on the street and the parking located in the front.

This Special Planning Area has been developed both in response to the changing needs of the community and the fact that the auto industry has experienced a slow decline in sales. The Fulton Avenue Special Planning Area Ordinance is intended to accelerate the competitiveness of the Fulton Avenue corridor by providing additional land uses by right and allowing flexibility in the Development and Design Review standards for all properties. The Special Planning Area Ordinance offers specific recommendations to encourage private development and will serve as a road map for the revitalization of this major regional commercial corridor. The Special Planning Area will be an approximate 20 year plan for the community and will be reviewed frequently during that time in order to evaluate the effectiveness of the plan. It is anticipated that the plan will be reviewed in 5 year cycles as staffing and resources allow. The draft Special Planning Area proposes additional flexibility for properties zoned Auto Commercial (AC) to have increased retail options for the properties. In addition, all of the properties will have increased flexibility in development standards such as height, setbacks and parking.

The goals listed below were identified by both the community and the Planning Department and have directly influenced the development of the corridor plan.

The goals of the Fulton Avenue Special Planning Area Ordinance (SPA) are to:

- Allow more flexibility in land uses for the Special Planning Area (SPA) area, in particular to allow for commercial and mixed use development on all of the properties in the SPA. The zoning will change for all properties within the SPA to either Corridor Mixed-Use Areas (CMU-A) or Corridor Mixed-Use Centers (CMUC-C) depending on the location of the property. These mixed-use designations are similar to the existing zoning, but provide for even greater flexibility.
- Take advantage of strengths, including existing auto and retail commercial and western Arden Arcade location, building on the strong tradition as a major commercial district.
- Encourage more quality building design, landscaping and site improvements to compliment investment already made in streetscape.
- Encourage a strong pedestrian and bicycle friendly environment and encourage the use of transit.
- Implement the Arden Arcade Community Action Plan policy to encourage vitality of commercial corridors, especially Fulton Avenue.
- Define Project Review Process and provide incentives for quality projects that meet the goals and principles of the SPA.
- Allow for retention of existing AC zoning rights”

This document sets clear goals for future development that will make Fulton Avenue more competitive to receive future funding for proposed improvements.

Primary components of the Special Planning Area Ordinance:

- Form-based regulations;
- Upgrade of design quality;
- Optimize the use of the Crossroads Centers as “neighborhood gateways”;
- Establish pedestrian connections to adjacent neighborhoods.
- Increased flexibility with regards to the Development Standards.



## SECTION ONE: INTRODUCTION

Section One summarizes the history and the existing conditions along Fulton Avenue, as well as the pattern of land use and development that has characterized the Plan area. The public input process undertaken to create the Fulton Avenue Special Planning Area is also detailed.

### **Introduction**

Fulton Avenue is hampered by outdated zoning categories with very prescriptive uses that limit a significant number of properties to auto related uses. In addition, Fulton Avenue reflects a historical pattern of development and is auto-oriented rather than pedestrian oriented. Given the current economic climate and the existing zoning, the Economic Development Department and Planning Departments partnered to engage the property and business owners in a series of focused discussions regarding the future of Fulton Avenue. This draft Special Planning Area is one of a series of proactive steps recommended to assist the competitive position of Fulton Avenue.

#### **A. Purpose of SPA**

The intent of the Fulton Avenue Special Planning Area (SPA) is to spur private sector investment and to accelerate the repositioning and competitiveness of the Fulton Avenue corridor by providing additional land uses by right and establishing design standards to ensure aesthetically pleasing, quality projects. Accelerated reinvestment in the area is also expected to benefit surrounding commercial corridors, neighborhoods, and the Arden Arcade community as well. The Fulton Avenue Special Planning Area expresses the community's long term vision and principles at a district level. Future projects within the Plan area would be required to contribute to fulfilling the goals of the Plan and the evolution of the community consistent with economic development and image objectives of the Plan area and the surrounding community.

The proposed Fulton Avenue Special Planning Area (SPA) project consists of a Community Plan Amendment and Rezone to change the existing zoning designations to the Fulton Avenue SPA on approximately 228 gross acres. The proposed project also includes a Zoning Ordinance Amendment to add the Fulton Avenue Special Planning Area. In addition, the proposed project will require an override of the County General Plan Comprehensive Land Use Plan (CLUP) Policies to allow the types of land uses proposed within the existing Approach/Departure Safety Zones for McClellan Air Field.

#### **B. Regional and Community Context**

##### **1. Area Historical Narrative**

Fulton Avenue lies in the heart of the Arden Arcade community, which encompasses approximately 13,000 acres or 21 square miles. The area was part of the Rancho del Paso land grant, which was obtained by James Ben Ali Haggin circa 1860. Haggin bred thoroughbred racehorses on the ranch before selling the property in 1910 to the Sacramento Valley Colonization Company, which intended to subdivide the land. Much of Arden Arcade began to develop in the 1940's, at which time Town and Country Village (the first suburban shopping center in Northern California) was built at the intersection of Fulton and Marconi Avenues. Most of the population growth in the area occurred between the 1950's and 1970's, when an estimated 75% to 80% of the community was developed with suburban

uses. Much of the development along Fulton Avenue dates from this era. Arden Arcade is now one of the most intensely developed areas of Sacramento County.

Fulton Avenue is centrally located within Sacramento County, located just outside the city of Sacramento within the unincorporated community of Arden Arcade. The Avenue is named after Robert Fulton, an inventor who made the first commercially viable steamboat. Continuing in that transportation theme, the avenue is easily accessible via the Capital City Freeway, with its own dedicated exit, as well as exits to major roads that intersect with Fulton Avenue. Fulton Avenue was designed to emphasize the convenience of auto access, with stores and services visible to passing motorists on the street and parking located at the front. Purchasing goods and services has often meant driving to multiple destinations along the corridor. Long known as a premier location of commercial activity, particularly car dealerships and restaurants, the Fulton Avenue Special Planning Area is being established to allow flexibility in land uses in order to accommodate changes in the economy, predominantly in the automobile industry.

The Fulton Avenue Special Planning Area is a 2.3 mile stretch of Fulton Avenue, starting at its southern end at Arden Way, and extending northward to Edison Avenue. Also included in the SPA are properties at several major cross streets. Within the Special Planning Area are over 350 businesses, including new car dealerships, restaurants, and grocery stores. Approximately 79 acres of the SPA are zoned for auto use (AC), comprising one-third of the property in the SPA. Historically Fulton Avenue has been a main thoroughfare with a vital mix of businesses and land uses. However, with the advent of suburban malls, power centers and auto malls, and the collapse of the auto industry resulting in the closure of a number of auto dealerships along Fulton Avenue, it now requires a proactive approach to reflect a changing business climate for auto sales and retail.

## **2. Description of Existing Conditions**

The entire Fulton Avenue SPA consists of approximately 228 gross acres and there are approximately 203 parcels within the planning area. The range of parcel sizes within this area is 3,500 square feet to 561,052 square feet. The Fulton Avenue Special Planning Area (SPA) district includes approximately 79 acres of Auto Commercial (AC) zoned property, 97 acres of Limited Commercial (LC) zoned property, 5.76 acres of Business and Professional (BP) zoned property, 0.21 acres of RD-3 zoned property, 8.56 acres of RD-30 zoned property, and 37 acres of Shopping Center (SC) zoned property.

## **3. Proposed SPA Boundaries**

The Fulton Avenue Special Planning Area (SPA) incorporates the portion of Fulton Avenue that is encompassed by the current Fulton Avenue Property Based Improvement District (PBID) boundary with the exception of the area already covered by the West Auburn Special Planning Area. This includes the majority of the parcels fronting Fulton Avenue at Edison Avenue to the north and Arden Boulevard to the south (See exhibit below). There are several properties that do not front on Fulton Avenue, but front on the side streets. The entire Fulton Avenue Special Planning Area consists of approximately 228 gross acres and 203 parcels.

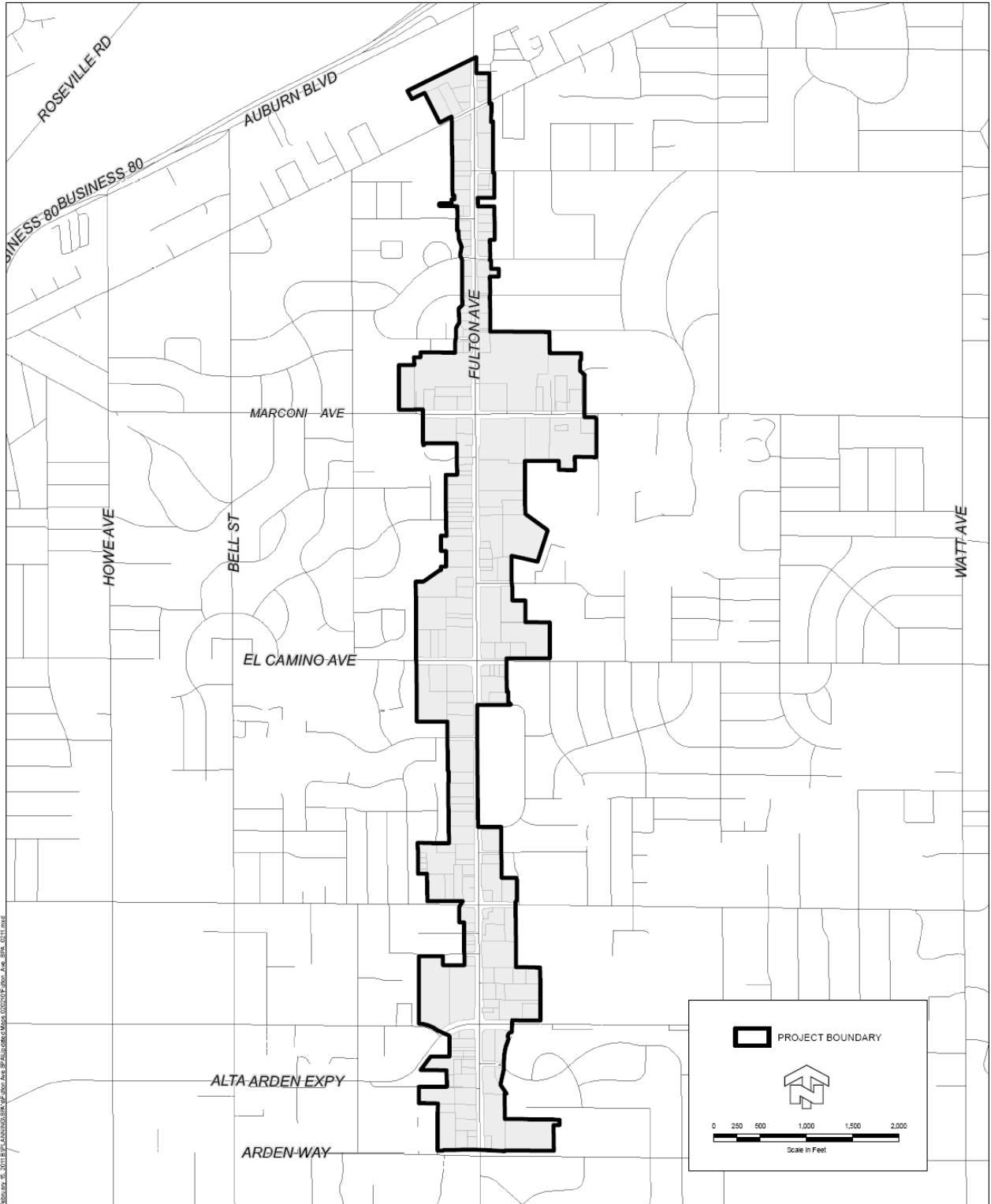


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**Fulton Avenue SPA Map**

**Map Showing Proposed SPA Boundaries**

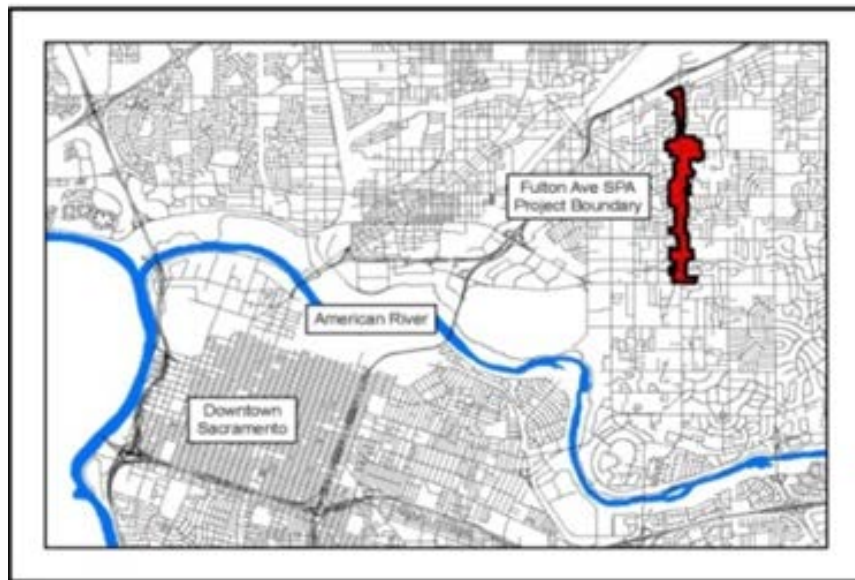
#### 4. **Fulton Avenue Property Based Improvement District (PBID)**

In 1999 the County undertook an improvement project in partnership with the Fulton Avenue Improvement Association along Fulton Avenue (see attachment). It included creation of a PBID (Property Based Improvement District) to raise funds for the area, a streetscape master plan called the Fulton Avenue Conceptual Beautification Master Plan that included unified streetscape and signage design, and the undergrounding of utilities along the Avenue. The streetscape and signage is in place and the undergrounding of utilities has been completed. This project has improved the public way along Fulton Avenue tremendously and the PBID is planning further streetscape improvements as well as “soft” improvements such as creation of a unified marketing program for businesses along the Avenue and increased security. The streetscape improvement should serve as a visual catalyst for further improvement to properties within the SPA area.

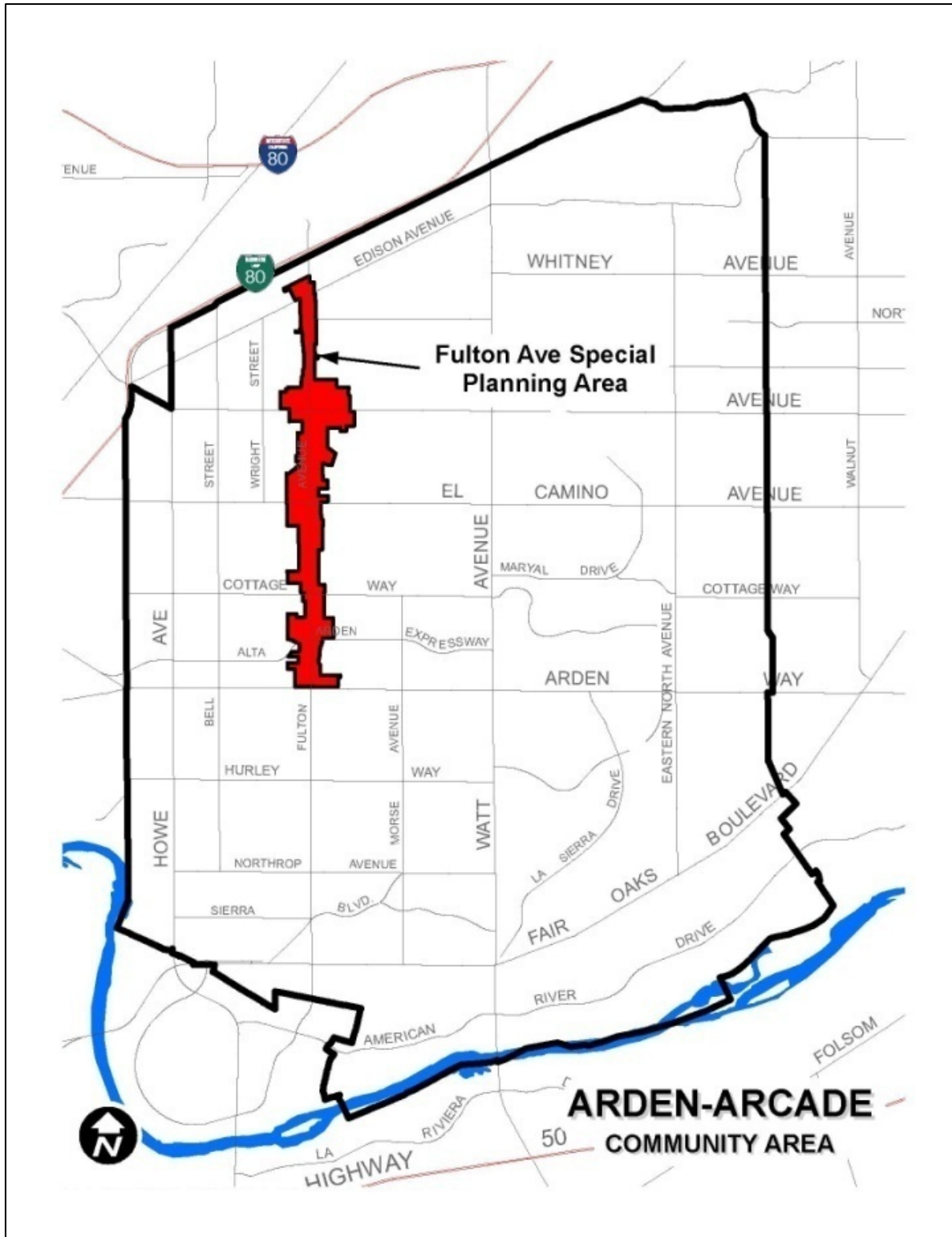
#### 5. **Exhibits**

The following exhibits show the location of the Fulton Avenue Special Planning Area and the context with the surrounding community. The exhibits include:

1. Regional Context Map
2. Arden-Arcade Community Map
3. Aerial View
4. Existing Zoning
5. Existing Land Uses
6. Adjacent Land Uses (500-feet)
7. Opportunities Map

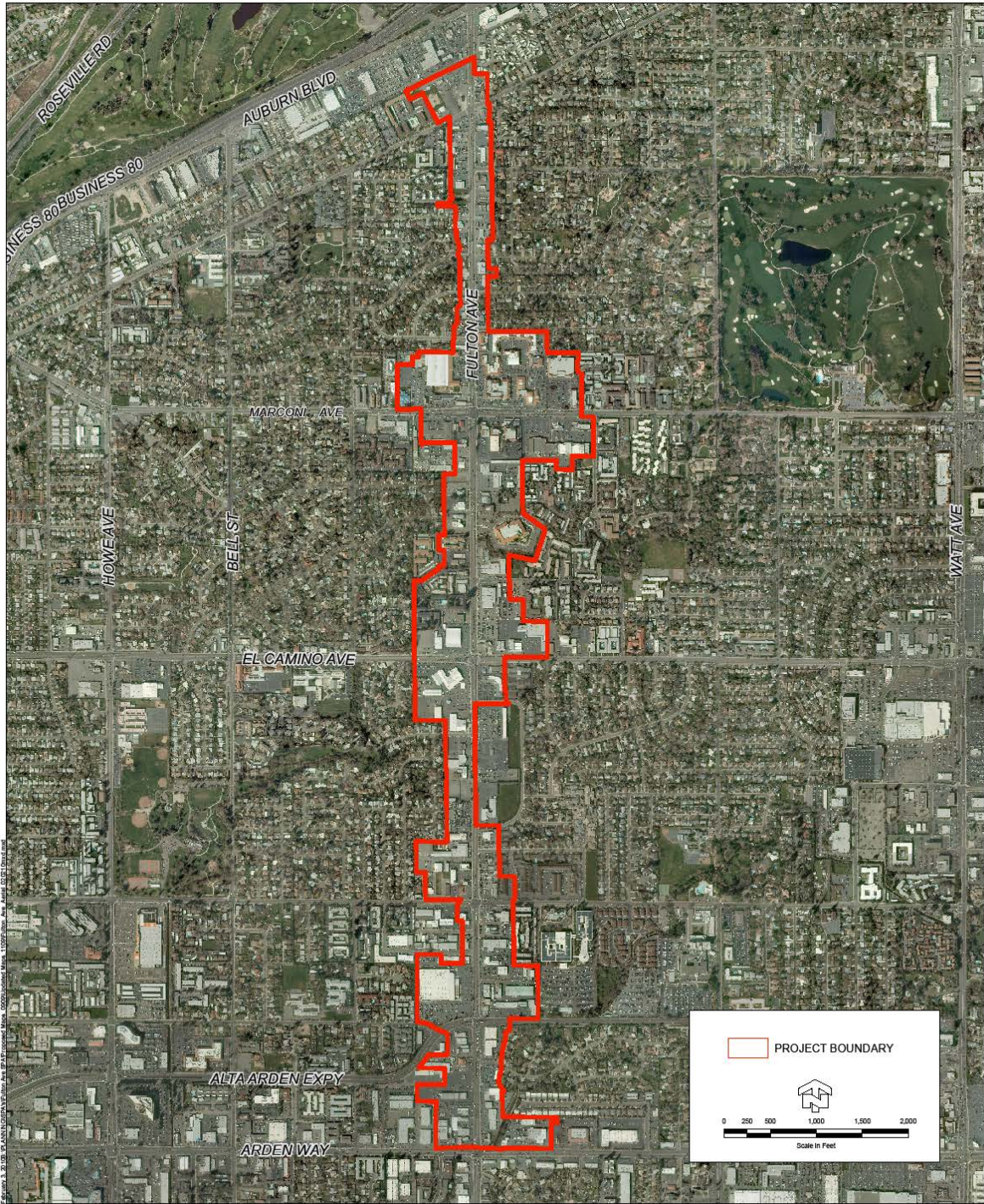


#### **Regional Context Map**



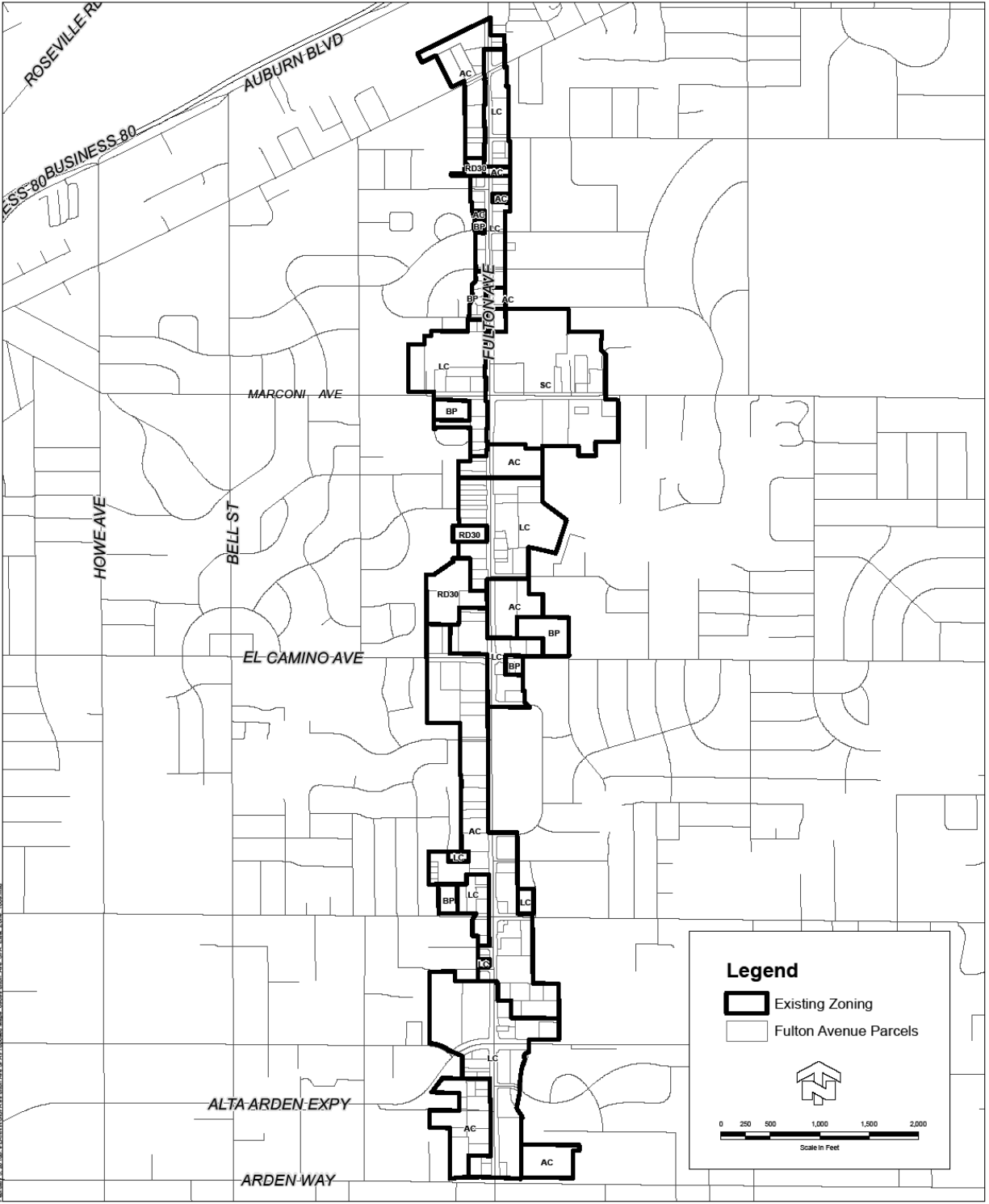
**Arden-Arcade Community Map**





**Fulton Avenue SPA Proposed Land Use**

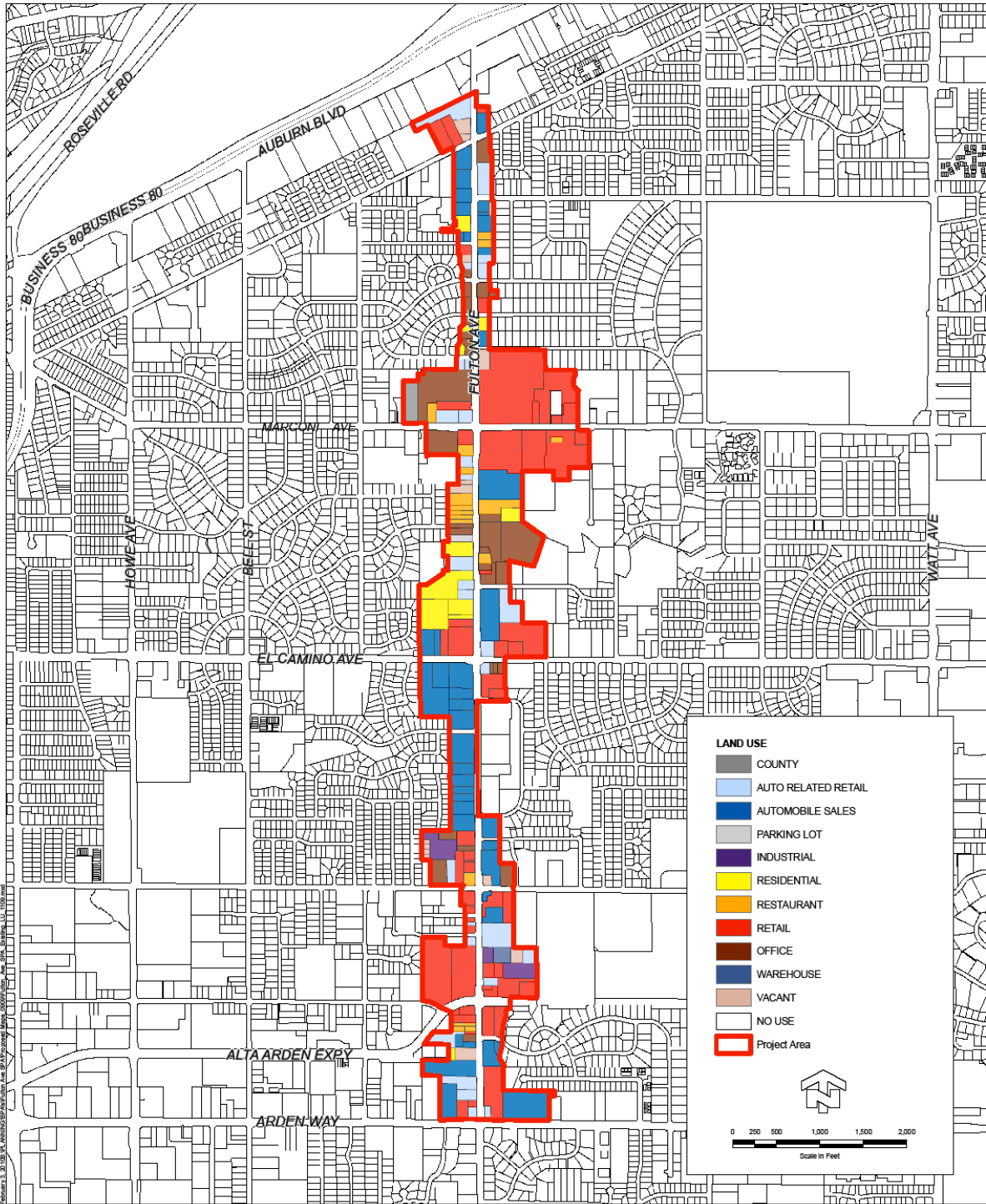
**Map Showing Aerial View of SPA**



**Existing Fulton Avenue Zoning**

**Existing Zoning Map**

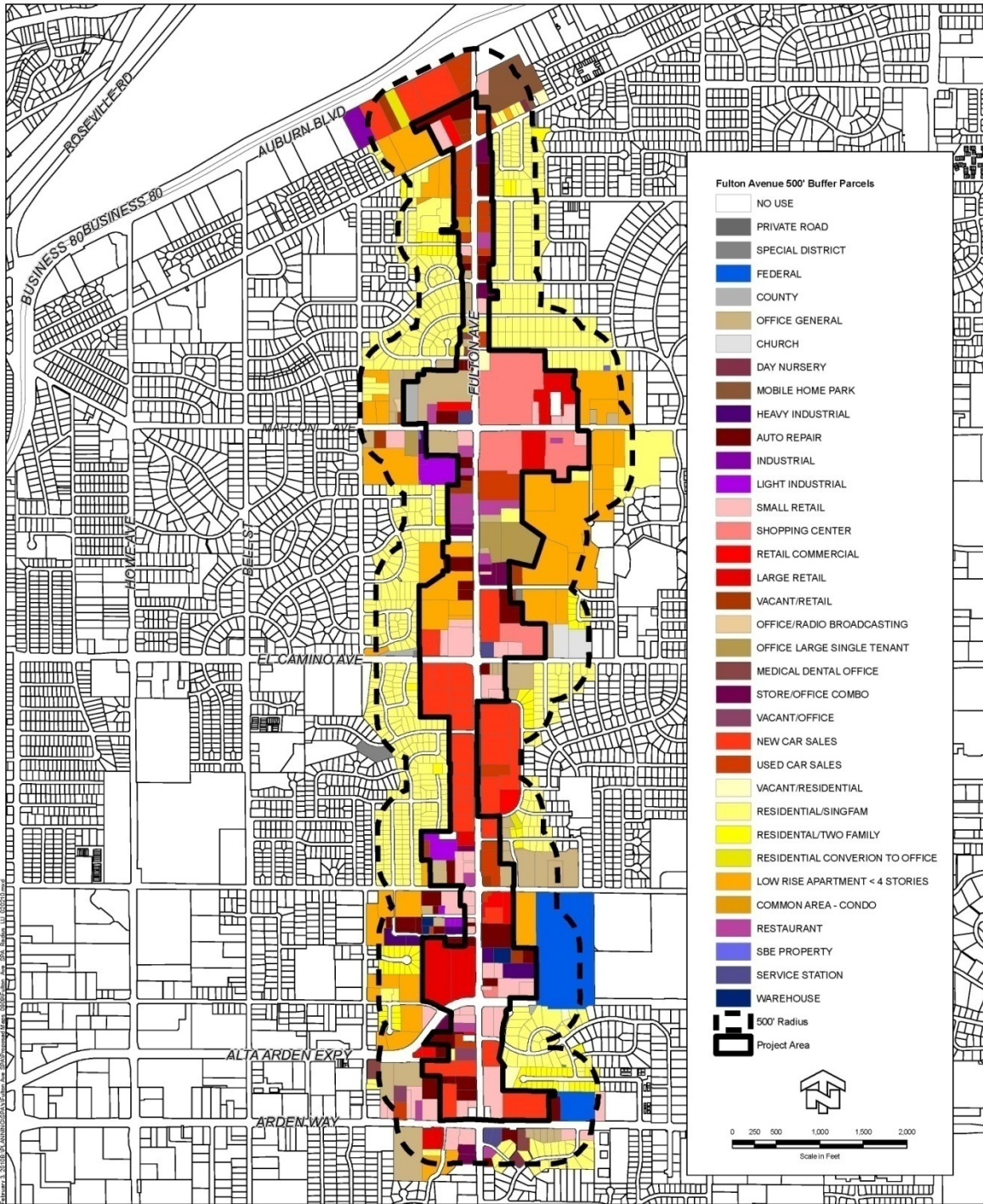




**Existing Fulton Avenue Land Use**

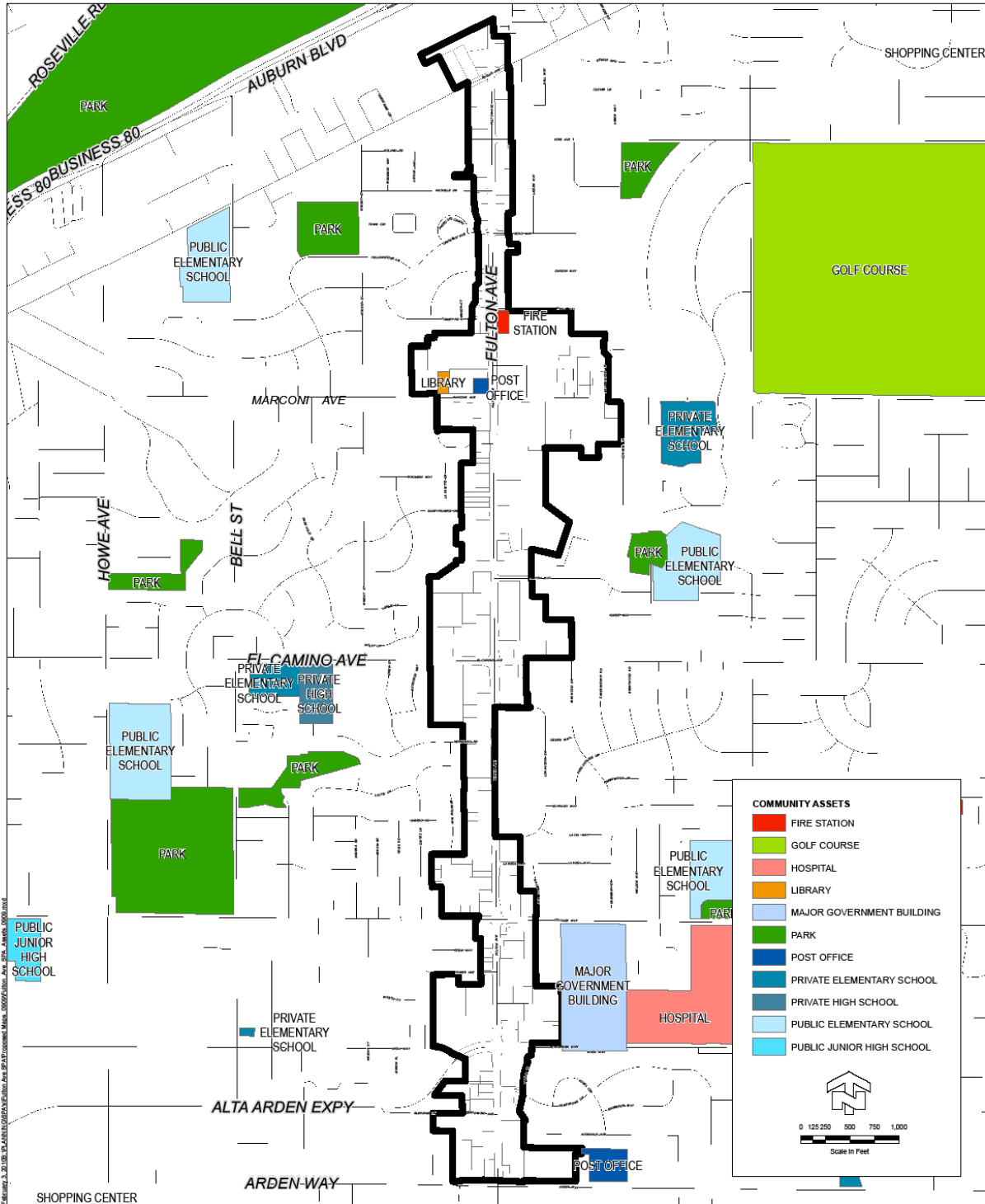
**Existing Land Uses on Fulton Avenue**





**Fulton Avenue Project Area with 500 Foot Radius and Land Use**

**Adjacent Land Uses**



**Fulton Avenue Assets Map**

**Opportunities Map**

**C. Process**

The Fulton Avenue Special Planning Area (SPA) has taken shape through a collaborative process between community stakeholders, residential property owners, Sacramento Housing and Redevelopment Agency (SHRA) and the County Departments of Planning and Community Development and Economic Development Department. Under the “Fulton 2020 Strategy” a focus group of Fulton Avenue business and property owners met with representatives from the two County departments as well as from the Fulton Avenue Business Association twice in the fall of 2008 to discuss potential revitalization efforts for Fulton Avenue, including the potential for a SPA. The focus group brainstormed policies they would like to be included in the SPA, potential boundaries, and design standards.

These discussions led to the initiation of an SPA for Fulton Avenue by the Board of Supervisors on February 3, 2009. In March of 2009 staff from the County Economic Development Department and Planning Departments as well as staff from the Sacramento Housing and Redevelopment Agency (SHRA) met with the Fulton Avenue Business Association for a tour of existing conditions on Fulton Avenue and potential opportunity sites. On May 12, 2009 County staff held a workshop on the proposed SPA for the Arden Arcade Community Planning Commission and interested community members. A number of policy issues were discussed and feedback from that meeting helped to shape the direction of the SPA document. Staff held a meeting with the Fulton Avenue Association Property Owners group on October 7, 2009 in order to conduct the initial distribution of the SPA draft. Another meeting was held with the Fulton Avenue Association Property Owners group on October 20, 2009 in order to receive initial feedback regarding the draft SPA. As a result of this meeting, changes were made to the draft and staff released the Public Review Draft dated November 4, 2009. Another meeting was held with the Fulton Avenue Association Property Owners group on November 18, 2009 to discuss the plan and continue to hear comments. A workshop was held at the Arden Arcade Community Planning Commission on January 12, 2010 in order to discuss the Public Review Draft and hear comments from the public.

**D. Policy Context**

The Fulton Avenue Special Planning Area (SPA) is the result of earlier macro-level planning efforts for the County, Arden Arcade Community and Commercial Corridors. The SPA will include planning policies and development standards. The SPA’s policies are consistent with and implement policies from the Arden Arcade Community Action Plan and the Sacramento County General Plan. It is also consistent with and will reference existing County design guidelines, zoning ordinances and the Conceptual Beautification Master plan already prepared for Fulton Avenue.

**1. Arden Arcade Community Action Plan**

The Arden-Arcade Community Action Plan has established important policies and that have helped to lay the groundwork for the Fulton Avenue SPA. Issues such as transportation, economic development, and land use have been addressed in the Arden Arcade Community Action Plan, and these policies will provide a

guide for these same issues in the Fulton Avenue SPA document. Economic development policies and actions, for example, encourage the retention and continued vitality of major retailers, retail corridors, and promote the re-use and mixed use of vacant strip malls. This is also one of the key objectives of the Fulton Avenue SPA. Implementing the Community Action Plan policy of establishing new design review standards and incentivizing existing business to comply with them, improving their signage, landscaping and facades can improve the aesthetics of the Fulton Avenue SPA. Additionally, policies encouraging infill development and allowing expansion and improvement of existing car dealerships can improve and sustain the business environment in the Fulton Avenue SPA. Finally, land use policies include improving both street and parking lot landscaping, as well as planting shade trees and assisting local business in doing the same. The Fulton Avenue SPA shares these goals and will implement similar strategies.

## **2. Draft Sacramento County General Plan**

The General Plan is currently being updated with a greater emphasis on community design and corridor planning efforts to provide more detailed development guidance. Emerging themes of the General Plan update are demonstrated by the Fulton Avenue Special Planning Area.

As part of the General Plan Update and in preparation for a new Economic Development Element, both the Planning Department and the Department of Economic Development presented policy direction that focused on the development and revitalization opportunities within the existing commercial corridors. This SPA is consistent with this policy direction of revitalizing and reinvesting in our commercial corridors.

Three opportunities and themes identified in the General Plan update process include:

- Viewing commercial corridors in the context of community plan objectives;
- Revitalizing the County's underutilized commercial corridors as mixed-use streets that serve both regional commercial and local service needs; and
- Making commercial corridors mixed-mode streets with an emphasis on uses and site planning that facilitate the use of transit.

The Sacramento County General Plan is a comprehensive document guiding the growth and development of the county over the next 25 years. The General Plan is currently being updated to contain a greater emphasis on revitalizing and reinvesting in the commercial corridors within the county, ensuring that these corridors are mixed-use and transit-friendly streets that serve the greater region and the local communities. In order to meet these goals, the draft General Plan has established land use policies and economic development policies. Because it is a major commercial corridor within the county, the Fulton Avenue SPA implements policies from the General Plan in order to meet these goals set forth for by the General Plan for commercial corridors.

As a major theme of the land use element of the general plan, the county is seeking to invest in the resources to redevelop and reuse land along its commercial corridors. Strategies to accomplish this include supporting development of vacant parcels; encourage rezoning of areas with excess commercial or industrial zoning in order to promote higher densities and mixed use, and avoiding non transit uses. Distinct physical elements, such as gateways, signage, public art, and public landmarks are also an important land use characteristic that the General Plan encourages. Furthermore, general plan policies establish the county's commercial corridors as mixed use and pedestrian friendly, with diversified employment and neighborhood services. The Fulton Avenue SPA has identified these land use policies as important elements to include in its own guiding document.

Similarly to the General Plan's land use policies, several economic development policies have been identified as suitable to direct the drafting of the Fulton Avenue SPA document. Some of these polices include trying to located commercial centers within the county are along major corridors, and ensuring that adequate infrastructure and public services are available to support new or existing commercial activity.

**3. Sacramento County Design Guidelines**

The SPA's Design Guidelines are organized to address issues in the planning area and are consistent with or reference the County's Commercial and Mixed-Use Community Design Guidelines and the Multifamily Design Guidelines.

**4. Sacramento County Zoning Ordinance**

The Fulton Avenue SPA will work as an additional regulatory tool for code issues relating to use and development of property. Where the SPA is silent, the Zoning Ordinance will apply.

**5. Fulton Avenue Conceptual Beautification Master Plan**

The Fulton Avenue Conceptual Beautification Master Plan was developed by the Fulton Avenue Improvement Association to improve the streetscape and signage in the public right of way along Fulton Avenue. This plan will serve as the SPA's streetscape plan as well and is attached as an appendix to the SPA document.

**6. Storm Water Quality Design Principles**

The County's Department of Water Resources has prepared development standards for new and redevelopment projects which require the use of storm water quality control measures on most projects. The County has published the Guidance Manual for On-site Storm Water Quality Control Measures that contain design criteria and guidelines for these measures. These are intended to reduce pollutants in urban runoff and attenuate the volume and rate of runoff discharged to the local storm water drainage system and creeks and rivers. Since many of the measures will affect site grading, drainage and parking lot layout, project applicants should strive to integrate storm water quality measures into their projects at the earliest possible phase of design.

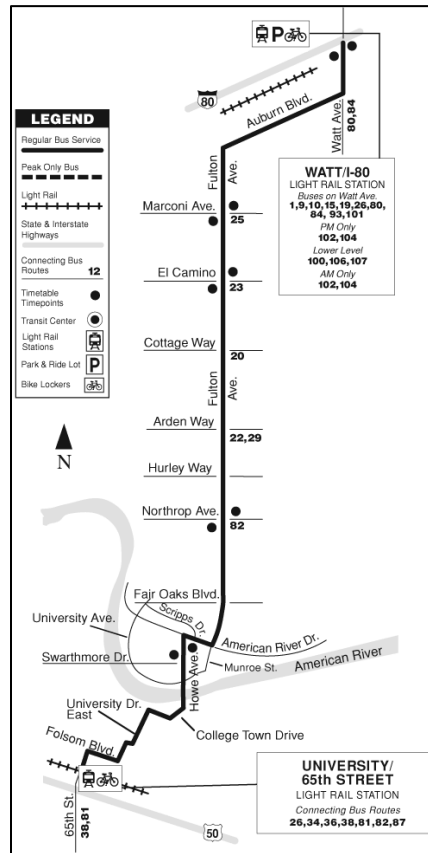
7. **Transportation Plans**

There are several existing transportation plans that will be integrated into the Fulton Avenue Special Planning Area and these include: Regional Transit Master Plan and Sacramento County Pedestrian and Bicycle Plans.

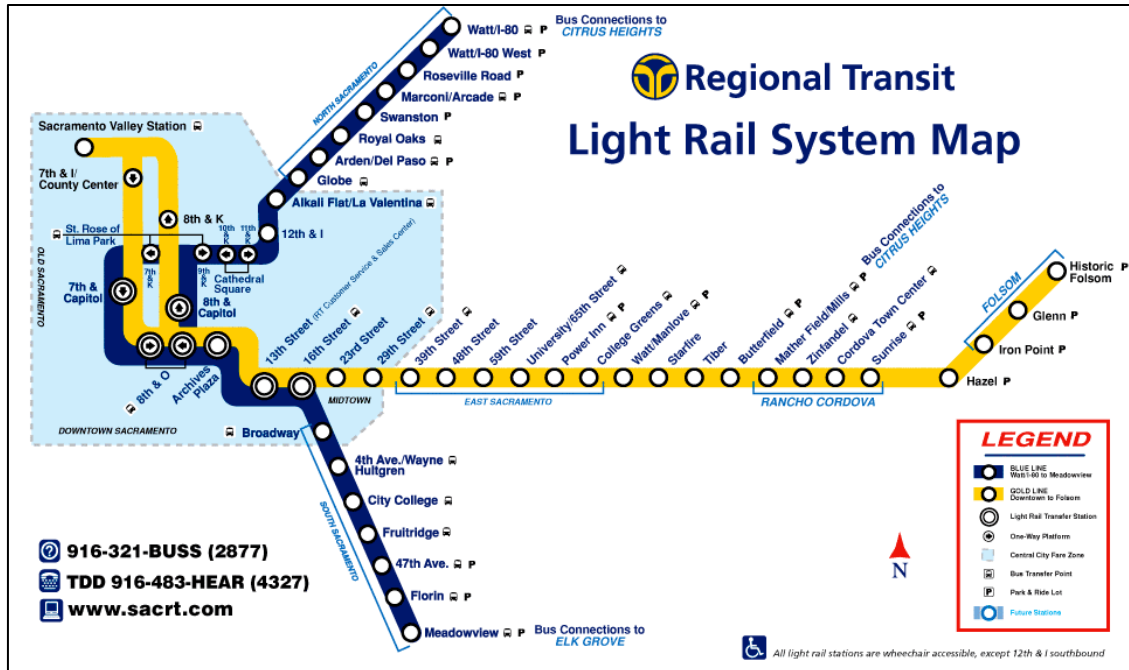
8. **Regional Transit (RT) Master Transportation Plan**

Access to transit along Fulton Avenue consists of the Regional Transit bus route #26. This bus line provides a north-south connection along Fulton Avenue. The last stop for this line to the north is the Light Rail station at Watt Avenue and Interstate 80. At the Light Rail station, the train travels west to downtown Sacramento. The bus route to the south travels to the Light Rail station at University and 65<sup>th</sup> Street and the train travels to the east with an end stop in historic Folsom.

According to the Regional Transit Master Plan, the portion of Fulton Avenue from Marconi Avenue south is designated as a “Hi-bus” area. A “Hi-bus” area is a form of high capacity, higher quality and high frequency service. All of the Crossroads Centers are in an area that is served by a “Hi-bus” making this an ideal area for higher density development. The remainder of the SPA planning area from Marconi Avenue to the north will remain as is with the existing RT bus service.



**Bus Route #26**



## Light Rail System

### 9. Sacramento County Pedestrian Master Plan

The Pedestrian Master Plan was developed to improve pedestrian safety and access on public streets within Sacramento County. The goal of the plan is to optimize the pedestrian experience, to provide safe and useable pedestrian facilities for all pedestrians. The goal of the Pedestrian Master Plan is to enhance walking as a viable transportation choice and to make the County a better place to live. Pedestrian Design Guidelines were developed to direct the design of the County's transportation system to achieve a balanced network.

The high priority projects include creating a pedestrian district for the entire length of Fulton Avenue that is within the SPA. The following intersections will have countdown signals added: Arden Way, Alta Arden Expressway, Cottage Way, El Camino Avenue, Marconi Avenue and Edison Avenue. Additional lighting is proposed along Edison Avenue. These improvements are included in the Pedestrian Capital Improvement Program (CIP) and will account for the first ten years of the program.

### 10. Sacramento County Bicycle Master Plan

The Sacramento County Bicycle Master Plan is intended to guide and influence bikeway policies, programs and development standards to make bicycling in Sacramento County more safe, comfortable, convenient, and enjoyable for all bicyclists. The ultimate goal of the Bicycle Master Plan is to increase the number of people who bicycle in the County.

According to the Sacramento County Bicycle Plan, there are currently no bike lanes along the portion of the Fulton Avenue SPA. However, Class 2 bike lanes are proposed for this section of Fulton Avenue in the updated Sacramento County

Bicycle Master Plan. Class II bike lane designations indicate locations where the County is committed to developing new on-street bikeways.

Currently, there is a section of Class II bike lane to the west of Fulton Avenue along the Alta Arden Expressway. Future projects include a Class II bike path that will stretch from Business 80 to the north all the way to Munroe Street to the south.



**FULTON AVENUE SPECIAL PLANNING AREA**  
**SECTION TWO: PROJECT VISION STATEMENT, GOALS AND**  
**OBJECTIVES/POLICIES**

**II. PROJECT VISION STATEMENT, GOALS AND OBJECTIVES/POLICIES**

**A. Vision and Intent of SPA**

Vision Statement: “Fulton Avenue will become a vibrant mixed use district with attractive and healthy businesses and residences in a pedestrian, bicycle, and transit friendly environment. The Fulton Avenue District builds on a strong and unique tradition as a major commercial district in the Sacramento region. The Special Planning Area provides a land use plan and zoning mechanism to aid in the reuse and revitalization of the Fulton Avenue corridor to achieve this Vision by allowing a wider range of uses and requiring more quality design.”

**B. Goals of SPA**

The Fulton Avenue Special Planning Area will meet the following goals:

- Allow more flexibility in land uses for the Special Planning Area (SPA) area, in particular the zoning of all of the properties with either change to Corridor Mixed-Use Areas (CMU-A) or Corridor Mixed-Use Centers (CMUC-C) depending on the location of the property within the SPA.
- Take advantage of strengths, including existing auto and retail commercial and western Arden Arcade location, building on the strong tradition as a major commercial district.
- Encourage more quality building design, landscaping and site improvements to compliment investment already made in streetscape.
- Encourage a strong pedestrian and bicycle friendly environment and encourage the use of transit.
- Implement the Arden Arcade Community Action Plan policy to encourage vitality of commercial corridors, especially Fulton Avenue.
- Define Project Review Process and provide incentives for quality projects that meet the goals and principles of the SPA.
- Allow for retention of AC zoning “rights.”

**C. Objectives and Policies**

FA-1. Support a wide variety of community oriented retail, commercial, and service uses within the Special Planning Area, emphasizing creative reuse of properties with Auto Commercial (AC) underlying zoning.

FA-2. Provide support for the continued use of properties with underlying Auto Commercial (AC) zoning for auto oriented businesses, with the expectation that as site and building improvements are made they will be high quality and complimentary of existing streetscape improvements

FA-3. Concentrate higher density and more compact mixed-use developments in the Crossroads Centers with land densities and intensities sufficient to support regional

transit. Allow for more neighborhood-scaled development, supported by transit within the Avenue Thoroughfare areas.

FA-4. Revitalize vacant and underutilized opportunity sites with quality design to complement existing streetscape improvements and private property site improvements.

FA-5. Insist upon streetscape and property access improvements that will create a strong pedestrian and bicycle friendly environment along the Avenue.

FA-6. Implement a review process for projects along the corridor that rewards those proposed developments that meet the goals and principles of the Fulton Avenue SPA through allowing “by-right” what would otherwise require extensive public review which will allow quicker review times and reduced fees.

FA-7. Promote the rich and varied character of the Arden-Arcade community to encourage a strong, local sense of place and attract regional visitation.

FA-8. Attract exemplary and sustainable urban design to the corridor plan area resulting in high quality buildings and an inviting public realm.

FA-9. The SPA will be a 20 year vision for Fulton Avenue and the community, the plan can be reviewed for updates as need and budget allows.

FA-10. Promote jointly used/shared parking facilities among the office, retail, and institutional uses, since such uses tend to have different peak parking demand periods during the day or week.

## FULTON AVENUE SPECIAL PLANNING AREA

### SECTION THREE: SPECIAL PLANNING AREA ORDINANCE

#### III. SPECIAL PLANNING AREA ORDINANCE (SPA)

##### A. The Special Planning Area Zone Ordinance Authority Narrative

The authority for Special Planning Areas (SPAs) is established in the Sacramento County Zoning Ordinance (Section 235-90). The purpose of the SPA is to regulate properties that have unique environmental, historic, architectural, economic or other features which require special conditions not provided through the application of standard zone regulations.

As established in the Zoning Ordinance, the Special Planning Area Ordinance (SPA) shall provide for the following matters:

- A list of permitted uses;
- Performance and development requirements relating to lot area, intensity of development on each lot, parking , landscaping and signs;
- Other design standards appropriate for the specific site and development; and
- Reasons for establishment of an SPAO Land Use Zone on the particular property.

##### 1. **Relationship to the County Zoning Ordinance and Existing Area Plans**

The Fulton Avenue SPAO is intended to be comprehensive and to replace the current zoning and land use regulations within the Plan area. However, the Fulton Avenue SPAO is unique in that while it provides some specific regulations for the Plan area, it looks to a number of existing ordinances, plans and documents to provide guidance on land use and development. These documents are incorporated into the SPAO through reference and those most directly related are attached to the SPAO as Appendices. These include the Fulton Avenue Conceptual Beautification Master Plan, the County Community and Mixed Use and Multiple Family Design Guidelines, and the County Zoning Ordinance Commercial and Office and Residential Use Tables. Where the SPAO is silent, the Sacramento County Zoning Ordinance shall apply.

##### 2. **Form-Based Regulations**

Form-based codes differ from conventional codes in terms of the substance of the standards they contain, the mechanisms by which they are implemented, and the built form they produce. The land use and design regulations are derived from the urban form rather than simple categorization of the land uses according to the similarity of use. The regulations are affected by such factors as the location on the street, the relation to adjacent land uses, the scale of the buildings, and the type of uses.

#### 4. **Organization of the SPAO**

The Fulton Avenue SPAO is broken into three main sections. The first is an introduction to the ordinance structure and regulatory context. The second describes the vision, goals and objectives of the special planning area. The third section discusses the uses table, building design and siting, including the application of existing County Design Guidelines and application with a change in use.

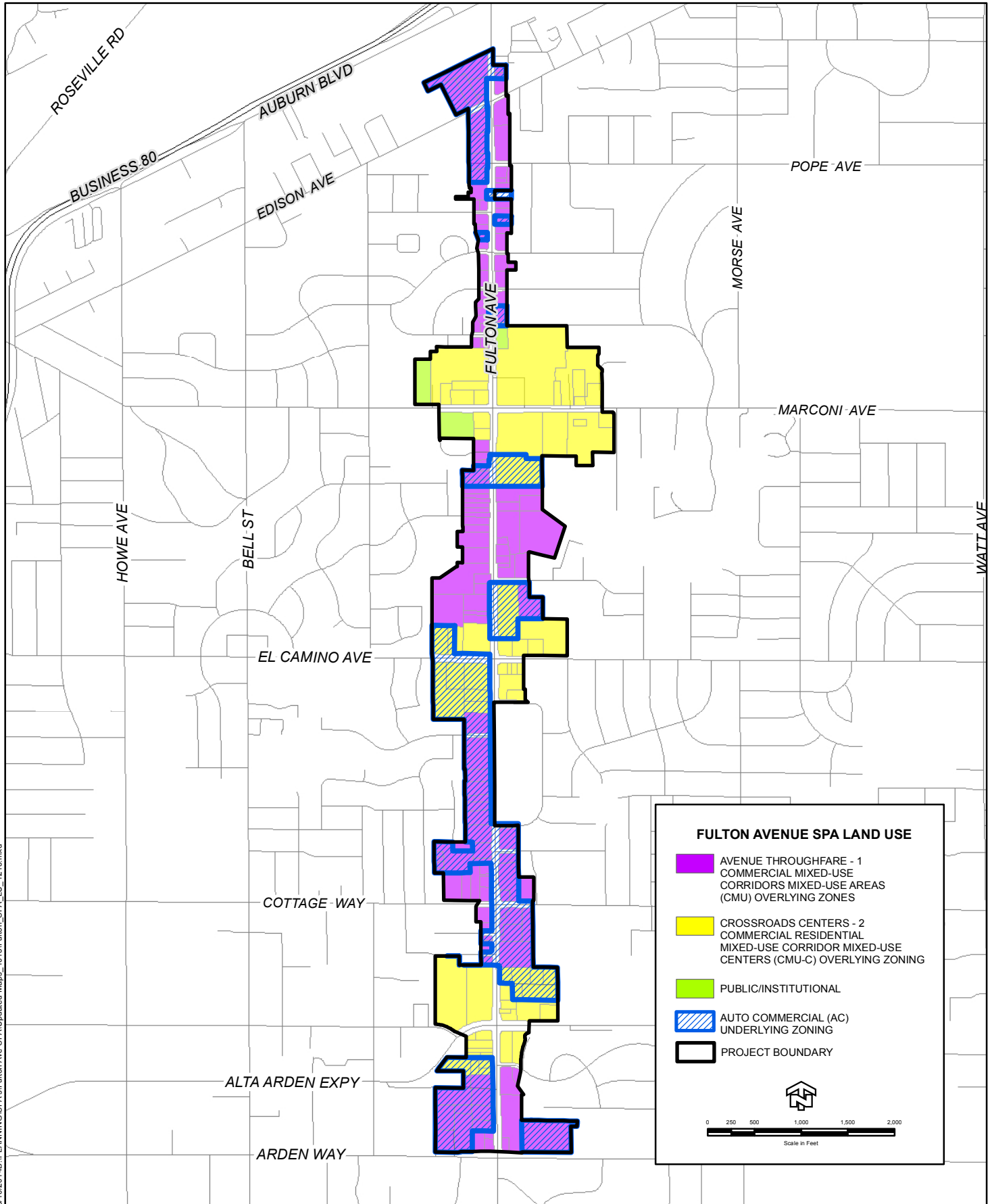
#### **B. Land Use and Development Standards**

##### **1. Plan Area Vision: Land uses and building activity types**

The major goal of the Fulton Avenue Special Planning Area is to greatly increase the permitted uses on all of the properties in the plan area. In order to achieve this goal, all of the properties in the SPA will be rezoned to either Corridor Mixed-Use Area (CMU-A) or Corridor Mixed-Use Centers (CMUC-C), depending upon their locations. In addition, another goal of the SPA is allowing for a wider variety of uses on properties in the underlying Auto Commercial (AC) zone, by expanding the Limited Commercial (LC) uses. Some less desirable uses will be called out as prohibited or restricted. The SPA includes Crossroads Centers which are designed to accommodate higher densities of a mix of commercial, office and multiple family residential and this area will be zoned Corridor Mixed-Use Centers (CMUC-C). The Avenue Thoroughfare area, with a zoning designation of Corridor Mixed-Use Areas (CMU-A) is intended to allow for more neighborhood-scaled development. Overall, the new flexibility of zoning will allow the following:

- Variety and broader array of retail, office and mixed-use developments.
- Quality design.
- Pedestrian friendly scale
- Optimize use of corner parcels and available sites as neighborhood destinations.





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## **2. Permitted, Restricted and Prohibited Land Uses (Table I)**

The following table (Table I) lists uses targeted by the Fulton Avenue Special Planning Area (SPA) to either expand to additional properties otherwise not zoned for those uses or to restrict due to the potential nuisance factors associated with these uses. Table I lists these targeted uses and demonstrate for each underlying zoning classification or type whether the use is Permitted (P), Conditionally Permitted (C) subject to certain specific use restrictions and/or heightened development review requirements, or is Not Allowed (NA). Note that the Conditional Permitted uses are further broken down in the use table by the following: C (Conditional to Planning Commission), and C-B (Conditional to the Board of Supervisors). Note that this use table is a condensed version of the commercial table in the Zoning Code. Note: If there is a use in the table below that is missing refer to Section 225-11 in the Sacramento County Zoning Code and refer to the uses that are allowed in the Limited Commercial (LC) Zone for all of the properties within this SPA. Section 110.30.5 of the Zoning Code relating to interpretation of similar and like uses shall apply.

The Fulton Avenue (SPA) includes approximately 79 acres of Auto Commercial (AC) zoned properties. This (SPA) will extend the Limited Commercial (LC) uses to all of the Auto Commercial (AC) zoned properties within the plan area. The advantages of the SPA to the properties that do not have the AC underlying zoning is that mixed use developments are permitted. In addition, all of the properties have increased flexibility with the development standards. Existing car lots that are vacant for a year or more will be required to comply with the increased landscaping standards illustrated below. New car lots that come in will be required to comply with all of the performance standards. Parcels that do not have an AC underlying zone can apply for a Conditional Use Permit in order to have auto sales on the property. The Use Standards within the table indicate the specific considerations or conditions that may apply to certain uses. These are described in footnotes following the table of Permitted Land Uses.

**Table I**  
**Permitted and Restricted Uses Table**

Use(1) Use, Service or facility	Properties with AC Underlying Zone	Corridor Mixed-Use Areas (CMU-A) <u>Avenue Thoroughfare</u>  Corridor Mixed-Use Centers (CMUC-C)-2 <u>Crossroads Centers</u>	Use Standard
<b>A. Automotive Sales, Service, Repair</b>			
Auto Sales- New and Used	P	C	(2) (3) (4)
Auto Service and Repair ( <b>major</b> )- Not attached to Auto Sales	P	C	(2) (5) (3) (4)
Auto Service and Repair ( <b>minor</b> )- Not attached to Auto Sales	P	P	(5) (3)
Auto Rental or Lease Agency, Including Limousine Service	P	P	(3)
Auto Service Station, Primary	C-B	C-B	(6)
Auto Parts and Accessory Store	P	P	(5)(3)
Auto Wash, Self-Service or Automatic	P	P	((3) (5) (7)
Camper Shell – Sales, Repair, Rent	P	P	(3) (5)
Motorcycle, Sports Cycles, Trail Bikes, Jet Skis, Snowmobile, Ultra-Light, Moped – Sales, Rent, Service, Repair	P	P	(5)(3) (14)
<b>B. Business Services</b>			
Advertising Business	P	P	
Blueprinting-Photostatting Service	P	P	
Computer Programming/Software and System Design	P	P	
Computer Sales, Rental and Lease	P	P	
Computer Service and Training	P	P	
Data Processing Service	P	P	
Delivery Service	P	P	(8)
Drafting Service	P	P	
Furniture Rental Agency	P	P	(8)
Janitorial Service	P	P	
Locksmith – Safe Repair Shop	P	P	

Use(1) Use, Service or facility	Properties with AC Underlying Zone	Corridor Mixed-Use Areas (CMU-A) <u>Avenue Thoroughfare</u>  Corridor Mixed-Use Centers (CMUC-C)-2 <u>Crossroads Centers</u>	Use Standard
Messenger Service	P	P	
Office Machines and Equipment Sales and Minor Repair	P	P	
Photocopy Service	P	P	
Print Shop	P	P	
Remote Teller, Freestanding for Pedestrian Use	P	P	
Stenographic Service	P	P	
Studio – Radio, Television, Recording	P	P	
Ticket Agency	P	P	
<b>C. Health Services</b>			
Clinic, Child Family Guidance	P	P	
Clinic, Counseling	P	P	
Clinic, Diet Counseling with Incidental Sales of Diet Products	P	P	
Clinic; Kidney Dialysis	P	P	
Clinic, Physical Therapy	P	P	
Eyeglasses, Frames, Contact Lens – Sales and Service	P	P	
Hearing Aids – Sales and Service	P	P	
Laboratory – Medical, Dental or Optical	P	P	
Medical or Dental Office	P	P	
Orthopedic Appliances Sales/Service	P	P	
<b>D. Personal Services</b>			
Barber Shop	P	P	
Beauty Shop and Wig Sales	P	P	
Child Care Center	P	P	
Dressmaker / Tailor	P	P	
Reducing-Body Building/Aerobics Studio	P	P	
Shoe Shine Parlor	P	P	
Studio – Dance, Voice, Music, Gymnastics	P	P	
Social Center	P	P	
Massage	P	P	(18)
<b>E. Miscellaneous Services</b>			
Laundromat, Self-Service	P	P	
Laundry or Cleaning Agency, Retail (On-Site Cleaning Permitted)	P	P	



Use(1) Use, Service or facility	Properties with AC Underlying Zone	Corridor Mixed-Use Areas (CMU-A) <u>Avenue Thoroughfare</u>  Corridor Mixed-Use Centers (CMUC-C)-2 <u>Crossroads Centers</u>	Use Standard
Parking Lot or Garage as Primary Use	P	P	
Photography Studio, Including Incidental Processing	P	P	
Picture Framing Shop	P	P	
Travel Agency	P	P	
Kennel, Cattery, Boarding	C	C	
Veterinarian- Animal Hospital	P	P	
<b>F. Repair Services (See Section A for Auto Repair)</b>			
Appliance Repair Shop	P	P	
Electronic Equipment Repair	P	P	
Shoe Repair Shop	P	P	
<b>G. Eating, Drinking, Lodging</b>			
Soda Fountain-Ice Cream Parlor	P	P	
Restaurant-Coffee Shop-Cafeteria	P	P	
Bakery, Pastry Shop	P	P	
Bar-Tavern	P	P	(9)
Brew Pub (No Wholesale or Off-Site Sale of Beer, Wine, or Alcohol)	P	P	(9)
Catering Service	P	P	
Delicatessen	P	P	
Hotel	C	C	
Motel	C	C	
<b>H. Entertainment/Recreation Services</b>			
Arcade – Electronic, Mechanical or Video Games	C	C	
Art Galley	P	P	
Art Studio	P	P	
Dance Hall-Ballroom-Discotheque	C	C	(9), (16)
Dancing as an Incidental Use in a Bar or Restaurant	C	C	(9), (16)
Library	P	P	
Live Dinner Theater	P	P	
Motion Picture Theater	P	P	
Museum	P	P	
Physical Fitness Studio	P	P	
Recreation Facility, Indoor	P	P	

Use(1) Use, Service or facility	Properties with AC Underlying Zone	Corridor Mixed-Use Areas (CMU-A) <u>Avenue Thoroughfare</u>  Corridor Mixed-Use Centers (CMUC-C)-2 <u>Crossroads Centers</u>	Use Standard
Recreation Facility, Outdoor	C	C	
<b>I. Food, Drug Liquor Sales</b>			
Bakery, Pastry Shop	P	P	
Candy Store	P	P	
Certified Farmer's Market	P	P	
Convenience Store/Neighborhood Market (Less than 6,000 square feet in size)	P	P	
Nonprescription Drugs and Sundries	P	P	
Food Market Ancillary to Service Station	C	C	
Prescription Pharmacy	P	P	
Supermarket-Food Store	P	P	
Liquor Store	C	C	
<b>J. General Merchandise Sales</b>			
Thrift Store	C	C	
<b>Building material and Lumber Sales</b>			
General retail or Department Store	P	P	
<b>K. Home Accessories and Services</b>			
Antique Store	P	P	(8)
Appliance Store	P	P	(8)
Floor Covering, Drapery or Upholstery Store	P	P	(8)
Furniture Cleaning, Reuniting, Re-upholstery Shop	P	P	(8)
Upholstery Shop (no refinishing )	P	P	(8)
Furniture Store	P	P	(8)
Gardening-Landscape Supply Store	P	P	
Interior Decorators Service Yard and Workshop	P	P	(8)
Paint and Wallpaper Store	P	P	(8)
General Glass Sales, Services	P	P	(8)

Use(1) Use, Service or facility	Properties with AC Underlying Zone	Corridor Mixed-Use Areas (CMU-A) <u>Avenue Thoroughfare</u>  Corridor Mixed-Use Centers (CMUC-C)-2 <u>Crossroads Centers</u>	Use Standard
<b>L. Recreation Equipment Sales</b>			
Athletic Equipment and Sporting Goods	P	P	
Bicycle Sales, Rent, Service	P	P	
Golf Cart – Sales, Repair, Rent	P	P	
Marine Supply and Boat Sales Store	P	P	(2)
Saddlery Shop	P	P	
Tackle Shop	P	P	
<b>M. Offices</b>			
P	P	P	
<b>N. Public Facilities</b>			
Privately-Owned Uses within Public- and Government-Owned Buildings, Facilities and Groups	P	P	
Building and Facility owned by Federal and State Governments, and located on Federal and State owned property	P	P	
Public- and Government-Owned Buildings and Facilities Other than Federal and State	P	P	
Public and Government Uses, Other than Federal and State, within Privately-Owned Buildings, Facilities and Grounds	P	P	
Public Utility and Public Service Facility	P	P	
<b>O. Residential</b>			
Apartment-Multiple Family Dwelling, Condominium	P	P	(11), (17)
Home Occupation	P	P	
Residence of a Caretaker, Proprietor or Owner of a Permitted Use	P	P	
Residential Care Homes for Adults or Children	P	P	
Social Rehabilitation Center	C	C	
<b>P. Schools</b>			
Business School	P	P	
Charm, Culture School	P	P	
College and University	C	C	
Driving School	P	P	

Use(1) Use, Service or facility	Properties with AC Underlying Zone	Corridor Mixed-Use Areas (CMU-A) <u>Avenue Thoroughfare</u>  Corridor Mixed-Use Centers (CMUC-C)-2 <u>Crossroads Centers</u>	Use Standard
Self-Defense, Judo, Boxing, Gymnastics, Swimming or Similar Activity	P	P	
<b>Q. Transportation Facilities and Services</b>			
Parking Lot/Garage (Primary Use)	P	P	
<b>R. Mixed-Use Developments</b>			
Apartment and Multi-Family (Mixed-Use)	P	P	(17)
<b>Prohibited Uses</b>			
Tattoo Parlors	NA	NA	
Pawn Shop	NA	NA	
Adult Uses	NA	NA	(10)
Firearm Sales, gunsmith	NA	NA	
Check Cashing	NA	NA	

Table Abbreviations	
P	Permitted
C	Conditionally Permitted with a Use Permit by the Planning Commission
C-B	Conditional to the BOS
NA	Not Allowed

Note: The prohibited uses that are listed at the bottom of the Use Table above will become non-conforming within 90-days after the approval of this plan.

- (1) All uses not listed within this table shall be subject to the Sacramento County Zoning Code Permitted Use Tables (Title II Sections 201-02 and 225-01). Note: All AC Zoned properties within the Fulton Avenue Special Planning Area shall have LC Zoning uses in addition to AC Zoning uses refer to (Section 225-01).
- (2) For new auto sales and newer used vehicles or new major auto repair businesses, the following shall apply (not applicable to sites that have historically been used for auto sales).

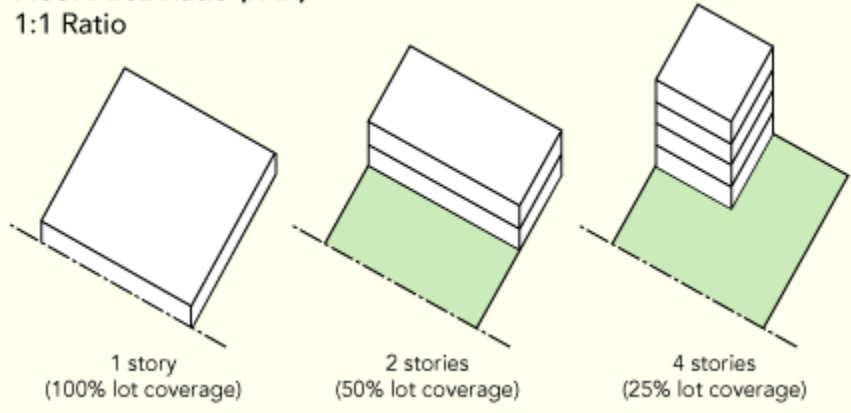
- (a) The permitted use shall include a building that conforms to the design regulations in Section III.C of this Ordinance (Building Design and Siting). The building shall be a minimum of 600 square feet in size and all utilities shall be permanently installed.
  - (b) The use shall have a minimum parcel size of 0.75 acres.
  - (c) No outdoor public address or loud speaker shall be permitted.
  - (d) Sales area lighting located within 100 feet of a residential zoned property shall not be operated between the hours of 10 PM and 7AM.
  - (e) Service areas shall not operate between the hours of 10 PM and 7 AM.
  - (f) See subsection D, item 1 for Landscaping Requirements.
- (3) Operation shall not be permitted between the hours of 10PM and 7AM. Extended hours may be permitted with a Conditional Use Permit.
  - (4) For sites that have been historically used for auto sales in the AC underlying zone, additional landscaping per Section D.1 shall be provided if the site is vacant for 1 year or longer.
  - (5) 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 of the Zoning Code.
  - (6) Permitted subject to issuance of a conditional use permit by the Board of Supervisors upon recommendation of the Arden-Arcade Planning Commission.
  - (7) To comply with General Plan Noise Element standards of 65 Db Ldn or less for residential/transient lodging outdoor activity areas and 45 dB Ldn or less for residential/transient lodging interiors.
    - An acoustical analysis, prepared by a qualified acoustical consultant and verified by the Department of Environmental Review and Assessment, substantiating that the Interior noise level does not exceed 45 Db Ldn shall be provided.
  - (8) Delivery and service vehicles must be secured in an enclosed garage or fenced yard during non-business hours.
  - (9) Hours of operation shall not be permitted with the hours of 12AM and 10AM unless extended with a Conditional Use Permit
  - (10) See Sacramento Zoning Code Chapter 25 Definitions for “Adult Uses.”
  - (11) 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.

- (12) New development shall comply with County landscape standards, the landscape standards in D. 2 (b) below.
- (13) All signage must be developed that conforms to current standards, see Section D, #2 for signage requirements. Electronic reader board signs will not be permitted.
- (14) 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 principle use of the premises subject to issuance of conditional use permit by the appropriate authority.
- (15) Permitted subject to approval of a Use Permit by the appropriate authority and to development standards set forth in Section 315-32 of the Zoning Code.
- (16) Permitted subject to issuance of a conditional use permit by the appropriate authority and provided a valid dancing license is obtained.
- (17) Thresholds for the level of review are in Section III Special Planning Area Ordinance, E. Project Review Process.
- (18) Refer to Sacramento County Code Section 4.36.000 for the Massage Establishment Operating Regulations.

The Development Standards charts below reference the minimum and maximum Floor Area Ratio's (FAR) for various uses within the plan area. Additionally, the Development Standards charts reference the minimum and maximum densities (du/ac). Listed below are examples illustrating both Floor Area Ratios and housing density.

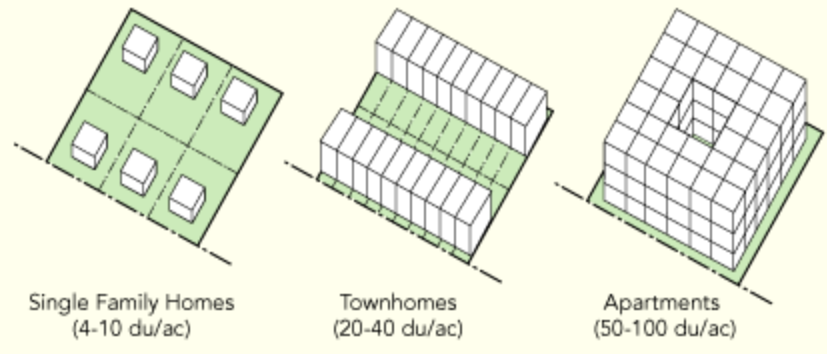
Floor area ratio is the ratio of the floor area of a building to the area of the lot on which the building is located. For example, the diagram below illustrates three simple ways that a 1:1 FAR might be reached: one story covering the entire lot, 2 stories covering half of the lot, or 4 stories covering a quarter of the lot all result in the same FAR.

**Floor Area Ratio (FAR)**  
1:1 Ratio



Housing density or residential density refers to the number of homes per unit of land. It is typically reported in dwelling units per acre (or du/ac).

**Housing Density**  
Dwelling Units Per Acre (du/ac)





### **3. Avenue Thoroughfare Development Standards.**

The properties within the Avenue Thoroughfare portion of the Fulton Avenue SPA will provide connectivity and transition along the Avenue. The area will accommodate local mixed-use neighborhood development and regional-serving commercial and entertainment uses. Commercial buildings are to be oriented towards public streets with the potential for residential uses on the interior of blocks. Regional-serving uses will include anchored retail centers, entertainment and cinema. The majority of the existing single-family residential backs up to the SPA in this area and increased buffering will be emphasized.

The mixed-use zoning designation that applies to the Avenue Thoroughfare is the Corridor Mixed-Use Areas (CMU-A). These areas are intended to allow for more neighborhood-scaled development, supported by transit. The maximum heights that are permitted within the Avenue Thoroughfare are listed below and for projects proposing to exceed these heights will need to apply for a Conditional Use Permit. The minimum and maximum dwelling units per acre for residential projects are listed and projects proposing to exceed or decrease these densities will also need to apply for a Conditional Use Permit. Traditional commercial developments such as big box stores are permitted and will be subject to design review.



**Avenue Thoroughfare Development Standards**

<b>Building Massing</b>	<b>Maximum Height (1)</b>	<b>Density (2)</b>	<b>Transition to Single Family Residential (3)</b>
Commercial/Retail	2 stories/45-feet	Max.0.40 FAR	1 story buildings within 20-feet of single-family residential zoning require a minimum 20-foot setback.  2 story buildings adjacent to single-family residential zoning require a minimum 40-foot setback.
Office	3 stories/45-feet	Max.1.00 FAR	1 story buildings adjacent to single-family residential zoning require a minimum 20-foot setback.  2 story buildings adjacent to single-family residential zoning require a minimum 40-foot setback.  3 story buildings adjacent to single-family residential zoning require a minimum 60-foot setback.
Commercial Mixed-Use (5)	3 stories/45-feet	Residential Min. 12 DU/a Max.35 DU/a	1 story adjacent to single-family residential zoning require a minimum 20-foot setback.  2 story buildings adjacent to single-family residential zoning require a minimum 40-foot setback.  3 story buildings adjacent to single-family residential zoning require a minimum 60-foot setback.
<b>Building Massing</b>	<b>Maximum Height (1)</b>	<b>Density (2)</b>	<b>Transition to Single Family Residential (3)</b>
Residential Mixed-Use (5)	3 stories/45-feet	Residential Min. 12 DU/a Max.35 DU/a	1 story buildings adjacent to single-family residential zoning require a minimum 20-foot setback.

			<p>2 story buildings adjacent to single-family residential zoning require a minimum 40-foot setback.</p> <p>3 story buildings adjacent to single-family residential zoning require a minimum 60-foot setback.</p>
Residential and Live-Work (5)	3 stories/36-feet	Min. 12 DU/a Max. 25 DU/a	<p>1 story buildings adjacent to single-family residential zoning require a minimum 20-foot setback.</p> <p>2 story buildings adjacent to single-family residential zoning require a minimum 40-foot setback.</p> <p>3 story buildings adjacent to single-family residential zoning require a minimum 60-foot setback.</p>
<b>Required Setbacks</b>	<b>Avenue Frontage (4)</b>	<b>Side Street Frontage (4)</b>	<b>Rear at Residential</b>
Commercial and Mixed-Use	Min. 16-feet from back of curb	Min. 16-feet from back of curb	Min. 20-feet minimum from property line
Residential and Live-work	Min. 10-feet from property line	Min. 10-feet from property line	Min. 20-feet minimum from property line
<b>Parking Requirements</b>	<b>Total Min. Required</b>	<b>On-site Minimum</b>	<b>Off-site/Shared</b>
Commercial Retail	1 per 250 SF	1 per 500 SF	1 Per 500 SF
Office	1 per 300 SF	1 per 600 SF	1 per 600 SF
Commercial Mixed-use	Blended Requirement	Blended Requirement	1 per 500 SF for commercial
Residential Mixed-use	Blended Requirement	Blended Requirement	1 per 500 SF for commercial
Residential Apartments	1.25 per DU	1 per DU	0.25 per DU

<b>Parking Requirements</b>	<b>Total Min. Required</b>	<b>On-site Minimum</b>	<b>Off-site/Shared</b>
Residential Townhouses	2 per DU for 2+ BR 1 per DU for 1BR/S	2 per DU for 2+BR 1per DU for 1BR/S	NA
Live-work	2 per DU	1 per DU	1 per DU
Other Uses	Per County Zoning Standards	Per County Zoning Standards	Per County Zoning Standards

(DU/a) is the number of dwelling units per acre. (FAR) is floor area ratio is the ratio of the total floor area of buildings on a certain location to the size of the land of that location, or the limit imposed on such a ratio.

1. Projects exceeding the maximum height require a conditional use permit.
2. Projects with densities less than or exceeding the minimum or maximum densities or FAR's shall require a Conditional Use Permit.
3. Transition to Single-Family residential shall be a 20-foot setback for every story of building that is within 20 feet of single-family residential zoning.
4. Design Review Administrator has the authority to allow for flexibility with the front yard setbacks in order to be compatible with existing buildings.
5. For mixed use developments the height and the FAR standards will be used in order to determine the project intensity.

#### **4. “Crossroads” Centers Development Standards**

The Crossroads Centers are three (3) key intersections along Fulton Avenue that have been identified as being focal points for the community, that provide an anchor to the SPA. These three intersections are: Town Center (Fulton Avenue and Marconi Avenue), El Camino Center and Alta-Arden Center. These areas were developed long ago and represent the traditional strip mall, auto oriented development. Currently, all three of these nodes (intersections) have very different characteristics. The Town Center intersection is the most pedestrian friendly intersection as one of the corners is occupied by Town and Country Village. The El Camino Center is very auto oriented with Tognottis Auto World, Mike Daugherty Chevrolet, auto glass shop and a Chevron on each of the corners of the intersection. Alta Arden Center is occupied by a Target and all of the other corners are a mix of retail and restaurant uses in older strip mall developments.

In the future, the Crossroads Centers will become a part of Arden Arcade's economic and social center where citizens will want to spend their time. The Crossroads Centers will be transformed into a vibrant mixed-use commercial and residential district with commercial uses along the avenue and residential uses

behind, and above them. Avenue frontage will include storefront buildings and eventually, vertical mixed-use. The Centers will work at a pedestrian pace and scale to be a successful walkable environment. The Crossroads Centers will have intensive densities and mixed-use requirements. Residential densities assume townhouse and stacked flat (units developed over other units) type projects that support transit and can coexist in a mixed-use setting. Townhouses are developed from 20 to 30 (dwelling units per acre) and stacked flats in apartments or mixed-use buildings from 30 to 50 dwelling units per acre.

The mixed-use zoning designation that applies to the Crossroads Centers is the Corridor Mixed Use Centers (CMUC-C). This zoning designation allows for more compact, transit-oriented, mixed use development, occurring along nodes on the County’s major commercial corridors. These areas are typically concentrated adjacent to transit stops and other areas where high levels of pedestrian activity are planned. These areas are characterized by more vertical mixed-use and more intense development. These areas will have a diverse mix of commercial, office and residential. The appropriate mix of uses for each district will vary based on its location, size, and surrounding neighborhood context.

The development standards for the Crossroads Centers are outlined below and any proposed deviations with the minimum or maximum density or taller buildings will need a Conditional Use Permit.

**Crossroads Centers Development Standards**

<b>Building Massing</b>	<b>Maximum Height(1)</b>	<b>Density (2)</b>	<b>Transition to Single Family Residential (3)</b>
Commercial/Retail	2 story/40-feet	Max. 1.00 FAR	1 story buildings within 20-feet of single-family residential zoning require a minimum 20-foot setback.  2 story buildings within 20-feet of single-family residential zoning require a minimum 40-foot setback.

<b>Parking Requirements</b>	<b>Total Min. Required</b>	<b>On-site Minimum</b>	<b>Off-site/Shared</b>
Office	3 stories/45-feet	Max.1.00 FAR	<p>1 story buildings within 20-feet of single-family residential zoning require a minimum 20-foot setback.</p> <p>2 story buildings adjacent to single-family residential zoning require a minimum 40-foot setback.</p> <p>3 story buildings adjacent to single-family residential zoning require a minimum 60-foot setback.</p>
Commercial Mixed-Use (5)	4 stories/50-feet	Residential Min. 12 DU/a Max.50 DU/a	<p>1 story buildings within 20-feet of single-family residential zoning require a minimum 20-foot setback.</p> <p>2 story buildings adjacent to single-family residential zoning require a minimum 40-foot setback.</p> <p>3 story buildings adjacent to single-family residential zoning require a minimum 60-foot setback.</p> <p>4 story buildings within 20-feet of single-family residential zoning require a minimum 80-foot setback.</p>
Residential Mixed-Use (5)	4 stories/50-feet	Residential Min. 12 DU/a Max.50 DU/a	<p>1 story buildings within 20-feet of single-family residential zoning require a minimum 20-foot setback.</p> <p>2 story buildings adjacent to single-family residential zoning require a minimum 40-foot setback.</p> <p>3 story buildings adjacent to single-family residential zoning require a minimum 60-foot setback.</p> <p>4 story buildings adjacent to</p>

<b>Parking Requirements</b>	<b>Total Min. Required</b>	<b>On-site Minimum</b>	<b>Off-site/Shared</b>
			single-family residential zoning require a minimum 80-foot setback.
Residential and Live-Work (5)	3 stories/40-feet	Min. 12 DU/a Max. 30 DU/a	1 story buildings adjacent to single-family residential zoning require a minimum 20-foot setback.  2 story buildings adjacent to single-family residential zoning require a minimum 40-foot setback.  3 story buildings adjacent to single-family residential zoning require a minimum 60-foot setback.
<b>Required Setbacks</b>	<b>Avenue Frontage(4)</b>	<b>Side Street Frontage (4)</b>	<b>Rear at Residential</b>
Commercial and Mixed-Use	Min. 16-feet from back of curb	Min. 16-feet from back of curb	Min. 20-feet minimum from property line
Residential and Live-work	Min. 10-feet from property line	Min. 15-feet from property line	Min. 15-feet minimum from property line
<b>Parking Requirements</b>	<b>Total Min. Required</b>	<b>On-Site Minimum</b>	<b>Off-site/Shared</b>
Commercial Retail	1 per 300 SF	NA	1 Per 300 SF
Office	1 per 300 SF	NA	1 per 300 SF
Commercial Mixed-use	Blended Requirement	NA	1 per 300 SF for commercial
Residential Mixed-use	Blended Requirement	Blended Requirement	1 per 300 SF for commercial
Residential Apartments	1.25 per DU	1 per DU	0.25 per DU
Residential Townhouses	2 per DU for 2+ BR 1 per DU for 1BR/S	2 per DU for 2+BR 1per DU for 1BR/S	NA
Live-work	2 per DU	1 per DU	1 per DU
Other Uses	Per County Zoning Standards	Per County Zoning Standards	Per County Zoning Standards

(DU/a) is the number of dwelling units per acre.

(FAR) is the ratio of the total floor area of buildings on a certain location to the size of the land of that location, or the limit imposed on such a ratio.

1. Projects exceeding the maximum height require a Conditional Use Permit.
2. Projects with densities less than or exceeding the minimum or maximum densities or FAR's shall require a Conditional Use Permit.
3. Transition to Single-Family residential shall be a 20-foot setback for every story of building that is within 20 feet of single-family residential zoning.
4. Design Review Administrator has the authority to allow for flexibility with the front yard setbacks in order to be compatible with existing buildings.
5. For mixed use developments the height and FAR standards will be used to determine the project intensity.



**5. Definition of Commercial Mixed-Use:**

The Commercial Mixed-Use (CMU) zoning designation is intended to promote a shopping and service district concentrated along Fulton Avenue. Development may be in vertical or horizontal formats, but ground floor commercial/retail or office uses are required on Fulton Avenue.

**6. Definition of Residential Mixed-Use:**

The Residential Mixed-Use (RMU) zoning designation is intended to promote the development of mixed-use residential neighborhoods with densities sufficient to minimize automobile dependence and support bus rapid transit. Residential units may include a variety of housing types, including attached townhouses; green court, garden and tuck-under apartments and condominiums; and live-work units.

Additional housing types are acceptable provided that they meet the development standards.

**7. Potential for Added Development**

A maximum potential development for the Fulton SPA has been developed and is illustrated in the following table. The purpose of the following table is to illustrate potential development in each of the districts. The specific descriptions of each district provide a maximum intensity of each district expressed in density and Floor Area ratios. While individual projects can achieve the allowed intensity, the overall intensity (cap) cannot be exceeded. The goal is to monitor development so that the cap is not exceeded. The purpose of the cap is to provide parameters for future intensification for use in the environmental review and technical studies. Rather than providing a separate office and commercial square footage development cap for both the Crossroads Centers and Avenue Thoroughfare, an overall number has been provided as the development cap.

**8. Maintenance and Management of Multi-Family Apartments**

The increased density that the SPA is permitting may eventually lead to the construction of new multi-family developments. It has been observed in the past that, over time, some properties degrade as ownerships continue to change. Sacramento County recently adopted the Multifamily Design Guidelines on May 28, 2008 that provide consistent design principles for multifamily residential developments. These guidelines ensure the new developments are compatible with the surrounding communities. Multi-family projects must comply with Section 305-19.5 of the Zoning Code, requiring that the complexes be properly maintained. In addition, with the properties in the SPA changing to the mixed-use zoning designations, future projects can be designed with retail as the base with apartments above. The mixed-use projects are anticipated to be less vulnerable to degradation as the quality and appearance of the property can affect the success of the retail tenant.

**9. Regulations for Non-Conforming Uses**

The non-conforming provisions of the Zoning Code (Section 120-01) shall apply to this plan area.



**Potential for Added Development**

	<b><u>Permitted Development Intensity</u></b>		<b><u>Maximum Development Cap</u></b>	
<b><u>District</u></b>	<b><u>Allowable Residential Density Range</u></b> <b><u>(DU/Net Acre)</u></b>	<b><u>Allowable FAR</u></b>	<b><u>Residential DU</u></b>	<b><u>Non-Residential Gross Sq Feet (GSF)</u></b>
<b><u>Crossroads Centers</u></b> <b><u>(94 net acres)</u></b>	<b><u>12-50 du/ac (Commercial Mixed-Use)</u></b> <b><u>12-50 du/ac (Residential Mixed-Use)</u></b> <b><u>12-30 du/ac (Residential and Live-Work)</u></b>	<b><u>1.0 (Mixed-Use)</u></b>		
<b><u>Avenue Thoroughfare</u></b> <b><u>(100 net acres)</u></b>	<b><u>12-35 du/ac (Commercial Mixed-Use)</u></b> <b><u>12-35 du/ac (Residential Mixed-Use)</u></b> <b><u>12-25 du/ac (Residential and Live-Work)</u></b>	<b><u>0.40 FAR (Retail)</u></b> <b><u>1.00 FAR (Mixed-Use)</u></b>		
			<b><u>300 residential unit cap<sup>1</sup></u></b>	<b><u>1,157,939 square feet office and commercial cap<sup>2</sup></u></b>

1. An assessment can be made once the maximum residential cap has been reached that additional residential units can be constructed utilizing the square footage allowed for the commercial and office development.
2. The development cap for the office and commercial has been combined between the two districts in the plan area as one total number.
3. Demolition of existing buildings would be credited against new development.

## C. **Building and Siting Design Guidelines**

### 1. **Application of County Community and Mixed Use Design Guidelines and Multifamily Design Guidelines**

The Sacramento County Commercial and Mixed-Use Design Guidelines will be implemented for new projects within the Fulton Avenue SPA. The majority of the properties that are located within 500 feet of the SPA boundaries are single-family residential and the design guidelines will assist in the buffering of the commercial uses.

**The following are the principles that will be applied to this project from the Sacramento County Commercial and Mixed-Use Design Guidelines:**

- New and renovated projects should be designed to enhance adjacent residential neighborhoods. Projects should be designed to reduce the visual, noise and use impacts on adjacent residential areas. Screen walls are generally regarded as mitigation for poor site planning.
- Projects in specific plan or other special planning districts should support existing architectural design policies and concepts. Every renovation and new commercial project should pursue architectural concepts that are compatible and further image and economic goals for the district and adjacent neighborhoods (see architectural standards).
- Building massing and orientation should result in a pleasing and coherent composition of building elements and spaces.
- The architectural design of commercial projects should have a vocabulary of design elements that contribute overall design and image concepts that work at a district and pedestrian scale.
- Selection of materials and finishes for new and commercial renovation projects should be of high quality and reinforce overall image and massing concepts.
- Lighting should be an integral part of the planning and design of commercial projects anticipating the needs of the shopping experience, businesses and adjacent residential areas.
- Buildings in established commercial addresses should have setbacks that support streetscape, circulation and image objectives for the district.
- Service facilities should be concealed from public view.
- Barriers for pedestrians should be minimized along Fulton Avenue.
- Projects shall maximize connection with the surrounding neighborhood. The Design Review Administrator and Planning staff will review projects to ensure as much pedestrian connection as possible.

### 2. **Street Presence/ Mass and Scale**

The general intent is to establish a building setback from the street to provide adequate space for a landscape and parking area. The standard setback would ensure that no building would block the view of the neighboring building. However, variation in street setback would provide visual interest to the streetscape and allow better use of the site for smaller buildings. The Design

Review Administrator will review each site plan carefully to ensure that new developments do not block the existing structures. The Crossroads Centers are intended for greater mass and scale than the Avenue Thoroughfare.

**3. Architectural Standards**

The Architectural Standards for Fulton Avenue are based off of the Fulton Avenue Conceptual Beautification Master Plan which showcases a California Rancho theme in signage and landscaping. Landscape medians (11 feet wide) are already in place per the master plan.. The intersections at each of the Crossroads Centers shall be done with decorative pavers and a brick median extending away from the intersection will provide a strong connection. The Town and Country Village shopping center has a Spanish theme and is a major development on the Avenue. It is proposed that future developments at the Town Center (Fulton and Marconi Avenues) follow the California Rancho architectural theme or complementary architectural theme. The remainder of the developments within the SPA will be required to comply with the Sacramento County Commercial and Mixed Use Design Guidelines, in order to allow for increased flexibility in developments.

**4. Applicability with change of use vs. new development**

Applicants for new development or improvements to existing structures in the Plan area will apply the development standards that are discussed as a part of this SPA. The SPAO is intended to be comprehensive and to replace the current zoning and land use regulations within this Plan area. Where the SPAO is silent, the County Zoning Ordinance will apply.

**5. Sustainability**

Projects will need to include measures to reduce air emissions, as found in the Air Quality Mitigation Plan (to be attached as an appendix) and any climate change mitigation measures that result from the EIR.

Projects are strongly encouraged to use green building practices. Projects will need to comply with countywide green building standards in effect at the time of development.

**6. Outdoor Seating**

Outdoor seating along Fulton Avenue is strongly encouraged. The seating can occur between the building and sidewalk. However, easements may be present and in this case outdoor seating may not be possible.

**7. Bicycle Rack Design Guideline**

Use of artistic designs for bicycle racks is encouraged but not required. Artistic designs help create a sense of place and can help enhance the overall look and feel of the Avenue, in concert with the Fulton Avenue Conceptual Beautification Master Plan. The following are examples of artistic bike racks that have been installed in other communities:



**8. Design of Bus Shelters**

Fulton Avenue currently lacks bus shelters and only small benches have been provided which are scattered along the Avenue. Regional Transit currently provides a bus route (#26) along Fulton Avenue. The goal of the Fulton Avenue Special Planning Area is to provide bus shelters in addition to the benches that currently exist. The following is an example of the proposed design for the bus shelters:



**9. Opportunity Sites and Vacant Parcels**

Currently, vacant car lots total approximately 10.51 acres of land in the plan area. These are considered transitional land uses that would be redeveloped into more appropriate, higher valued uses over time. This Special Planning Area will

provide an opportunity for these parcels to be opened up to include all of the uses that are currently allowed in the Limited Commercial (LC) zoning designation. The addition of Limited Commercial (LC) uses to the Auto Commercial (AC) properties will provide expanded opportunities for health services, personal services and general merchandise sales as an example. Property owners will have an option of having a different business on the property when the auto sales industry is in a decline.

In the continuing effort to improve the aesthetics as well as increase the sensitivity of the surrounding neighbors, car lots developed in the future will be subject to increased development standards. There will be additional regulations regarding the outdoor speakers and lighting.

## 10. Noise Standards

### NO-1: TRAFFIC NOISE IMPACTS TO RESIDENTIAL USES: INTERIOR

To ensure compliance with General Plan Noise Element standards for residential interiors, as indicated in Table I of the Sacramento County General Plan (**Error! Reference source not found.** of this EIR), the following measure shall apply:

All new residential units constructed within the Plan area to be located at the 70 dB contour or greater shall utilize sound resistant construction materials and methods as determined by a qualified acoustical consultant such that interior noise levels do not exceed the applicable noise level standards of 45 dB.

### NO-2: TRAFFIC NOISE IMPACTS TO NON-RESIDENTIAL USES: INTERIOR

To ensure compliance with General Plan Noise Element standards for non-residential interiors, as indicated in Table I of the Sacramento County General Plan (**Error! Reference source not found.** of this EIR), the following measure shall apply:

All new non-residential construction within the Plan area to be located where interior noise standards cannot be met with standard construction techniques shall utilize sound resistant construction materials and methods as determined by a qualified acoustical consultant such that interior noise levels do not exceed the applicable noise level standards per **Error! Reference source not found.** of this EIR.

### NO-3: COMMUNITY GENERATED NOISE

To ensure compliance with General Plan Noise Element standards for non-transportation sources, the following policy shall be added to the SPA:

No use shall be operated so as to generate recurring noises that are unreasonably loud, cause injury, or create a nuisance to any person of ordinary sensitivities. No nonresidential use shall be operated so as to generate any noise in an adjacent residential area, as detected in that area without instruments, that is louder than the noise which could be generally expected from uses permitted in that area.

## **11. Historic Buildings**

### **CR-1: UNEVALUATED ARCHITECTURAL RESOURCES**

Properties that have not been subject to a previous architectural evaluation and are at least 50 years or older shall have a historic architectural study performed by a qualified, professional architectural historian if potential historic structures present on the project site are subject to demolition or otherwise impacted. The resulting report should include results of a background literature search and field survey, an historic context statement, and analysis of the potential significance of the noted resource, and recommendations for preservation and/or mitigation. If the structure is considered significant and demolition is proposed, the applicant shall have a qualified architectural historian prepare a historical report with archival prints of the structure, including architectural details, for CRHR Criterion 3 eligible properties and/or preparation of public interpretation documents (video, articles, local history) for treatment of CRHR Criterion 1 eligible properties. All documentation shall be archived with the Sacramento Archives and Museum Collection Center (SAMCC) and the County of Sacramento. Documentation will be subject to review and endorsement by the Sacramento County Planning Department and Environmental Review and Assessment.

## **D. Landscaping and Site Improvement Standards**

### **1. Landscaping Requirements**

- a. For those properties that may lawfully display merchandise next to the street, no berms or visual screening will be required, however, all other landscaping requirements must be adhered to. Nothing in this Section shall preclude the installation of additional landscaping and the planting of additional trees, except near street and driveway intersections where landscaping shall not exceed two and one-half (2.5) feet in height, in accordance with adopted visibility regulations of Chapter 12.12 of the Sacramento County Code.
- b. With existing legal nonconforming properties where it is impossible or impractical to install continuous landscaping as referenced above, property owners may install five foot by five foot (5' x 5') tree wells, irrigated pots, or other landscaping enhancing features. In those instances where the proposed landscaping will necessitate the removal of parking spaces so that the total available parking for the property is below the required minimum under the code, the property owner shall submit a landscaping plan to the Planning Department for review. Any review shall be by staff and completed within 30 days of submittal.
  - (1) Within each planter or landscaped area an irrigation system and live landscaping shall be provided and maintained. The irrigation system shall be operable and in good repair.
  - (2) Required planter and landscaped areas shall be protected from vehicle encroachment as specified in Title III, Chapter 30, of this Code.

- (3) 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.
- (4) Medians shall be landscaped and maintained wherever possible. Median trees shall be palm trees and oaks and shall be subject to the master plan created by the Fulton Community referenced above.
- (5) 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)

## **2. Recommended Planting List:**

The following planting list has been recommended by the Fulton Avenue Association and this can be combined with the Sacramento County tree list to determine the most appropriate trees for a project. Consultation can be made with the County Tree Coordinator, Design Review Administrator, Department of Environmental Review and Assessment as well as Planning staff. Trees planted along the street should provide adequate shade for pedestrians. In order to provide consistency and to unify the district, street trees along sidewalks are to be only fruitless pear shall be prunus calleryana (Fruitless Pear) ‘Bradford’ or ‘Chanticleer’. The requirement for the fruitless pear was a result of the Fulton Avenue Conceptual Beautification Master Plan that was created in 1999 in order to create uniformity along the street in order to give the street a sense of place. Other types of trees may be planted in other parts of the property and shall be known as “landscape trees”. Ground covers, shrubs, vines and “color spots” of seasonal flowers are encouraged. The following is a sample list of landscaping trees, shrubs and ground covers from the Fulton Avenue Association

- a. Landscaping trees: crape myrtle, maple (October Glory), oak. Other types of landscaping trees can be selected from the Sacramento County Tree list.
- b. Shrubs: raphiolepis, fortnight lily (morarea), lily of the Nile (agapanthus africanus (“Peter Pan”), Boxwood, juniper, escallonia, nandina domestica (Heavenly Bamboo), camilla japonica, photina fraseri, pittsorum, mahonia, osmanthus, pyracantha, viburnum tinus, syringa vulgaris, lirope, agapanthus, tulbaghia violacea.
- c. Vines: campsis radican, common trumpet vine, clematis, ficus pumila.
- d. Ground covers: lawn, hypericum, dwarf rosemary, vinca minor, verbena.

Nothing contained herein shall prohibit the planting of flowers or “seasonal color”. Property owners are encouraged to use drought tolerant plants whenever

practical. In addition, project proponents should include more native species when developing landscaping plans for a particular project.

### **3. Signs and Graphics**

Fulton Avenue is within a Special Sign District of the Sacramento County Zoning Code that aims to create a more attractive appearance in major shopping and business centers. The overall goal of the Special Sign District is to enhance and protect the physical values of the community. Sacramento County Zoning Code (section 335-63) outlines the regulations for sign area, setback and height. In addition to these requirements it should be noted that LED reader board signs will not be permitted anywhere within the Fulton Avenue SPA. These regulations will remain for all future signs within this SPA.

In addition to the Zoning Code requirements, new free-standing signs will need to comply with the Commercial and Mixed-Use guidelines. Signage for single tenant commercial buildings and pad buildings are required to be designed to complement the architectural design. The sign location, shape, letters and lighting should “fit” the building’s façade. An unrelated and uncoordinated building, window and entry signage is discouraged. These guidelines apply to signage associated with new construction and major remodels, and to the construction of new free-standing signs. They do not apply to replacement of existing signage. Additional requirements include the following:

- Affixed signs with individual characters are desired.
- Affixed signs should be placed only on vertical surfaces below the eaves or parapet line.
- Monument signs are required for free-standing signs.
- Signage must comply with ADA requirements.
- Signage shall be designed to complement the architectural design of the on-site buildings.
- No LED reader board signs will be permitted.

Signs shall be subject to design review by the Design Review Administrator as outlined in Section III E.

### **4. Lighting, Walls and Fencing**

When walls are proposed, they should be designed to blend with the site’s architecture. Both sides of all side-yard walls or fences should be architecturally treated. Landscaping should be used in combination with all walls. Security fencing and long expanses of fence or wall surfaces should be architecturally designed to prevent monotony.

Lighting should be used to provide illumination for the security and safety of on-site areas such as parking, loading, shipping, receiving, pathways and working areas. Architectural lighting should provide functional lighting for the safety of pedestrian movement. The design of light fixtures and their structural support should be architecturally compatible with the main structures on site. Light fixtures should be integrated with the architectural design of the structures. All



lighting fixtures must be shielded to confine the light spread within the site boundaries.

## **5. Maintenance**

Multi-family apartments shall be managed in a manner that keeps the properties in good condition and does not become unsightly for the surrounding neighbors and property owners. Multi-family apartments will have similar standards in which to maintain their properties.

## **6. Separated Sidewalks**

The Sacramento County Improvement Standards were amended to require separated sidewalks in commercial zones, except that non-separated sidewalks may be installed on infill sites less than 300 feet in width where non-separated sidewalks exist on either side. The Zoning Code was amended to clarify how building setbacks are measured with separated sidewalks. See Section 315.42 of the Zoning Code. The building setbacks will vary from those found in the Zoning Code and that these requirements may vary. The purpose of these standards is to foster pedestrian activity by providing a buffer between the street and sidewalk. If in the future the County standards for separated sidewalks are modified, then the amended County standards would be in place. The trigger for sidewalk replacement is determined by DOT based on the Improvement Standards.

## **7. Shared Parking**

Minimum parking requirements are found in the Development Standards Table for the Avenue Thoroughfare and Crossroads Center districts. In addition, off-site parking on parcels within 300-feet may be provided to meet parking requirements. The following guidelines are intended to serve as criteria for evaluating proposals for shared parking. Shared Parking is parking that can be used to serve two or more individual land uses without conflict or encroachment.

### General Requirements for Shared Parking

- **Site Plan:** All requests for shared parking must be accompanied by a site plan which includes sufficient information to identify the type and intensity of the uses which are proposing to share parking.
- **Ownership:** When first approved, the shared parking facility must be under common ownership or under the control of a single site plan through lease arrangements. All requirements and conditions imposed upon the shared parking facility shall be listed on the site plan and shall be binding upon all subsequent purchasers.
- **Time of submittal:** All requests for shared parking must be submitted in writing at the same time as an application for site plan review.
- **Shared parking arrangements** may be approved by the Planning Director if the above criteria is met.

Community parking areas to the rear of buildings strategically interspersed throughout the project area are highly encouraged. These “Pocket Lots” will be shaded and have pedestrian connectivity in the vicinity. Future funding for any community parking lots will be determined in the future.

## **9 Overall Bicycle Parking Requirements**

The bicycle parking requirements will remain the same as what is currently stated in the Zoning Code Section 330-131. However, multifamily projects will be required to follow the bike parking standards that are listed in Section 2.6.7 of the Sacramento County Multifamily Design Guidelines. This SPA provides the option for property owners to exceed the minimum requirements.

### **E. Project Review Process**

1. Table I (Permitted and Restricted Uses Table) of the SPA outlines uses within the Mixed-Use Area Overlay Zone that are permitted, conditionally permitted, or not permitted. Those uses that are conditionally permitted are subject to discretionary review by the Arden Arcade Community Planning Commission.

Projects that are listed as permitted uses in Table I are subject to staff level (non-discretionary) development plan approval with review by the Design Review Administrator to insure compliance with the criteria and standards set forth in the SPA, with the following exceptions:

- a. When the Design Review Administrator determines that a project does not meet the criteria set forth in the SPA, the project proponent shall make an application for a conditional use permit subject to discretionary review by the Planning Commission.
- b. Projects that include the following components shall require an application for Development Plan Review to be heard by the Planning Commission. The intent of this review is to provide for public review of design and site plan features. The intent is not to trigger additional environmental review with the assumption that the use and intensity of the project is covered under the EIR for the SPA.
  - a. Any proposed buildings over 2 stories in height in Avenue Thoroughfare.
  - b. Any proposed buildings over 3 stories in height in Crossroads Centers.
  - c. Any residential projects over 24 units per acre or 2 stories in height for Avenue Thoroughfare and any residential project over 30 units per acre or 2 stories in height for the Crossroads Centers.

Any High Density Residential project in any area of the SPA over 45 units per acre is subject to a Conditional Use Permit.

2. Monitoring of Development Cap

In conjunction with project review, future development projects will be monitored against the Potential for Added Development in Section 3.B.7. The numbers specified in the chart have been derived from the traffic study and would become

the upper limit for future development. If new development exceeds the cap, additional environmental review is required.

3. Appeals

Any person that is dissatisfied with an act or determination of the Planning Commission, Subdivision Review Committee, Zoning Administrator, Chief Building Inspector, Planning Director, or the Secretary of the Planning Commission, may appeal such act or determination subject to Section 115-30 in the Sacramento County Zoning Code.

4. Criteria for consideration of Conditional Use Permits.

The appropriate authority shall consider the following factors, in addition to criteria found in Section 110.30 of the Zoning Code.

- a. The proposed use or deviation from SPA standards is justified by exceptional design over and above the standards in the SPA.
- b. Any proposed conditional use can provide evidence that it brings a benefit to the community and does not create any nuisance or public safety concerns