

CHAPTER 3: USE REGULATIONS

3.1. PURPOSE AND ORGANIZATION

3.1.1. Purpose

This Chapter describes the land uses allowed in Sacramento County and the applicable use-specific standards.

3.1.2. Chapter Organization

3.1.2.A. Tables of Allowed Uses

Section 3.2 contains tables that list the allowed uses, accessory uses, and temporary uses in all zoning districts, along with the approval process required for each use.

3.1.2.B. Use-Specific Standards

Sections 3.3 through 3.8 list the specific requirements applicable to certain use types, regardless of the district in which such use is located.

3.1.2.C. Accessory Use Standards

Section 3.9 sets out the use-specific standards for accessory uses. In some cases, these standards differ based upon the base or combining zoning district it is located within.

3.1.2.D. Temporary Use Standards

Section 3.10 includes use-specific standards for temporary uses. In some cases, these standards may differ due to regulations for the base or combining zoning district.

3.2. TABLES OF ALLOWED USES

3.2.1. Table Organization

In Tables 3.1, 3.2, and 3.3, land uses and activities are classified into general use categories, use subcategories, and specific use types based on common functional, product, or physical characteristics such as the type and amount of activity, the type of customers or residents, how goods or services are sold or delivered, and site conditions. This classification provides a systematic basis for assigning present and future land uses into appropriate zoning districts. This classification does not list every use or activity that may appropriately exist within the categories. Certain uses may be listed in one category when they may reasonably have been listed in one or more other categories. The use categories are intended as an indexing tool and not regulatory.

3.2.2. Explanation of Table Abbreviations

3.2.2.A. Permitted Uses

“P” in a cell indicates that the use is a “Permitted Primary Use” and is allowed by right, subject to complying with the regulations of the respective zoning district in which the use is located, including Design Review, as provided by Section 6.3.2 of this Code.

3.2.2.B. Conditional Uses

1. “C” in a cell indicates that in the respective zoning district the use is allowed only if reviewed and approved in accordance with the procedures of Section 6.4.3, “Conditional Use Permits.” Conditional Uses are subject to all other applicable regulations of this Code, including the use-specific standards in this Chapter and the requirements of Chapter 5, “Development Standards.”
 - a. “MC” indicates that the decision authority for the Minor Use Permit shall be the Planning Director, unless bundling rules, described in the *County Zoning Code User Guide* (User Guide), result in a higher decision body.
 - b. “CZ” indicates that the decision authority for the Conditional Use Permit shall be the Zoning Administrator, unless the bundling rules, described in the User Guide, result in a higher decision body.
 - c. “CP” indicates that the decision authority for the Conditional Use Permit shall be the Planning Commission, unless the bundling rules, described in the User Guide, result in a higher decision body.
 - d. “CB” indicates that the decision authority for the Conditional Use Permit shall be the Board of Supervisors.
2. A “C” designation in a given district does not constitute an authorization or an assurance that such use will be permitted. Rather, each Conditional Use Permit application shall be evaluated as to its probable effect on adjacent properties and surrounding areas, among other factors, and may be approved or denied based on appropriate findings.

3.2.2.C. Accessory Uses

“A” in a cell indicates that in the respective zoning district the use is allowed by right as an accessory use, without special conditions other than those imposed upon other accessory uses by right in the zoning district. Accessory uses are subject to all other applicable regulations of this Code, including Section 3.9, “Accessory Uses.”

3.2.2.D. Temporary Uses

“T” in a cell indicates that in the respective zoning district the use is allowed only if reviewed and approved in accordance with the procedures of Section 6.4.7, “Temporary Use Permit.” Temporary uses are subject to all other applicable regulations of this Code, including Section 3.10, “Temporary Uses.”

“TZ” indicates that the decision authority for the Temporary Use Permit shall be the Zoning Administrator, unless the bundling rules, described in the User Guide, result in a higher decision body.

3.2.2.E. Prohibited Uses

A blank cell indicates that the use is prohibited in the respective zoning district.

3.2.2.F. Use Standards

A cross-reference in the last column of the table refers to use standards in this Chapter. Use standards apply to the uses in the zoning districts that are shaded in gray. When a use standard is indicated, the use is allowed when it conforms to the indicated use standard.

3.2.3. Use For Other Purposes

Approval of a use listed in Table 3.1, 3.2, and 3.3, and compliance with the applicable use-specific standards for that use, does not prohibit additional uses as long as those additional uses are specifically allowed in Table 3.1, 3.2, and 3.3 and approved under the appropriate process.

3.2.4. Uses Not Provided for in the Tables

3.2.4.A. If a use is not listed in Table 3.1, 3.2, or 3.3, included in a use definition, or shown as a permitted or conditionally permitted use in any zoning district, the Planning Director may make a determination that either:

1. The use is substantially similar in characteristics, intensity, and compatibility to a use or uses within the zoning district, applicable to the property; or
2. The use would be appropriate in the zoning district, applicable to the property as a permitted or conditional use.

3.2.4.B. In those cases where the Planning Director makes a determination that the use meets either Sections 3.2.1 or 3.2.2, the use shall conform to all the regulations, conditions of approval, and use standards applicable to the similar described use(s). If the use would be appropriate in the zoning district as a conditional use, a Conditional Use Permit shall be heard by the designated hearing body for the similar use.

3.2.5. Allowed Uses in All Zoning Districts

TABLE 3.1: ALLOWED USES

KEY

P= Permitted Primary Use
MC= Minor Use Permit
CZ = Conditional Use Permit by the Zoning Administrator

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Grey Boxes = Refer to Applicable Use Standards in Sections Identified

Zoning Districts	Agricultural		Agricultural Residential	Residential			Recreation	Mixed Use		Commercial	Industrial		Use Standard			
	AG-160, AG-80, AG-40, AG-20	UR	AR-10, AR-5	RD-1, RD-3, RD-4	RD-5, RD-7, RD-10	RD-15, RD-20, RD-25, RD-30, RD-40	RR	NM	CMZ	BP	LC ¹	GC ²		MP	M-1	M-2
AGRICULTURAL USES																
A. General Agricultural Uses	P	P	P	PCZ ³			P	CZ	CZ				P	P	P	3.4.1
B. Agricultural Equipment Repair, Maintenance and Manufacturing	CZ													CZ	CZ	
C. Agricultural Supplies and Services	CZ														P	P

¹ Includes former SC zoning district. ~~Refer~~ Refer to Title IV of the Sacramento County Zoning Code interim standards for SC zoning districts.
² Includes former AC and TC zoning districts; interim standards for AC and TC zoning districts should refer to Title IV of the Sacramento County Zoning Code.
³ In the AR-1 zoning district, general agricultural uses are permitted on lots of 150 feet or greater in width.

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J. Kill Floor	CZ	CZ						3.4.5
K. Stables and Corrals	P	P	P	P				3.4.6
L. Roadside Crop Sales	P	P	CZ	P				3.4.7
	P	P	CZ	P				
	P	P		P				
	P	P		P				
4. Agricultural Market	P	P		P				3.4.7
	P	P		P				
	P	P		P				
	P	P		P				

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P. Water Impoundment, Constructed Lake/Pond	P	P	P	P	P	P	P	3.4.11

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4. Dwelling, Single-family Detached	P	P	P	P	P	P	P	P	P	CP		P	MC	P						3.5.1.E
5. Family Day Care Home ²¹	P	P	P	P	P	P	P	P	P	P										3.5.1.F
6. Mobile/Manufactured Home	P	P	P	P	P	MC	MC	MC	P	MC	CP									3.5.1.G
7. Mobile Home Park									P											3.5.1.H
8. Residential Care Home ²²	CZ	CZ	CZ	CZ	CZ	CZ	CZ	MC	MC	CZ	CP	P	P	P	P	P	P			3.5.1.I
9. Condominium Conversions						CP	CP	CP	CP			CP	CP	CP	CP	CP	CP			3.5.1.J

²¹ Permitted by right in the Agricultural, Agricultural-Residential, Residential, and Recreation zoning districts, where it does not exceed a total of eight persons for small family day care homes and 14 persons for large family day care homes, including children 10 years of age or younger who reside in the home.
²² Residential Care Homes for six or fewer persons are permitted by right in the designated zoning districts, per State law.

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10. Room-Rentals and Vacation-Rentals; Single-family Dwelling	P	P	P	P	P	P	P	P	P	P	P	P	P								3.5.1.K	
B. Group Living Uses																						
1. Boarding House																						
2. Emergency Shelter																						
3. Farm Worker Housing	P	P	P																			
4. Fraternity/Sorority House	CP	CP		CP	CP																	
5. Single Room Occupancy Unit																						

²³ Use is conditionally permitted, as noted, only in the RD-10 zoning district. Not permitted in the other referenced zoning districts.
²⁴ See footnote 23.

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	AG-160, AG-80, AG-40, AG-20	UR	IR	AR-10, AR-5	AR-2, AR-1	RD-1, 3, 7, 10	RD-5, 20, 25, 30, RD-40	RD-15	RD-5, RD-7, RD-10	RD-1, 3, 7, 10	RD-2, RD-4	RD-15	RD-5, RD-7, RD-10	RD-20, RD-25, RD-30, RD-40	RR		O	C-O	NM	CMC	CMZ	BP	LC ¹	GC ²	M-1	M-2			
Use, Service, or Facility																													
PUBLIC, CIVIC, AND INSTITUTIONAL USES																													
A. Assembly Uses																													
1. Places of Worship Church or Other Religious Institution ²⁵	CZ	CZ	CZ	CZCP	CZCP	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	P	P	P	P	P	P	P	P	P	P	P	P	CZ	3.6.1.A	
2. Private Social Center, Social Club, Fraternal Hall/Lodge	CP	CP		CP	CP	CPZ	CPZ	CPZ	CPZ	CPZ	CPZ	CPZ	CPZ	CPZ	CP	CP	CP	CP	CP	CP	CP	CP	CP	CP	CP	CP	CP	CP	3.6.0
B. Educational and Cultural Uses																													
1. Art Gallery, Art Studio						CZ	CZ	CZ	CZ						P	P	P	P	P	P	P	P	P	P	P	P	P		
2. College, University				CP	CP	CP	CP	CP	CP	CP	CP	CP	CP	CP															3.6.0

²⁵ In the Agricultural, Agricultural-Residential, and Residential zoning districts, places of worship churches or other religious institutions exceeding 150 person seating capacity shall require a Conditional Use Permit by the Planning Commission.

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3. School, Private ²⁶	CZ	CZ	RD-15, RD-20, RD-25, RD-30, RD-40					3.6.2.A
4. School, K-12, Public	P	P						
5. School, K-12, Private ²⁷	CZ	CZ						
C. Government Uses								
1. Government and Local Agency Buildings and Uses	P	P	P	P	P	P	P	3.6.3.A
D. Parks and Open Space								
1. Cemetery	CZ	CZ	CP	CP			CP	3.6.4.A
2. Community Garden	P	P	P	P	P	P	P	3.6.4.B

²⁶ In the Agricultural, Agricultural-Residential, and Residential zoning districts, private schools exceeding 100 students shall require a Conditional Use Permit by the Planning Commission.
²⁷ See footnote 26.

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3. Public Park	P	P	P	P	P	P	P	P	P	P	P	P	P								
4. Wildlife Preserve	P	P	P	P	P				P												
E. Social Care Uses																					
1. Ambulance Service															P	P	P	P	P		
2. Adult Day Care Center ²⁸	CZ	CZ		CZ	CZ	CZ	CZ	P	CZ	CP	CP	CP	P	P	P	P	P	CZ	CZ	3.6.5.A	
3. Child Day Care Center	CZ	CZ		CZ	CZ	CZ	P	CZ	CZ	CZ	CZ	P	P	P	P	P	P	CZ	CZ	3.6.5.B	
4. Congregate Care Facility		CP		CP	CP	CP	CP	MCP	CP	CP	CP	P	P	P	CP	P	P			3.6.5.C	
5. Hospital	CP	CP		CP	CP	CP	CP	CP	CP	CP	CP	CP	CP	CP	CP	CP	CP				3.6.0

²⁸ In the Agricultural, Agricultural-Residential, and Residential zoning districts, an adult day care center facility with capacity exceeding 36 persons shall be subject to a Conditional Use Permit ~~defined~~ by the Planning Commission.

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6. Hospital, Convalescent	CP	CP	RD-15 RD-20, RD-25, RD-30, RD-40		CP	CP		3.6.5.C
7. Psychiatric Facility						CP	CP	
8. Social Rehabilitation Center	CP	CP	CP		CP	CP	CP	3.6.5.C
F. Utility and Public Service Facility Uses								
1. Major Utility	P	CZ	CZ	P	P	P	P	P
2. Minor Utility	P	P	P	P	P	P	P	P
3. Solar Energy Facility	a. Commercial I Solar Facilities	CP		CP	MC	MC	MC	MC
	b. Commercial II Solar Facilities	CP		CP	MC	MC	MC	MC
4. Wind Turbine	a. Small Wind Turbine	MC	MC	MC	MC	MC	MC	MC
		MC	MC	MC	MC	MC	MC	MC

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	CZ ³⁰	CZ ³¹	CZ	CP	CZ	CZ ³³ CZ ³⁴	CZ	3.7.2.A. ₁
b. Kennel, Cattery, Small Animal Boarding and Training								
c. Veterinarian Animal Hospital	CZ	CZ	CZ	CP	CZ	CZ	P	

³⁰ Small animal training is permitted by right in the agricultural zoning districts, where the owner of each animal is present during such training.

³¹ See footnote 30.

³² See footnote 30.

³³ Only animal training where the owner of each animal is present during such training, and cattery facilities that are fully operated indoors, are permitted by right in the commercial zoning districts; otherwise, the use requires a Conditional Use Permit by the Zoning Administrator.

³⁴ See footnote 33.

³⁵ See footnote 33.

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			RD-1,3,7,10 RD-2,4	RD-5,20,25,30, RD-40	RD-5,20,25,30, RD-40	RD-5,20,25,30, RD-40	RD-5,20,25,30, RD-40	RD-5,20,25,30, RD-40	
	c. Driving Instruction	AR-10, AR-5	AR-2, AR-1	RR	CMZ	BP	MP	M-2	
			AR-10, AR-5	O	CMC	LC ¹	M-1	M-2	
	d. Fortune Teller								
	e. Funeral Establishment (Does not include a crematory)								
	f. Crematory								
	g. Massage								

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		AR-2, AR-1	RD-1, RD-2, RD-4		NM C			
h. Self-Service Laundromat					P	P	P	
						MC		3.7.1.B
i. Tattoo Shop ⁴⁹						MC		
					CZ	CZ ⁵⁰	CZ	
j. Tanning								
a. General Repair Services								
4. Repair Services								

⁴⁹ If located within the Fair Oaks Boulevard Corridor Plan, use may require a Conditional Use Permit by the Planning Commission. See Section 6.7.

⁵⁰ See footnote 37.

⁵¹ See footnote 37.

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		AR-2, AR-1			NM C			P P
		UR IR						CB CB
4. Adult Business								
5. Arcade, Electronic, Mechanical, Video Games, or Computer Gaming Center								
						MC MC		3.7.1.B
6. Boat Dock, Private	MC	MC	MC	MC	MC			
								3.7.4.C

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7. Campground	CZ	CZ	CZ	CZ	CZ	CZ	CZ	
8. Card Room					CP	CP		
9. Dancing in a Bar or Restaurant, Incidental						CP		
10. Hunting Club, Gun Club, Shooting Range Club, Outdoor	CZ	CZ		CZ	CZ	CZ	CZ	CZ 3.7.4.E
11. Live/Motion Picture Theater and Performing Arts Center					CZ		P	
12. Marina, Boat Dock/Launch				CZ				
13. Nightclub, Dance Club or Hall					CZ	CZ	CZ	CZ
14. Race Track								CB

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Grey Boxes = Refer to Applicable Use Standards in Sections Identified

Zoning Districts	Agricultural		Agricultural Residential		Residential				Recreation		Mixed Use		Commercial		Industrial		Use Standard			
	AG-160, AG-80, AG-40, AG-20	UR	AR-10, AR-5	AR-2, AR-1	RD-1, 3, 7, 10	RD-5, RD-7, RD-10	RD-15, RD-20, RD-25, RD-30, RD-40	RR	O	C-O	NM	CMC	CMZ	BP	LC ¹	GC ²		M-1	M-2	
2. Payday Loan, Check Cashing ⁶¹														MC	MC				3.7.1.B	
E. Lodging Use																				
1. Bed and Breakfast Inn	CPCZ	CPCZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	P			CZ	CZ			3.7.6.A	
2. Hotel, Motel															CP	CP	CP	CP		
3. Farm Stay	P	P	P	CZ															3.7.6.B	
4. Resort																				
F. Office Uses																				
1. Office Use, General				CZ	CZ	CZ	CZ	CZ				P	P	P	P	P	P	CZ ₆₂	CZ ₆₃	3.7.7.A

⁶¹ If located within the Fair Oaks Boulevard Corridor Plan, use may require a Conditional Use Permit by the Planning Commission. See Section 6.7.

TABLE 3.1: ALLOWED USES

KEY

P= Permitted Primary Use
MC= Minor Use Permit
CZ = Conditional Use Permit by the Zoning Administrator

CP= Conditional Use Permit by the Planning Commission
CB= Conditional Use Permit by the Board of Supervisors

A = Permitted Accessory Use
TZ = Temporary Use Permit by the Zoning Administrator

Grey Boxes = Refer to Applicable Use Standards in Sections Identified

Zoning Districts	Agricultural	Agricultural Residential	Residential	Recreation	Mixed Use	Commercial	Industrial	Use Standard
Use, Service, or Facility	AG-160, AG-80, AG-40, AG-20	AR-10, AR-5	RD-1, 3, 7, 10, RD-2, RD-4	RD-5, RD-7, RD-10, RD-15, RD-20, RD-25, RD-30, RD-40	RR, O, C-O	BP, LC ¹ , GC ²	MP, M-1, M-2	
2. General Retail Sales (50,000 – 350,000 sq. ft.)					P, CZ	P, P	CZ, CZ	
3. General Retail Sales (>350,000 sq. ft.)					CP, CP	CP, CP	CP, CP	
4. Neighborhood Convenience Store, Food Markets (Up to 6,000 sq. ft.)					P ⁶⁹ , P ⁷⁰	P ⁷²	CP, CP	3.7.8.A
5. Food Production and Wholesales					CZ	P	CZ, P	

⁶⁹ Extended hours require a use permit to the Planning Commission. See Section 3.7.8.A for details.

⁷⁰ See footnote 69.

⁷¹ See footnote 69.

⁷² See footnote 69.

⁷³ See footnote 69.

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Zoning Districts	Agricultural		Agricultural Residential		Residential				Mixed Use		Commercial		Industrial		Use Standard
	AG-160, AG-80, AG-40, AG-20	UR, IR	AR-10, AR-5	AR-2, AR-1	RD-1, 3, RD-2, RD-4	RD-5, RD-7, RD-10	RD-15, RD-20, RD-25, RD-30, RD-40	RR, O, C-O	NM, C	CMZ, CMZ	BP, LC ¹ , GC ²	MP, M-1, M-2			
6. Liquor Store/Off-Sale of Alcoholic Beverages ⁷⁴									CP	P	CP	P	P		3.7.8.C
7. Pawn Shop ⁷⁵													MC	MC	3.7.1.B
8. Thrift/Consignment ⁷⁶													MC	MC	3.7.1.B
9. Tobacco Smoke Shop ⁷⁷													MC	MC	3.7.1.B
10. Public Auction, Flea Market														CP	
11. Wholesale, not otherwise listed													CZ	P	C

⁷⁴ Placeholder dependent on outcome of pending ZC amendment. If located within the Fair Oaks Boulevard Corridor Plan, use may require a Conditional Use Permit by the Planning Commission. See Section 6.7.

⁷⁵ If located within the Fair Oaks Boulevard Corridor Plan, use may require a Conditional Use Permit by the Planning Commission. See Section 6.7.

⁷⁶ See footnote 75.

⁷⁷ See footnote 75.

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Grey Boxes = Refer to Applicable Use Standards in Sections Identified

Zoning Districts	Agricultural		Agricultural Residential		Residential				Recreation		Mixed Use		Commercial			Industrial		Use Standard
	AG-160, AG-80, AG-40, AG-20	UR, IR	AR-10, AR-5	AR-2, AR-1	RD-1, RD-2, RD-4	RD-5, RD-7, RD-10	RD-15, RD-20, RD-25, RD-30, RD-40	RR, O	C-O	NM, C	CMC, CMZ	BP, LC ¹ , GC ²	MC, P	MC, P	MC, P	MC, P	MC, P	
5. Automobile Lease or Rental, Limousine Service										CZ			MC	MC	MC	MC		
6. Automobile Repair, Major													CZ	P	P	P		3.7.9.E
7. Automobile Repair, Minor										CZ			P	P	P	P		
8. Automobile Wash													CZ	CZ	P	P		
9. Equipment Rental														CZ				3.7.9.F
10. Package Delivery Service															P	P	P	
11. Parking Lot or Garage							MC		P	P	P	P	P	P	P	P	P	3.7.9.G

TABLE 3.1: ALLOWED USES

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Grey Boxes = Refer to Applicable Use Standards in Sections Identified

Zoning Districts	Agricultural		Agricultural Residential		Residential				Recreation		Mixed Use		Commercial		Industrial		Use Standard						
	AG-160, AG-80, AG-40, AG-20	UR	IR	AR-10, AR-5	AR-2, AR-1	RD-1, 3, RD-2, RD-4	RD-5, RD-7, RD-10	RD-15, RD-20, RD-25, RD-30, RD-40	RR	O	C-O	NM	CMC	CMZ	BP	LC ¹		GC ²	MP	M-1	M-2		
Use, Service, or Facility																							
INDUSTRIAL USES																							
A. Extractive Uses																							
1. Borrow Mining, Short-term	CPCZ	CPEZ	CPEZ	CPCZ															CPEZ	CPEZ	3.8.1.A		
2. Gas or Oil Well	P	MC	MC	CZMG	CZMG				CP	CP									MC	MC	3.8.1.B		
3. Surface Mining	CBCP	CBEZ	CBEZ																CBEZ	CBEZ	3.8.1.C		
B. Manufacturing and Processing Uses																							
1. Assembly, Manufacturing, and Processing – Heavy																				P	P	3.8.2.A	
2. Assembly, Manufacturing, and Processing – Light																			MC	CZ	P	P	3.8.2.B

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A = Permitted Accessory Use
 TZ = Temporary Use Permit by the Zoning Administrator

 = Refer to Applicable Use Standards in Sections Identified

Zoning Districts	Agricultural		Agricultural Residential		Residential				Recreation		Mixed Use		Commercial			Industrial			Use Standard						
	AG-160, AG-80, AG-40, AG-20	UR	IR	AR-10, AR-5	AR-2, AR-1	RD-1, 3, RD-2, RD-4	RD-5, RD-7, RD-10	RD-15, RD-20, RD-25, RD-30, RD-40	RR	O	C-O	NM	CMC	CMZ	BP	LC ¹	GC ²	MP		M-1	M-2				
3. Assembly, Manufacturing, and Processing – Outdoor																					P	3.8.2.C			
4. Concrete Batch Plant			CP														CP				CP	P	3.8.2.D		
5. Specialty/Craft Breweries	P																CZ	AG			P	P	3.8.2.E		
6. Distilleries and Breweries (See Ag Uses for Wineries and Breweries)																								CPC Z CPC Z	
7. Canneries																									CB CB
8. Laboratory																	CZ								CZ P P

TABLE 3.1: ALLOWED USES

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A = Permitted Accessory Use
 TZ = Temporary Use Permit by the Zoning Administrator

Grey Boxes = Refer to Applicable Use Standards in Sections Identified

Zoning Districts	Agricultural		Agricultural Residential		Residential				Recreation		Mixed Use		Commercial		Industrial		Use Standard	
	AG-160, AG-80, AG-40, AG-20	UR IR	AR-10, AR-5	AR-2, AR-1	RD-1, 3, RD-2 RD-4 RD-10	RD-5, RD-7, RD-10	RD-15	RD-20, RD-25, RD-30, RD-40	RR O	C-O	NM C	CMZ	BP LC ¹ GC ²	MP M-1 M-2				
Use, Service, or Facility																		
D. Transportation Facilities and Services																		
1. Airport	CP ⁸³	CP	CP	CP					CP	CP	CP					CP	CP	
2. Boat Dock/Pier - Commercial									CP	CP								3.8.4.A
3. Bus Depot													CP			CP	CP	3.8.4.B
4. Freight Depot																CZ	CZ	3.8.4.C
5. Taxi Cab Service and Storage Facility													CZ			MC	MC	3.8.4.D
6. Truck, Freight, or Draying Terminal																CZ	P	3.8.4.E

⁸³ Private airports, including those open to the public, are permitted subject to a Conditional Use Permit by the Planning Commission. Private landing strips for the sole use of the landowner in the AG- zones are permitted subject to a Conditional Use Permit by the Zoning Administrator.

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KEY

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 MC= Minor Use Permit
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A = Permitted Accessory Use
 TZ = Temporary Use Permit by the Zoning Administrator

Grey Boxes = Refer to Applicable Use Standards in Sections Identified

Zoning Districts	Agricultural		Agricultural Residential		Residential				Recreation		Mixed Use		Commercial		Industrial		Use Standard					
	AG-160, AG-80, AG-40, AG-20	UR	IR	AR-10, AR-5	AR-2, AR-1	RD-1, 3, RD-2, RD-4	RD-5, RD-7, RD-10	RD-15, RD-20, RD-25, RD-30, RD-40	RR	O	C-O	NM	CMC	CMZ	BP	LC ¹		GC ²	MP	M-1	M-2	
Use, Service, or Facility																						
E. Waste Handling and Disposal																						
1. Hazardous Waste Storage/Disposal Facility																					CB	3.8.5.A
2. Junk Tire Handling ⁸⁴																					CP	3.8.5.B
3. Junkyard, Vehicle/Equipment Wrecking Yard, Scrap or Used Materials Yard																					CP	3.8.5.C

⁸⁴ Permitted in the M-1 and M-2 zoning districts, provided no more than 500 tires are on site at any one time; where more than 500 tires are on site at any one time, the use requires a Conditional Use Permit by the Planning Commission.

TABLE 3.1: ALLOWED USES

KEY

P= Permitted Primary Use
 MC= Minor Use Permit
 CZ = Conditional Use Permit by the Zoning Administrator

CP= Conditional Use Permit by the Planning Commission
 CB= Conditional Use Permit by the Board of Supervisors

A = Permitted Accessory Use
 TZ = Temporary Use Permit by the Zoning Administrator

Grey Boxes = Refer to Applicable Use Standards in Sections Identified

Zoning Districts	Agricultural	Agricultural Residential	Residential	Recreation	Mixed Use	Commercial	Industrial	Use Standard
Use, Service, or Facility	AG-160, AG-80, AG-40, AG-20	AR-10, AR-5	RD-5, RD-7, RD-10 RD-1, 3, RD-4 RD-2	RD-15 RD-20, RD-25, RD-30, RD-40	NM C	BP LC ¹ GC ²	M-1 M-2	
6. Solid Waste Facilities ⁸⁸								
7. Wastewater Disposal, Lagoon or Irrigation	CP						CP	CP

⁸⁸ Permitted provided the use is located no less than 500 feet from the boundary line of a more restrictive land use zoning district and subject to the issuance of a Conditional Use Permit by the Board of Supervisors, after a recommendation by the Planning Commission.

TABLE 3.2: ALLOWED ACCESSORY USES⁸⁹

KEY

P= Permitted Primary Use

CZ = Conditional Use Permit by the Zoning Administrator

Grey Boxes = Refer to Applicable

MC= Minor Use Permit

A = Permitted Accessory Use

Use Standards in Sections Identified

Zoning Districts	Agricultural		Agricultural-Residential		Residential						Recreation			Mixed Use			Commercial			Industrial			Use Standard	
	AG-160, AG-80, AG-40, AG-20	UR	IR	AR-10, AR-5	AR-2, AR-1	RD-1, RD-2	RD-3, RD-4	RD-5, RD-7	RD-10, RD-15	RD-20, RD-25, RD-30, RD-40	RM-2	RR	O	C-O	NMC	CMC	NMZ	BP	LC ⁹⁰	GC ⁹¹	MP	M-1		M-2
G. Home Occupation	A	A	A	A	A	A	A	A	A	A	A	A	CZ											3.9.3.F
H. Incidental Agricultural Uses	A	A	A	A	A	A	A	A	A	A	A	A	CZ					A	A	A	P			3.9.3.G
I. Repair of Farm Equipment or Auto-mobles for Personal Use	A	A	A	A	A	A	A	A	A	A	A	A												3.9.3.L
J. Residential Garage Sales	A	A	A	A	A	A	A	A	A	A	A	A												3.9.3.M
K. Residential Swimming Pools and Spa Equipment	A	A	A	A	A	A	A	A	A	A	A	A												3.9.3.Q
L. Incidental Office/Retail Sales																						A	A	3.9.3.I
M. Outdoor Display, Storage, and Comfort Features																			MC	MC				3.9.3.J

TABLE 3.2: ALLOWED ACCESSORY USES⁹³

KEY

P= Permitted Primary Use

CZ = Conditional Use Permit by the Zoning Administrator

Grey Boxes = Refer to Applicable

MC= Minor Use Permit

Use Standards in Sections Identified

A = Permitted Accessory Use

Zoning Districts	Agricultural		Agricultural-Residential		Residential				Recreation		Mixed Use		Commercial			Industrial		Use Standard						
	AG-160, AG-80, AG-40, AG-20	UR	IR	AR-10, AR-5	AR-2, AR-1	RD-1, RD-2	RD-3, RD-4	RD-5, RD-7	RD-10, RD-15	RD-20, RD-25, RD-30, RD-40	RR	O	C-O	NMC	CMC	NMZ	BP		LC ⁹⁰	GC ⁹¹	MP	M-1	M-2	
T. Remote Teller ⁹³													CZ	CZ	CZ	CZ	CZ	CZ	CZ					3.9.3.U
U. Drive-up Window ⁹⁴												CZ												3.9.3.V
V. Loading Dock														A	A	A	A	A	A	A	A	A	A	39.3.W
W. Snack Bar incidental to a Park, Boat Dock, Other Water-Oriented Use												CZ	CZ				MC	MC	MC					
X. Solar Facility: Accessory I	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	3.6.6.C
Y. Solar Facility: Accessory II	AME	AME	AME	AME	AME	MC	MC	MC	MC	MC	MC	MC	MC	MC	MC	MC	MC	MC	MC	MC	MC	MC	MC	3.6.6. C
Z. Electric Fencing	A	A	A																MC		A	A	A	3.9.3.X

⁹³ For drive-up windows, a Conditional Use Permit by the Zoning Administrator is required when the design standards for drive-up windows are not met, or if drive-up windows and/or remote tellers with amplified sound are located within 300 feet of a residential zoning district (RD-1 through RD-40), or if without amplified sound, located within 75 feet of a residential zoning district (RD-1 through RD-40). For buildings 100 square feet or less, a Minor Use Permit is required.

⁹⁴ See footnote 93.

TABLE 3.2: ALLOWED ACCESSORY USES⁸⁹

KEY

P= Permitted Primary Use

CZ = Conditional Use Permit by the Zoning Administrator

Grey Boxes = Refer to Applicable

MC= Minor Use Permit

A = Permitted Accessory Use

Use Standards in Sections Identified

Zoning Districts	Agricultural		Agricultural-Residential		Residential						Recreation			Mixed Use			Commercial			Industrial			Use Standard			
	AG-160, AG-80, AG-40, AG-20	UR	IR	AR-10, AR-5	AR-2, AR-1	RD-1, RD-2	RD-3, RD-4	RD-5, RD-7	RD-10, RD-15	RD-20, RD-25, RD-30, RD-40	RR	O	C-O	NMC	CMC	NMZ	BP	LC ⁹⁰	GC ⁹¹	MP	M-1	M-2				
AA. Dwelling, Caretaker																	MC	A	A	MC	MC	MC				3.9.3.Y
BB. Dwelling, Live-Work Units																	MC	MC	MC	MC	MC	MC				3.9.3.Z
CC. Electric Vehicle Charging Station	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	
DD. Vacation Rentals	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	3.9.3A A

TABLE 3.3: ALLOWED TEMPORARY USES⁹⁵

KEY

TZ= Temporary Use Permit Decided by the Zoning Administrator

Grey Boxes = Refer to Applicable Use Standards in Sections Identified

Zoning Districts	Agricultural		Residential				Recreation		Mixed Use			Commercial			Industrial		Use Standard					
	AG-160, AG-80, AG-40, AG-20	UR	IR	AR-10, AR-5	AR-2, AR-1	RD-1, RD-2, RD-3, RD-4	RD-5, RD-7	RD-10, RD-15	RD-20, RD-25, RD-30, RD-40	RR	O	C-O	NMC	CMC	NMZ	BP		LC ⁹⁶	GC ⁹⁷	MP	M-1	M-2
A. Farmers Market ⁹⁸											TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ		
B. Community Stand	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	3.10.3.B
C. Promotional Sale/Display											TZ											3.10.3.C
D. Seasonal Sale/Display											TZ											3.10.3.D
E. Temporary Concession											TZ											3.10.3.E
F. Temporary Construction Buildings	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	3.10.3.F

⁹⁵ All temporary uses are subject to the general temporary use standards in Section 3.10.1, in addition to the specific standards cited in this table.

⁹⁶ Includes former SC zoning district; interim standards for SC zoning districts should refer to Title IV of the Sacramento County Zoning Code.

⁹⁷ Includes former AC and TC zoning districts; interim standards for AC and TC zoning districts should refer to Title IV of the Sacramento County Zoning Code.

⁹⁸ A Temporary Use Permit shall not be required in the designated zoning districts, if the market is certified by the County Agricultural Commissioner as a Certified Farmers Market, limited primarily to the sale of fresh fruits and vegetables, the use is operated no more than one (1) day during the week, and is located within one-quarter (1/4) mile of a transit station or truck line bus stop or a "food desert area" as identified in the Food Desert/Food Imbalance Study, 2010, prepared by the Department of Community Development or similar study.

3.3. USE STANDARDS, GENERALLY

3.3.1. Applicability

The use standards of this Chapter apply to the named use in every zoning district where the use is allowed, unless otherwise specified in the use standard or as specified in a Conditional Use Permit approval. The use standards shall be in addition to, and not in lieu of, all other generally applicable development standards in this Code. Where the provisions of the use standards or requirements conflict with other provisions of this Code, the more restrictive standards or requirements shall apply.

The use standards are not intended to replace or otherwise limit in any manner other County regulations or to preclude the imposition of reasonable use permit conditions, as authorized in this Code.

DRAFT

3.4. AGRICULTURAL USE STANDARDS

3.4.1. General Agricultural Uses

- 3.4.1.A.** In the AR-1 zoning district, general agricultural uses are permitted only on lots of 150 feet or greater in width.
- 3.4.1.B.** **The keeping of crowing fowl is permitted on any lot in the AR or AG zoning districts.** ▲

3.4.2. Beekeeping

A beekeeping use in the AR-1, RD-1, and RD-2 zoning districts shall comply with the following minimum standards:

3.4.2.A. Registration and Location

1. The hive(s) owner must maintain current registration status of the bee colony(s) with the Agricultural Commissioner in compliance with applicable state statutes, including required hive movement notices. Any colony that is not properly registered shall be removed from the property and may not be returned to the property for at least six (6) weeks from the date of registering the colony at another site.
2. The hive(s) owner must be a resident in a dwelling that is located on the same parcel of land on which hive(s) is registered.
3. The hive(s) location and physical set up arrangement on the property must be in conformance to the performance standards of Section B, "Revocation." In addition, nuisance behavior by bees may require the hive owner to take remedial actions upon notice by Sacramento County. Procedures for such notice are of Section B, "Revocation." Failure to comply with specified remedial actions will constitute a violation of this Code for enforcement purposes.
4. Urban beekeeping is allowed only on property that has not been declared as a location where bee hives are potentially a hazard to public health and safety. Procedure for declaring property where urban beekeeping is not allowed is of Section B, "Revocation." Those procedures may require removal of all bee colonies from the property through no direct fault of the beekeeper but because a health or safety situation has been shown to exist. Once property has been declared unsafe for beekeeping, it shall not be legal to maintain bees on that property until such status is removed from the property in writing.

3.4.2.B. Revocation

Urban beekeeping privileges may be withdrawn from any property by written notification to the property owner by the Planning Director. Withdrawal must be done with cause, however, the causes need not be the fault of the beekeeper, nor be a factor that is under the control of the beekeeper. Any condition or combination of circumstances that, in the opinion of the Planning Director, jeopardizes endangers or otherwise constitutes an actual, potential, or perceived menace to public health or safety will constitute valid cause to withdraw license to keep bee colonies on the property. Such withdrawal may be appealed to the Board of Zoning Appeals. Once any property owner has been noticed of withdrawal of privilege to keep bee colony(s) on a particular property, such privilege may be reestablished only upon written request and approval of the Planning Director.

1. Written documentation over a medical doctor's signature certifying that the medical condition caused by beestings to a resident of abutting property would constitute a higher than normal death-threatening or hospitalization event will constitute sufficient cause to withdraw the privilege of urban beekeeping from any specific property.
2. Abnormally aggressive behavior by bees toward defending their hive beyond the property lines may constitute sufficient cause to withdraw the privilege of urban beekeeping from any specific property.

3.4.2.C. Performance Standards

1. There shall be no more than two bee colonies established on the property, except two additional temporary colonies are allowed for hive separation or new swarm establishment purposes. Such temporary colonies shall be removed from the property within two (2) weeks.
2. Colonies shall be placed in the rear yard of the property and in no case shall the hives be closer than 25 feet from a public or private street or 15 feet from an abutting property.
3. A permanent fresh water source shall be maintained within 15 feet of the hives.

3.4.3. Feedlots

3.4.3.A. ~~All animal feed lots shall not be located within:~~

- ~~1. 200 feet from any property line;~~
- ~~2. One-quarter (1/4) mile of an occupied dwelling that is not in common ownership with the feed/sales yard and was in place at the time the facility is proposed;~~
- ~~3. One (1) mile of a public or private school (not including dwellings where children are "home-schooled");~~
- ~~4. One-half (1/2) mile from the boundaries of any incorporated municipality;~~
- ~~5. One-quarter (1/4) mile from any water well currently used for domestic purposes;~~
~~or~~
- ~~6. 200 feet from a perennial stream and 100 feet from a manmade (constructed) drainage ditch owned and maintained by a governmental or quasi-public agency, unless it is proved that potential adverse effects to the water quality of the stream can be avoided.~~

3.4.4. Hog Farm

In the AR-2 zoning district, a maximum of three adult hogs are permitted.

3.4.5. Kill Floor

Permitted subject to a Conditional Use Permit by the Zoning Administrator and a valid Kill Floor License from the State Department of Food and Agriculture. The operation may be conditioned to limit hours of operation, limit the frequency of customers, and any other conditions deemed appropriate under the specific circumstances.

3.4.6. Stables and Corrals

Riding stables, boarding stables, riding academies, and other stables and corrals, whether private or commercial, shall comply with the following minimum standards:

- 3.4.6.A.** Any corral, riding ring, or exercise yard used for keeping horses shall be enclosed by a fence or other enclosure; and no part of any such corral, riding ring, or exercise yard shall be located closer than 20 feet to any door, window, or other opening of any building or structure on the same or any other parcel used or designed to be used for human habitation.
- 3.4.6.B.** All fences that enclose livestock shall be constructed of an adequate height and shall be designed so as to control and contain such livestock at all times and so as to prevent such livestock from crossing any property lines or damaging adjacent property.
- 3.4.6.C.** An operator of a commercial or private stable shall not allow dust, odor, or flies to cause nuisance or annoyance to any considerable number of persons in the neighborhood or the public and at a minimum shall comply with the following:
1. All areas shall be maintained so as to be sufficiently dust-free so that no visible quantity of dust is observable at the property lines of the parcel. This shall be done by maintaining sufficient natural vegetation, by watering down corral area as often as necessary to prevent dust problems, or by utilizing other more effective dust prevention methods.
 2. The operator of a stable shall take every reasonable precaution to prevent the breeding of flies or the emission of dust or odors into the neighborhood. Reasonable precautions shall include:
 - a. Routine manure and bedding clean out of stalls and routine cleanup of manure deposited on the property.
 - b. Disposal of animal wastes, such as:
 - (i) Properly drying or composting away from neighboring properties.
 - (ii) Burying to a minimum depth of two (2) feet.
 - (iii) Removal to approved disposal site.
 3. All areas shall be maintained in a sanitary condition and in compliance with the following standards:
 - a. Water usage and drainage shall not mix with manure accumulations and shall not be disposed of contrary to local and state requirements.
 - b. Animal feed shall be stored and utilized in a manner that will not encourage rodent populations.
- 3.4.6.D. Minimum Lot Area**
1. For any commercial or public stable the minimum lot area shall be three (3) acres.
 2. For any private stable, the minimum lot area shall be 20,000 square feet.
- 3.4.6.E. Setbacks**
-  See Section 5.3.2.C and 5.4.6.B for setback and height standards.
- ~~All barns, stables, and other structures used for the housing of animals shall be located as follows:~~

- ~~1. Not less than 30 feet from all property lines and not less than 34 feet from the street right-of-way line, if located on any lot or parcel used as a commercial or public stable, except as otherwise herein provided.~~
- ~~2. Not less than 10 feet from any property line and not less than 25 feet from the front property line, if on any lot used as a private stable or for incidental agricultural uses, except as otherwise herein provided.~~
- ~~3. Not less than five (5) feet from the rear or side property line provided such property line is contiguous with a freeway, railroad, or levee right-of-way, or from a property line of a public park or parcel that, at the time the building or structure is erected, is used for or occupied by a public or private stable.~~
- ~~4. Other structures used for the housing of animals may be located not less than three (3) feet from the rear or side property line, provided:
 - ~~a. The building or structure is constructed with solid walls with no openings of any kind within 10 feet of the property line, and~~
 - ~~b. The floor area of any building or structure used as a private stable, barn, or for the housing of animals shall not exceed 1,000 square feet.~~
 - ~~c. Height limited per Section 5.3.2.A.5.~~~~

3.4.7. Field Retail Stands, Farm Stands, Produce Stands, Agricultural Markets

3.4.7.A. Application

The standards for roadside crop sales that follow shall apply to Field Retail Stands, Farm Stands, Produce Stands, and Agricultural Markets, as defined in Section 7.3.

3.4.7.B. Purpose

Provide for sales locations (field retail stands, farm stands, produce stands, and agricultural markets) where food products are grown and to set forth the permitting requirements and development standards to be applied to field retail stands, farm stands, produce stands, and agricultural markets for the sale of crops.

3.4.7.C. Allowed Use

1. Roadside crop sales at field retail stands, farm stands, produce stands, and agricultural markets are permitted by-right in the AG-, AR-10, AR-5, AR-2, RR, and O zoning districts, subject to compliance with the standards that follow.
2. Roadside crop sales at field retail stands may be allowed by Conditional Use Permit by the Zoning Administrator in the AR-1, RD-1, and RD-2 zoning districts, subject to compliance with the standards that follow.
3. Roadside crop sales at farm stands may be allowed by Conditional Use Permit by the Zoning Administrator in the AR-1, RD-1, RD-2, and RD-3 zoning districts, subject to compliance with the standards that follow.
4. The sale of locally grown agricultural products in addition to those identified in the following standards for Field Retail Stands, Farm Stands, Produce Stands, and Agricultural Markets may be permitted subject to issuance of a Conditional Use Permit by the Zoning Administrator.

3.4.7.D. Standards for Field Retail Stands

Field retail stands allowed under Section 3.4.7.C shall comply with the following standards:

1. Field Retail Stands shall be operated by the producer and on premises controlled by the producer.
2. Products sold shall be limited to shell eggs and crops that are grown by the producer; and agricultural and food preparation related items. Local crops not grown by the producer may be sold at events subject to a community event permit from the Environmental Management Department.
3. Agricultural and food preparation related items shall be limited to 25 percent of the total storage and sales area of the Field Retail Stand.
4. No activities related to the sale of products from Field Retail Stands shall take place on public property right-of-way.
5. There shall be no more than one Field Retail Stand per parcel.
6. Field Retail Stands shall meet the setback standards of the zoning district in which they are located.
7. No building shall have more than 1,500 square feet of indoor sales area and shall have a total enclosed area of no more than 3,000 square feet.
8. The use, including location of merchandise and parking areas, shall comply with the visibility requirements of the Sacramento County Improvement Standards.
9. Signs shall be allowed provided that:
 - a. There is no more than one sign at each entrance.
 - b. The sign is not over 50 square feet in area.
 - c. The sign is not more than six (6) feet above road grade.
 - d. The sign is setback at least 10 feet from the street right-of-way unless a lesser setback is approved by the Division of Planning and Environmental Review. For rights-of-way with public utility, public facility easements, the sign is setback at least 14 feet from the street right-of-way unless a lesser setback is approved by the Division of Planning and Environmental Review.
 - e. Illumination of the sign, if any, is indirect.
 - f. The sign is stationary.

3.4.7.E. Standards for Farm Stands

Farm stands allowed under Section 3.4.7.C shall comply with the following standards:

1. Farm Stands shall be operated by the producer and on premises controlled by the producer.
2. Products sold shall be limited to shell eggs and crops that are grown by the producer; and agricultural and food preparation related items. Local crops not grown by the producer may be sold at events subject to a community event permit from the Environmental Management Department.

3. Non-potentially hazardous prepackaged food products, including bottled water and soft drinks, from an approved source that have not been grown or produced in close proximity to the Farm Stand shall be limited to a five (5) square foot storage and sales area.
4. Agricultural and food preparation related items shall be limited to 25 percent of the total storage and sales area of the Farm Stand.
5. No activities related to the sale of products from Farm Stands shall take place on public property right-of-way.
6. There shall be no more than one farm stand per parcel.
7. Farm Stands shall meet the setback standards of the zoning district in which they are located.
8. No building shall have more than 1,500 square feet of indoor sales area and shall have a total enclosed area of no more than 3,000 square feet.
9. No part of this use, including merchandise or parking area, shall be located within the triangular clear visibility area defined in this Code.
10. Signs shall be allowed provided that:
 - a. There is no more than one sign at each entrance.
 - b. The sign is not over 50 square feet in area.
 - c. The sign is not more than six (6) feet above road grade.
 - d. The sign is setback at least 10 feet from the street right-of-way unless a lesser setback is approved by the Division of Planning and Environmental Review. For rights-of-way with public utility, public facility easements, the sign is setback at least 14 feet from the street right-of-way unless a lesser setback is approved by the Division of Planning and Environmental Review.
 - e. Illumination of the sign, if any, is indirect.
 - f. The sign is stationary.

3.4.7.F. Standards for Produce Stands

Produce stands allowed under Section 3.4.7.C shall comply with the following standards:

1. Produce stands shall be operated by the property owner or lessee of the agricultural property.
2. Products sold shall be limited to shell eggs and crops that are locally grown; and agricultural and food preparation related items.
3. Agricultural and food preparation related items shall be limited to 25 percent of the total storage and sales area of the Produce Stand.
4. Produce Stands shall be located within fully enclosed structures with potable hot and cold running water, and shall have septic systems or be hooked up to the sewer system.
5. No activities related to the sale of products from Produce Stands shall take place on public property right-of-way.

6. There shall be no more than one Produce Stand per parcel.
7. Produce Stands shall meet the setback standards of the zoning district in which they are located.
8. No building shall have more than 1,500 square feet of indoor sales area and shall have a total enclosed area of no more than 3,000 square feet, including storage area.
9. No part of this use, including merchandise or parking area, shall be located within the triangular clear visibility area defined in this Code.
10. Signs shall be allowed provided that:
 - a. There is no more than one sign at each entrance.
 - b. The sign is not over 50 square feet in area.
 - c. The sign is not more than six (6) feet above road grade.
 - d. The sign is setback at least 10 feet from the street right-of-way unless a lesser setback is approved by the Division of Planning and Environmental Review. For rights-of-way with public utility, public facility easements, the sign is setback at least 14 feet from the street right-of-way unless a lesser setback is approved by the Division of Planning and Environmental Review.
 - e. Illumination of the sign, if any, is indirect.
 - f. The sign is stationary.

3.4.7.G. Standards for Agricultural Markets

Agricultural markets allowed under Section 3.4.7.C shall comply with the following standards:

1. Agricultural Markets shall be operated by the property owner or lessee of the agricultural property.
2. Products sold shall be limited to shell eggs and crops that are locally grown; nonpotentially hazardous prepackaged food products from an approved source that were grown or produced in close proximity to the agricultural market; nonpotentially hazardous prepackaged food products from an approved source, including bottled water and soft drinks, that have not been grown or produced in close proximity to the agricultural market; and agricultural and food preparation related items.
3. Non-potentially hazardous prepackaged food products that have not been grown or produced in close proximity to the agricultural market shall be limited to 25 percent of the total storage and sales area of the Agricultural Market.
4. Agricultural and food preparation related items shall be limited to 25 percent of the total storage and sales area of the Agricultural Market.
5. Agricultural Markets shall be located within fully enclosed structures with potable hot and cold running water, and shall have septic systems or be hooked up to the sewer system.
6. No activities related to the sale of products from Agricultural Markets shall take place on public property right-of-way.
7. There shall be no more than one Agricultural Market per parcel.

8. Agricultural Markets shall meet the setback standards of the zoning district in which they are located.
9. No building shall have more than 1,500 square feet of indoor sales area and shall have a total enclosed area of no more than 3,000 square feet, including storage area.
10. No part of this use, including merchandise or parking area, shall be located within the triangular clear visibility area defined in this Code.
11. Signs shall be allowed provided that:
 - a. There is no more than one sign at each entrance.
 - b. The sign is not over 50 square feet in area.
 - c. The sign is not more than six (6) feet above road grade.
 - d. The sign is setback at least 10 feet from the street right-of-way unless a lesser setback is approved by the Division of Planning and Environmental Review. For rights-of-way with public utility, public facility easements, the sign setback is at least 14 feet from the street right-of-way, unless a lesser setback is approved.
 - e. Illumination of the sign, if any, is indirect.
 - f. The sign is stationary.

3.4.7.H. Events at Field Retail Stands, Farm Stands, Produce Stands, and Agricultural Markets

Events shall be allowed at Field Retail Stands, Farm Stands, Produce Stands, and Agricultural Markets pursuant to the following chart. Larger events may be allowed pursuant to issuance of a Conditional Use Permit from the Zoning Administrator.

Total Parcel Size (Acres)	Maximum Number of Attendees (Peak) [1],[2],[3]
1.0-2.5	50 people
2.51-5.0	100 people
5.01-10.0	200 people
10.01-20.0	300 people
Over 20.0	350 people
1. Permitted as an accessory use; the primary use of the parcel must be agricultural 2. Outdoor activities are limited to Sunday through Thursday 8:00 a.m. to 7:00 p.m.; and Friday, Saturday, and holidays 8:00 a.m. to 11:00 p.m. Indoor activities are permitted without restrictions as to day and time. 3. All events are subject to the Sacramento County Noise Ordinance.	

3.4.7.I. Parking Requirements for Field Retail Stands, Farm Stands, Produce Stands, and Agricultural Markets

1. Field Retail Stands, Farm Stands, Produce Stands, and Agricultural Markets shall not be subject to the development standards for off-street parking outlined in this Code.
2. An off-street parking ratio of one space per 400 square feet of gross floor area dedicated to sales shall be required.

3. All access roads must meet the standards of the Fire Marshall. All parking areas must have an active dust control program.
4. Parking lot lighting as defined in the zoning code will be required if the Field Retail Stand, Farm Stand, Produce Stand, or Agricultural Market is open to the public after sunset.

3.4.7.J. Advisory for Other Permitting Requirements

1. All waste, both solid and liquid, shall be managed in accordance with local, state, and federal rules, regulations, and ordinances pertaining to such waste.
2. Environmental Management Department approval/permit for a water system is required unless documentation that the regulations are not applicable is provided.
3. Environmental Management Department approval is required for Farm Stands, Produce Stands, Community Stands and Agricultural Markets (Environmental Management Department regulations for Agricultural Markets are similar to those for convenience stores).
4. Environmental Management Department approval/permit is required for events at Field Retail Stands, Farm Stands, Produce Stands and Agricultural Markets. Community event permits from Environmental Management Department that allow the sale of locally grown crops not grown on premises controlled by the producer at Field Retail Stands and Farm Stands must adhere to the definition of community event in the California Retail Food Code 113755.
5. Should any cultural resources, such as structural features, unusual amounts of bone or shell, artifacts, human remains, or architectural remains be encountered during any development activities, work shall be suspended and the Division of Planning and Environmental Review shall be immediately notified. ~~at (916) 874-7914.~~

At that time, the Division of Planning and Environmental Review will coordinate any necessary investigation of the find with appropriate specialists as needed. The project proponent shall be required to implement any mitigation deemed necessary for the protection of the cultural resources. In addition, pursuant to Section 5097.97 of the State Public Resources Code and Section 7050.5 of the State Health and Safety Code, in the event of the discovery of human remains, all work is to stop and the County Coroner shall be immediately notified. If the remains are determined to be Native American, guidelines of the Native American Heritage Commission shall be adhered to in the treatment and disposition of the remains.

6. In order to mitigate impacts to potentially historic buildings (buildings 100 years old and older), perform one of the following:
 - a. Structures that have not been subject to a previous architectural evaluation and are at least 100 years or older and are subject to renovation shall have a historical architectural study performed by a qualified, professional architectural historian. A significance determination shall be prepared for review by the staff of the Division of Planning and Environmental Review. If the structure is deemed a significant historic resource, the applicant shall comply with Section 3.4.7.J.7; or,
 - b. Property owners proposing to renovate an existing structure shall submit photographs of the structure to the Division of Planning and Environmental

Review. Planning and Environmental Review staff shall determine whether a historical evaluation is warranted. If Planning and Environmental Review staff determines that a historical evaluation is warranted, the applicant shall have a historical architectural study performed by a qualified, professional architectural historian for review by Planning and Environmental Review staff. If the structure is deemed a significant historic resource, the applicant shall comply with Section 3.4.7.J.7; or,

- c. Comply with Section 3.4.7.J.7 and forgo the need to submit photographs or a historical architectural evaluation.
7. Structures deemed to be significant historical architectural resources shall be preserved in situ with all proposed modifications carried out to the Secretary of Interior’s Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings.
8. **Summary of Field Retail Stands, Farm Stands, Produce Stands, Agricultural Markets**

	Sells Shell Eggs and Crops Grown on Premises controlled by Producer	Sells Locally Grown Crops not Grown on the Premises	Sells Non-Potentially Hazardous Pre-packaged Food	Sells Agricultural and Food Preparation Related Items	Holds Events	Maximum Size: 1,500 s.f. of indoor sales area and 3,000 s.f. of total enclosed area	Requires EMD Approval
Field Retail Stand	X	1		X	X	X	
Farm Stand	X	1	X	X	X	X	X
Produce Stand	X	X		X	X	X	X
Community Stand	X	X	X	X		X	X
Agricultural Market	X	X	X	X	X	X	X

3.4.8. Small Winery/Specialty and Craft Breweries

3.4.8.A. Application

The provisions of this Section shall apply to small wineries and **specialty and craft breweries** as defined by Section 7.3.

3.4.8.B. Purpose

The purpose of this Section is to provide for the orderly development of wineries **and specialty and craft breweries** and associated activities within Agricultural, **Commercial, Mixed Use**, and Industrial zoning districts to promote economic development opportunities for the agricultural industry and to preserve agricultural lands within Sacramento County.

3.4.8.C. Allowed Uses

- 1. Growing and harvesting grapes and other fruit products suitable for wine **and beer**, and processing and bottling of grapes, fruit, and other fruit products produced on the premises.
- 2. Processing and bottling of grapes, fruit, and other fruit products produced off the winery **or specialty and craft brewery** premises.
- 3. Sale of wine **or beer** for consumption off premises whether grown or produced on or off premises.

4. Tasting involving serving wine **or beer** to the public for the purpose of sampling the product produced or offered for sale, subject to the following restrictions:
 - a. Wine **or beer** tasting shall be limited to five (5) days per week unless a Minor Use Permit is obtained from the Planning Director.
 - b. Use of outdoor amplified sound shall be regulated per the Sacramento County noise ordinance.
 - c. Sanitary facilities and potable water shall be provided pursuant to applicable codes.
5. In the AG or AR zoning district, events shall be allowed pursuant to the following chart. Larger events may be allowed pursuant to the issuance of a Conditional Use Permit from the Zoning Administrator:

Total Parcel Size (Acres)	Maximum Number of Attendees (Peak) [1],[2],[3]
1.0-2.5	50 people
2.51-5.0	100 people
5.01-10.0	200 people
10.01-20.0	300 people
Over 20.0	350 people
1. Permitted as an accessory use; the primary use of the parcel must be agricultural (if located in the AR or AG zoning districts). 2. Outdoor activities are limited to Sunday through Thursday 8:00 a.m. to 7:00 p.m.; and Friday, Saturday, and holidays 8:00 a.m. to 11:00 p.m. Indoor activities are permitted without restrictions as to day and time. 3. All events are subject to the Sacramento County Noise Ordinance.	

6. In the **Commercial, Mixed Use**, and M-1 and M-2 zoning districts, there are no restrictions on the size and frequency of events provided that:
 - a. Outdoor activities are limited to Sunday through Thursday 8:00 a.m. to 7:00 p.m.; and Friday, Saturday, and holidays 8:00 a.m. to 11:00 p.m. Indoor activities are permitted without restrictions as to day and time.
 - b. All events are subject to the Sacramento County Noise Ordinance.
7. Processing and distillation, bottling and sale of other wine products such as brandy may occur in conjunction with the winery **or specialty and craft brewery**, provided that the use is incidental to the processing, bottling and sale of wine, and subject to the issuance of a Conditional Use Permit from the Zoning Administrator.

3.4.8.D. Standards

1. The parcel shall be licensed by the State of California Department of Alcohol Beverage Control, license Type 02, "Winegrower" **or license Type 23 "Small beer manufacturer"**.
2. If the winery **or specialty and craft brewery** is located in an AG or AR zoning district, the premises shall have a minimum size of three (3) acres.
3. If the winery **or specialty and craft brewery** is accessed only via a private road shared by others, a Conditional Use Permit from the Zoning Administrator shall be required, and the permit shall require the applicant to pay its fair share of the

road maintenance costs. The Planning Director may waive the requirement for a Conditional Use Permit if written verification from all property owners along the private road is submitted.

4. If the winery **or specialty and craft brewery** is located in an AG or AR zoning district and is located less than a half mile away from a RD zoning district, a Conditional Use Permit from the Zoning Administrator shall be required to exceed 2,500 cases annual production.
5. **Annual production is limited to no more than 6,000 barrels of beer in the agricultural zoning districts.**
6. **Annual production is limited to no more than 15,000 barrels of beer in the commercial and industrial zoning districts.**
7. **Retail sales of wine and beer shall be limited to wine and beer manufactured on site.**
8. All waste, both solid and liquid, shall be managed, treated, stored, and/or disposed of in accordance with local, state, and federal rules, regulations, and ordinances pertaining to such waste.
9. The primary focus of the tasting area shall be for the marketing and sale of wine, **beer**, or fruit products produced on site. The sale of wine related merchandise and food shall be incidental to the tasting and limited to 15 percent of the square footage of the tasting areas. Food facilities as defined in the California Retail Food Code, Section 113789, must meet all applicable codes. If no other beverage except bottles of wine and prepackaged nonpotentially hazardous beverages is offered on sale for on-site consumption and no food except for crackers are served, the facility is not subject to the California Retail Food Code regulations. If other foods are sold, the facility shall be subject to the California Retail Food Code regulations and shall require permitting by the Environmental Management Department.
10. All buildings shall meet the general agricultural building standards of the zoning district in which they are located.

3.4.8.E. Signage

1. In the AG or AR zoning district, signs shall be allowed provided that:
 - a. There is no more than one sign at each entrance.
 - b. The sign is not over 50 square feet in area.
 - c. The sign is not more than six (6) feet above road grade or signs attached flat against the main building, or signage applied to a conforming wall or fence (in such case, area shall be computed by circumscribing the lettering and counting 100 percent).
 - d. The sign is setback at least **10 feet** from the street right-of-way unless a lesser setback is approved by the **Division of Planning and Environmental Review**. **For rights-of-way with public utility, public facility easements, the sign setback is at least 14 feet from the street right-of-way, unless a lesser setback is approved.**

- e. Illumination of the sign, if any, shall be ~~indirect~~ **externally lit. No internal illumination.**
 - f. Signs are stationary.
2. In the **Commercial, Mixed Use, and M-1 and M-2** zoning districts, signs shall be allowed subject to the regulations of the **commercial, mixed use, and** industrial zoning district.

3.4.8.F. Advisory for Other Permitting Requirements

1. All waste, both solid and liquid, shall be managed in accordance with local, state, and federal rules, regulations, and ordinances pertaining to such waste.
2. Environmental Management Department (EMD) approval/permit for a water system is required, unless documentation is provided that the regulations are not applicable.
3. Environmental Management Department (EMD) approval/permit is required for events that involve food that is sold or given away to the public.
4. Approval from the Building Inspection Division and the Fire Marshall may be required prior to the use of existing buildings for events.
5. Should any cultural resources, such as structural features, unusual amounts of bone or shell, artifacts, human remains, or architectural remains be encountered during any development activities, work shall be suspended and the Division of Planning and Environmental Review shall be immediately notified at (916) 874-7914.

At that time, the Division of Planning and Environmental Review will coordinate any necessary investigation of the find with appropriate specialists as needed. The project proponent shall be required to implement any mitigation deemed necessary for the protection of the cultural resources. In addition, pursuant to Section 5097.97 of the State Public Resources Code and Section 7050.5 of the State Health and Safety Code, in the event of the discovery of human remains, all work is to stop and the County Coroner shall be immediately notified. If the remains are determined to be Native American, guidelines of the Native American Heritage Commission shall be adhered to in the treatment and disposition of the remains.

6. In order to mitigate impacts to potentially historic buildings (buildings 100 years old and older), perform one of the following:
 - a. Structures that have not been subject to a previous architectural evaluation and are at least 100 years or older and are subject to renovation shall have a historic architectural study performed by a qualified, professional architectural historian. A significance determination shall be prepared for review by the staff of the Division of Planning and Environmental Review. If the structure is deemed a significant historic resource, the applicant shall comply with Section 3.4.8.F.7; or,
 - b. Property owners proposing to renovate an existing structure shall submit photographs of the structure to the Division of Planning and Environmental Review. Planning and Environmental Review staff shall determine whether a historical evaluation is warranted. If Planning and Environmental Review staff determines that a historical evaluation is warranted, the applicant shall have a historical architectural study performed by a qualified, professional

architectural historian for review by CPDD staff. If the structure is deemed a significant historic resource, the applicant shall comply with Section 3.4.8.F.7; or,

- c. Comply with Section 3.4.8.F.7 and forgo the need to submit photographs or a historical architectural evaluation.
7. Structures deemed to be significant historical architectural resources shall be preserved in situ with all proposed modifications carried out to the *Secretary of Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings*.

3.4.9. Large Winery/Brewery

3.4.9.A. Application

The provisions of this Section shall apply to large wineries **or breweries** as defined by Section 7.3.

3.4.9.B. Purpose

The purpose of this Section is to provide for the orderly development of wineries **or breweries** and associated activities within Agricultural and Industrial zoning districts to promote economic development opportunities for the agricultural industry and to preserve agricultural lands within Sacramento County.

3.4.9.C. Standards

- 1. Landowners shall comply with all standards for small wineries **or specialty and craft breweries, except for annual production limitations.**

3.4.9.D. Allowed Uses

- 1. Growing and harvesting grapes and other products suitable for wine **or beer**, and processing and bottling of grapes, fruit, and other ~~fruit~~ products produced on the premises.
- 2. Processing and bottling of grapes, fruit, and other ~~fruit~~ products produced off the winery **or brewery** premises.
- 3. Sale of wine **or beer** for consumption off premises whether grown or produced on or off premises.
- 4. Wine **or beer** tasting involving serving wine **or beer** to the public for the purpose of sampling the product produced or offered for sale, subject to the following restrictions:
 - a. Use of outdoor amplified sound shall be regulated per the Sacramento County Noise Ordinance.
 - b. Sanitary facilities and potable water shall be provided pursuant to applicable codes.
- 5. **Events**
 - a. Events shall be allowed in the AG-20, AG-40, AG-80, and AG-160 zoning districts, subject to the Conditional Use Permit.
 - b. In the M-1 and M-2 zoning districts, there are no restrictions on the size and frequency of events provided that:

- (i) Outdoor activities are limited to Sunday through Thursday 8:00 a.m. to 7:00 p.m.; and Friday, Saturday, and holidays 8:00 a.m. to 11:00 p.m. Indoor activities are permitted without restrictions as to day and time.
 - (ii) All events are subject to the Sacramento County Noise Ordinance.
6. Processing and distillation, bottling and sale of other wine products such as brandy may occur in conjunction with the winery **or brewery**, provided that the use is incidental to the processing, bottling and sale of wine, and subject to the issuance of a Conditional Use Permit from the Zoning Administrator.

3.4.9.E. Parking Requirements

1. Wineries **or breweries** shall not be subject to the development standards for off-street parking, outlined in this Zoning Code.
2. The following ratios of off-street parking shall be required for all wineries **or breweries**.
 - a. Office area: 3.5 spaces/1,000 square feet
 - b. Production and storage area: 1 space/2,000 gross square feet
 - c. Tasting room facilities: 1 space/300 square feet
 - d. Events: 1 space/3 attendees
3. All access roads must meet the standards of the Fire Marshall. All parking areas must have an active dust control program.
4. Parking lot lighting, as defined in this Code, will be required if the tasting room is open to the public after sunset.

3.4.9.F. Signage

1. In the AG- zoning districts, signs shall be allowed, provided they comply with all sign standards identified for small wineries **or breweries**.
2. In the M-1 and M-2 zoning districts, signs shall be allowed subject to the regulations of the industrial zoning district.

3.4.9.G. Advisory for Other Permitting Requirements

1. Landowners shall refer to advisory requirements for other permitting, identified for small wineries **or specialty and craft breweries per Section 3.4.8.F.**

3.4.10. Food Processing Industry

The use shall be permitted in agricultural zoning districts only where the Food Processing (FP) combining zoning district has been established. The use shall be subject to a Conditional Use Permit by the Board of Supervisors upon a recommendation by the Planning Commission, and shall be subject to those standards for the FP combining zoning district set forth in Section 4.3.

3.4.11. Water Impoundment, Constructed Lake/Pond

- 3.4.11.A. Permitted, except any facilities located in the Delta shall require a Conditional Use Permit from the Board of Supervisors. The Delta boundary shall be defined by Figure 3.1. The following features shall be exempt from the use permit requirement in the Delta:

-
1. Small ponds, where the design water level does not exceed the lowest adjacent grade level and where the pond is located at least 50 feet from an adjoining property line, with the following acreage limitations based on parcel size:
 - a. 0-5 acre parcels – $\frac{1}{4}$ acre or less.
 - b. 5-20 acre parcels – $\frac{1}{2}$ acre or less.
 - c. 20 acres or more – one (1) acre or less.
 2. Ditches and canals used to transfer water.
 3. Swimming pools.
 4. Seasonal, intermittent farming practices to support crop or animal based agriculture. Also included is winter flooding (October 1 – April 1) for wetland habitat purposes.
 5. Reclamation and Levee Maintenance District facilities.

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3.5. RESIDENTIAL USE STANDARDS**3.5.1. Household Living Uses****3.5.1.A. Residential Uses, not otherwise listed**

1. In the C-O, NMC, CMC, CMZ, BP, and LC zoning districts, residential uses that are not listed in the table shall be considered on a case-by-case basis, subject to the issuance of a Conditional Use Permit by the Zoning Administrator and the development provisions of Chapter 5, "Development Standards."
2. **In all zoning districts, the conversion of any dwelling to more than four bedrooms shall require a minor use permit, subject to development standards in Section 5.4.2.I. and findings in Section 6.4.2.C.2.** ▲

3.5.1.B. Dwelling, Duplex or Halfplex

1. Duplexes and halfplexes are permitted:
 - a. On corner lots with a maximum of 10 or fewer units in a single project.
 - b. On interior lots with a maximum of 10 or fewer units in a single project, as follows:
 - (i) Permitted in the RD-10, RD-15, RD-20, RD-25, RD-30, RD-40, and RM-2 zoning districts.
 - (ii) In the RD-5 and RD-7 zoning districts, subject to the issuance of a Conditional Use Permit by the Zoning Administrator. A duplex or halfplex dwelling, with a height greater than two stories or 30 feet, whichever is smaller, shall require a Conditional Use Permit, approved by the Zoning Administrator.
 - c. In proposed projects of more than 10 units, subject to the issuance of a Conditional Use Permit by the Planning Commission.
 - d. Conversion of existing duplex units to halfplexes is subject to the Uniform Building Code and Building Inspection Division permit processes.
 - e. **For conversions to more than four bedrooms, Section 3.5.1.A.2.** ▲

3.5.1.C. Dwelling, Multifamily

1. In the RD-10 zoning district, apartment or multiple family buildings require a Conditional Use Permit by the Zoning Administrator.
2. In the RD-15, RD-20, RD-25, RD-30, and RD-40 zoning districts, apartment or multiple family buildings of up to 150 dwelling units are permitted, subject to Design Review and approval by the Planning Director; and of more than 150 units subject to Design Review and approval by the Planning Commission. **Density bonuses are automatic when State Density Bonus or County Housing Incentive Programs (HIP) are used. A Special Development Permit is required for density bonus projects not using the above criteria as noted in Section 6.4.6.G.** ●

~~Density bonuses or increases may be allowed for the provision of affordable housing, project amenities, and/or other special project considerations, as noted in Section 5.2.3. An automatic 15 percent density bonus is permitted for multifamily residential development in the RD-20 zoning district, and an automatic 10 percent~~

~~density bonus is permitted for multifamily residential development in the RD-25, RD-30, and RD-40 zoning districts, for multifamily residential development within one-quarter mile of a transit stop or other trunk line providing high frequency bus service with 20 minute or better headways, as noted in Section 5.2.3. Additional density bonuses may be permitted with a Special Development Permit, as noted in Section 6.4.6.G.~~

3. In the BP zoning district, apartment or multiple family buildings shall require a Conditional Use Permit by the Planning Commission.
4. In the LC, GC, NMC, CMC, and CMZ zoning districts, apartment or multiple family buildings of up to 150 dwelling units are permitted, subject to Design Review by the Planning Director; and of more than 150 units, subject to a Conditional Use Permit by the Planning Commission. The overall project density shall not exceed 30 dwelling units per acre; unless the property is located within one-quarter mile of a transit stop, as defined in Section 5.2.3; in which case, overall project density shall not exceed 40 dwelling units per acre. Higher densities may be permitted, subject to a Conditional Use Permit from the Planning Commission.

▲ 5. For conversions to more than four bedrooms, Section 3.5.1.A.2.

3.5.1.D. Dwelling, Single-family, Attached

1. In the UR, IR, RD-1, RD-2, RD-3, RD-4, RD-5, RD-7, RM-2, and RR zoning districts, an attached single-family dwelling shall require a Conditional Use Permit to be approved by the Zoning Administrator.

3.5.1.E. Dwelling, Single-family, Detached

1. In the NMC and CMZ zoning districts, detached single-family dwellings shall be allowed in small-lot configurations at densities that encourage compact, walkable neighborhoods and that, in combination with other uses in the same development project, fall within the typical densities, indicated for the zoning district.

▲ 2. For conversions to more than four bedrooms, Section 3.5.1.A.2.

3.5.1.F. Family Day Care Home

1. **Small Family Day Care Homes.** The use of a lawfully occupied single-family dwelling as a small family day care home shall be a permitted use in all zoning districts and shall not require any permit pursuant to this ordinance.
2. **Large Family Day Care Homes.** The use of a lawfully occupied single-family dwelling as a large family day care home shall be subject to Design Review and must comply with the following standards. In the event that these standards cannot be met, a Minor Use Permit shall be required.
 - a. Provide a certified copy of the state license to operate a large family day care home on the property.
 - b. The use shall not be located within 300 feet of any other existing or approved large family day care home, small family day care home, board and care home, group home, or halfway house, measured property line to property line.
 - c. The property shall provide at least two (2) off-street parking spaces for use by customers. These parking spaces may include spaces provided to meet

residential parking requirements, such as the driveway, provided these spaces are available for customers during normal business hours.

- d. The loading/unloading of vehicle occupants shall only occur on the driveway, a parking area approved by the Planning Director, or the area directly in front of the residence, and shall not unduly restrict traffic flows, or result in pedestrian hazards.
- e. If the property contains a swimming pool or spa, the pool or spa shall meet all current code regulations for fencing, gate latches, and alarms.
- f. Comply with all applicable State Fire Marshall regulations.
- g. No more than 14 children, including children under the age of 10 years who reside at the home, shall be cared for at any large family day care home.
- h. Only one large family day care home may be located on any parcel.
- i. On-site identification signage is permitted in accordance with the provisions of this ordinance.

3.5.1.G. Mobile/Manufactured Home

1. Permitted as a primary residence or accessory dwelling in the AG, UR, or IR zoning districts, provided that the lot area is not less than 10 acres and subject to the issuance of an occupancy permit by the Sacramento County Division of Building Permits and Inspection. Mobile/Manufactured Homes manufactured prior to June 15, 1976 shall not be moved to a currently vacant AG-, UR-, or IR-zoned property.
2. Permitted as a primary residence or accessory dwelling in the AR and RD zoning districts if manufactured pursuant to the standards of the National Manufactured Housing Construction Safety Standards Act after June 15, 1976. Mobile/manufacturing homes must 1) be placed on a permanent foundation, 2) meet the building width requirements of Section 5.4.2.B, and the architectural standards of Section 5.4.2.H.
3. A mobile home used as a temporary dwelling is subject to the requirements of Section 3.10.3.H, "Temporary Uses of Mobile Homes and Commercial Coaches."

3.5.1.H. Mobile Home Park

A mobile home park use shall comply with the standards of Section 4.4, "Mobile Home Park (MHP) Combining Zoning District."

3.5.1.I. Residential Care Home

1. In the AG, AR, IR, and RD-1, RD-2, RD-3, RD-4, RD-5, RD-7, and RD-10 zoning districts, a residential care home use shall be permitted by right where it does not exceed a total of six persons including those receiving day care and children of the resident family who are under 12 years of age. For over six persons, the use shall be subject to issuance of a ~~Minor~~ Use Permit by the **Zoning Administrator** ~~Planning Director~~. **For AG and AR zoning, refer to the required findings listed in 3.6.0.**
2. In the RD-15, RD-20, RD-30, RD-40, and RM-2 zoning districts, residential care homes are permitted by right for up to 20 persons including those receiving day

care and children of the resident family who are under 20 years of age. For over 20 persons, the use shall be subject to issuance of a Minor Use Permit by the Planning Director.

3.5.1.J. Condominium Conversions

A Conditional Use Permit by the Planning Commission shall be required for the conversion of residential condominiums or stock cooperatives. Minimum requirements for application, notification and relocation assistance are set forth in Section 6.4.4.

3.5.1.K. ~~Room Rental and Vacation Rental, Single-Family Dwelling~~

~~In residential and mixed use zoning districts, the rental of rooms in any single-family dwelling involving multiple rental agreements in the same residence is permitted for up to two (2) rooms individuals. If more than two (2) individuals rent rooms within the single-family dwelling, a Room Rental Permit by the Planning Director is required. A maximum of five (5) rooms individuals may qualify to rent rooms within any single-family dwelling in the residential and mixed use zoning districts, subject to a Room Rental Permit pursuant to the findings in Section 6.5.6. A Vacation Rental Permit may be issued pursuant to the findings in Section 6.5.6.~~

3.5.1.L. ~~Vacation Rental, Single-Family Dwelling~~

~~XXXXXXX add text~~

3.5.2. Group Living Uses

3.5.2.A. Emergency Shelter

The provision of these shelters will provide temporary shelter in unincorporated County area(s). **The Department of Community Development** shall obtain recommendations from the Sheriff's Department prior to approval of development plans.

1. Development Standards

Development or conversion of emergency shelters is allowed in the GC and M-1 zoning districts, subject to the following standards and requirements:

- a. Compliance with Section 5.8.1, "Development Standards for Institutional Uses."
- b. All emergency shelters shall be subject to Design Review and approval by the Planning Director prior to issuance of a building permit or occupancy permit. All emergency shelters shall include, at a minimum, the following:
 - (i) Telephone(s) for use by clients.
 - (ii) On-site personnel during hours of operation when clients are present. The manager's area shall be located near the entry to the facility.
 - (iii) Adequate interior and exterior lighting.
 - (iv) Secure areas for personal property.
 - (v) Off-street parking, provided in the ratio of one space for every 10 adult beds, plus an additional space designated exclusively for the manager. All parking is required to be off-street and on site.

c. Maximum Number of Beds

No more than 100 beds shall be provided in any single emergency shelter, unless a Conditional Use Permit is approved by the Board of Supervisors to exceed the 100-bed limit. (Note: This maximum number of beds may be exceeded in situations of disaster or catastrophic conditions.)

d. Hours of Operation

Facilities shall establish, maintain, and post set hours for client intake and discharge.

e. Transit

Emergency facilities must either be located within one-half (1/2) mile of a designated transit corridor or existing bus route; or, if a facility is not within one-half (1/2) mile of a transit corridor or bus route, the applicant shall submit to the Planning Director in conjunction with Design Review evidence that transportation will be provided between the facility and a transit corridor or bus line.

f. Locational Requirements

Emergency shelters must meet the following locational requirements:

- (i) Shelter programs serving single adults only must be situated more than 1,000 feet from any other similar program, a public park, a public or private K-12 school, an indoor or outdoor recreational facility designed to serve primarily persons under 18 years old, a child care facility, or a single-family residential zoning district. Programs may have multiple buildings.
- (ii) All other shelter programs must be situated more than 1,000 feet from any other similar program. Programs may have multiple buildings.
- (iii) The 1,000-foot distance requirement shall be measured from property line to property line, except that if the proposed project is separated by a freeway from other emergency shelter programs or other affected uses as set forth in Section 3.5.2.A.f.(i), the 1,000-foot distance shall be measured along the most direct public pedestrian route between the shelter programs or affected uses.

2. Emergency shelters, not meeting the requirements of Section 3.5.1, are subject to approval of a Conditional Use Permit to be decided by the Board of Supervisors.

3.5.2.B. Farm Worker Housing

Farm worker housing provided by the employer and maintained in connection with the work or place where work is being performed must comply with all provisions of Section 17008(a) of the California Health and Safety Code. Farmworker housing, not maintained in connection with any workplace, and provided by someone other than an agricultural employer must comply with all provisions of Section 17008(a) and 17032 of the California Health and Safety Code. Construction, operation, or maintenance of farm worker housing shall comply with the requirement of this Section and all applicable health, safety, and building codes and standards.

1. Farm worker housing for agricultural farm employees and their families, consisting of up to ~~36~~ **45** beds in group quarters or ~~12~~ **16** single-family, household units or spaces (i.e. recreational vehicle or mobile home spaces) is permitted by right in the Agricultural zoning districts; otherwise permitted in these zoning districts, subject to the issuance of a Minor Use Permit by the Planning Director. Farm work housing shall be subject to the same fees applicable to agricultural uses and shall provide at least one parking space per unit or one space per three beds. ▲
2. A farm worker dwelling unit **pursuant to this section** must meet the minimum size and use standards for accessory dwellings, which cannot exceed 1,200 square feet in size and shall not be subdivided from the primary parcel. ~~Farmworker dwelling units do not need to be located on the site of a qualifying agricultural operation, where farm workers are employed.~~
3. Farm worker housing complexes in group living quarters, such as barracks and bunkhouses, do not need to be located on the site of a qualifying agricultural operation where the farmworkers are employed.
4. Use of recreational vehicles or mobile home for temporary dwelling purposes shall also be subject to the temporary use standards for mobile homes in Section 3.10.
5. **Agricultural Accessory Dwellings are permitted subject to Sections 3.9.3.C and 5.3.1.B.2.**

3.5.2.C. Single Room Occupancy Residential Facility

1. Intent

Development or conversion of Single Room Occupancy residential units is permitted in the RD-20, RD-25, RD-30, RD-40, and GC zoning districts, subject to development standards and locational requirements as defined and set forth below. The provision of this type of living quarters is expected to provide affordable housing opportunities and diversity in the County housing stock, pursuant to the Housing Element of the General Plan.

2. Development Standards

An SRO facility shall comply with the development standards of this Section. Setbacks, height, landscaping, or other development standards not otherwise addressed in this Section shall be as in Section 5.4.3, "Multifamily Residential Development Standards."

a. Common Dining, Lounge, or Meeting Room Facilities

Unless cooking facilities are provided in all rooms, SRO buildings shall provide one or several common dining, lounge, or meeting room facilities. The minimum total amount of common space provided shall be 10 square feet per unit with a minimum of 150 square feet. A maximum of 50 percent of the required common space may be exterior designated areas.

b. Facility Size

The maximum number of SRO's in one facility shall not exceed 125 units excluding the manager's unit. For conversion of an existing structure to an SRO facility, the same 125-unit maximum count shall be utilized. If a new or

converted facility exceeds 125 units, a Conditional Use Permit by the Board of Supervisors is required.

c. Security

Applicants shall consult with the Sheriff's Department Community Resources Bureau for advice on security measures prior to submitting an application for Design Review. The Planning Director shall obtain recommendations from the Sheriff's Department prior to approval of development plans. The Sheriff's Department recommendations may address, but are not limited to:

- (i) Locations for Closed Circuit TV (CCTV) units (these units may be monitored or taped as required);
- (ii) Location and design of entrances into the facility, including visibility of the entry way and lobby from outside of the building;
- (iii) Alarms on exit doors;
- (iv) Type of locks (for the overall facility and for individual rooms);
- (v) Optical viewers (peep holes); and
- (vi) Lighting.

d. Manager's Office

- (i) Facilities with 16 units or more shall be required to have 24-hour, desk-staffed service.
- (ii) Facilities with over 30 units shall be required to have 24-hour, desk-staffed service and an on-site resident manager.
- (iii) Facilities with fewer than 16 units shall provide a 24-hour telephone service (limited to outgoing calls only) in the lobby with posted phone numbers of responsible operators, unless staffed desk service is provided. The phone numbers shall be posted in each room and in a conspicuous location in the common area. Telephones in residents' individual rooms need not be limited to outgoing calls only.

e. Parking

Off-street parking, provided in the ratio of one space for every five units, plus an additional space designated exclusively for the manager. Additional area shall be designated as "phantom" parking that if developed as parking would result in the total amount of parking provided to be equivalent to one parking space per two units. The Planning Director, based upon valid complaints by neighbors, Fire, or Sheriff's Department personnel, or other agencies concerned with health and welfare issues, shall have the authority to require that some or all of the additional phantom parking area be fully improved for use by project residents or visitors. Until such time as the phantom parking area is needed for parking, it shall be maintained in live landscaping.

f. Locational Requirements

SRO facilities with 16 units or more must be situated more than 1,000 feet from any other SRO facility.

- (i) The 1,000-foot distance shall be measured from property line to property line except as in Section 3.5.2.C.2.f.(ii).
- (ii) If the proposed project is separated by a freeway from other SRO facilities, the 1,000-foot distance shall be measured along the most direct public pedestrian route between the two facilities.

g. Child Care Center

A child care center is allowed as an ancillary use to the SRO facility, subject to the following criteria:

(i) Parking

A free-standing center or a center in a mixed use project shall provide one parking space per every eight children for which the center is licensed.

(ii) Masonry Wall

If the proposed center abuts a residential zoning district, a minimum six (6) foot high solid wall of masonry, brick, stucco, or similar material shall be provided. The wall shall be placed along all property lines that abut a residential zoning district. A masonry wall shall not be required if:

- (1) The center is separated from a residential zoning district by an alley or a public street; or
- (2) The center will be located in an existing commercial building that did not require a wall when built, no expansion of the building will occur and the building is located between the play yard and the residential zoning district.

(iii) Outdoor Play Areas

Outdoor play areas should be separated from vehicular circulation, parking areas, equipment enclosures, storage areas, refuse, and recycling areas so as to create a safe environment for children.

h. Storage

A minimum of 80 cubic feet of secure storage space shall be provided for each unit; the storage space and may be either inside or outside of the unit.

i. Accessibility by Transit

Facilities must either be located within one-half (1/2) mile of a designated transit stop or existing bus route, or the applicant must submit evidence to the Planning Director in conjunction with the application that transportation will be provided between the facility and a transit corridor or bus line.

3. Design Review

All SRO facilities shall be subject to approval of development plans by the Planning Director, prior to issuance of building or occupancy permits.

- a.** With respect to security measures of Section 3.5.2.C.2.c, if either the Sheriff's Department or the applicant does not agree with the Planning Director's action on the application, the Planning Director shall forward the application to the Planning Commission. The Planning Commission's deliberations shall be limited

to review and determination of the security measures to be incorporated into the project and that determination, with respect to security measures, shall be final. The Planning Commission shall then resend the application back to the Planning Director for final action.

- b.** For all matters other than the determination of appropriate security measures, the normal appeal process of Section 6.1.3, "Appeals," shall apply.
- c.** At the time of application for Design Review, facility proponents shall submit, for concurrent review by the Sheriff's Department and Planning Director, a set of house rules for the SRO facility. Such house rules shall include, but are not limited to, rules governing the following:
 - (i)** Alterations to living units
 - (ii)** Garbage and litter control
 - (iii)** Guests, including visitation
 - (iv)** Harassment
 - (v)** Heating
 - (vi)** Inspections of living units
 - (vii)** Insurance of personal property
 - (viii)** Keys/lock outs
 - (ix)** Laundry room use
 - (x)** Loitering
 - (xi)** On-site consumption of alcoholic beverages
 - (xii)** On-site automobile repair
 - (xiii)** Pets
 - (xiv)** Phones
 - (xv)** Registration of occupants
 - (xvi)** Smoking
 - (xvii)** Soliciting
 - (xviii)** Subletting
 - (xix)** Substance abuse
 - (xx)** Use of common areas, including quiet time

4. Operation

- a.** All SRO facilities shall comply with Section 5.4.3.
- b.** All SRO facilities shall be operated so as not to constitute a public nuisance.

3.6. PUBLIC, CIVIC, AND INSTITUTIONAL USE STANDARDS**3.6.0. Uses In The Agricultural And Agricultural-Residential Zoning Districts**

▲ In the agricultural and agricultural-residential zoning districts, the following uses shall be subject to issuance of a Conditional Use Permit by the appropriate authority, as listed in the use tables or herein. The Agricultural Commissioner and the Agricultural Advisory Committee, if existing and active, shall be consulted during the project review process.

- Places of worship
- Private social centers/Fraternal Hall/Lodge
- Adult day care over 36 persons
- Private schools (all sizes)
- Congregate care facilities
- Hospitals
- Social rehabilitation facilities
- Colleges and universities
- Residential care homes over 6 persons
- Bed and Breakfast Inns

The appropriate authority shall not grant the Conditional Use Permit in these zoning districts, unless it makes the following findings:

1. The proposed development will carry out the intent of the General Plan and the appropriate community plan.
2. The intensity and scale of development is proportional with the allowable residential and agricultural uses in the zone in terms of traffic generation and scale of proposed buildings.
3. The development does not alter the rural character of the community.
4. The development does not result in the need to extend public water and sewer.
5. A greater intensity may only be allowed if the appropriate authority finds that the proposed use is similar in scale to adjacent established uses (e.g. existing places of worship) along a major roadway.

3.6.1. Assembly Uses**3.6.1.A. Places of Worship Churches and Other Religious Institutions**

In the agricultural, and agricultural-residential zoning districts, **places of worship churches** and other religious institutions shall be subject to issuance of a Conditional Use Permit by the Planning Commission **in addition to complying with Section 3.6.0.** ~~The Planning Commission shall not grant the Conditional Use Permit in these zoning districts, unless it makes the following findings:~~

- ~~6. The proposed development will carry out the intent of the General Plan and the appropriate community plan.~~
- ~~7. The intensity and scale of development is proportional with the allowable residential and agricultural uses in the zone in terms of traffic generation and scale of proposed buildings.~~
- ~~8. The development does not alter the rural character of the community.~~
- ~~9. The development does not result in the need to extend public water and sewer.~~
- ~~10. A greater intensity may only be allowed if the Planning Commission finds that the proposed use is similar in scale to adjacent established uses (e.g. existing churches) along a major roadway.~~

3.6.2. Education and Cultural Uses

3.6.2.A. School, Private

In the commercial and MP zoning districts, a private school with capacity of 500 students or less, shall be subject to a Minor Use Permit by the Planning Director. Schools exceeding 500 students in these zoning districts shall be subject to a Conditional Use Permit by the Zoning Administrator.

In the agricultural, and agricultural-residential zoning districts, comply with Section 3.6.0.

3.6.3. Government Uses

3.6.3.A. Government and Local Agency Uses and Buildings

1. State and Federal Government Uses and Facilities

- a. A government use or building owned by a state or federal government entity and located on federal or state owned property shall be permitted by right in any ~~commercial~~ district.
- b. A federal or state government use within a privately-owned building, facility, or premises shall be permitted in any ~~commercial~~ zoning district ~~and the Delta Waterways zoning district~~ and shall be regulated as set forth this Code for the proposed use to the extent permitted by law.

2. Government Uses and Facilities Other than Federal and State

- a. A government use or building owned by a government entity other than state or federal government within a privately-owned building, facility, or premises shall be permitted in any ~~commercial~~ zoning district and shall be regulated as set forth in this Code for the proposed use to the extent permitted by law.
- b. **If not permitted by paragraph 2.a. above**, a government use or building owned by and located on property owned by a government entity other than state or federal government may be allowed by Conditional Use Permit in any ~~commercial~~ zoning district.

3. Privately Owned or Operated Uses in Government-owned Premises

- a. A private use in a government-owned building, facility, grounds, or other premises shall be regulated as provided for elsewhere in this Code for the use type, except that a use located within a government-owned and operated

facility such as a state park or office building that is regulated by that agency shall be a permitted use.

4. **County agency facilities for which budgetary responsibility rests wholly or partly with the Board of Supervisors, such as the water agencies, airports, dependent park districts, Sacramento Housing and Redevelopment Agency, and where the facility has already been subject to public hearings for the purpose of allocating funds to purchase the property, to construct the facility, or to commit the property to a specific use.**
5. **Fire stations if located more than 500 feet from a residential or agricultural residential zoning district, or if the fire station site had been designated on an approved tentative subdivision, and the public notices for the tentative subdivision map indicated that a fire station site was proposed.**

3.6.4. Parks and Open Space Uses

3.6.4.A. Cemetery

All areas within cemeteries used for the storage of service vehicles and equipment shall be surrounded by either a sight-barrier fence or screen planting and shall be located not less than 100 feet from the boundary line of a residential zoning district or property used for residential purposes.

3.6.4.B. Community Garden

Permitted, provided that permission to use the property has been given in writing by the property owner and adequate off-street parking is available. Hours of use limited to between 7:00 a.m. and 8:00 p.m.

3.6.5. Social Care Uses

3.6.5.A. Adult Day Care Center

1. In the agricultural, agricultural-residential, and residential zoning districts, an adult day care center facility, with capacity of up to 36 persons, shall be subject to a Conditional Use Permit by the Zoning Administrator. An adult day care center facility, exceeding 36 persons, shall be subject to a Conditional Use Permit by the Planning Commission. **In the agricultural, and agricultural-residential zoning districts, comply with Section 3.6.0.**
2. In the recreational zoning districts, adult day care centers shall be subject to a Conditional Use Permit by the Planning Commission.

3.6.5.B. Child Day Care Center

1. In the agricultural, agricultural-residential, residential, and recreational zoning districts, a child day care center facility with:
 - a. Capacity of up to eight persons shall be permitted by right;
 - b. Capacity between nine and 14 persons shall be permitted, subject to a Minor Use Permit by the Planning Director;
 - c. Capacity of 15 or more persons shall be subject to a Conditional Use Permit by the Zoning Administrator.

3.6.5.C. Congregate Care Facility, Convalescent Hospital, and Social Rehabilitation Center

In the agricultural and agricultural-residential zoning districts, congregate care facilities, convalescent hospitals, and social rehabilitation centers shall be subject to issuance of a Conditional Use Permit by the Planning Commission **in addition to complying with Section 3.6.0.**~~The Planning Commission shall not grant the Conditional Use Permit in these zoning districts, unless it makes the following findings:~~

- ~~1. The proposed development will carry out the intent of the General Plan and the appropriate community plan.~~
- ~~2. The intensity and scale of development is proportional with the allowable residential and agricultural uses in the zone in terms of traffic generation and scale of proposed buildings.~~
- ~~3. The development does not alter the rural character of the community.~~
- ~~4. The development does not result in the need to extend public water and sewer.~~
- ~~5. A greater intensity may only be allowed if the Planning Commission finds that the proposed use is similar in scale to adjacent established uses (e.g. existing churches) along a major roadway.~~

3.6.6. Utility and Public Service Facility Uses**3.6.6.A. Utility and Public Service Facility Uses, Major****1. Transmission Facilities of Sacramento Municipal Utility District (SMUD)****a. Permitting**

SMUD electrical transmission lines and substations with less than 100,000-volt capacity are permitted with no review required by the County. Within 60 days of receipt of a proposal from SMUD to locate and construct electrical transmission lines or substations of 100,000-volt or greater capacity, the Board of Supervisors shall conduct a public hearing to consider the compliance of such proposal with the provisions of this Code, and shall adopt a resolution approving, approving an alternative, or disapproving the proposed facilities. Any such resolution shall contain findings concerning:

- (i) The consistency of the proposed facilities with the County's adopted General Plan and community plan;
- (ii) Feasible alternatives to the proposal;
- (iii) The necessity for, as compared to the impact of, the proposed facilities on the health, convenience, safety, and welfare of County residents.

b. Siting

- (i) Electrical transmission lines of 100,000-volt or greater capacity may be located in any zoning district and shall be located in easements or rights of way that permit access for maintenance with minimal disruption to surrounding properties.
- (ii) Every reasonable effort shall be exerted to avoid established residential areas. In the event SMUD determines that it has no alternative but to route a 100,000-volt or greater capacity transmission line through an established residential area, such lines shall be installed underground

except when SMUD can demonstrate that it is not feasible to do so. "Feasible" as used in this use standard shall be defined in California Government Code, Section 53096(c). Preference shall be given to the location of transmission lines in the rank order specified in Sections 3.6.6.A.1.b.(ii).(1) through 3.6.6.A.1.b.(ii)(7):

- (1) Within existing SMUD transmission rights of way or those anticipated for other projects proposed, subject to this Code.
 - (2) Adjacent to railroads or adopted freeway routes.
 - (3) Along or adjacent to major arterial streets, where existing or planned uses are commercial or industrial.
 - (4) Adjacent to or through existing or planned commercial, industrial, or agricultural uses.
 - (5) Along arterial streets where residential uses, designated in an adopted plan, are RD-20 or a greater density.
 - (6) Through areas where land uses in an adopted plan are predominately commercial, but include residential uses.
 - (7) Through residential areas, including side and rear yards, irrespective of density.
- (iii) "Substation" for the purposes of this Section means any structure with 100,000-volt or greater incoming capacity that either:
- (1) Converts electrical energy to a lesser voltage for the purpose of subregional or localized distribution;
 - (2) Functions as a transition point from overhead to underground electrical transmission lines; or
 - (3) Acts as the point of convergence for two or more transmission lines. Substations may be located on sites in all zoning districts, provided mitigation measures are instituted as provided in Section 3.6.6.A.1.c, "Advisory for Other Permitting Requirements". Preference shall be given to the location of substations in the following rank order:
 - (a) Areas designated for industrial or commercial land uses in an adopted plan.
 - (b) Undeveloped areas designated for residential use in an adopted plan.
 - (c) Areas designated agricultural urban reserve in an adopted plan.
 - (d) Sites designated for residential use in an adopted plan and surrounded by existing residential uses.

c. Advisory for Other Permitting Requirements

- (i) Overhead electrical transmission lines of 100,000 volts or greater capacity should be installed in a manner so as to minimize possible adverse impacts to existing land use and conditions, including health, safety, biological, visual, and aesthetic impacts. Consolidating lines on fewer poles should be explored whenever feasible, as long as doing so would not negatively

affect reliability or safety. When feasible, SMUD should relocate and combine existing overhead transmission poles and lines with new installations.

- (ii) Substations should be designed and constructed in such a manner as to minimize off-site visual and noise impacts. Planted or landscaped setbacks of at least 25 feet should be provided on all public street frontages of the parcel. For rights-of-way with PUPFs, planted or landscaped setbacks of at least 31 feet should be provided on all public street frontages of the parcel.
- (iii) For rights-of-way with public utilities, public facilities easements, substations should be designed and constructed in such a manner as to minimize off-site visual and noise impacts. Planted or landscaped setback of at least 31 feet should be provided on all public street frontages of the parcel.
- (iv) SMUD proposals to the Board of Supervisors to locate and construct electrical transmission lines and substations subject to this Code should include a description of mitigation measures to be utilized and a plan indicating the specific site treatments to be employed.

3.6.6.B. Utility and Public Service Facility Uses, Minor

The following minor utility and public service facility uses are permitted, as noted in Sections 3.6.6.B.1 through 3.6.6.B.3; or otherwise, subject to a Conditional Use Permit by the Zoning Administrator.

1. Minor utility distribution facilities such as water well sites, telephone switching vaults, electrical transmission facilities, and similar facilities, if the site had been designated on an approved tentative subdivision map and the final map has been recorded or has been committed to recordation to the satisfaction of the County Engineer.
- ~~2. County agency facilities for which budgetary responsibility rests wholly or partly with the Board of Supervisors, such as the water agencies, airports, park districts, Sacramento Housing and Redevelopment Agency, and where the facility has already been subject to public hearings for the purpose of allocating funds to purchase the property, to construct the facility, or to commit the property to a specific use.~~
- ~~3. Fire stations if located more than 500 feet from a residential or agricultural residential zoning district, or if the fire station site had been designated on an approved tentative subdivision, and the public notices for the tentative subdivision map indicated that a fire station site was proposed.~~

3.6.6.C. Solar Energy Facilities

The County Board of Supervisors recognizes the need to accommodate new sources of renewable energy to help energy providers meet the requirements of state law for renewable sources. This Section regulates solar energy facilities. Solar energy facilities include solar panels (photovoltaic systems), solar thermal systems that convert solar energy to electricity by heating a working fluid to power a generator, and solar hot water systems designed to heat water for use by either domestic or commercial uses. Definitions applicable to solar energy facilities, including the types of solar facilities are defined in Section 7.3.

1. General Provisions for All Solar Energy Facilities

a. Solar energy facilities are classified as either accessory solar facilities or commercial solar facilities.

(i) **Accessory Solar Facilities** are designed to produce no more than what is necessary for on-site energy demand, and include two levels: Accessory I and Accessory II solar facilities.

(1) **Accessory I** are rooftop mounted solar panels or solar hot water systems on a legal primary or accessory structure.

(2) **Accessory II** are ground mounted solar panels or solar hot water systems that cover less than one-half (1/2) acre.

(ii) **Commercial Solar Facilities** include two levels: Commercial I and Commercial II solar facilities.

(1) **Commercial I** are photovoltaic technologies (solar panels) or solar thermal technologies producing energy for off-site uses, and covering 10 acres or less.

(2) **Commercial II** are photovoltaic technologies (solar panels) or solar thermal technologies producing energy for off-site uses, and covering more than 10 acres.

b. Process

The permit type required, approving body for each type of solar facility, and need for each solar type are **referenced in the applicable use tables (Table 3.1)**.

Solar-Type	Permit-Required	Approving-Body	CEQA-Review-[1]
Accessory I [2]	Building Permit	Staff	No
Accessory II [2]	Minor Use Permit	Planning Director	Yes [3]
Commercial I	Minor Use Permit	Planning Director	Yes [3]
Commercial II [4]	Conditional Use Permit	Planning Commission	Yes [3]

[1] CEQA review may be required for a project when other entitlements are requested.
 [2] Accessory I and II solar facilities include solar facilities provided for by common interest developments such as community apartment projects, condominium projects, planned developments and stock cooperatives.
 [3] The level of CEQA review will depend upon the specific project.
 [4] ~~Requires a Minor Use Permit in the Industrial zones.~~

c. Safety Certification of Facilities

All solar facilities shall be properly certified as safe and must meet current industry standards of efficiency and longevity.

(i) **Solar Panels.** All solar energy systems for producing electricity shall meet all applicable safety and performance standards established by the National Electrical Code, the Institute of Electrical and Electronics Engineers, and accredited testing laboratories such as Underwriters Laboratories and, where applicable, rules of the Public Utilities Commission regarding safety and reliability.

- (ii) **Solar Hot Water Systems.** A solar energy system for heating water shall be certified by the Solar Rating Certification Corporation (SRCC) or other nationally recognized certification agencies. SRCC is a nonprofit third party supported by the United States Department of Energy. The certification shall be for the entire solar energy system and installation.

2. Accessory I and II Solar Energy Facilities

These facilities may be roof-mounted (Accessory I) or ground-mounted (Accessory II). These facilities shall comply with the following:

a. Applicability to Zoning Districts

Accessory I and II solar facilities are allowable in all zoning districts, as indicated in Table 3.1.

b. Application Procedures

- (i) Standard application packet required for all planning applications.
- (ii) Required certifications for safety.
- (iii) No grid-intertied solar system shall be approved until evidence has been given to the Planning Director that the owner has obtained the consent of the utility company for the customer's intent to install an interconnected customer-owned generator. Off-grid systems are exempt from this requirement.

c. Area Limitation

Accessory II ground-mounted solar facilities shall be subject to the area requirements for accessory structures in Section 3.9.2.G-2F.2., **except that in agricultural zones, the facility may occupy up to one-half acre of the site.**

d. Setbacks

The standard setbacks for structures in the applicable zoning district shall apply to the construction of accessory solar energy facilities.

e. Height Limitation

- (i) Ground-mounted solar shall not exceed the standard height restrictions for accessory structures in the zoning district.
- (ii) Roof-mounted solar panels shall extend no more than three (3) feet above the finished roof to which it is mounted.
- (iii) Exceptions to the height requirements for solar panels in a zoning district may be allowed under specific circumstances described in Section 5.2.2.

f. Aesthetics

In considering the placement of solar facilities, aesthetic impacts of solar facilities to surrounding properties and streets shall be minimized, without compromising the performance of the solar facility, by methods which may include:

- (i) Locating accessory solar on rooftops or over covered parking areas or other hardscape areas;

- (ii) Minimizing aesthetic impacts of rooftop panels facing toward the street. Typical methods to achieve this are to mount panels close to parallel with the pitch of the roof, in close proximity to the roofing material;
- (iii) Avoiding placement of accessory solar facilities on historic structures;
- (iv) Considering visual impacts in placement and design of solar panels. Balance the functionality of the solar facilities with the visual impacts to adjacent properties, or to public access areas (e.g., parks and streets);
- (v) Using “integrated solar” photovoltaic panels or a solar hot water system, when appropriate, for lessening aesthetic impacts;
- (vi) Using landscaping to lessen the visual impacts of solar facilities to adjacent properties, if possible, without affecting the performance of the solar facility; and
- (vii) Avoiding unreasonable glare from solar collectors to adjacent properties.

g. Density Bonuses for Accessory Solar Facilities

Multifamily developments proposing installation of accessory solar facilities shall be eligible for a density bonus **as regulated in Section 6.4.6.G.**

- (i) Any subdivision of land in any residential zoning district that will allow the development of at least four new lots of record may increase the maximum number of lots by up to 25 percent, per Section 6.4.6.G.2.b.(ii), provided:
 - (1) All setbacks can be met with the increased density, and
 - (2) The project includes the installation of solar panels, with the potential to produce at least one kilowatt or installs 64 square feet of solar hot water collector for each new residence.

h. Commercial Parking Reductions

Commercial parking requirements may be reduced as an incentive for installation of solar energy facilities, per Section 5.9.5, Parking Reductions.

3. Commercial I and II Solar Energy Facilities

Solar facilities shall comply with the following provisions, to be included as conditions of approval for the use permit:

a. Applicability to Zoning Districts

- (i) Commercial Solar I facilities are permitted in Agricultural, Recreational, Mixed-Use, Commercial, and Industrial zoning districts, subject to the applicable use permit, indicated in Table 3.1.

~~(ii) Commercial Solar II are permitted in Agricultural, Urban Reserve, Interim Agricultural Reserve, and Industrial zoning districts, as indicated in Table 3.1, subject to a Conditional Use Permit by the Planning Commission. The appropriate authority is listed below:~~

- ~~• Board of Supervisors for projects over 10 acres in Agricultural zones~~
- ~~• Planning Commission for projects 10 acres or under in Agricultural zones~~

- ~~• Planning Commission in the MP zoning district~~
- ~~• Planning Director through the Minor Use Permit in the Industrial zones~~

b. Application Materials

- (i) Standard application packet required for all planning applications, including a site map and elevations
- (ii) Landscape and fencing plans and details
- (iii) Visual analysis, as needed, of views from impacted residences, roadways, etc.
- (iv) Solar pathways study, when merited by possible shading over the life of the project
- (v) Signage warning of site dangers
- (vi) Security Plan (fencing, surveillance cameras, etc.)
- (vii) Purchase power agreement signed by the utility or other purchaser
- (viii) Reclamation Plan
- (ix) Decommission Plan
- (x) No grid-intertied photovoltaic system shall be approved until evidence has been provided to the Planning Director that the owner has obtained the consent of the utility company for the customer's intent to install an interconnected customer-owned generator. Off-grid systems are exempt from this requirement.

c. Location

- (i) Avoid Prime Farmlands, unless mitigated consistent with County policy.
- (ii) Avoid sensitive habitat areas, unless mitigated consistent with County policy.
- (iii) Avoid locations in the viewsapes of scenic highways or in areas that would impact the views from historic places.
- (iv) Solar facilities are not allowed on Williamson Act Agricultural Preserves except when specifically allowed under the Williamson Act contract.
- (v) Solar facilities shall not be allowed where it has been determined the facility will adversely impact airport flight operations, including military flight paths.

d. Setbacks

The standard setbacks for structures in the applicable zoning district shall apply to the construction of commercial solar energy facilities.

e. Fencing

- (i) Security fencing is required to protect the site. The fencing shall be:
 - (1) Vinyl covered cyclone fence, neutral colors, or

- (2) Vinyl slats, neutral color compatible with fence color, or
- (3) Alternative fencing may be considered by the appropriate hearing body.

f. Landscaping

- (i) The applicant shall submit a landscape plan to the Department of Community Development which shall include the location, description and timing of plantings, fences, sound walls as required by the Code, and berms. The description of fencing shall include color and materials, when appropriate. The landscaping plan shall be designed to be generally compatible with the surrounding uses and existing landscaping patterns, to the satisfaction of the Senior Landscape Architect, Department of Community Development.
- (ii) In rural areas, the following shall be considered when approving the landscape plan:
 - (1) Maintenance of visual openness and the preservation of rural character through design that may include clustering of plant species;
 - (2) Protection of watering systems and/or landscaping from theft; and
 - (3) Availability of water source.
- (iii) Landscaping shall be designed to bring immediate aesthetic relief upon planting by designating minimum sized plantings appropriate to the project and its surroundings.
- (iv) Landscaped areas shall be kept free of trash and weeds.

g. Operations

- (i) Maintain and operate facilities in compliance with County and State health regulations.

h. Reclamation

- (i) Reclamation shall start within six (6) months, and be completed within 18 months, after operations cease or expiration of the use permit.

i. Decommission Plan

- (i) The Decommissioning Plan which shall include at a minimum, a detailed plan for decommissioning and deconstruction of the solar facility and for restoration of the site.
- (ii) The Decommissioning Plan shall be developed and approved to the satisfaction of the Planning Director.

j. Performance and Financial Assurance Guarantees

- (i) Prior to issuance of any building permits, the applicant shall provide performance and financial assurance guarantees in an amount sufficient to ensure the performance of the approved Decommissioning Plan. The performance and financial guarantees shall be provided and approved to the satisfaction of the Planning Director.

- (ii) The performance and financial assurance guarantee may be comprised of, but not limited to, one or more of the following to the satisfaction of the Planning Director: an irrevocable letter of credit; or a trust fund or escrow established and maintained in accordance with the approved financial assurances and practices to guarantee that decommissioning will be completed in accordance with the approved Decommissioning Plan.

k. Signage

- (i) Warning signs and no trespassing signs shall be placed at entryways to the site and at regular intervals around the site.
- (ii) No advertising shall be allowed on fencing or equipment.

3.6.6.D. Wind Turbine Facilities

The County Board of Supervisors recognizes the need to accommodate new sources of renewable energy to help energy providers meet the requirements of state law for renewable sources. This Section regulates wind turbine facilities, including small wind turbines and large wind turbines, as defined in Section 7.3.

1. General Provisions for All Wind Turbine Facilities

- a. Wind turbine facilities have been classified as either, small wind turbines or large wind turbines.
 - (i) Small Wind Turbines are rated 20kW or less, and are designed to produce no more than what is necessary for on-site energy demand.
 - (ii) Large Wind Turbines are all other wind energy systems.

b. Process

The permit type required, approving body for each type of wind turbine facility, and need for each wind facility type are described in **Table 3.1.** ~~the following table:~~

Wind System Type	Permit Required	Approving Body	CEQA Review [1]
Small Wind Turbine	Minor Use Permit	Planning Director	Yes [2]
Large Wind Turbine	Conditional Use Permit	Planning Commission	Yes [2]
[1] CEQA review may be required for a project when other entitlements are requested.			
[2] The level of CEQA review will depend upon the specifics of the project and proposed location.			

c. Safety Certification of Facilities

- (i) All wind turbine energy systems for producing electricity shall meet all applicable safety and performance standards established by the National Electrical Code, the Institute of Electrical and Electronics Engineers, and accredited testing laboratories such as Underwriters Laboratories and, where applicable, rules of the Public Utilities Commission regarding safety and reliability (Gov. Code Sections 65850-65863.13).
- (ii) All wind turbines must be certified to either the International Electrotechnical Commission 61400-2 (IEC 61400-2) standard or the American Wind Energy Association 9.1-2009 (AWEA 9.1-2009) standard

by the Small Wind Certification Council (SWCC) or a Nationally Recognized Testing Laboratory (NRTL) such as Intertek.

- (iii) All wind turbines must also have a certified power curve tested to the standards of IEC 61400-12-1, or Section 2 of the AWEA 9.1-2009 standards. The certified power curve must also come from the Small Wind Certification Council (SWCC) or a Nationally Recognized Testing Laboratory (NRTL).

2. Small Wind Turbines

a. Applicability to Zoning Districts

Small wind turbines are allowed in all zoning districts, as addressed in Table 3.1.

b. Application Procedures

- (i) Standard application packet required for all planning applications, including site plans and elevations.
- (ii) Required certifications for safety.
- (iii) No grid-intertied wind system shall be approved until evidence has been provided to the Planning Director that the owner has obtained consent by the utility company for the customer's intent to install an interconnected customer-owned generator. Off-grid systems are exempt from this requirement.

c. Setbacks

The standard setbacks for structures in the applicable zoning district shall apply to the construction of small wind turbines.

d. Height Limitation

- (i) Ground-mounted wind turbines shall not exceed the standard height restrictions for structures in the applicable zoning district.
- (ii) Roof-mounted small wind turbines shall extend no more than six (6) feet above the finished roof of the building to which it is mounted.
- (iii) Exceptions to the height requirements for wind turbines may be allowed under specific circumstances, as described in Section 5.2.2.

e. Aesthetics

Aesthetic impacts of small wind turbines shall be avoided by methods which may include:

- (i) Avoiding placement of small wind turbines on the street side of a building;
- (ii) Avoiding placement of small wind turbines on historic structures;
- (iii) Balancing the functionality of small wind turbines with the visual impacts to adjacent properties, or to public access areas, such as parks and streets. Consider visual impacts in the placement and design of small wind turbines; and

(iv) Using landscaping to lessen the visual impacts of small wind turbines to adjacent properties.

f. Noise

Small wind turbines are subject to the noise standards for new uses under General Plan Policy. Noise calculations shall not be adjusted (e.g. averaged) for non-operational periods.

g. Density Bonuses for Accessory Wind Facilities

Multifamily developments proposing installation of small wind turbines shall be eligible for a density bonus **as regulated in Section 6.4.6.G.**

(i) Any subdivision of land in any residential zone that will allow the development of at least four new lots of record may increase the maximum number of lots by up to 25 percent, per Section 6.4.6.G.2b(ii), provided:

(1) All setbacks can be met with the increased density, and

(2) The project includes the installation of a small wind turbine, with the potential to produce at least one kilowatt for each new residence.

h. Commercial Parking Reductions

Commercial parking requirements may be reduced as an incentive for installation of small wind energy facilities, per Section 5.9.5, "Parking Reductions".

3. Large Wind Turbines

a. Applicability to Zoning Districts

Large wind turbines are permitted in agricultural, mixed use and industrial zoning districts, subject to issuance of a Conditional Use Permit by the Planning Commission, as defined in Table 3.1.

b. Application Procedures

(i) Standard application packet required for all planning applications, including a site map and elevations

(ii) Required certifications for safety

(iii) Visual analysis, as needed, of views from impacted residences, roadways, etc.

(iv) Signage warning of site dangers

(v) Decommissioning Plan

(vi) No grid-intertied wind turbine system shall be approved until evidence has been provided to the Planning Director that the owner has obtained consent by the utility company for the customer's intent to install an interconnected customer-owned generator. Off-grid systems are exempt from this requirement.

c. Location

(i) Avoid Prime Farmlands, unless mitigated consistent with County policy.

- (ii) Avoid sensitive habitat areas, unless mitigated consistent with County policy.
- (iii) Avoid locations in the viewsapes of scenic highways or in areas that would impact the views from historic places.
- (iv) Wind turbine facilities are not allowed on Williamson Act Agricultural Preserves except when specifically allowed under the Williamson Act contract.
- (v) Wind turbine facilities shall not be allowed where it has been determined the facility will adversely impact airport flight operations, including military flight paths.

d. Setbacks

The standard setbacks for structures in the applicable zoning district shall apply to the construction of large wind turbines.

e. Fencing

- (i) Security fencing is required to protect the site. The fencing shall be:
 - (1) Vinyl covered cyclone fence, neutral colors;
 - (2) Vinyl slats, neutral color compatible with fence color; or
 - (3) Alternative fencing may be considered by the appropriate hearing body.

f. Noise

Large wind turbines are subject to the noise standards for new uses under General Plan Policy. Noise calculations shall not be adjusted (e.g. averaged) for non-operational periods.

g. Landscaping

- (i) The applicant shall submit a landscape plan to the Department of Community Development which shall include the location, description and timing of plantings, fences, sound walls as required by the Code, and berms. The description of fencing shall include color and materials. The landscaping plan shall be designed to be generally compatible with the surrounding uses and existing landscaping patterns, to the satisfaction of the Senior Landscape Architect, Department of Community Development.
- (ii) In rural areas the following shall be considered when approving the landscape plan:
 - (1) Maintenance of visual openness and the preservation of rural character through design that may include clustering of plant species;
 - (2) Protection of watering systems and/or landscaping from theft; and
 - (3) Availability of water source.
- (iii) Landscaping shall be designed to bring immediate aesthetic relief upon planting by designating minimum sized plantings appropriate to the project and its surroundings.

(iv) Landscaped areas shall be kept free of trash and weeds.

h. Operations

Maintain and operate facilities in compliance with County and State health regulations.

i. Reclamation

Reclamation shall start within six (6) months and be completed within 18 months, after operations cease or expiration of the use permit.

j. Decommission Plan

(i) The applicant shall provide to the Department of Community Development, prior to approval of the wind turbine facility, a Decommissioning Plan which shall include at a minimum a detailed plan for decommissioning and deconstruction of the wind turbine facility and for restoration of the site.

(ii) The Decommissioning Plan shall be developed and approved to the satisfaction of the Planning Director.

k. Performance and Financial Assurance Guarantees

(i) Prior to issuance of any building permits, the applicant shall provide performance and financial assurance guarantees in an amount sufficient to ensure the performance of the approved Decommissioning Plan. The performance and financial guarantees shall be provided and approved to the satisfaction of the Planning Director.

(ii) The performance and financial assurance guarantee may be comprised of, but not limited to, one or more of the following to the satisfaction of the Planning Director: an irrevocable letter of credit; or a trust fund or escrow established and maintained in accordance with the approved financial assurances and practices to guarantee that decommissioning will be completed in accordance with the approved Decommissioning Plan.

l. Signage

(i) Warning signs and no trespassing signs shall be placed at entryways to the site and at regular intervals around the site.

(ii) No advertising shall be allowed on fencing or equipment.

3.6.7. Communication Facilities and Uses

3.6.7.A. Wireless Communication Facility

Wireless communication facilities may be permitted in any zoning district, subject to the minimum standards and criteria of this Section. For the purposes of this use standard, zoning district designations are organized into the following: Group I: RD, AR, O, C-O, RM-2, DW, RR, and SPA zoning districts (unless otherwise specified in the particular SPA ordinance); Group II: BP, LC, and GC zoning districts; Group III: M-1, M-2, MP, AG, IR, and UR zoning districts.

1. Building Facade-mounted Antenna

A building facade-mounted antenna may be permitted in Group II and III zoning districts subject to the grant of a Conditional Use Permit by the Zoning

Administrator. In addition to those conditions that the Zoning Administrator may impose pursuant to Section 6.4.3, "Conditional Use Permits", the Zoning Administrator may also impose conditions pursuant to Section 3.6.7.A.4.e. Standards for building facade-mounted antenna shall be as follows:

- a. No portion of the antenna, support equipment, or cables shall project above the roof parapet or penthouse roof line.
- b. The total of all antenna panels shall not exceed the greater of 10 percent of the square footage of the facade of the building or 25 square feet per facade.
- c. All equipment shelters, cabinets, or other structures utilized or built in connection with the antennas shall be located within the building being utilized for the antennas, or on the ground outside of any setback area or vehicle parking space allotment required for the underlying zoning district. Wireless equipment located on the roof must meet standards for mechanical equipment located on roofs subject to Section 5.2.2.B, "Height Exceptions for Certain Structures."
- d. The lowest portion of all antennas shall be located a minimum of 20 feet above grade level.
- e. No portion of the antenna or equipment shall extend out more than 18 inches from the facade of the building.
- f. Antennas and equipment shall be constructed or mounted and painted to blend with the predominant architecture of the building or appear to be part of the building to which it is attached.
- g. All applications shall be referred to the appropriate Planning Director for a recommendation based upon the criteria listed in this use standard.
- h. Imposition of conditions of approval shall be limited to those related to the criteria listed in this use standard and those conditions listed in Section 3.6.7.A.4.e.
- i. Any antenna that does not meet the requirements of this use standard or is located within a Group I zoning district shall be subject to the grant of a Conditional Use Permit by the Planning Commission. In addition to those conditions that the Planning Commission may impose pursuant to Section 6.4.3, "Conditional Use Permits," the Planning Commission may also impose conditions, pursuant to Section 3.6.7.A.4.e.

2. Roof-Mounted Antennas

Roof-mounted antennas may be permitted in the Group II and Group III zoning districts, subject to the grant of a Conditional Use Permit by the Zoning Administrator. In addition to those conditions that the Zoning Administrator may impose pursuant to Section 6.4.3, "Conditional Use Permits," the Zoning Administrator may also impose conditions pursuant to Section 3.6.7.A.4.e. Standards for roof-mounted antenna shall be as follows:

- a. All equipment shelters, cabinets, or structures utilized or built in connection with the antennas shall be located within the building being utilized for the antennas, or on the ground outside of any setback area or vehicle parking

space allotment required for the underlying zoning district designation. Wireless equipment or structures located on the roof must meet standards for mechanical equipment located on roofs subject to Section 5.2.2.B, "Height Exceptions for Certain Structures."

- b. Antennas affixed to towers located on the roof of buildings shall be located towards the center of the roof and the height of the tower shall not exceed 12 feet from the roof top.
- c. An application for a Conditional Use Permit for any antenna that does not meet the requirements of this use standard, or is located within a Group I zoning district shall be heard by the Planning Commission.

3. Co-locations

Co-locations on existing approved monopoles or towers shall be subject to the following standards:

- a. Additional antennas attached below the topmost existing antenna array, either on the same pole or a replacement pole at the same height, may be permitted by the Zoning Administrator pursuant to the following criteria:
 - (i) All equipment shelters, cabinets, or structures utilized or built in connection with the antennas shall be located within the building being utilized for the antennas, or on the ground outside of any setback area or vehicle parking space allotment required for the underlying zoning district designation.
 - (ii) Additional antennas may extend out horizontally. The uses of close-proximity designs are encouraged.
 - (iii) The pole shall be located a minimum of 100 feet from a Group I zoning district.
 - (iv) The antennas and pole shall be painted to match the color of the existing antennas and pole, or shall be painted a muted blue-gray color, or shall be painted or constructed to blend with the prevalent architecture or natural features existing on the subject site.
 - (v) Conditions of approval shall be limited to those related to the criteria listed in this Section and conditions listed in Section 3.6.7.A.4.e.
 - (vi) Any antenna that does not meet the requirements listed in this Section shall be subject to the grant of a Conditional Use Permit by the Zoning Administrator. In addition to those conditions that the Zoning Administrator may impose pursuant to Section 6.4.3, "Conditional Use Permits" and development standards in Section 3.6.7.A.4.c, the Zoning Administrator may also impose conditions pursuant to Section 3.6.7.A.4.e.
- b. Additional antenna arrays added above existing approved antennas arrays that require the tower height to be increased shall be considered a new monopole and shall be subject to the provisions of Section 3.6.7.A.4. If the tower height is not increased, then the antenna array shall not be subject to this use standard.

4. New Monopoles

a. Appropriate Authority

- (i) Any wireless facilities on new monopoles, including ancillary equipment buildings that are to be located in Group I zoning districts or do not meet the development standards of this Section are subject to the issuance of a Conditional Use Permit by the Planning Commission pursuant to Section 6.4.3, "Conditional Use Permits." In addition to those conditions that the Planning Commission may impose pursuant to Section 6.4.3, "Conditional Use Permits," and development standards in Section 3.6.7.A.4.c, the Planning Commission may also impose conditions pursuant to Section 3.6.7.A.4.e.
- (ii) Any wireless facilities on new monopoles located in Group II or III zoning districts, and that meet the development standards in Section 3.6.7.A.4.b are subject to approval of a Conditional Use Permit by the Zoning Administrator. In addition to those conditions that the Zoning Administrator may impose pursuant to Section 6.4.3, "Conditional Use Permits", the Zoning Administrator may also impose conditions pursuant to Section 3.6.7.A.4.e.
- (iii) All applications shall be referred to the Planning Director for a recommendation based upon the criteria listed in this use standard.

b. Development standards for antenna(s) affixed to towers located on the ground in Group II and III zoning districts:

- (i) Any facility located in a Group II or III zoning category shall be separated from any Group I zoning district by a distance at least three times the height of the tower.
- (ii) The height of any tower shall not exceed 65 feet in a Group II zoning district or 130 feet in a Group III zoning district.
- (iii) The facility shall be separated from any adjacent interior property boundary or public right-of-way by 25 feet or public right-of-way by 25 feet or more. For rights-of-way with public utilities, public facilities easements, the facility shall be separated from any adjacent interior property boundary by 25 feet or public right-of-way by 31 feet or more.

c. Development Standards for antenna(s) affixed to towers located on the ground in Group I zoning districts:

- (i) The facility shall be separated from any adjacent interior property boundary or public right-of-way by 25 feet or public right-of-way by 25 feet or more. For rights-of-way with public utilities public facilities easements, the facility shall be separated from any adjacent interior property boundary by 25 feet or public right-of-way by 29 feet or more.
- (ii) The height of any tower shall not exceed 55 feet in a Group I zoning district.
- (iii) Deviations from setback and height requirements for towers in the Group I zoning districts may be permitted in conjunction with a Conditional Use

Permit hearing if the final hearing body finds at least one of the following criteria can be met.

- (1) The tower will be located adjacent to a nonresidential use.
 - (2) The tower will be a co-location site, either with an existing or proposed tower.
 - (3) The size, shape, topography, or existing development of the site would restrict the installation of a wireless facility in compliance with the standards of this Section.
- d. Co-location on existing nonbuilding structures or on public-owned facilities (i.e., light standards, signage, etc.) shall be permitted as follows:
- (i) If incorporated into a sign or on a sign, water tank, or similar, the wireless facility shall be treated as a building facade and regulated pursuant to Section 3.6.7.A.1.
 - (ii) If attached to a light standard located on private property, the wireless facility shall be treated as a co-location with an existing monopole and regulated pursuant to Section 3.6.7.A.1.
- e. Wireless facilities should be integrated into existing structures or co-located with existing wireless facilities to reduce the visual and potential visual intrusion of such facilities on the surrounding area, residents, and general populace of this County; and therefore:
- (i) Utility providers are therefore encouraged to:
 - (1) Employ all reasonable measures to site their antenna equipment on existing structures as facade mounts, roof mounts, or collocation on existing towers prior to applying for new towers.
 - (2) Whenever possible avoid locating towers on sites that require painting or lighting per Federal Aviation Administration Standards.
 - (3) All County agencies, dependent and independent districts, and utility providers shall be encouraged to permit and streamline collocation of cellular facilities on appropriate existing structures subject to reasonable engineering requirements.
 - (ii) In order to achieve these objectives and to protect the purposes of the Code, the following conditions shall be considered by the appropriate authority:
 - (1) The use of screening, stealthing, use of setbacks, and use of architectural features on the subject site.
 - (2) **The use of mono-pines and mono-palms should be used only when it fits in with existing vegetation. Any use of tree features shall be maintained.**
 - (3) The use of close proximity designs when new antennas are placed on poles.
 - (4) The use of materials that blend the tower or wireless facility in with the skyline, prevalent architectural or natural features of the subject site.

-
- (5) All unused or obsolete wireless facilities, towers or equipment shall be removed from their respective sites within six (6) months after operation has ceased.
 - (6) Identification signs, including emergency phone numbers of the utility provider, shall be posted at all tower and equipment sites.
 - (7) In addition to the requirements listed in this Section, wireless communication facilities are subject to all other applicable regulations and permits, including those of the Public Utilities Commission of the State of California and the Federal Communication Commission.

DRAFT

3.7. COMMERCIAL USE STANDARDS**3.7.1. General Standards for all Uses in Commercial Zoning Districts**

Unless otherwise specified in the zoning district standards, the following standards shall apply in all commercial zoning districts:

3.7.1.A. Conduct of Business on Lot

The entire business operation shall be conducted within a completely enclosed building or completely fenced within the buildable area of the lot. The sale, lease, and rental of merchandise which is specifically allowed in this zoning district may be displayed in the required yard areas provided no merchandise, in combination with display platforms, shall exceed six (6) feet in height when displayed within 25 feet of a street right-of-way and no merchandise shall exceed 10 feet in height when displayed within 50 feet of a street right-of-way. Such merchandise shall not project over required landscaped areas.

3.7.1.B. Distance Separation Requirements

- ▲ The following uses shall be regulated as set forth in Table 3.1 and shall meet the distance separation requirements set forth in the table below:

Use	Separation from Residential and/or Ag-Res Zones	Separation from Sensitive Use*	Separation between the same use
Hookah/Smoking/Vape Lounges	100 feet	1,000 feet	1,000 feet
Pawn Shops	100 feet	100 feet	1,000 feet
Smoke Shops	100 feet	1,000 feet	1,000 feet
Tattoo Shops	100 feet	100 feet	1,000 feet
Check Cashing/Payday loans	100 feet	100 feet	1,000 feet
Thrift Stores	None	None	1,000 feet
Adult Novelty Stores	100 feet	1,000 feet	1,000 feet

*Sensitive uses include: child day care center, library, public park, church, community center, public or private school, designated school bus stop, or indoor or outdoor recreation facilities that are primarily designed to serve persons under the age of 18.

- 1. The distance separation requirements prevail over any provision in a Special Planning Area (SPA) unless the SPA is more restrictive.**
- 2. Required separation distances shall be measured as a radius from the primary entrance of the business or establishment to the nearest property line of the property so zoned or used.**
- 3. Please note that separation requirements for uses are listed in a separate section. Examples include recycling facilities, adult uses and adult-related uses.**

3.7.2. Commercial Service Uses

3.7.2.A. Animal and Pet Services

1. Kennel, Cattery, Animal Boarding and Training

A kennel, cattery, or animal boarding and training use shall comply with the following minimum standards:

- a. Every lot or parcel used for a kennel shall have a net lot area of not less than one acre, except in commercial and mixed-use zoning districts.
- b. Small animal training shall be permitted by right in the agricultural zoning districts, on the condition that the owner of each animal shall be present during such training.
- c. Cattery facilities, fully operated indoors, shall be permitted by right in the commercial zoning districts.

3.7.2.B. Business Services

1. General Business Services

- a. Applies to business service uses as defined in Section 7.3, and other similar uses, not otherwise listed under this land use category.
- b. In the BP and MP zoning districts, permitted subject to a finding by the Planning Director that the use is incidental to the business center and intended to serve its employees; otherwise, a Conditional Use Permit is required by the Zoning Administrator. **compatible to the office and industrial uses in the area if limited to 25 percent of project area; otherwise, the use requires a minor use permit.**
- c. Permitted in residential zoning districts as a standalone or as part of a small commercial center provided that the use or commercial center does not exceed three gross acres in size, subject to a Conditional Use Permit by the Zoning Administrator. Permitted in multiple family projects, regardless of size, subject to a finding by the Planning Director that the use is incidental to the project and does not exceed 25 percent of the project area, and is intended for the convenience of the residents of the project in which they are located; otherwise, the use requires a Conditional Use Permit by the Zoning Administrator.

2. Intensive Business Services

- a. Applies to business service uses as defined in Section 7.3.
- b. In the CMC, GC, BP, and MP zoning districts, subject to issuance of a Conditional Use Permit by the Zoning Administrator when a finding can be made that the proposed use will not have any greater adverse impacts than adjoining uses or other uses permitted in the zoning district.

3.7.2.C. Personal Services

1. General Personal Services

Applies to personal service uses as defined in Section 7.3, and other similar uses not otherwise listed under this land use category.

2. Beauty or Barber Shop, Spa, Tanning

- a. In the residential zoning districts, permitted for projects of not more than three (3) gross acres in size and subject to issuance of a Conditional Use Permit by the Zoning Administrator, except that beauty and barber shops, Spas, and Tanning are permitted in multiple family developments of any size where they are clearly incidental to the project, do not advertise off-site, and are intended only for the convenience of the residents of the project in which they are located.
- b. In BP and MP zoning districts, permitted subject to a finding by the Planning Director that the use is incidental to the business center and intended to serve its employees, otherwise a Conditional Use Permit is required by the Zoning Administrator.

3. Crematory

- a. Permitted in the GC zoning district, provided that the crematory is located no less than 500 feet from any agricultural-residential, residential, or interim residential zoning district; or established residential use subject to the issuance of a Conditional Use Permit by the Board of Supervisors after a recommendation by the Planning Commission. The crematory can be stand alone or associated with a funeral establishment. Required noticing shall be based on a 1,000 foot radius of the exterior boundaries of the subject parcel. The applicant shall be responsible for additional noticing requirements.
- b. Permitted in the M-1 and M-2 zoning districts, provided that the crematory is located no less than 500 feet from any agricultural-residential, residential, or interim residential zoning district and subject to the issuance of a Conditional Use Permit by the Planning Commission. Uses located less than 500 feet from any agricultural-residential, residential, or interim residential zoning district shall be subject to the issuance of a Conditional Use Permit by the Board of Supervisors after a recommendation by the Planning Commission. The crematory can be stand alone or associated with a funeral establishment. Required noticing shall be based on a 1,000-foot radius of the exterior boundaries of the subject parcel. The applicant shall be responsible for additional noticing requirements.

4. Massage

A massage license is required for all massage establishments, unless otherwise exempted.

3.7.3. Eating/Drinking Uses

3.7.3.A. Restaurant, Carry-out/Drive-through/Sit-down

1. For drive-through windows, a Conditional Use Permit from the Zoning Administrator is required when the design standards for drive-through windows are not met, or if the drive-through window and/or order station with amplified sound is located within 300 feet of a residential zoning district (RD-1 through RD-40), or if the drive-through window or order station without amplified sound is located within 75 feet of a residential zoning district (RD-1 through RD-40). If the building size is 100 square feet, or less, then a Minor Use Permit by the Planning Director is required.

2. In the BP and MP zoning districts, permitted subject to a finding by the Planning Director that the use is incidental to the business center and intended to serve its employees.

3.7.3.B. On Sale of Alcoholic Beverages.

1. A Minor Use Permit shall be required for any new restaurant or similar establishment that serves beer, wine and/or distilled spirits in conjunction with the business, and requires or obtains a special license #23, #41, #47, or #75 from the Department of Alcoholic Beverage Control (ABC).
2. A Minor Use Permit shall be required for any existing restaurant or similar establishment that serves beer, wine and/or distilled spirits in conjunction with the business, and requires or obtains a special license #41, #47, or #75 from ABC in the event of any of the following:
 - a. The type of ABC license for the address of the establishment is changed.
 - b. The ABC license is transferred to a different address, or
 - c. The use itself is expanded in any way, including, but not limited to those operational standards such as hours of operation or restrictions on amplified music that are applied by ABC.
3. Uses such as **places of worship** churches, social centers, art galleries, fraternal halls or private clubs that sell or serve beer, wine and/or distilled spirits only to members and their guests or at special events are permitted to serve alcoholic beverages by right and not subject to the restrictions in Section 3.7.3.B.

3.7.4. Entertainment/Recreation Uses

3.7.4.A. Recreation Facility, Indoor

~~In any zoning district,~~ An indoor recreation facility with capacity exceeding **300** ~~200~~ persons or a theater with four (4) or more screens shall be subject to a Conditional Use Permit by the Zoning Administrator. **Indoor shooting ranges shall require a conditional Use Permit by the Zoning Administrator. In the BP, MP, M-1, and M-2 zoning districts, the use shall be permitted, regardless of size or location, subject to a finding that the use is incidental to the business center and intended to serve its employees and customers; otherwise, the use is subject to a Conditional Use Permit by the Zoning Administrator.**

3.7.4.B. Recreation Facility, Outdoor

In all agricultural, agricultural-residential, residential, recreation zoning districts, and in the DW zoning district, the use is permitted subject to issuance of a Conditional Use Permit by the ~~Zoning Administrator~~ **Planning Commission**. Such use permit may include indoor recreation facilities and uses if the appropriate authority finds they are clearly accessory to the requested outdoor use. **If the capacity of the facility exceeds 2,500 persons, then the facility shall be subject to issuance of a Conditional Use Permit by the Board of Supervisors.**

3.7.4.C. Adult Uses and Adult-Related Establishments

~~As defined in Chapter 7 of this Code, adult uses include sexually oriented businesses and adult-related establishments.~~

1. Allowed Uses

- a. Sexually oriented businesses, **as defined**, shall be permitted, subject to compliance with all of the locational conditions in Section 3.7.4.C.2.
- b. Adult Related Establishments, **as defined**, require a Conditional Use Permit from the Board of Supervisors and will only be permitted, subject to compliance with all of the locational conditions in Section 3.7.4.C.2.

2. Purpose and Intent for Sexually Oriented Businesses

- a. As defined in this Code, sexually oriented businesses include adult book stores, adult motion picture theaters and adult live theaters. Subparagraph (g) of Government Code Section 65850 provides that the Board of Supervisors may regulate, pursuant to a content neutral ordinance, the time, place and manner of operation of sexually oriented businesses. As hereinafter set forth, the Board of Supervisors has determined that the regulations of this Chapter serve a substantial governmental interest and do not unreasonably limit alternative avenues of communication and are based on narrow, objective and definite land use standards. (Amended 4/04)

In adopting this Chapter, the Board of Supervisors takes legislative notice of, and relies upon, the experience and studies of the following jurisdictions concerning the adverse secondary effects of sexually oriented businesses: Phoenix, Arizona; Tucson, Arizona; Garden Grove, California; Los Angeles, California; Whittier, California; Denver, Colorado; Indianapolis, Indiana; Minneapolis, Minnesota; Saint Paul, Minnesota; Kansas City, Missouri; New York, New York; Oklahoma City, Oklahoma; Amarillo, Texas; Austin, Texas; Dallas, Texas; Newport News, Virginia; Renton, Washington; Seattle Washington, and the findings of federal and state court decisions in establishing the reasonableness and the constitutionality of the provisions of this Chapter and the reliance there to the specific effects such adult businesses may have on the residents and businesses of Sacramento County, and the proximity of such businesses to other land uses, including but not limited to churches, schools, parks, places frequented by children, and other sexually oriented businesses. (Amended 4/04)

- b. The Board of Supervisors, as a result of concerns regarding the harmful secondary effects of sexually oriented businesses, finds that such establishments require special regulations to restrict the location, operation, and concentration of these businesses.
- c. Preliminary to the adoption of this Article, the Board of Supervisors, in response to concerns regarding the harmful secondary effects of sexually oriented businesses, adopted interim urgency ordinances restricting the location of sexually oriented businesses to industrially zoned property within the unincorporated area of the County of Sacramento. This Article continues the locational criteria of the interim urgency ordinances.
- d. Increasing urbanization, changing community standards, and evolving legal standards for the regulation of such sexually oriented businesses dictated that the County of Sacramento address its regulations of such establishments so as to provide for such uses taking into consideration the compatibility thereof with existing land uses and land use regulations, and to minimize cumulative impacts and harmful secondary effects. (Amended 4/04)
- e. The Board of Supervisors recognizes that the land uses regulated by this Chapter constitute protected expressions of speech and that said uses must be permitted, and reasonably available to potential patrons, within certain areas of the

unincorporated area of the County of Sacramento. The Board also recognizes that the nature of such uses, and the activities of patrons on or near the premises on which the adult uses are located, can be a threat to the public health, safety and welfare of the citizens of the County of Sacramento. The Board is fully aware that the activities conducted in such businesses are provided protection under the federal and state constitutions. Accordingly, the Board finds that the regulations of this Article are based on narrow, objective and definite standards that are intended to provide a reasonable number of available sites for such uses while minimizing the harmful secondary effects of these uses. (Amended 11/95) (Amended 4/04)

- f. It is the intent of the Board of Supervisors to prohibit nude dancing within the unincorporated area of Sacramento County, with the exception of existing businesses that have been continuously lawfully licensed for such use by the County since on or before July 1, 1998. The prohibition is based on federal and state court decisions regarding local regulation of public nudity, including but not limited to, *Barnes v. Glen Theater, Inc.*, 501 U.S. 560 (1991); *Erie v. Pap's A.M. (Kandyland)*, 529 U.S. 277 (2000); *Schultz v. City of Cumberland*, 228F.3d 831 (7th Cir. 2000); and *Tily B. v. City of Newport Beach*, 69 Cal.app.4th 1 (1998). Businesses featuring nude dancing that have been continuously licensed by the County for such use since on or before July 1, 1998, may continue to feature nude dancing, pursuant to California Penal Code sections 318.5 and 318.6.

3. Location Conditions for Sexually Oriented Businesses ~~and Adult-Related Establishments~~

- a. Is in either an M-1 or M-2 zoning district.
- b. Is more than 1,000 feet from any other sexually oriented business ~~or adult related establishment~~.
- c. Is more than 1,000 feet from any existing residential use or property zoned agricultural, agricultural-residential, or residential, or that is regulated by Title V or Title VI of the Sacramento County Code.
- d. Is more than 1,000 feet from any of the following existing sensitive uses:
- (i) Single-family, duplex, or multiple family residences
 - (ii) Child day care center
 - (iii) Library
 - (iv) Public park
 - (v) ~~Church or~~ Places of worship
 - (vi) Community center
 - (vii) Public or private K-12 school
 - (viii) Indoor or outdoor recreation facilities that are designed to serve primarily persons under the age of 18.
- e. Required separation distances shall be measured as a radius from the primary entrance of the business or establishment to the nearest property line of the property so zoned or used.

4. Additional Regulations for Adult Live Theaters

- a. It shall be unlawful for any person on the premises of an adult live theater or any other sexually oriented business to appear in a state of nudity.
- b. The provisions of this use standard that require an opaque covering of specific anatomical areas may not be complied with by applying an opaque covering that simulates the appearance of the specific anatomical part that is required to be covered.
- c. This Section shall not be applicable to any live adult theater that was in compliance with the local requirements of Section 3.7.4.C.3.b as of July 1, 1998, and has continuously held a valid business license to operate an adult live theater from the date that it was originally established.

5. Location Conditions for Adult-Related Establishments.

- a. Is located in an M-1 or M-2 zoning district subject to the issuance of a conditional use permit by the Board of Supervisors.
- b. Is more than one thousand (1,000) feet, measured from the nearest property lines of each such use, of any other adult related establishment or any sexually oriented business.)
- c. Is more than one thousand (1,000) feet, measured from the nearest property lines of each of the affected parcels, of any existing agricultural, agricultural-residential or residential zone or residential use.
- d. Is more than 1,000 feet from any of the following existing sensitive uses:
 - (i) Single-family, duplex, or multiple family residences
 - (ii) Child day care center
 - (iii) Library
 - (iv) Public park
 - (v) Church or Places of worship
 - (vi) Community center
 - (vii) Public or private K-12 school
 - (viii) Indoor or outdoor recreation facilities that are designed to serve primarily persons under the age of 18.

3.7.4.D. Arcade, Electronic, Mechanical, Video Games and Computer Gaming Centers

This use standard applies to the installation of more than three electronic, mechanical, or video games in a single structure or use and to computer gaming centers. Where permitted, requires the issuance of a Conditional Use Permit by the Zoning Administrator, subject to complying with the following standards. Additional standards and conditions may be imposed.

1. Public restrooms must be available and so designated within the same commercial building or portion of the building where the games are located.
2. One adult supervisor shall be on the premises at all times during business hours. Additional adult supervisors or uniformed guards may be required.

3. Electronic, mechanical, or video games shall not be located within 1,000 feet of the property line of any public or private school (kindergarten through 12th grade). This distance shall be measured from the entrance of the commercial facility to the school property line.
4. Electronic, mechanical, or video games shall not be located within 500 feet of a residential land use zoning district or habitable dwelling. This distance shall be measured from the entrance of the commercial facility to the zoning district boundary or the entrance to the habitable dwelling, whichever is the shorter distance.
5. Bicycle racks shall be provided near the entrance to the facility.
6. Exterior lighting shall be maintained during all hours of operation at a minimum of 1.5 foot-candles per square foot of paved surface adjacent to all exterior walls of the commercial building or portion of the commercial building where the games are located. Said lights shall be shielded to prevent any stray light on adjacent residential properties.
7. Except when accompanied by and under the supervision of a responsible adult, minors shall be prohibited from using the games during hours when schools within the applicable school district are in regular session.
8. Use does not permit gambling, as controlled by federal and state regulations.

3.7.4.E. Dancing in a Bar or Restaurant, Incidental

Permitted subject to issuance of a Conditional Use Permit by the Zoning Administrator and provided a valid dancing license is obtained.

3.7.4.F. Hunting Club, Gun Club, Shooting Range

An independent or self-contained mobile home may be used for the purpose of a clubhouse for a hunting club provided that a permit to occupy is approved by the Sacramento County Division of Building Permits and Inspections.

3.7.4.G. Internet Cafes

Internet cafes shall be permitted in all commercial and mixed-use zoning districts, subject to a Conditional Use Permit by the Planning Commission, and only if the use does not involve sweepstake games, gambling, or other activities/games that violate state or federal regulations.

3.7.5. Financial Institutions

3.7.5.A. Financial Institution

Permitted in the listed zoning districts, if in compliance with the standards in Section 3.9.3.U, "Remote Teller, and Section 3.9.3.V, "Drive-up Window". A Conditional Use Permit from the Zoning Administrator is required when the design standards of Section 3.9.3.V.2.a and b are not met or if the drive-up window or the order station with amplified sound is located within 300 feet of a residential zoning district (RD-1 through RD-40), or if the drive-up window or order station without amplified sound is located within 75 feet of a residential zoning district (RD-1 through RD-40). If the building footprint is not more than 100 square feet, then a Minor Use Permit is required.

3.7.6. Lodging Uses

3.7.6.A. Bed and Breakfast Inn

Permitted subject to issuance of a Conditional Use Permit by the Zoning Administrator, **except in the agricultural and agricultural-residential zoning districts, the Planning Commission shall hear all projects, in addition to complying with the findings listed in Section 3.6.0.** The use permit may authorize limited ancillary social gatherings such as conferences, weddings, fundraisers, and other similar events attended by any nonlodger, subject to any conditions imposed including, but not limited to, restrictions on the frequency and timing of events and the maximum number of persons per event. Except as expressly authorized in the use permit, such activities are prohibited.

3.7.6.B. Farm Stay Operations

1. Application

The provision of this Section shall apply to farm stay operations as defined in Section 7.3.

2. Purpose

The purpose of this Section is to facilitate the operation of Farm Stays in Sacramento County, in order to expand the understanding of the role of agriculture in the County, provide farmers with an opportunity to diversify income potential, and boost tourism to the County.

3. Development Standards for Farm Stay Operations

- a. No more than five guest rooms shall be allowed.
- b. Accommodations for no more than 15 total guests shall be allowed.
- c. Food shall be served only to registered guests, and the price of meals shall be included in the price of overnight accommodations.
- d. Lodging and meals shall be incidental and not the primary function of the agricultural home stay establishment.
- e. Identification signs shall be provided that:
 - (i) There is no more than one sign at each entrance.
 - (ii) The sign is not over 50 square feet in area.
 - (iii) The sign is not more than six (6) feet above road grade.
 - (iv) The sign is setback at least 16 feet from the street right-of-way unless a lesser setback is approved by the Division of Planning and Environmental Review.
 - (v) Illumination of the sign, if any, is indirect.
 - (vi) The sign is stationary.
- f. Farm stay operations that do not meet the development standards shall be permitted subject to the issuance of a Conditional Use Permit from the Planning Commission.

4. Parking Requirements for Farm Stays

- a. Farm stay operations shall not be subject to the development standards for off-street parking outlined in this Zoning Code.
- b. Farm stay operations shall provide one space per bedroom.
- c. All access roads must meet the standards of the Fire Marshall. All parking areas must have an active dust control program.

5. Advisory for Other Permitting Requirements

- a. Environmental Management Department approval/permit for a water system is required unless documentation that the regulations are not applicable is provided.
- b. Building permits from the Building Inspection Division may be required.
- c. Should any cultural resources, such as structural features, unusual amounts of bone or shell, artifacts, human remains, or architectural remains be encountered during any development activities, work shall be suspended and the Division of Planning and Environmental Review shall be immediately notified.

At that time, the Division of Planning and Environmental Review will coordinate any necessary investigation of the find with appropriate specialists as needed. The project proponent shall be required to implement any mitigation deemed necessary for the protection of the cultural resources. In addition, pursuant to Section 5097.97 of the State Public Resources Code and Section 7050.5 of the State Health and Safety Code, in the event of the discovery of human remains, all work is to stop and the County Coroner shall be immediately notified. If the remains are determined to be Native American, guidelines of the Native American Heritage Commission shall be adhered to in the treatment and disposition of the remains.

- d. In order to mitigate impacts to potentially historic buildings (buildings 100 years old and older), perform one of the following:
 - (i) Structures that have not been subject to a previous architectural evaluation and are at least 100 years or older and are subject to renovation shall have a historic architectural study performed by a qualified, professional architectural historian. A significance determination shall be prepared for review by the staff of the Division of Planning and Environmental Review. If the structure is deemed a significant historic resource, the applicant shall comply with Section 3.7.6.B.5.e; or,
 - (ii) Property owners proposing to renovate an existing structure shall submit photographs of the structure to the Division of Planning and Environmental Review staff shall determine whether a historical evaluation is warranted. If Planning and Environmental Review staff determines that an historical evaluation is warranted, the applicant shall have a historical architectural study performed by a qualified, professional architectural historian for review by Planning and Environmental Review staff. If the structure is deemed a significant historic resource, the applicant shall comply with Section 3.7.6.B.5.e; or,

(iii) Comply with Section 3.7.6.B.5.e, and forgo the need to submit photographs or a historical architectural evaluation.

- e. Structures deemed to be significant historical architectural resources shall be preserved in situ with all proposed modifications carried out to the *Secretary of Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings*.

3.7.7. Office Uses

3.7.7.A. Office Uses, General

1. In the M-1 and M-2 zoning districts, office uses are permitted as ancillary uses up to a maximum of 25 percent of the gross floor area of structure(s) committed to the primary use; otherwise, a Conditional Use Permit by the Zoning Administrator is required.
2. In the AR and RD zoning districts, allowed office uses shall be limited to the following: real estate, legal, medical, dental, optician, insurance, accountant, beauty or barber shops, bookkeeper, and counseling and consulting service, and shall require a Conditional Use Permit by the Zoning Administrator. See Use Table for permitted activities in conjunction with mixed use projects.

3.7.7.B. Medical, Dental, or Optical Laboratory

Permitted in the listed zoning districts, if in compliance with the following standards.

1. Outdoor storage of materials shall be prohibited unless fully enclosed in a structure or screened from public view with landscaping.
2. The use shall not create adverse levels of noise or vibration beyond ambient levels in the surrounding neighborhood. The applicant shall be required to take all measures necessary to reduce noise levels to ambient levels and to demonstrate there shall be no vibration affecting properties beyond the limits of the lot.
3. The location, arrangement, size, and intensity of operations and design of the use shall be compatible with the neighborhood in which it is location and shall safeguard surrounding properties from glare, unsightly view, odors, or other undesirable characteristics, as determined by the Planning Director.

3.7.8. Retail, Auction, and Wholesale Sales

3.7.8.A. Neighborhood Convenience Store, Food Market (Up to 6,000 square feet)

1. Residential Zoning Districts. In residential zoning districts, the use is permitted subject to a Conditional Use Permit by the Planning Commission, ~~and may include a secondary service station operated in conjunction with the business, subject to the use standards for secondary service stations set forth in Section 3.7.9.C.~~
- ▲ 2. Commercial and Mixed-Use Zoning Districts. In commercial and mixed-use zoning districts, the use is permitted if located 500 feet or more from a residential zoning district, and 1,000 feet or more from the property line of any public or private school (kindergarten through twelfth grade). If located less than 500 feet from a residential zoning district, or less than 1,000 feet from the property line of any public or private school (kindergarten through twelfth grade), the hours of operation shall be limited to between 6:00 a.m. and 11:00 p.m., unless a Conditional Use Permit is approved by the ~~Planning Commission~~ **Board of**

Supervisors for extended hours. The distance shall be measured from the entrance of the commercial structure to the zone district boundary or the school property line.

3. The use shall comply with all of the following standards:
 - a. The use shall be consistent with all applicable development requirements of Chapter 5, "Development Standards."
 - b. Signs shall be posted prohibiting consumption of alcoholic beverages in the business or in the parking areas.
 - c. All illegal activities observed on or around the business shall be promptly reported to authorities.
 - d. Business policies shall be posted on the interior in a conspicuous place.
 - e. At least two (2) toilet facilities shall be available to the public at all times.
 - f. Signs shall be posted prohibiting loitering in parking areas.
 - g. Bicycle security racks shall be provided.
4. The use shall comply with all of the following additional standards, unless the Sheriff's Department waives the standard in writing:
 - a. Project lighting levels shall be 1.5 foot-candles of minimum maintained illumination per square foot of parking surface during business hours and .25 foot-candles of minimum maintained illumination per square foot of surface on any walkway, alcove, passageway, etc., from one-half (1/2) hour before dusk to one-half (1/2) hour after dawn.
 - b. All light fixtures shall be vandal resistant.
 - c. Management shall be responsible for the removal of litter from adjacent property and streets that results from this project (with adjacent property owner consent).
 - d. Store windows shall be left unobstructed to all viewing of the interior of the business by patrolling police. Design to allow for window surveillance by employees of all outside areas from the employees primary work positions.
 - e. Building security to resist crime attempts by both hardware and electronic systems:
 - (i) Raised cashier stations to give an advantage of height against would-be criminals.
 - (ii) Display counter height that is low enough that the cashier has visibility throughout the store and mirrors that allow monitoring of any corners or hidden areas.
 - (iii) Buzzers on doors of the coldbox, so that the clerks will know when someone has removed merchandise from the refrigerator areas.
 - (iv) Cashier station that is visible from the parking area, with no blocking of windows or doors (such as with posters or signs) and counters that are clean of excess displays that impair the visibility.

- (v) Two-way mirrors on inside doors to storage, utility, and office areas that create uncertainty as to how many people are actually in the store so as to deter criminals.
- (vi) Timed drop safe adjacent to cashier so that no more than \$30.00 is available and premised posted that no more than \$30.00 is available.
- (vii) Height tape installed next to exit.
- (viii) A prominently-displayed video camera for identifying robbers or shoplifters.

~~3.7.8.B. Off-Sale of Alcoholic Beverages~~

~~(Pending Zoning Code Amendment)~~

3.7.9. Vehicle-Related Uses

3.7.9.A. Armored Car Service

Permitted in GC and industrial zoning districts, provided the entire operation including the parking and storage of vehicles used in connection with the operation, is conducted within a completely enclosed building or screened from view within a fenced-in area.

3.7.9.B. New and Used Auto Sales

The sale, lease, and rental of merchandise, which is specifically allowed, may be displayed in the required yard areas, provided no merchandise, in combination with display platforms, shall exceed six (6) feet in height when displayed within 25 feet of a street right-of-way and no merchandise shall exceed 10 feet in height when displayed within 50 feet of a street right-of-way. Such merchandise shall not project over required landscaped areas.

3.7.9.C. Automobile Service Station

The following requirements apply to all automobile service stations.

1. Procedures

a. Hearing

The Planning Commission shall be the appropriate authority to hear and decide all applications for Conditional Use Permits for automobile service stations, pursuant to the provisions of Section 6.4.3, "Conditional Use Permits."

b. Conditions

In addition to any other conditions that may be lawfully imposed, any Conditional Use Permit issued pursuant to this use standard shall include the following conditions, that:

- (i) If the operation of the automobile service station is discontinued for any reason for a continuous period in excess of 180 days, such discontinuance of operation shall be grounds for revocation or modification of the Conditional Use Permit as provided by Section 6.4.3, "Conditional Use Permits."
- (ii) Upon the revocation of the Conditional Use Permit, the applicant shall remove all buildings, pumps, pump islands, signs, underground storage tanks, fences, walls, and all other structures and instruments related to the

automobile service station, and shall return the property to substantially the same condition it was in prior to the construction of the automobile service station thereon.

- (iii) The applicant to whom a Conditional Use Permit has been granted shall post on the premises for public display the use permit or a copy when issued.

2. Special Requirements – Primary Automobile Service Station

a. Location

(i) Criteria for Selecting Automobile Service Station Sites

In determining which sites at an intersection or freeway interchange shall be appropriate for the location of an automobile service station, pursuant to this use standard, the Planning Commission shall make a determination based on which site or sites available for the location of automobile service stations, pursuant to this Section, are more or most likely, as the case may be, to reduce the danger from fire and explosion, to provide for the free flow of traffic to reduce the danger of traffic accidents arising from ingress to and egress from automobile service station sites, and otherwise to accomplish the purposes of this use standard.

(ii) Abutting Residential Zoning Districts

No new primary automobile service station shall be permitted on lots abutting property zoned as AR-10, AR-5, AR-2, AR-1, RD-1, RD-2, RD-3, RD-4, RD-5, RD-7, RD-10, A-10, A-5, A-2, A-2-B, A-1-A, A-1-B, O, R-E-3, R-E-2A, R-E-2, R-E-1, R-1-A, R-1-B, R-2, RM-1, RM-2, or R-TH unless the Planning Commission finds that the design of the service station, along with the conditions placed upon the Conditional Use Permit will mitigate any adverse effects the station may have on the abutting residential property. In the event that the property abutting an automobile service station, previously constructed and operating pursuant to the provisions of this Code, is subsequently zoned to a zoning district enumerated in this Section, such subsequent zoning for such abutting property shall not cause the automobile service station site to be nonconforming to the provisions of this Code.

(iii) Location Near Automobile Service Stations No Longer in Operation

In deciding whether an automobile service station shall be permitted pursuant to this use standard, in addition to any other limitation provided by this use standard, the Planning Commission shall consider whether there are any vacant or unoccupied automobile service stations within a one-half (1/2) mile radius of the proposed automobile service station site, and if so, shall determine whether the area immediate to such proposed automobile service station suffers from an over-concentration of automobile service stations. If it is determined that the area does suffer from an over-concentration of automobile service stations, then the application for a Conditional Use Permit shall be denied.

b. Public Street Frontage

The minimum public street frontage shall be 135 feet on each public street for all new primary service stations.

c. Setback Requirements

Setback requirements for the main building on an automobile service station site shall be the same as those required for other structures located in the same zoning district in which the automobile service station is located.

d. Pump Islands

Service station pump islands may be placed in required yards provided they are at least 15 feet from the street right-of-way.

For rights-of-way with PUPFs, service station pump islands may be placed in required yards provided they are at least 21 feet from the future street right-of-way.

e. Allowed Uses and Limitations

- (i) Primary service stations shall not be permitted in a residential zoning district.
- (ii) Automobile service uses may include the sale of compressed natural gas, liquefied petroleum, or other types of fuel for vehicles, regulated by the standards of the Sacramento County Fire Prevention Code. Above ground fuel tanks shall be located per the standards of the Sacramento County Fire Prevention Code.
- (iii) A single bay automobile wash, with either manual or automatic equipment, is permitted as an accessory use, subject to compliance with general accessory use standards in Section 3.9.2.
- (iv) Vehicles being serviced or stored for customers shall not be parked on streets, alleys, public sidewalks, or rights-of-ways.
- (v) Rental or sale of motor vehicles is prohibited, unless otherwise allowed as a primary use in the zoning district.
- (vi) Outdoor public address or loudspeaker systems are prohibited.

f. Access Driveways

- (i) Driveway width shall be as regulated by the County Improvement Standards adopted by the Board of Supervisors.
- (ii) Driveways shall be at least 40 feet from the nearest intersecting point of street right-of-way lines, except for automobile service stations located within industrial parks where a driveway shall be at least 125 feet from the nearest intersecting point of street right-of-way lines.

g. Landscaping

Landscaped areas shall be established and maintained on all automobile service station sites. The landscaped area shall comprise a minimum of 20 percent of the lot area. Not less than 70 percent of the landscaped area as required in this Section shall be covered with live landscaping such as lawn,

ground cover, trees, or shrubs, and not more than 30 percent shall be covered with hard surfaces such as gravel, landscaping rock, concrete, artificial materials, or other impervious materials.

h. On-site Lighting

Lighting shall be designed, controlled, and maintained so that no source of light is visible from off the property; lighting does not unreasonably disturb occupants of adjacent properties; and does not interfere with traffic. There shall be no flashing, moving, or animated lights on automobile service station sites.

i. Architecture

The design of every structure including signs on an automobile service station site shall consistent with the Countywide Design Guidelines.

j. Refuse Areas

Any refuse area on an automobile service station site shall be fenced or screened from the view of any pedestrian or vehicle traffic. The design of such fences and screens shall be compatible with the design of the main building. All discarded parts and materials shall be deposited into a completely enclosed container concealed from adjacent properties.

k. Fences and Walls

Where an existing or a proposed automobile service station site abuts property that is zoned or used residentially, there shall be a solid masonry wall of at least six (6) feet in height along the property line between the automobile service station site and the abutting property, except that within the first 25 feet from the street right-of-way line the fence or wall shall not exceed 2.5 feet in height.

l. Structure Height

Structures located within the buildable area of the lot shall be subject to height limits of the zoning district classification of the site. Canopies constructed over pump islands that are located outside the buildable area of the lot shall not exceed the design clearance height plus the allowable roof structure height as described in Sections 3.7.9.C.2.l.(i) through 3.7.9.C.2.l.(iii).

- ▲ (i) The design clearance height is the vertical distance between the finish grade and a height equal to the vehicle height for which unencumbered clearance will be provided by the design of the service station. The maximum allowable design clearance height is ~~16~~ 14.5 feet, however lower design clearance heights are permitted at the option of the owner.
- (ii) The allowable roof structure height shall not extend higher than two and one-half (2½) feet above the design clearance height. For purposes of this Section, the allowable roof height is the vertical distance above the design clearance height measured to the highest point of the coping of a flat roof or to the highest part of a mansard roof on to the average height of the highest gable of a pitched or hipped roof.

- (iii) Deviations from the design clearance height or allowable roof structure height may be permitted in conjunction with a Conditional Use Permit hearing if the final approving body finds that the overall architectural character of the service station is aesthetically enhanced by such deviation and total service station design is aesthetically compatible and complementary of the surrounding structures.

m. Automobile Service Stations Within or Adjacent to Shopping Centers or Industrial Parks

The site design and architectural style of an automobile service station located within a shopping center in an industrial park shall be consistent where possible with the site design and architectural style of the shopping center or industrial park. Internal circulation of traffic within a shopping center **or** in an industrial park shall be designed so as not to create traffic hazards between an automobile service station and other parts of the shopping center or industrial park.

~~3. Special Requirements – Secondary Automobile Service Station~~

a. Application

~~The special requirements of this Section shall apply to secondary automobile service stations. In the event that any provision in this Section conflicts with any other provision of this Code, the provision of this Section shall prevail.~~

b. Pump Islands

~~Pump islands may be placed within required front or side street yards provided that they are located at least 15 feet from the street right-of-way.~~

c. Allowed Uses and Limitations

- (i) ~~Secondary automobile service stations are permitted only in the residential and CMZ zoning district, subject to a Conditional Use Permit by the Planning Commission.~~
- (ii) ~~Rental or sale of motor vehicles is prohibited.~~
- (iii) ~~Outdoor public address or loudspeaker systems are prohibited.~~
- (iv) ~~Automobile washes, service stations, and sale of propane are not permitted, unless serving as the primary use located on the same site, or otherwise approved as part of the Conditional Use Permit by the Planning Commission.~~

d. Performance Standards

- (i) ~~Requirements for height and setback, described for primary service stations, shall also be applicable for secondary service stations.~~
- (ii) ~~Requirements for lighting, refuse areas, and fences and walls, described under primary service stations shall also be applicable for secondary service stations.~~
- (iii) ~~Landscaped areas shall be established and maintained on all automobile service station sites and comply with the requirements of the base land use zoning district. Adequate landscaping and solid fencing shall be~~

~~installed to control the effect of noise where the service station is located adjacent to a residential zoning district or other sensitive use receptor, as determined by the Planning Director.~~

4. Automobile Service Stations No Longer in Operation

a. Modification or Revocation of Conditional Use Permit

Whenever the operation of an automobile service station is discontinued for any reason for a period of time exceeding 180 days, the Planning Commission on its own motion may hold a hearing for modifying or revoking any permit pursuant to the applicable procedures in Section 6.6.9.

b. Referral for Abatement

Whenever a Conditional Use Permit for an automobile service station has been revoked by the Planning Commission, the Secretary shall forward a copy of the decision of the Planning Commission to the Director of the Department of Community Development to make an inspection of the automobile service station site in order to ascertain whether abatement procedures are warranted.

5. Existing Automobile Service Stations

Any automobile service station in existence as of _____ [the effective date of this Chapter] and complying with all requirements of law in effect prior to the effective date of this Chapter may continue as a legal conforming use except as provided in this use standard, and further provided that such service station has not discontinued its operation for a period of 180 days or more.

a. Repairs, Additions, Alterations, Relocations, or Restoration of More than 50 Percent

When any repairs, additions, alterations, relocation, or restoration made within a 12-month period to any structure or structures used in connection with any automobile service station existing as of the effective date of this use standard exceed 50 percent of the full cash value, as determined by the Assessor from the last assessment roll, of all improvements located on the site of said automobile service station, then the automobile service station site and any structure thereon shall comply with all special requirements for primary service stations in Section 3.7.9.C.2. In the event that the automobile service station is unable to comply with the special requirements, then a Special Development Permit may be applied for as provided in Section 6.4.6.

b. Signs

Signs existing on any automobile service station site as of _____ [the effective date of this ordinance] shall be replaced, restored, or added to only if such replacement, restoration, or addition is in compliance with the requirements for signs. The provisions of this Section shall not apply to normal maintenance done to existing signs such as repainting, minor alterations, and replacement of existing parts. Nonconforming signs shall be abated pursuant to the provisions of Section 5.10, "Sign Regulations," and their replacement shall be in conformity with the special requirements for primary service stations in Section 3.7.9.C.2.

3.7.9.D. Auto Wholesaler, Auto Broker

The use shall be completely enclosed and storage and display of vehicles shall be limited to a maximum of two vehicles.

3.7.9.E. Automobile Repair, Major

A major automobile repair use shall comply with the following minimum standards:

1. Major automobile and boat repair and maintenance shall include any repair or maintenance other than brake part replacement, minor tune up, change of oil and filter, repair of flat tires, lubrication, and other similar operations that meet the definition of "minor vehicle repair".
2. Any body or painting work of vehicles, vehicle parts, or boats shall constitute "major vehicle repair".
3. It shall be unlawful for any person to engage in, or permit others to engage in, major repair or maintenance of vehicles or boats in any agricultural, agricultural residential, residential, interim agricultural holding, interim estate, or interim residential zoning district.

3.7.9.F. Equipment Rental

1. Renting or leasing of equipment, furniture, or appliances is permitted, provided retail sales of the same item(s) are permitted in the applicable zoning classification of the property. The entire operation must be conducted within a completely enclosed building or within the buildable portion of the lot and enclosed by a fence or wall that meets the standards set forth in Section 5.2.5, "Development Standards for Walls and Fences." Other specialized rental operations, specifically listed in the use table, shall be subject to those provisions and requirements, where applicable.
2. In the DW zoning district, an equipment rental use shall be limited to rental of farm equipment.

3.7.9.G. Parking Lot or Garage

1. In residential zoning districts, a parking lot shall be allowed as a primary use only when the parking lot is intended to serve as off-street parking for a business on an adjacent parcel.
2. In commercial and mixed use zoning districts, ground level and underground facilities are permitted by right. Multi-story parking structures are permitted subject to approval of a Conditional Use Permit by the appropriate authority.

3.7.9.H. Truck and Large Vehicle Lease, Rent, Repair, Sales, or Service

In the M-1 and M-2 zoning districts, the entire operation, including the parking and storage of vehicles used in connection with the operation, shall be conducted within a completely enclosed building or screened from view within a fenced-in area in accordance with Section 5.2.5, "Development Standards for Walls and Fences."

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3.8 INDUSTRIAL USE STANDARDS

3.8.1. Extractive Uses

3.8.1.A. Borrow Mining, Short-term

Permitted **for short duration, small-scale borrow sites and material removal sites** subject to the issuance of a Conditional Use Permit by the ~~Zoning Administrator~~ **Planning Commission** and compliance with the **surface mining** standards of Section 4.8, "Surface Mining (SM) Combining Zoning District." Short-term **duration** sites shall mean sites where less than 200,000 cubic yards of soil, sand, gravel, decomposed granite, or rock are removed over a one (1) year period. 

3.8.1.B. Gas or Oil Well

A gas or oil well shall comply with the following minimum standards:

1. Gas or oil well sites proposed in an industrial or agricultural zoning district shall not be located within 1,000 feet of the boundary of property zoned for residential, interim residential, interim estate, or recreational purposes.
2. No proposed gas or oil well site shall be located within 300 feet of a structure used for human habitation.

3.8.1.C. Surface Mining

~~The use shall be permitted only in the Surface Mining combining zoning district and shall comply with the standards of Section 4.8, "Surface Mining (SM) Combining Zoning District."~~ 

Surface mining operations conducted in conjunction with a permitted public service project shall be regulated pursuant to Section 3.6.6.B.

All other surface mining operations shall be regulated by the Surface Mining Combining Zone pursuant to Section 4.8. "Surface Mining (SM) Combining Zoning District" or regulation through the procedures of an existing special planning area's zoning designation.

3.8.1.D. Conveyor systems for transporting aggregate material may be allowed to extend off of the mine site, on land with or without the Surface Mining Combining Zone, if approved as a part of a mining use permit and reclamation plan.

3.8.2. Manufacturing and Processing Uses

3.8.2.A. Assembly, Manufacturing, and Processing, Heavy

In the M-1 zoning district, permitted provided that the entire operation including the parking and storage of vehicles used in connection with the operation is conducted within a completely enclosed building or screened from view within a fenced-in area in accordance with Section 5.2.5, "Development Standards for Walls and Fences."

3.8.2.B. Assembly, Manufacturing, and Processing, Light

Permitted in the GC zoning district subject to the issuance of a Conditional Use Permit by the Zoning Administrator when a finding can be made that the proposed use will not have any greater adverse impacts than adjoining uses or other uses permitted in the zoning district.

3.8.2.C. Assembly, Manufacturing, and Processing, Outdoor

In the M-2 zoning district, permitted provided the operation is screened from view within a fenced-in area in accordance with Section 5.2.5, "Development Standards for Walls and Fences."

3.8.2.D. Concrete Batch Plant

1. Permitted in the GC, zoning district subject to issuance of a Conditional Use Permit by the Zoning Administrator and provided that only one concrete mixer with a capacity of one cubic yard or less may be located on the premises.
2. Permitted for concrete mixers over two (2) cubic yards in the GC and M-1 zoning district as an accessory to permitted uses, such as equipment rental, subject to issuance of a Conditional Use Permit by the Zoning Administrator.
3. For larger facilities, a Conditional Use Permit by the Planning Commission is required.

3.8.2.E. Specialty/Craft Brewery

- ~~1. The use shall be licensed by the State of California Department of Alcoholic Beverage Control, license Type 23, "Small Beer Manufacturer."~~
- ~~2. Annual production is limited to no more than 6,000 barrels in the agricultural zoning districts.~~
- ~~3. Annual production is limited to no more than 15,000 barrels in the commercial and industrial zoning districts.~~
- ~~4. Retail sales of beer shall be limited to beer manufactured on site.~~
- ~~5. Tasting involving serving beer to the public for the purpose of sampling the beer is permitted. In agricultural zoning districts, tasting shall be limited to five (5) days per week, unless a Minor Use Permit is obtained from the Planning Director.~~
- ~~6. If the brewery is accessed only via a private road shared by others, a Conditional Use Permit from the Zoning Administrator shall be required, and the permit shall require the applicant to pay its fair share of the road maintenance costs. The Planning Director may waive the requirement for a Conditional Use Permit, if written verification from all property owners along the private road is submitted.~~
- ~~7. All waste, both solid and liquid, shall be managed, treated, stored, and/or disposed of in accordance with local, state, and federal rules, regulations, and ordinances pertaining to such waste.~~
- ~~8. Events shall be subject to the same limitations as those applicable to small wineries pursuant to Section 3.4.8.C.~~

3.8.2.F. Service Yard, Workshop

In the M1 and M-2 zoning districts, permitted provided that the entire operation, including the parking and storage of vehicles used in connection with the operation, is conducted within a completely enclosed building or screened from view within a fenced-in area in accordance with Section 5.2.5, "Development Standards for Walls and Fences." However, this standard does not apply to tree or pool service yards.

3.8.3. Storage Uses**3.8.3.A. Household Moving and Storage**

Except in the M-2 district, the entire operation including the parking and storage of vehicles used in connection with the operation shall be conducted within a completely enclosed building or screened from view within a fenced-in area in accordance with Section 5.2.5, "Development Standards for Walls and Fences."

3.8.3.B. Storage, Mini

In the M-1 zoning district, permitted provided that the entire operation, including the parking and storage of vehicles used in connection with the operation, is conducted within a completely enclosed building or screened from view within a fenced-in area in accordance with Section 5.2.5, "Development Standards for Walls and Fences."

A Conditional Use Permit by the Planning Commission shall be required for any business that proposes the use of on-site cargo containers for customer storage needs. Existing businesses using cargo containers are considered conforming uses if the following standards are met. These standards shall also apply to new projects.

1. Cargo containers shall be located on the buildable portion of the parcel.
2. Cargo containers shall not be stacked.
3. Cargo container shall be screened from view from the street by a fence or wall of at least six (6) feet in height and landscaping, or other method approved by the Planning Director.
4. Cargo containers shall be painted a solid neutral color, or a color(s) that match the adjacent structures. Acceptable neutral colors include, but are not limited to: beige, taupe, and browns. Colors shall be maintained for the life of the container.
5. Cargo containers shall not display signage, and shall be kept free of graffiti.
6. Cargo containers shall not be used for human occupancy.
7. In the event that a project site is comprised of multiple legal parcels, development standards such as setbacks, landscaping, and fencing shall be determine by the perimeter boundary of the project site.
8. The operation shall have policies and procedures in place that prohibits the keeping of any material that is considered hazardous under U.S. or California law in a storage unit.
9. Any associated outdoor storage of automobiles, boats and RVs shall require a Minor Use Permit.

3.8.3.C. Storage, Moved Building

Temporary storage of moved buildings of not more than seven (7) days shall be permitted subject to issuance of a Temporary Use Permit. Long-term storage of used buildings may be approved subject to issuance of a Conditional Use Permit by the Planning Commission.

3.8.3.D. Storage, Towed, Damaged, or Dismantled Vehicles

1. In the M-1 zoning district, permitted provided that the entire operation, including the parking and storage of vehicles used in connection with the operation, is

conducted within a completely enclosed building or screened from view within a fenced-in area in accordance with Section 5.2.5, “Development Standards for Walls and Fences.”

2. In the M-2 zoning district, permitted provided that the use is located not less than 500 feet from a more restricted zoning district, the yard area is enclosed by a fence, in accordance with Section 5.2.5, “Development Standards for Walls and Fences”, none of the material or equipment is stored higher than the fence, and subject to issuance of a Conditional Use Permit by the Planning Commission after a recommendation by the Planning Director.

3.8.3.E. Warehousing

In the MP zoning district, permitted provided that the entire operation, including the parking and storage of vehicles used in connection with the operation, is conducted within a completely enclosed building or screened from view within a fenced-in area in accordance with Section 5.2.5, “Development Standards for Walls and Fences.”

3.8.4. Transportation Facilities and Services

3.8.4.A. Boat Dock/Pier – Commercial

Use is permitted for public or commercial use, provided off-site, or as an accessory use to another primary use such as a recreational vehicle park or resort.

3.8.4.B. Bus Depot

In the **GC, M-1, and M-2** zoning districts, the use shall be permitted subject to issuance of a Conditional Use Permit by the Planning Commission.

3.8.4.C. Freight Depot

In the M-1 and M-2 zoning districts the use shall be permitted as provided the entire operation, including the parking and storage of vehicles used in connection with the operation, shall be conducted within a completely enclosed building or screened from view within a fenced-in area in accordance with Section 5.2.5, “Development Standards for Walls and Fences.”

3.8.4.D. Taxi Cab Service and Storage Facility

In the **GC, M-1, and M-2** zoning districts, the entire operation, including the parking and storage of vehicles used in connection with the operation, shall be conducted within a completely enclosed building or screened from view within a fenced-in area in accordance with Section 5.2.5, “Development Standards for Walls and Fences.”

3.8.4.E. Truck, Freight, or Draying Terminal

In the M-1 zoning district the use shall be permitted provided the entire operation, including the parking and storage of vehicles used in connection with the operation, shall be conducted within a completely enclosed building or screened from view within a fenced-in area in accordance with Section 5.2.5, “Development Standards for Walls and Fences.”

3.8.5. Waste Handling and Disposal

3.8.5.A. Hazardous Waste Storage/Disposal Facility

Permitted provided the use is located not less than 500 feet from the boundary line of a residential land use zoning district or interim residential zoning district, nor less than

500 feet from any residential use and subject to issuance of a Conditional Use Permit by the Board of Supervisors after a recommendation by the Planning Commission. Additional permitting may be required by the Environmental Management Department.

3.8.5.B. Junk Tire Handling

A junk tire handling operation shall comply with the following minimum standards:

1. Fire Department Review

No use permit to allow junk tire handling as a conditional use shall be approved unless the Planning Commission has considered any recommendations concerning potential fire hazards associated with the proposed use made by the Chief of the fire protection district with jurisdiction over the proposed use.

2. Standards

- a.** In the M-1 and M-2 zoning districts, permitted provided that no more than 500 tires in any form are on site at any one time. Where more than 500 tires are on site at any one time, permitted subject to Sacramento County Code Chapter 4.32 and the issuance of a Conditional Use Permit by the Planning Commission. For purposes of this Section, processed tire products manufactured for resale which are stored within an enclosed building and complying with fire safety standards shall not be counted in determining the number of tires on site.
- b.** Junk tires shall be removed from the site within 30 days after their receipt or acquisition.
- c.** An approved site shall contain no more than one acre of junk tire storage area and not more than 500 tires in any form on site at any one time.
- d.** All equipment necessary to conduct the proposed junk tire handling activities shall be at the site and in operating condition before operations (including collection, receipt, or storage of junk tires) commence. Any shredder to be used shall be capable of shredding at least 250 passenger tires per hour.
- e.** The approved junk tire operation shall comply with all federal, state, and local statutes or ordinances, including nuisance laws and noise and air quality standards. The granting of a Conditional Use Permit under this Section shall not be deemed to indicate that all such statutes have been obeyed.
- f.** Junk tires shall be stored behind a visual screen fence no higher than eight (8) feet and shall not be stacked higher than the height of such fence. Fences shall be required between a licensed facility under this Section and any adjoining parcel that has a more restrictive land use zoning. Appropriate building permits must be secured prior to the fence construction if over six (6) feet in height.
- g.** Junk tires located on properties approved pursuant to this Section shall be located at least 500 feet from property zoned or used for residential or agricultural-residential purposes.
- h.** If junk tires are to be stored within areas subject to flooding, no storage is to be permitted during the winter flood season from November 1 through March 31, inclusive.

- i. No junk tires shall be stored within 100 feet of any area where any material is burned, including, but not limited to, farming activities, vehicle dismantling yards, welding shops, or any other activity utilizing flame or fire.
- j. Additional permitting may be required by the Environmental Management Department.

3.8.5.C. Junkyard, Vehicle/Equipment Wrecking Yard

A vehicle wrecking yard operation located in an area subject to periodic flooding shall comply with the minimum standards of this Section.

1. Permitted in the M-2 zoning district, provided the use is located not less than 500 feet from a more restricted zoning district, the yard area is enclosed by a fence, in accordance with Section 5.2.5, "Development Standards for Walls and Fences", none of the material or equipment is stored higher than the fence, and subject to issuance of a Conditional Use Permit by the Planning Commission.
2. All hazardous materials, including batteries, waste oil, gasoline, and cleaning solutions shall be stored at least 1.5 feet above the 100-year floodplain elevation.
3. No cleaning or engine breakdown shall take place within the 100-year floodplain.
4. All oil shall be drained and collected prior to engine removal.
5. Any fencing shall require the approval of the County of Sacramento Department of Water Resources.
6. A special cement slab that drains into a cement lined sump shall be installed where all engine removal, engine breakdown, and cleaning operations will take place. This sump must be located outside of any area subject to periodic flooding and shall be connected to the sanitary sewer.
7. Caustic detergent cleaning solutions shall be used rather than solvents. If it is absolutely necessary to use cleaning solvents, they should be set up on a self-recycling filtering system and must not be disposed of in the sump.
8. All hazardous materials shall be handled and disposed of in compliance with Title 22, Division 4, Chapter 30 of the California Code of Regulations: "Minimum Standards for Management of Hazardous and Extremely Hazardous Wastes."
9. Additional permitting may be required by the Environmental Management Department.

3.8.5.D. Recycling Facilities

1. Allowed Uses

a. Convenience Recycling Facilities

Convenience recycling facilities are permitted in the GC, LC, NMC, CMC, and CMZ, zoning districts, subject to standards for convenience recycling facilities in Sections 3.8.5.D.2 and 3.8.5.D.3.

b. Minor Recycling Facilities

Minor recycling facilities are permitted in the GC, M-1, and M-2 zoning districts, subject to standards for minor recycling facilities in Sections 3.8.5.D.2

2. Development and Operational Standards for All Recycling Facilities and Greenwaste Facilities

and 3.8.5.D.4. If involving outdoor operations, and located in the M-1 or M-2 zoning district, the use shall be located at least 500 feet from an AR or RD zoning district. Facilities located in the M-1 or M-2 zoning district that are less than 500 feet from an AR or RD zoning district shall require a Conditional Use Permit from the Zoning Administrator. Facilities located in the GC zone shall require a Conditional Use Permit from the Planning Commission.

c. Major Recycling Facilities

Major recycling facilities are permitted in the M-1 and M-2 zoning districts, if located more than 1,000 feet from an AR or RD zoning district, or separated by a railroad or freeway and located behind a screen fence and subject to standards for major recycling facilities in Sections 3.8.5.D.2 and 3.8.5.D.4. Major recycling facilities, located less than 1,000 feet from an AR or RD zoning district shall be subject to the issuance of a Conditional Use Permit by the Planning Commission.

2. Development and Operational Standards for All Recycling Facilities and Greenwaste Facilities

Applicable to all convenience recycling facilities, minor recycling facilities, major recycling facilities, and greenwaste facilities in existence on the date of adoption of this ordinance.

- a. Deviations from the development and operational standards for recycling facilities are subject to the issuance of a Conditional Use Permit by the Planning Commission.
- b. All litter generated by the recycling operation shall be removed. The litter control shall be provided at the entrance(s) of the facility and along the street, sidewalk, and setback areas adjacent to the facility.
- c. Dust generated from the facility shall be controlled to the maximum extent feasible. Dust control measures include, but are not limited to, misting systems, water trucks, manual or mechanical sweeping, and use of negative ventilation.
- d. Customers shall not loiter on the premises and dismantling of parts or goods shall occur behind a screen fence during business hours. Loitering is also regulated by SCC 9.82.020.
- e. Odors generated by the facility shall be controlled and migration of odors off-site shall be prevented to the maximum extent feasible. Odor control measures may include, but are not limited to, misting systems, masking agents, containment and use of negative ventilation. Upon the receipt of an odor complaint, an odor investigation shall be conducted, and a written report of the investigation and correction of identified problems shall be provided.
- f. Noise levels shall not exceed standards established by the Sacramento County Code.
- g. Hours of operation, including the collection and transportation of receptacles, shall not exceed 8:00 a.m. to 6:00 p.m., when located within 300 feet of the boundary of a Residential or Agricultural-Residential zoning district or occupied property, unless separated by an arterial, thoroughfare, or railway.

3. Development and Operational Standards for Convenience Recycling Facilities

- h. Written proof of legal access to on-site restroom facilities for employees and customers shall be provided. On site means located on the same property or in the same shopping center.
- i. "Recycling Center" activities must be separated from Construction and Demolition wood chipping and grinding operations, or any other allowed solid waste facility operations allowed at a specific location, by a defined physical barrier as approved by the local enforcement agency for Sacramento County.
- j. Only post-consumer recyclable containers comprised of glass, plastic, or metal containers and commonly found in household generated waste shall be accepted. The facility shall only accept containers listed in the California Redemption Value program.
- k. Except for temporary staging, all recyclable materials shall be stored in the collection receptacles at all times, and shall not be left outside of the collection receptacles when attendant is not present.

3. Development and Operational Standards for Convenience Recycling Facilities

Applicable to all convenience recycling facilities constructed or installed after **April 13, 2012** and to existing convenience recycling facilities, subject to Sections 3.8.5.D.5.

- a. The facility shall be operated only in a convenience zone as defined under the California Beverage Container Recycling and Litter Reduction Act (Public Resources Code Section 14500 et seq.). **Generally, a convenience zone is an area within a certain distance measured from a supermarket.**
- b. The facility shall be no larger than 500 square feet and, if located in a parking lot, shall occupy no more than five (5) parking spaces not including spaces that will be periodically needed for removal of materials or exchange of the collection receptacles. No parking spaces required for the primary host use may be occupied by the facility.
- c. There shall be a half mile distance between convenience recycle centers.
- d. The facility shall be located within the buildable portion of the property and shall not be located in any required setback, and shall not obstruct pedestrian or vehicular circulation.
- e. Only post-consumer recyclable containers comprised of glass, plastic, or metal containers and commonly found in household generated waste shall be accepted. The facility shall only accept containers listed in the California Redemption Value Program.
- f. The facility shall not accept scrap metals.
- g. Material may be processed on site allowing for temporary staging of collected material to the extent necessary to accommodate the flow of customer transactions and volume reduction before it is stored inside the enclosed structure. Noise levels from intentional crushing or breaking of glass must not exceed standards established by the Sacramento County Code. No power-driven processing equipment may be used except for reverse vending machines and battery-powered compactors. Only durable waterproof and rustproof collection receptacles of sufficient capacity to accommodate the

materials collected and the collection schedule shall be used. The receptacles shall be covered and secured when the attendant is not present. The receptacles shall be clearly marked to identify the type of material which may be deposited. Materials shall be removed from the facility when the receptacles are full.

- h.** Except for temporary staging referenced in Section 3.8.5.D.3.g, all recyclable material shall be stored in the collection receptacles at all times, and shall not be left outside of the collection receptacles when attendant is not present.
- i.** The facility shall be maintained free of litter and any other undesirable materials and the facility shall be swept at the end of each collection day.
- j.** The facility shall be located at least 100 feet from a property zoned or occupied for residential or agricultural-residential use. In addition, facilities shall not be located in the rear of a shopping center between a commercial building and a residential zoning district, and shall be visible from the street except that Zoning Administrator use permit may be issued in instances where the California Department of Resources Recycling and Recovery has denied an exemption for the convenience zone and locating the recycling center in the rear of the shopping center is necessary to serve the convenience zone. Operating hours, including the collection and transportation of receptacles, for facilities located within 300 feet of a property zoned or occupied for residential use shall be limited to 8:00 a.m. to 6:00 p.m.
- k.** The facility shall be illuminated to a minimum of one (1) foot-candle to ensure safe operation, if operating hours are between dusk and dawn.
- l.** The facility shall be clearly marked to identify the name and telephone number of the facility operator and the hours of operation and shall display a notice stating that no material shall be left outside the collection receptacles.
- m.** The facility shall not impair the landscaping required for any concurrent use by this title or any permit issued pursuant thereto.
- n.** No parking spaces are required for customers of a convenience recycling facility located in the established improved parking lot of a host use except that one additional space shall be provided for the attendant, if needed, as determined by the Design Review Administrator. For sites where there is no improved existing parking, at least three spaces shall be required.
- o.** Signs must meet the requirements in the sign ordinance for the zoning district in which the facility is located and must be consistent with the character of the area. Prohibited signs include banners and signs attached to fences as regulated by this Code.
- p.** Design review is required for new facilities and the defined operating area in order to accomplish the following objectives:

 - (i)** The orientation of the proposed facility shall minimize visual and acoustical impacts to surrounding properties;
 - (ii)** The design, signage, and color of the facility shall not intentionally detract from the existing commercial use or community service facility on the site. Improvements may be required to ensure compatibility, including but not

4. Development and Operational Standards for Minor and Major Recycling Facilities and Greenwaste Facilities

limited to landscaping, screening, trailer skirting, and parking lot improvements.

4. Development and Operational Standards for Minor and Major Recycling Facilities and Greenwaste Facilities

Applicable to minor and major recycling facilities and greenwaste facilities constructed or installed after April 13, 2012 and to existing convenience recycling facilities, subject to Section 3.8.5.D.5.

a. Storage of Materials. For Minor Recycling Facilities, all recyclable materials shall be stored in receptacles or within an on-site building. On-site buildings shall have a roof and enclosed walls meeting Building Code standards. Temporary stockpiling of collected materials is allowed if materials are stored in a receptacle or building by the close of each business day and any such stockpiling is located behind a screen fence. Outdoor storage of recycled materials shall be subject to a Conditional Use Permit in the GC and M-1 zoning districts, or in the M-2 zoning district if located less than 500 feet from a residential or agricultural-residential zoning district. For Major Recycling Facilities, outdoor storage of recycled materials is permitted in the M-1 and M-2 zoning districts when located more than 1,000 feet from a residential or agricultural-residential zoning district or separated by a railroad or freeway, and is located behind a screen fence.

b. Landscaping. All sites shall conform to the landscaping requirements in effect for the applicable zoning district. Landscaping shall be a mixture of trees, shrubs, and live groundcover and shall be provided with an automatic irrigation system. The landscaped area shall be free of any obstacles or concrete sidewalks. Exceptions include sidewalks required to attain ADA access compliance and some vaults/ transformers placed per the requirements of utility companies. Fencing shall not be allowed to encroach into the landscaping area. When vehicles overhang and no wheel stops are provided, the landscaped area must be increased to 27 feet. A six (6) inch raised concrete curb is required at the back of the sidewalk. If the landscape area includes at least 15 feet of turf area to the sidewalk, the concrete curb is not required. The applicant shall submit a detailed landscape and irrigation plan for review and approval.

No portion of the facility activities, operations, storage, or other work will encroach into the required, established landscaped areas or setback areas established by the zoning ordinance.

c. Barriers. Any undeveloped area of a site shall be surrounded by a barrier constructed to prohibit access to the area. Barriers shall include one or a combination of the following elements: six (6) inch minimum barrier curbing, bollards, fencing or landscaping.

d. Surfacing Requirements. All on-site areas subject to operations and not otherwise participating in a verifiable stormwater quality monitoring and compliance program shall be surfaced with asphalt or concrete paving, or in another manner sufficient to prevent offsite contamination. Improvement plans shall be approved by the Site Improvement Permit Section.

4. Development and Operational Standards for Minor and Major Recycling Facilities and Greenwaste Facilities

- e. **Signage.** Signs must meet the requirements in the sign ordinance for the zoning district in which the facility is located and must be consistent with the character of the location. Prohibited signs include banners and signs attached to fences, as regulated by Section 5.10.
- f. **Screen Fencing.** Screen Fencing shall be required in order to screen the operation from the public street or from any use in a more restrictive zoning district. Screen fencing shall be a minimum of six (6) feet and a maximum of eight (8) feet in height and shall be either solid decorative masonry, solid wood, or vinyl-coated chain link fencing with vinyl or redwood slats. The color of the slats shall be unobtrusive and subject to approval of the Design Review Administrator prior to installation. Fencing shall be installed behind the required landscaped area.
- g. **Operating Hours.** Operating hours shall not exceed 8:00 a.m. to 6:00 p.m. when located within 300 feet from a residential or agricultural-residential zoned or occupied property.
- h. **Design Review.** Design Review is required for new facilities in order to accomplish the following objectives: a) the orientation of the proposed facility shall minimize visual and acoustical impacts to surrounding properties, and b) the design, signage and color of the facility shall be compatible with the existing commercial use or community service facility on the site. Improvements may be required to ensure compatibility, including but not limited to landscaping, screening, trailer skirting, and parking lot improvements.
- i. **E-waste.** The collection of e-waste is subject to the requirements of the California Department of Toxic Substances Control.
- j. **Reporting Requirements.** Each Minor and Major Recycling Facility, and Greenwaste facility shall, at all times, maintain accurate and complete records of the amounts and types of recyclable material delivered to the facility, the amounts and types of recyclable material shipped offsite, and the amount of residual material bound for disposal. To the extent practical, each facility shall weigh all loads received on a computerized scale system. Scales shall be in compliance with all regulatory requirements for accuracy and maintenance. If the use of scales is not practical, then estimates based on generally accepted volume-to-weight conversion factors will be considered accurate and complete records. Records reasonably necessary for the enforcement of this Code shall be made available for inspection during normal business hours by authorized officers, employees or agents of the County. Where the County determines that an audit is necessary, operators shall be responsible for reimbursement of reasonable audit costs incurred by the County based upon substantial evidence of inappropriate activity. Such audits must be conducted in a cost effective and timely manner and, to the extent permitted by the California Public Records Act, all information derived from such audits shall be deemed confidential and remain the proprietary and private information of the facility operator(s) and not be counted by the County for purposes of fulfilling the recycling diversion requirements of the California Integrated Waste Management Act of 1989.

5. Non-conforming Convenience, Minor, and Major Recycling Facilities

- a. Any convenience, minor, and major recycling facilities lawfully in use as of April 13, 2012 may continue to be used for a period of six (6) months.
- b. Any convenience, minor, and major recycling facilities which becomes nonconforming because of an amendment to this Code may continue to be used for a period of six (6) month from the effective date of such amendment.
- c. Nonconforming recycling facilities in existence beyond six (6) months are hereby illegal and a public nuisance and shall be abated as provided for in Title 16.18 of the Sacramento County Code.
- d. Non-conforming convenience, minor, and major recycling facilities that are legally nonconforming to the standards contained in Sections 3.8.5.D.3 and Sections 3.8.5.D.4 may apply for a Certificate of Non-Conforming Use, pursuant to Section 6.5.2 of this Zoning Code.
 - (i) The application shall be referred to the Planning Commission and noticed to property owners within a 500-foot radius of the property line.
 - (ii) The Planning Director may issue a Certificate of Non-Conforming Use if the use meets the criteria in Section 6.1.3, "Appeals" of the decision of the Planning Director can be made to the Board of Zoning Appeals. Existing facilities with an approved Conditional Use Permit shall be subject solely to the terms of the use permit.

3.8.5.E. Greenwaste Facilities**1. Allowed Uses**

Greenwaste facilities are subject to the issuance of a Conditional Use Permit by the Planning Commission in the agricultural zoning districts and M-1 and M2 zoning districts, subject to standards for greenwaste facilities in Section 3.8.5.E.2.

2. Development and Operational Standards for Greenwaste Facilities

Refer to applicable standards for greenwaste facilities in Sections 3.8.5.D.2 and 3.8.5.D.4 for recycling facilities for greenwaste facilities constructed or installed after April 13, 2012.

3.9 ACCESSORY USE STANDARDS

3.9.1. Purpose

This Section authorizes the establishment of accessory uses that are incidental and customarily subordinate to principal uses. An accessory use is “incidental and customarily subordinate” to a principal use if it complies with the standards set forth in this Section.

3.9.2. General Regulations for All Accessory Uses and Structures

All accessory uses and structures shall comply with the general standards in this Section.

3.9.2.A. Approval of Accessory Uses and Structures

All principal uses allowed in a zoning district shall be deemed to include the accessory uses, structures, and activities allowed for that district, as set forth in Table 3.2.

3.9.2.B. Compliance with This Code

1. All accessory uses and structures shall be subject to the standards set forth in this Section, and also the use-specific standards of this Chapter and the applicable design and dimensional standards of Chapter 5. In the case of any conflict between the accessory use standards of this Section and any other requirement of this Code, the more restrictive standard in the opinion of the Planning Director shall apply.
2. Accessory uses shall comply with all standards of this Code applicable to the principal use with which they are associated. Parking requirements shall be met for both the principal use and any accessory use.

3.9.2.C. Same Lot

The accessory use or structure shall be conducted and located on the same lot as the principal use.

3.9.2.D. Number of Habitable Accessory Structures

Only one of the following types of habitable residential accessory structures shall be permitted on a parcel.

1. Guest house
2. Accessory mobile home
3. Residential accessory dwelling (as regulated in Section 5.4.5.B)

3.9.2.E. Temporary Accessory Uses and Structures

Temporary accessory uses and structures shall be governed by the temporary use permit procedures and standards set forth in Section 6.4.7, “Temporary Use Permits.”

3.9.2.F. Dimensional Standards for Accessory Buildings, and Structures, and Barns

Development standards for Accessory Buildings are found in Sections 5.3.1.B (Agricultural and Agricultural-Residential zones) and 5.4.5.B (Residential zones).

1. Height

~~Unless otherwise specified in this Section or in Chapter 5, accessory structures shall not exceed 14 feet in height, measured from the grade to the plate line of the~~

~~structure and shall not exceed one story or 16 feet in height overall, except in the AR zoning district, addressed in Table 5.8.~~

~~2. Area~~

~~The total square footage of all accessory structures on a single parcel, except residential accessory dwellings and swimming pools, shall not exceed 50 percent of the habitable floor area of the primary residential dwelling on the same parcel, except in the AR zoning district, addressed in Table 5.8. Exceptions to these area requirements in any zoning district may be permitted with a Minor Use Permit.~~

~~3. Building Coverage~~

~~Not more than 30 percent of the required rear yard shall be occupied by accessory buildings. For the purpose of this calculation, all enclosed or roofed space shall be counted as space occupied by accessory buildings. Exceptions to this area requirement are subject to the issuance of a Minor Use Permit.~~

~~4. Setbacks, Height, and Other Development Standards~~

~~Accessory structures shall maintain the setbacks and other development standards, specified in Chapter 5 or provided by the use-specific standards in Section 3.9.3.~~

3.9.3. Use-Specific Standards for Accessory Uses

The specific standards of this Section shall apply in addition to the general standards of Section 3.9.2. In the event of conflict, the more restrictive standard in the opinion of the Planning Director shall apply.

3.9.3.A. Coin-Operated Dispenser or Amusement

Coin operated dispensers are permitted by-right as an ancillary use and shall occupy no more than 25 percent of the gross floor area of structure(s) committed to the primary use; otherwise refer to use standards for arcades, electronic, mechanical video games, or computer gaming center in Section 3.7.4.D.

3.9.3.B. Dish Antenna

1. Applicability

A dish antenna less than three (3) feet in diameter that receives signals only is not subject to this Section. A dish antenna greater than three (3) feet in diameter or that sends signals shall comply with the standards of this Section.

2. Standards

a. In a Commercial or Industrial Zoning District

- (i) A dish antenna is permitted to send or receive signals to or from satellites if the power output of the associated transceiver does not exceed two (2) watts of power and the dish is six (6) feet in diameter or less. The signal intensity must be maintained below applicable ANSI standards.
- (ii) Dish antenna(s) may be installed on the roof of a commercial or industrial structure provided that the antenna is enclosed on all sides by a solid screening structure that is installed to the maximum attainable height of the dish and is composed of materials that are similar in style and color to the predominant composition of the building. Both the antenna and the

screening structure are subject to all applicable building code requirements including building structure and wind load integrity.

- (iii) Dish antenna(s) installed directly on the ground shall be located within the buildable portion of the lot with respect to applicable building setback requirements. The maximum attainable height of the dish shall not exceed the diameter of the dish plus three (3) feet.

b. In Any Other Zoning District

- (i) The dish antenna is permitted to receive signals only.
- (ii) Only one dish antenna is permitted on each lot.
- (iii) The distribution of signals to more than one dwelling unit is permitted, provided the distribution is limited to the same parcel or same project as the antenna site.
- (iv) The location of the antenna on the lot shall meet all accessory structure requirements applicable to zoning district.
- (v) The dish antenna shall be installed directly on the ground. The maximum attainable height of the dish shall not exceed the diameter of the dish plus three (3) feet.

3. Exceptions

In any situation where the standards of Section 3.9.3.B.2 do not allow reasonable access to customarily received satellite signals, a Conditional Use Permit shall be considered by the Planning Commission with the objective of ascertaining the most aesthetically acceptable alternative siting solution. In no case may the final decision result in denial of reasonable access to satellite signals.

- a. The decision on the use permit application must provide for a reasonable quality of signal reception, taking into consideration the particular circumstances of the property and its surroundings.
- b. The decision on the use permit application may take into consideration all the alternative site locations and reception solutions on the property and the use permit may be conditional for the purpose of reducing the visual impact of the dish antenna as seen from adjacent properties or for the purpose of reducing the potential of safety or health accident. Such conditions may include, but are not limited to: partitions, screening, landscaping, mountings, fencing, height of antenna, and site location within the parcel.
- c. To assure that a property is not denied reasonable access to the satellite signals, because the filing fee of a Conditional Use Permit may be excessive in light of the purchase and installation cost of the equipment, a Conditional Use Permit for a home video satellite antenna shall be one-half ($1/2$) the normal fee for a Conditional Use Permit.
- d. To assure that property is not denied reasonable access to satellite signals by the imposition of conditions that are unreasonably out of proportion in light of the purchase and installation cost of the equipment, the Commission shall give consideration to the costs incurred toward satisfying the conditions as they relate to the cost of the system.

3.9.3.C. Dwelling, Agricultural Accessory

On-site agricultural employee shall receive a major portion of his or her income from such employment. Major portion shall mean greater than 50 percent of all income for the family residing in the accessory dwelling. This does not include farm worker housing. In addition, evidence of agricultural production or receipts may be required to verify necessity for such dwellings.

3.9.3.D. Dwelling, Residential Accessory

A residential accessory unit is not permitted on a lot with an existing secondary residential unit. The following regulations shall pertain to all residential accessory dwellings such as secondary residential units and mobile homes used as an accessory dwelling, constructed, enlarged, or otherwise modified after July 1, 2003. Deviations from standards in Section 3.9.3.D.1 may be permitted by the Zoning Administrator in conjunction with a request for Conditional Use Permit.

1. Mobile/Manufactured Home as Residential Accessory Dwelling

Same requirements as mobile/manufactured as primary residence. See Section 3.5.1.G.

2. Secondary Residential Units

A second residential unit used as a residential accessory dwelling shall meet the requirements of the current version of the "Second Unit Law" in California Code Section 65852.2, and the standards for residential accessory dwellings in Section 5.4.5. A Conditional Use Permit by the Zoning Administrator is required in those cases where the base standards are not met, or where a dwelling having a larger habitable floor area is requested, provided that the habitable floor area for the dwelling does not exceed 1,200 square feet.

3.9.3.E. Family Contractor's Business

The purpose of this Section is to provide for the storage of contractor's equipment and supplies at the residence of one of the family members engaged in this business. A family contractor's business shall comply with the following standards:

1. Property developed with a family contractor's business shall be not less than one gross acre in size.
2. No more than two vehicles used in the operation may be parked on site. This limitation does not apply to trailers for hauling equipment or supplies.
3. All vehicles, supplies, and equipment shall be stored in the rear buildable portion of the lot. The storage and driveway areas shall be paved and maintained in a dust-free condition.
4. A minimum 20-foot width shall be maintained between any structures and the property lines to provide access to the rear of the parcel.
5. Repair of equipment on site is specifically prohibited.
6. Areas used for storage of vehicles, equipment, and supplies shall be screened from view of adjacent neighbors and from public streets by the installation of a solid wood or masonry fence of at least six (6) feet in height around the perimeter of

the storage area and fast-growing, dense landscaping that screens all equipment from adjacent property.

7. No mixing of concrete, construction, manufacturing, or similar activities shall be allowed on the site.
8. No employees shall report for work to the site of the family contractor's business.

3.9.3.F. Home Occupation

1. Purpose

It is the purpose of this use standard to:

- a. Recognize the home as a viable location for certain types of occupations;
- b. To ensure the compatibility of home occupations with the principle residential uses in order to protect the integrity and character of neighborhoods; and
- c. Minimize noise, traffic nuisances, hazardous material usage, and other possible effects of commercial uses being conducted in residential areas.

2. Standards

The intent of the following standards is to reduce the impact of a home occupation to the degree that its effects on the neighborhood are undetectable from normal and usual residential activity. A home occupation shall comply with the following standards:

a. Size and Number per Dwelling

- (i) The use of the dwelling for the home occupation shall be clearly incidental and subordinate to its use for residential purposes. The home occupation may be conducted in the principal dwelling or accessory structures on the subject property provided that the area does not exceed 20 percent of the habitable floor area of the principal dwelling. In those cases where more than one home occupation is conducted on the property, the cumulative area that may be used to conduct the home occupations shall not exceed 20 percent of the habitable floor area of the principal dwelling.
- (ii) There shall be no more than three home occupations allowed per residence, subject to complying with the standards and restrictions in this Section.

b. Employees

- (i) Only occupants of the dwelling may be engaged in a home occupation on the subject property.
- (ii) In the event of a partnership or corporation, at least one of the members must be a resident of the subject property.
- (iii) Off-site employees or partners are permitted so long as they do not report for work at the subject property.

c. Traffic

- (i) Regardless of the number of home occupations occurring on the property, activities associated with the businesses, shall not generate pedestrian or

vehicular traffic beyond what is normal in a residential district, nor in any case requires the parking of more than two additional vehicles at any one time.

- (ii) Regardless of the number of home occupations occurring on the property, visitors, customers, or deliveries associated with the businesses, shall not exceed that normally and reasonably occurring for a residence, including not more than one business visitor per hour, not to exceed eight business visitors per day, except in the case of office-type businesses in which case no more than two business visitors at one time for the same appointment, and not to exceed eight appointments per day, and not more than one delivery of products or materials a week.

d. Appearance

- (i) There shall be no visible evidence of the conduct of such home occupation outside the structure other than one sign if permitted within the zoning district.
- (ii) There shall be no remodeling or construction of facilities especially for the home occupation that changes the external appearance of the residence from a residential to a more commercial appearing structure when viewed from the front of the building.
- (iii) There shall be no display of products produced by occupants of the dwelling that are visible in any manner from the outside of the dwelling unit.
- (iv) There shall be no storage of material or supplies out of doors.

e. Sales Limited

There shall be no products sold on the premises except artist's originals or products individually made to order on the premises. Products that are not "artist's originals" or "individually made to order" may be constructed on site, using equipment normally found in a residence; however, these products may be sold only at a permitted commercial location.

f. Effects

- (i) There shall be no mechanical equipment or operation used that creates dust, odor, vibration, or other effects detectable at the property line. Noise level at the property line shall not exceed 65dBA.
- (ii) No process shall be used that is hazardous to public health, safety, morals, or welfare.
- (iii) Storage of hazardous materials is limited to below those thresholds as established by the local fire districts that do not require any special permits or licenses.

3. Part Time Home Occupation

Any home occupation that is permitted on only a part time basis shall be limited to a maximum of 32 hours per week and eight hours per day. Operating hours shall not begin before 7:00 a.m. or extend later than 9:00 p.m.

4. Examples of Permitted Home Occupations

The uses listed in Section 3.9.3.F.4.a through 3.9.3.F.4.b are a sample of some types of home occupations that may be permitted. The list is not intended to be all inclusive, but is intended to give the intent and direction of this Section. In all cases, these uses are subject to the standards of Section 3.9.3.F.2.

- a. Architectural service
- b. Art restoration
- c. Consulting services
- d. Data processing
- e. Direct sale product distribution (Amway, Avon, Jaffra, Tupperware, Herbalife)
- f. Engineering service
- g. Flower arranging
- h. Insurance sales or broker
- i. Interior design consultant
- j. Jewelry making; jeweler
- k. Real Estate sales or broker
- l. Telephone answering, switchboard, call forwarding
- m. Typing, word processing service
- n. Wallpapering
- o. Watch repair
- p. Writing, computer programming

5. Restricted Home Occupations

The following specific home occupation uses shall be permitted, subject to the standards of this Section and further limitations as indicated for the particular use:

- a. Beauty and Barber shops are limited to one operator only.
- b. Contractors and subcontractors offices are permitted as home occupations. However, the storage of vehicles, materials, and equipment not normally associated with residential uses shall be prohibited, except as provided in Section 3.9.3.E, "Family Contractor's Business."
- c. Furniture repair and restoration shall be limited to one occupant of the dwelling on a part time basis, subject to approval of Chief Building Inspector and Fire Marshall, as applicable. There shall be no pick-up or delivery at the location by the public.
- d. Assembly, repair, or reconstruction of small electronic, mechanical, or garden equipment (including lawnmowers), or small household appliances, shall be limited to one occupant of the dwelling on a part time basis, subject to the approval of the Chief Building Inspector and Fire Marshall, as applicable. There shall be no pickup or delivery at this location by the public. All testing of equipment shall be performed within an enclosed building. All equipment or

appliances assembled, repaired, or reconstructed, pursuant to this use standard, shall not exceed six (6) feet in height, length, or width; 100 pounds in weight; or five (5) horsepower. No more than 12 pieces of equipment, in any condition, shall be on site.

- e. Mail order businesses, as long as the product ordered is mailed directly to the purchaser, or is stored within the dwelling. Items may not be sold directly from the residence.
 - f. Manufacture of toys, decorator items, clothing, needlework, handicrafts, or similar products, shall be limited to part time, using equipment normally found in a residence.
 - g. Private lessons, on a part time basis, providing individual instruction in academic subjects, athletics, the arts, crafts, or other similar discipline, provided that only one student may be present for instruction or practice at any time.
 - h. Taxicab, limousine, or pedi-cab service, provided that a vehicle parked at, or near, the residence shall not be on call and available for service; no vehicle shall be dispatched from the residence by radio, telephone, or other means, but may be parked at the residence when not in service. The activity, associated with the service, shall only occur at the residence between the hours of 7:00 a.m. to 9:00 p.m. No more than one vehicle may be parked at, or near, the residence, except that a Conditional Use Permit may be approved by the Zoning Administrator to allow one additional vehicle to be parked or stored at the residence.
 - i. Shoe repair, on a part time basis, providing that no more than eight customer visits per day to drop off or pick up such items. No sales of any kind are permitted. The use will not be conducted in such a fashion as to constitute either a public or private nuisance.
 - j. Certified massage practitioner, if all the following criteria are met:
 - (i) Only one client is on site at a time and by appointment, only.
 - (ii) The use shall be conducted on a part time basis.
 - (iii) The practitioner must have a certificate of training from a state approved school (Department of Education, Office of Post Secondary Education).
 - (iv) The use will not be conducted in such a fashion as to constitute either a public or private nuisance.
 - k. Gardening and landscape maintenance, limited to part time.
 - l. Home crafts (including ceramics with kiln up to six (6) cubic feet), limited to part time.
 - m. House cleaning service, limited to office only part time.
 - n. Sales representative, limited to office only.
 - o. Swimming pool cleaning, limited to office only part time.
 - p. Dressmaking, sewing, tailoring, and contract sewing, limited to one operator.
 - q. Locksmith, limited to office only part time.
-

- r. Cottage Food Operations, if all the following criteria are met:
 - (i) Kitchens shall be designed for residential use, but may contain one or more stoves or ovens, including a double oven.
 - (ii) Only one employee or partner is permitted to report to work at the residence.
 - (iii) Comply with any conditions imposed by the County Environmental Management Department.
- s. Dog and cat breeding as long as the number of adult dogs and cats does not exceed four.

6. Prohibited Uses

The following uses are expressly prohibited as home occupations:

- a. Ambulance service
- b. Ammunition reloading, including custom reloading
- c. Boarding house or bed and breakfast hotel, **time-share condominium** except as provided for under ~~room~~ **vacation** rental.
- d. Body art services, including body piercing, tattooing, branding, or application of permanent cosmetics. Services must be conducted out of a facility permitted by the Environmental Management Department.
- e. Carpentry, cabinet maker
- f. Ceramics utilizing a kiln of six (6) cubic feet or more
- g. Place of worship (private bible study allowed) Church, religious instruction
- h. Health salon, gym, dance studio, aerobic exercise studio
- i. Medical, dental, chiropractic, or veterinary clinic
- j. Mortician, hearse service
- k. Palm reading, fortune telling
- l. Private club
- m. Repair or reconditioning of boats or recreation vehicles
- n. Restaurant or tavern
- o. Retail sale from site (except direct distribution and artist's originals).
- p. Storage, repair, or reconditioning of major household appliances including refrigerators, freezers, clothes washers and dryers, dishwashers, stoves, and heating and air conditioning equipment.
- q. Storage, repair, or reconditioning of motorized vehicles or large equipment on site (see guidelines as provided in Section 3.9.4.A.)
- r. Tow truck service
- s. Veterinary uses including boarding but excluding "mobile veterinarian"
- t. Welding excluding welding service office.

7. Conditions

The Planning Director shall recommend that reasonable conditions be imposed on any home occupation if such conditions are necessary to meet the intent of this use standard. Recommended conditions shall be attached to the business license of the home occupation as provided in Sacramento County Code Section 4.06.090.

3.9.3.G. Incidental Agricultural Uses and Keeping of Animals

In all districts that allow incidental agricultural uses, this use must be incidental to a permitted residential use. ~~In the RD-3, RD-4, RD-5, and RD-7 zoning districts, incidental agricultural uses are permitted on lots with a minimum net area of 210,000 square feet. Incidental agricultural uses on smaller lots in these zoning districts may be permitted with a Minor Use Permit.~~

3.9.3.H. Incidental Keeping of Animals

~~1. Animals may be kept on any parcel or lot as an incidental agricultural use subject to the provisions of the zoning district in which the property is located and the following standards:~~

- a. The conditions, standards, and requirements of Title 8 of the Sacramento County Code are met to the satisfaction of the Chief of Animal Control.
- b. All areas devoted to such uses shall comply with standards adopted by the Department of Public Health relative to noise, dust, odor, and pests, and shall be maintained to the satisfaction of the Director of Public Health.
- c. ~~The keeping of animals on lots smaller than 10,000 square feet shall be conducted in accordance with a development plan and management plan approved by the Planning Director for a Minor Use Permit Zoning Administrator as part of the Use Permit.~~
- d. The provisions of this use standard shall not apply to public or private stables, or where such animals are kept as a general agricultural use.

2. Lot Area

The minimum lot area for any lot used for an incidental agricultural use or for public or private boarding or riding stables as defined in this Code shall be as follows. The lot area may be decreased subject to the issuance of a special use permit by the Zoning Administrator. ~~, whether such use is a principal use of the property or is incidental to another principal use, shall be the area specified in this Code applicable to the zoning district in which the property is located or the area hereinafter specified, whichever is the greater:~~

- a. For any commercial or public stable the minimum lot area shall be three (3) acres.
- b. For any private stable, the minimum lot area shall be 20,000 square feet.
- c. The minimum lot area for the keeping of small animals (animals less than 75 pounds), other than pets, on a noncommercial scale as an incidental use, shall be 10,000 square feet, ~~except that the Planning Director may approve the keeping of small animals on a lot of less than 10,000 square feet, subject to the issuance of a Special Development Permit by the Zoning Administrator.~~

- d. For any other incidental agricultural use, the minimum lot area shall be 20,000 square feet.

~~3. Building Area Development Standards for Structures~~

~~The maximum area of buildings or structures used for incidental agricultural uses and constructed after August 1, 1987 shall be limited to 1,000 square feet, unless a Minor Use Permit is obtained from the Planning Director.~~

Development standards are found in Section 5.4.6.

~~4. Mechanical Equipment~~

~~Mechanical equipment other than swimming pool, air conditioning, and spa mechanical equipment may encroach into any yard no more than five (5) feet, and in no case shall the equipment be closer than two (2) feet from any property line.~~

3.9.3.I. Incidental Office and Retail Sales

In the M-1 and M-2 zoning districts, incidental office and retail sales uses are permitted by right as an ancillary use and may occupy a maximum of 25 percent of the gross floor area of structure(s) committed to the primary use. Greater office and retail sales uses are permitted subject to a Conditional Use Permit by the Zoning Administrator.

3.9.3.J. Outdoor Display, Storage and Comfort Features

- ~~1. Except for auto display or trailers, the sale, lease, and rental of merchandise which is specifically allowed may be displayed in the required yard areas, provided no merchandise, in combination with display platforms, shall exceed six (6) feet in height when displayed within 25 feet of a street right-of-way and no merchandise shall exceed 10 feet in height when displayed within 50 feet of a street right-of-way. Such merchandise shall not project over required landscaped areas. **Accessory comfort features and customer conveniences, not used for advertising, including but not limited to tables, benches, litter receptacles, bicycle racks, and mailboxes may be permitted in the yard areas. This provision does not include amusement machines, telephone booths, sales booths and playground equipment.**~~
2. In any zoning district except an industrial zoning district, no equipment, material, goods, furniture, or appliances may be stored or displayed outside an enclosed building or outside of a solid screen fenced area and be visible from a public street, unless that equipment, material, good, furniture, or appliance is normally used out of doors. No equipment **or goods** may be displayed within required yard areas unless located within the buildable portion of the lot **and screened from view with solid wood fences, masonry walls, or chain link with slats, in accordance with Section 5.2.5, "Development Standards for Walls and Fences."** **Display of new goods is allowed with a setback of 25 feet upon issuance of a minor use permit.**

3.9.3.K. Parking, Accessory

Refer to Section 5.9 for accessory parking standards.

3.9.3.L. Repair of Farm Equipment or Automobiles for Personal Use

Repair and maintenance of farm equipment or automobiles and similar equipment, for personal use or as a hobby use, may be permitted in AG, AR, and RD-1 through RD-5 zoning districts subject to issuance of a Conditional Use Permit by the Zoning Administrator if conducted on a lot one acre or larger in size, within an enclosed building, and solely for the benefit of the owner or resident(s).

3.9.3.M. Garage Sales

Garage sales are permitted on any parcel where the sale operator resides, not to exceed three sales per calendar year and two consecutive days for each sale. Signs shall not exceed a total of 12 square feet. All signs and merchandise must be displayed within the property boundaries.

3.9.3.N. Bus Shelter

Bus shelters, whether owned and maintained by a public agency or other person, shall be a permitted use in any zoning district and shall comply with the standards in Sections 3.9.3.N.1 through 3.9.3.N.4.

1. Shelters shall be installed at a location approved by the Sacramento Regional Transit District **or other transit providers** to provide temporary shelter for persons waiting to utilize the transit district's transportation facilities.
2. The shelters shall be constructed of aluminum frames and panels with Alcoa bronze duranodic finish or equal. The roofs shall be of bubble type construction, and the wall panels shall be of transparent materials, either tempered glass or plastic. Security lights may be installed. Shelters of other designs and constructed of other materials may be constructed provided the design and materials are first approved by the ~~Planning Commission~~ **Design Review Administrator**.
3. The size of such shelters shall be approximately six (6) feet in width, 10.5 feet in length, and eight (8) feet in height; however, shelters may be sized in multiples of the length and width dimensions but may not exceed the eight (8) foot height dimension.
4. Advertising signs are subject to the provisions of Section 5.10.1.O, "Mass Transit Shelter Signs."

3.9.3.O. Storage of Flammable and Combustible Liquids

The storage of flammable and combustible liquids is limited to volumes as established by the local Fire Districts. Storage of flammable liquids in the fuel tank of a motor vehicle, motorboat, mobile power plant, or mobile heating plant, and the storage or use of paints, oils, varnishes, or similar flammable mixtures when such liquids are stored for maintenance, painting, or similar purposes is excluded from this requirement. Additional permitting may be required by the Environmental Management Department.

3.9.3.P. Storage of Unregistered or Inoperable Private Vehicles

Storage of not more than two unregistered or inoperable vehicles may be allowed outside a fully enclosed building on a parcel of land located in any agricultural, agricultural-residential, residential, interim agricultural holding, interim estate, or interim residential zoning district, and shall comply with the following standards:

1. The parcel size is 10,000 square feet, or larger, for the first vehicle and that 5,000 additional square feet is provided for the second vehicle.
2. Vehicles are the legal property of persons who reside in the on-site dwelling, as evidenced by a certificate of ownership issued by the Department of Motor Vehicles.
3. Vehicles shall not be stored in the front yard or side street yard.
4. Vehicles shall be stored behind a six (6) foot high solid wood fence and not be visible from any public street.
5. For purposes of this Section, “unregistered vehicles” includes any vehicle that is considered non-operational pursuant to a current certificate of non-operation issued by the Department of Motor Vehicles of the State of California.

3.9.3.Q. Swimming Pool and Spa Equipment

An accessory swimming pool or spa shall comply with the standards in Sections 3.9.3.Q.1 through 3.9.3.Q.2.f.

1. Swimming pool and spa equipment may encroach into a front or side street yard not to exceed five (5) feet providing said equipment is within a solid fenced yard or enclosure.
2. Swimming pools and spas shall not be located:
 - a. Within a recorded setback except rear yards of through lots unless otherwise prohibited by recorded subdivision map.
 - b. Within a public utility easement.
 - c. Within a public easement.
 - d. Within the required front or side street yards.
 - e. Within three (3) feet of side or rear property lines except that the Chief, Building Inspection Division, may approve setbacks less than three (3) feet from side or rear property lines as provided for in the Swimming Pool Code, County Code 19.36.120, Part 1, Section 1.10.A. For the purpose of this Section, setback shall be from the right-of-way line or property line to the water line.
 - f. The provisions herein shall not alter the regulations of a special planning area.

3.9.3.R. Truck and Trailer Storage

In agricultural zoning districts, the storage, maintenance, and repair of trucks and truck trailers used for, or designed primarily for, commercial or industrial purposes with a manufacturer’s gross vehicle rating of 10,000 pounds or more in any agricultural or interim agricultural zoning district shall be permitted subject to the issuance of a Conditional Use Permit by the appropriate authority; provided that any parcels so used shall have a minimum lot area of 10 acres.

3.9.3.S. Utility Truck Rental and Storage, Accessory

1. In the M-1 and M-2 zoning districts, the use may be permitted as an incidental sales use in conjunction with a permitted retail sales use and provided the entire sales operation takes place within a completely enclosed building.

2. In all other zoning districts, the use shall comply with the following minimum standards:

a. Permitted Accessory Use

The rental and storage of utility trucks and trailers may be ancillary to the following uses: auto sales, auto repairs, service stations, storage and warehousing, equipment rental, and vehicle storage.

b. Conditionally Permitted Accessory Use

- (i) In all commercial zoning districts upon the approval of a Conditional Use Permit by the Zoning Administrator, the rental and storage of utility trucks and trailers may be ancillary to the following permitted and conditionally permitted commercial and industrial land uses, listed in Table 3.1: industrial uses; vehicle-related uses; retail, wholesale, and auction sales uses; and business, trade, and vocational schools.
- (ii) If ancillary to a use requiring a Conditional Use Permit, the primary use must have a valid use permit or a valid certificate of nonconforming use.

c. Standards

These minimum standards shall apply when the use is either a permitted or conditional use. The appropriate hearing authority may impose additional conditions, and may waive or modify these standards as part of the use permit process. In zoning districts where this use is a permitted use, the Planning Director may approve deviations through the **Special Development Permit** process. For all new development of a site, the commercial development standards in Chapter 5 shall also apply.

- (i) Utility trucks will be permitted based on a ratio of one truck per every 4,000 square feet of lot area, not to exceed a maximum of eight trucks.
- (ii) Utility trailers will be permitted based upon a ratio of one trailer per every 8,000 square feet of lot area, not to exceed a maximum of trailers.
- (iii) Utility trucks, unless of gross vehicle weight less than 7,000 pounds must have a van body, may have no more than two axles, and may not be equipped with lift-gate.
- (iv) Utility trucks or trailers may not be stored or parked within the front or side street yard setbacks; nor within required parking and landscape areas; nor within the required 10-foot setback for commercial property adjacent to residential.
- (v) Vehicles must be parked in an area with asphaltic concrete or similar surface.

- (vi) Where the parcel abuts a residential zoning district, a six (6) foot solid masonry wall shall be constructed along the interior property line. There shall be a minimum 10-foot landscaped setback adjacent to this wall. This area shall be landscaped with the appropriate live plants and irrigation system. On nonconforming parcels, if a minimum 25-foot setback is provided between the parked or stored utility trucks or trailers, and the residentially zoned property, the six (6)-foot masonry wall and the 10-foot landscape area are not required in order to accommodate utility trucks and trailers as ancillary uses.

3.9.3.T. Cargo Containers

1. In the agricultural, agricultural-residential, and recreation zoning districts:
 - a. The minimum lot size for a cargo container shall be two (2) acres.
 - b. Cargo containers shall not be stacked.
 - c. **In agricultural-residential zoning districts, there shall be no more than one cargo container per property located in the rear or interior side yard of the property.** ▲
 - d. **In the agricultural-residential and recreation zoning districts, cargo containers shall be screened from view from public rights-of-way by fast-growing evergreen landscaping or fencing.**
- ~~2. In the agricultural-residential zoning district:~~
 - ~~a. There shall be no more than one cargo container per property.~~
 - ~~b. **Cargo containers shall be stored in the rear or interior side yards of the property.**~~
3. In commercial and industrial zoning districts, cargo containers shall comply with the following standards:
 - a. Cargo containers shall be located in the buildable portion of the lot.
 - b. Cargo containers shall not occupy required parking areas or required landscaping areas.
 - c. In commercial zones, cargo containers shall not be visible from public view.
4. In all zoning districts where cargo containers are permitted, cargo containers shall be painted a solid neutral color, or a color(s) that match the adjacent structures. Acceptable neutral colors include, but are not limited to: beige, taupe, and browns. Colors shall be maintained for the life of the container.
5. Cargo containers shall not display signage and shall be kept free of graffiti.
6. ~~Cargo containers may be used on public school and or park sites located in residential zones must be screened from public view and located at least 25 feet from a property used for residential purposes. Cargo containers on school or park sites in agricultural-residential or agricultural zones must be painted in a neutral color and kept graffiti-free if screened from public view.~~ ▲

- 7. In residential zoning districts or any lot less than two acres, a minor use permit, including design review, is required for one cargo container in order to ensure that the container is designed to be compatible with and complement existing dwellings on the same or adjacent parcels.**

3.9.3.U. Remote Teller

Permitted subject to the standards of Section 3.9.3.V. for drive-up windows. If the design standards are not met a Minor Use Permit is required by the Planning Director.

3.9.3.V. Drive-Up Window

1. Required Findings

A Conditional Use Permit for a drive-up window or for a remote teller shall not be approved unless the appropriate authority finds that:

- a.** The design and location of the facility and lane will not contribute to increased congestion on public or private streets adjacent to the subject property.
- b.** The design and location of the facility and lane will not impede access to or exit from the parking lot serving the facility nor impair normal circulation within the parking lot.

2. Design

A drive-up window or a remote teller shall comply with the following minimum standards:

- a.** Drive-up windows and remote tellers shall provide at least 180 feet of reservoir space for each facility, as measured from the service window or unit to the entry point into the drive up lane. Nonfood and nonbeverage businesses may reduce the stacking space to a minimum of 60 feet. When multiple lanes are provided, the length of each lane may be counted.
- b.** Entrances and exits to drive up lanes shall be at least 25 feet from driveways entering a public street. When a drive-up lane encroaches into the front yard and side street setbacks, 25 feet of landscaping shall be provided, with at least 10 feet of landscaping between the drive-up lane and the right-of-way.
- c.** Drive-up windows or remote tellers shall not be considered as justification for reducing the number of required parking spaces.
- d.** The use permit is revocable if congestion attributable to the facility regularly occurs on public streets or within the parking lot and the management cannot alleviate the situation.
- e.** Drive-up windows and remote tellers with amplified sound shall be located at least 300 feet from residential zoning districts. Drive-up windows or remote tellers without amplified sound may reduce the separation distance to at least 75 feet from residential zoning districts.

3.9.3.W. Loading Dock

Permitted provided it is setback at least 75 feet from the boundary of an adjacent residential property, unless a reduced setback is allowed upon approval of a Special Development Permit by the Zoning Administrator. Also, limited hours for loading and unloading may apply.

3.9.3.X. Electric Fencing

Electric fencing is allowed in all agricultural, M-1 and M-2 zoning districts, **and in the GC zone with a minor use permit**, provided that the adjacent property is in either an agricultural or industrial zoning district; otherwise a Minor Use Permit shall be required in order to construct an electric fence. In the GC, M-1, and M-2 zoning districts, electric fencing shall comply with the following standards:

1. Electric fences shall only be allowed in outdoor yard areas used for the parking and storage of fleet and construction vehicles, and equipment or materials.
2. Electric fences shall be completely surrounded by a non-electric fence or wall of at least six (6) feet in height. The space between the electric fence and the perimeter non-electric fence or wall shall not exceed 12 inches, and this area shall be kept free of litter, debris and vegetation.
3. The energizer for electric fences shall be driven by a commercial storage battery not to exceed 12 volts DC.
4. The electrical charge produced by the fence upon contact shall not exceed the energizer characteristics set forth in paragraph 22.108 of the International Electrotechnical Commission Standard 60335-2-76.
5. Electric fences shall be clearly identified with warning signs that read "Danger - Electric Fence" at intervals of not less than every 60 feet, and at least one sign per side of the area enclosed by the fence.

3.9.3.Y. Dwelling, Caretaker

Permanent living quarters (does not include the temporary use of a mobile home) for a caretaker or night watchman shall be accessory to a permitted primary use, and permitted in any commercial, mixed-use or industrial zoning district, subject to the standards in Section 3.9.3.Y. A Minor Use Permit for a caretaker shall be required in the BP, MP, M-1, and M-2 zoning districts. Exceptions to any of the standards in Section 3.9.3.Y shall also be permitted by a Minor Use Permit.

1. The caretaker living quarters shall be located within the principle building.
2. The caretaker living quarters shall be occupied by the owners or an employee of the business.
3. A minimum of one parking space shall be provided for the caretaker living quarters, in addition to parking spaces required for the primary use.
4. The caretaker living quarters shall have no more than two bedrooms, and shall provide no more than 650 square feet of habitable living area.

3.9.3.Z. Dwelling, Live-Work Units.

Any live-work units shall be accessory to a permitted primary use, and shall comply with the following standards. Exceptions to any of the standards in Section 3.9.3.Z shall be permitted by a Minor Use Permit.

1. All living space within the live-work unit shall be contiguous with, and an integral part of the working space of the primary use. Access to individual units shall be from common access areas, corridors, or hallways.

2. The live-work unit shall be occupied by the owner or an employee of the business, and shall not be rented separately from the working space.

▲ 3.9.3.AA. Vacation Rentals

The rental of homes for transient occupancy shall require an administrative permit from the Zoning Administrator. Vacation rentals are subject to the Transient Occupancy Tax. See Section 6.5.6 for findings for approval.

3.9.4. Prohibited Accessory Uses

3.9.4.A. Minor Repair and Maintenance of Personal Vehicles

It shall be unlawful for any person to engage in or permit others to engage in minor vehicle repair or maintenance in any agricultural, agricultural-residential, residential, interim estate, and interim residential zoning district under any of the following circumstances:

1. Using tools not normally found in a residence;
2. Conducted on vehicles registered to persons not currently residing on the lot or parcel; and
3. Conducted outside a fully enclosed garage and resulting in any vehicle being inoperable for a period in excess of 24 hours.

3.10 TEMPORARY USE STANDARDS

3.10.1. Purpose

This Code allows for the establishment of certain temporary uses for limited duration, provided that such uses comply with the general and specific standards of this Section.

3.10.2. General Requirements For All Temporary Uses And Structures

All temporary uses or structures shall meet the following general requirements, unless otherwise specified in this Code:

- 3.10.2.A. The temporary use or structure shall not be detrimental to property or improvements in the surrounding area or to the public health, safety, or general welfare.
- 3.10.2.B. The temporary use shall comply with all applicable general and specific regulations of Section 3.10, unless otherwise expressly stated.
- 3.10.2.C. Permanent alterations to the site are prohibited.
- 3.10.2.D. All temporary signs associated with the temporary use or structure shall be properly permitted and removed when the activity ends or permit expires, whichever occurs first.
- 3.10.2.E. The temporary use or structure shall not violate any applicable conditions of approval that apply to a principal use on the site.
- 3.10.2.F. The temporary use regulations of this Section do not exempt the applicant or operator from any other required permits, such as Environmental Management Department permits.
- 3.10.2.G. If the property is undeveloped, it shall contain sufficient land area to allow the temporary use or structure to occur, as well as any parking and traffic circulation as required that may be associated with the temporary use, without disturbing sensitive or protected resources, including required buffers, 100-year floodplains, river protection setbacks, and required landscaping. At the conclusion of the temporary use or at expiration of the permit, whichever occurs first, all disturbed areas of the site shall be restored or improved to the condition that existed prior to the use.
- 3.10.2.H. If the property is developed, the temporary use shall be located in an area that is not actively used by an existing approved principal use, and that would support the proposed temporary use without encroaching or creating a negative impact on existing buffers, open space, landscaping, traffic movements, pedestrian circulation, or parking space availability.
- 3.10.2.I. Tents and other temporary structures shall be located so as not to interfere with the normal operations of any permanent use located on the property, shall be anchored, and meet the requirements of the Building Official, including fire rating.
- 3.10.2.J. Off-street parking shall be adequate to accommodate the proposed temporary use.
- 3.10.2.K. Applications for temporary structures to be located in the 100-year floodplain shall be required to submit a plan to the Building Department for the removal of such structure(s) in the event of notification by the Sacramento County Department of Water Resources. The plan shall include the following information:
 - 1. The name, address, and phone number of the individual responsible for the removal of the temporary structures and the property owner;

2. The time frame prior to the event at which a structure will be removed; and
3. A plan to remove the temporary use earlier than the scheduled removal date, if required.

3.10.2.L. The Zoning Administrator may approve a temporary use permit, pursuant to Section 6.4.7, to allow the use of property in any zone for a period not to exceed 10 days within a given year for an exposition, concert, carnival, vaccination clinic, amusement ride, sale of old clothes and second hand merchandise, or other similar activity, **unless specifically allowed as a promotional display per 3.10.3.C.** Temporary use permits are not required when these uses are conducted within mall areas or in a completely enclosed building. The temporary use, if located in a zone other than a commercial or industrial zone, shall be under the supervision of a public agency or an organization, school or **place of worship—church** which qualifies for an exempt fee license pursuant to the business license ordinance. The permit shall be issued annually, and shall list all dates for the temporary event and uses permitted during the year.

3.10.3. Additional Standards for Specific Temporary Uses

3.10.3.A. Permanent Tent Structure

Any permanent structure of a cloth, membrane, or similar material that exceeds 120 square feet shall be subject to the requirements of this Section. Awnings, canopies, and similar structures are excluded from the requirement of this Section. The purpose of this Section is to provide a procedure for permitting tents as permanent structures and to ensure compatibility with the surrounding development.

1. Use Permit Required

Any tent used as a permanent structure that is not under a temporary permit shall require a Conditional Use Permit approved by the Zoning Administrator.

3.10.3.B. Community Stands

Community stands are permitted as a temporary use, subject to the issuance of a Temporary Use Permit by the Zoning Administrator and complying with following standards:

1. Community stands shall be operated by nonprofit organizations.
2. In the AG, AR, RD, RM-2 zoning districts, community stands shall be supervised by a public agency or nonprofit organization.
3. Community stands shall obtain a license from the State of California Department of Food and Agriculture (CDFA) and a permit from the EMD before operating. There shall be no annual limit to the number of occurrences and the temporary use permits shall be valid for up to three (3) years.
4. Products sold shall be limited to shell eggs and crops that are locally grown; nonpotentially hazardous prepackaged food products from an approved source that were locally grown or produced; nonpotentially hazardous prepackaged food products, including bottled water and soft drinks, from an approved source that have not been locally grown or produced; and agricultural and food preparation related items.

5. Non-potentially hazardous prepackaged food products, including bottled water and soft drinks, from an approved source that have not been locally grown or produced shall be limited to a 50-square-foot storage and sales area.
6. Agricultural and food preparation related items shall be limited to 25 percent of the total storage and sales area of the farm stand.
7. No activities related to the sale of products from Community Stands shall take place on public right-of-way.
8. No part of this use, including merchandise or parking area, shall be located within the triangular clear visibility area defined in this Code.
9. Hours of operation, stand size (up to a maximum of 1,500 square feet of indoor sales area and 3,000 square feet of total enclosed area), setbacks, signs and parking requirements shall be regulated by the temporary use permit for the Community Stand.

3.10.3.C. Promotional Displays and Sales

Promotional displays and activities including, but not limited to, amusement rides, street dances, concerts, live entertainment, and promotional out of door “**parking lot**” sales may be conducted in the commercial and industrial zoning districts for the purpose of promoting a use regularly and lawfully in operation on the premises. The activities shall be conducted only within the buildable portion of the lot or parcel and subject to first obtaining approval of a Temporary Use Permit by the Zoning Administrator. Temporary signs are permitted only with the approval of the Zoning Administrator. Time limits of use shall not exceed 30 days within a given year. **Promotional displays and sales are permitted for 30 consecutive days within the first 90 days of the grand opening of a business and may be permitted for an additional period of up to 30 days within a given calendar year, annually. Beyond the grand opening display period, temporary signs may have their display time split up into as many as 10 three-day periods, or may join the time allotments as the business sees fit and described in detail in the application for a Temporary Use Permit. Businesses that violate the provisions of this Code may have the Temporary Use Permit denied by the Zoning Administrator. Temporary signs, in conjunction with promotional display and sales are further regulated by Section 5.10.1.J.**

3.10.3.D. Seasonal Display and Sales

Seasonal display and sale of items such as flowers, pumpkin, plants, and Christmas trees may be sold as a temporary use in the NMU, CMU, CMZ, BP, LC, GC, C-1, C-2, M-1 and M-2 zoning districts and in similar zones found in Title IV, including any combination of these zoning districts and the NPA Combining zoning district and Special Planning Areas where commercial or industrial uses are permitted, subject to obtaining a business license. Seasonal items may be sold as a temporary use in zoning districts other than commercial or industrial, upon securing approval of a Temporary Use Permit by the Zoning Administrator and obtaining a general business license. The Zoning Administrator shall specify the period of sale, and the period permitted to clear the lot of all seasonal items and other evidence of the temporary use. Temporary signs are permitted, subject to provisions of Section 5.10, “Sign Regulations” for commercial and industrial zoning districts and subject to approval by the Planning Director in all other zoning districts. The sale of seasonal items or plants in connection with and on the same premises as a supermarket, hardware, home maintenance or repair store, or other

established business, if a temporary structure and electrical wiring are not employed in connection with such sales is exempt from the regulations and requirements for a Temporary Use Permit.

3.10.3.E. Temporary Concessions

Temporary concessions shall comply with the standard of this Section. Temporary concessions are allowed only in specified commercial and industrial zoning districts subject to the conditional approval of a Temporary Use Permit by the Zoning Administrator. The permit shall include any conditions appropriate to assure compliance of the requirements of this Section, shall include time limits as to when the Temporary Use Permit is valid and may include additional conditions and requirements that are found appropriate to assure the use will not be detrimental to health, safety, peace, morals, comfort, or general welfare of persons residing or working in the neighborhood:

1. Every temporary concession shall be a temporary day-to-day use and all equipment, including any stand, cart, table, or vehicle, shall be removed at the end of each sales day.
2. Every operator of a temporary concession shall have notarized written permission (on a form provided by the County) from the property owner or lessee of property on which the concession is located, a copy of which shall be filed with the operators' application. The operator shall also have a copy of the permission statement required by these provisions at the concession location for inspection upon request by any person authorized to enforce the provisions of this Section.
3. No activities relating to the operation of a temporary concession, including customer parking, shall occur on public property. All parking areas shall be maintained or surfaced so as to be dust-free.
4. All stands, carts, vehicles, and displays of merchandise shall be set back not less than 25 feet from the right-of-way line of any public street, provided, however, that a table, stand, or cart of 16 square feet in size may be located at not less than 12.5 feet setback from a County right-of-way line.
5. No concession stand, cart, vehicle, merchandise, or parking area shall be located within the triangular clear visibility area defined in this Code.
6. No additional signs beyond the signs otherwise permitted in the zoning district in which the temporary concession is located shall be permitted, except temporary signs flat against the table, cart, stand, or vehicle that shall not exceed two (2) square feet per each lineal foot of such equipment parallel to the street where the setback is 25 feet or more from the right-of-way line. Where the table, stand, or cart is set back less than 25 feet, the area of the signs shall not exceed a total of six (6) square feet, and shall be placed flat against such equipment.
7. Only one temporary concession vendor at a time may conduct business on any parcel of property.
8. At least one trash receptacle shall be provided on site.
9. Every operator of a temporary concession stand shall have legal access to restroom facilities within 1,000 feet of the concession. (May be public restrooms,

assigned permitted access to private restrooms, or a self-contained recreational vehicle.)

10. Sale of produce is permitted only in accordance with state food and agricultural regulations, in Title 3 of the California Code of Regulations; as such, sale must take place at a producer's "roadside stand", or authorized by a "Direct Marketing Certificate" or "Produce Dealer's License".
11. The area used for sales or display of merchandise by the temporary concession shall be limited to 200 square feet. Such area shall be identified on the use permit and the use permit shall be valid only for the area so identified.
12. No food items shall be prepared or sold for immediate consumption on site except as in Section 3.10.3.E.14.
13. Notwithstanding provisions elsewhere in this Code or the Sacramento County Code, the following uses are exempt from the regulations and requirements for a Temporary Use Permit:
 - a. The sale from stands of fireworks preceding and in connection with the celebration of the Fourth of July;
 - b. Temporary concessions attendant to certain permitted retail uses: stands, carts, vehicles, and displays of merchandise are permitted within the pedestrian circulation areas of shopping centers, malls, and large retail buildings with over 60,000 square feet of gross floor area; and
 - (i) The temporary concessions shall be located within the buildable portion of the lot, and when located outside, no more than 25 feet from the entrance.
 - (ii) The use shall be subordinate and incidental to the primary use and have access to the restrooms.
 - c. Sales of products by nonprofit organizations within the buildable area of a commercial lot.

14. Temporary Concessions for the Preparation and Sale of Food for Immediate Consumption

The Planning Commission may consider a Temporary Use Permit for a temporary concession for the sale of food intended for immediate consumption. This provision is intended to be applied only in unusual situations where a convenience to customers can be demonstrated because of the locational factors or temporary circumstances and where a permanent facility or a mobile vendor service would be infeasible or inappropriate. The development standards for such concessions are those of Sections 3.10.3.E.1 through 3.10.3.E.11, with the additional requirement that appropriate licensing must be secured from the Environmental Management Department.

3.10.3.F. Temporary Construction Buildings

Temporary buildings for commerce or industry incidental to residential development, and temporary structures and trailers for the housing of tools, equipment, building assembly operations, and supervisory offices in connection with major construction projects may be authorized in any zoning district by the Chief Building Inspector.

3.10.3.G. Temporary Sales/Construction Offices

A temporary office established to handle sales or construction of lots and homes may be authorized by the Zoning Administrator in any zoning district by Temporary Use Permit. Parking shall be provided in accordance with Section 5.9, "Off-Street Parking." Conditions of approval may regulate hours of operation, landscaping, or other aspects deemed necessary by the Zoning Administrator. Temporary signs may be permitted subject to approval by the Zoning Administrator.

3.10.3.H. Temporary Uses of Mobile Homes and Commercial Coaches

Temporary uses of mobile homes and commercial coaches shall comply with the applicable minimum standards of this Section.

1. Use of Mobile Home as Temporary Dwelling and Other Structures at a Construction Site

- a. In any zoning district where a dwelling is permitted, while a permanent residence or other permitted primary uses within the residential and agricultural zoning districts is being constructed or remodeled to the extent that the permanent residence is not habitable, the Chief Building Inspector may authorize, by permit, the occupancy of a mobile home or other structure as a temporary dwelling for a period of not more than one (1) year. No such occupancy shall be permitted unless a building permit has been issued for the permanent residence.
- b. In the event that no permit may be issued due to an unresolved insurance settlement or contract procedure, the Chief Building Inspector may authorize occupancy for a period not to exceed six (6) months when such occupancy is necessary for security of the remaining residence, care of livestock, or other similar necessity.

2. Use of Mobile Home as Accessory Dwelling for Persons in Need of Care and Supervision

- a. In all AG, UR, IR and AR-10 zoning districts, the Zoning Administrator may administratively grant approval for use of a mobile home as an accessory dwelling where there is a need to provide close care and supervision of a **disabled** ~~handicapped~~ person occupying either the principal dwelling or the accessory dwelling by the occupant of the other dwelling on the premises pursuant to the findings in Sections 3.10.3.H.2.a.(i) and (ii), and provided that the parcels meets the minimum lot size standards of the zoning district in which it is located. In all other zoning districts where a mobile home is allowed as an accessory dwelling use or in any zoning district with a legally established primary residential use, and where there is a need to provide close care and supervision of a **disabled** ~~handicapped~~ person occupying either the principal dwelling or the accessory dwelling by the occupant of the other dwelling on the premises, the Zoning Administrator shall grant a Conditional Use Permit for use of a mobile home as an accessory dwelling, where he or she finds:
 - (i) That the person for whom the care and supervision is to be provided is physically or mentally disabled ~~handicapped~~ to the extent that he or she requires immediate supervision and care by the occupant of the other dwelling on the property. Proof of physical or mental disability

~~handicap~~ may be required. Such proof shall be placed in a confidential file to be kept by the secretary of the appropriate hearing authority.

(ii) That the establishment of the accessory dwelling in the mobile home is necessary in order to provide the required care and supervision of the disabled ~~handicapped~~ person.

- b. The mobile home is to serve only as an accessory dwelling and shall be removed from the premises within 60 days after the expiration of the permit, or when the occupancy of the mobile home is no longer necessary for the provision of care and supervision of the disabled ~~handicapped~~ person, if earlier. The appropriate authority may impose additional conditions deemed necessary to protect the purpose and integrity of the zoning district in which a mobile home is located and to protect the general welfare of the community.
- c. The Zoning Administrator may administratively approve the transfer of the permit to another disabled person requiring immediate supervision and care by the occupant of the other dwelling on the property. Proof of physical or mental disability may be required, and annual verification may be required.

3. Guidelines for Placement

- a. Given the incidental and subordinate nature of the mobile home to the primary residence, consideration shall be given to placing the unit in reasonable proximity to the primary residence.
- b. To the extent feasible, the yard standards for mobile home subdivisions contained in Section 5.4.4 of this Code shall be maintained for temporary mobile homes.
- c. Appropriate and reasonable landscape screening shall be considered and applied via conditions of approval where deemed necessary by the hearing authority.

4. Use of Mobile Home at Construction Sites

A commercial coach, mobile home, or other licensed vehicle used for the temporary housing of tools, equipment, or building assembly operations in connection with major construction projects or for providing public utility services during an emergency shall be permitted in any zoning district, with authorization by the Chief Building Inspector.

5. Use of Commercial Coaches as Temporary Offices

- a. A commercial coach may be used for a temporary office where such use is authorized in Table 3.2-B, "Allowed Uses in the Mixed Use, Commercial, and Industrial Zoning Districts," and provided that a permit is secured from the Chief Building Inspector.
- b. A commercial coach may be used for a temporary office in any other zoning district, where such use is incidental to a use other than a residential use permitted in said zoning district, provided that a Temporary Use Permit is first obtained from the Zoning Administrator and further provided that a permit is obtained from the Chief Building Inspector.

6. Use of Mobile Home for Night Watchmen Quarters

- a. A mobile home may be used as a residence for a night watchman in any commercial or industrial zoning district where such use is incidental to a temporary use permitted in said zoning district, provided a permit is secured from the Chief Building Inspector.
- b. A mobile home may be used as a residence for a night watchman in any other zoning district, where such use is incidental to a use other than a residential use permitted in said zoning district, provided that a Temporary Use Permit is first obtained from the Zoning Administrator and further provided that a permit is obtained from the Chief Building Inspector.

7. Use of Commercial Coach for Temporary Classrooms

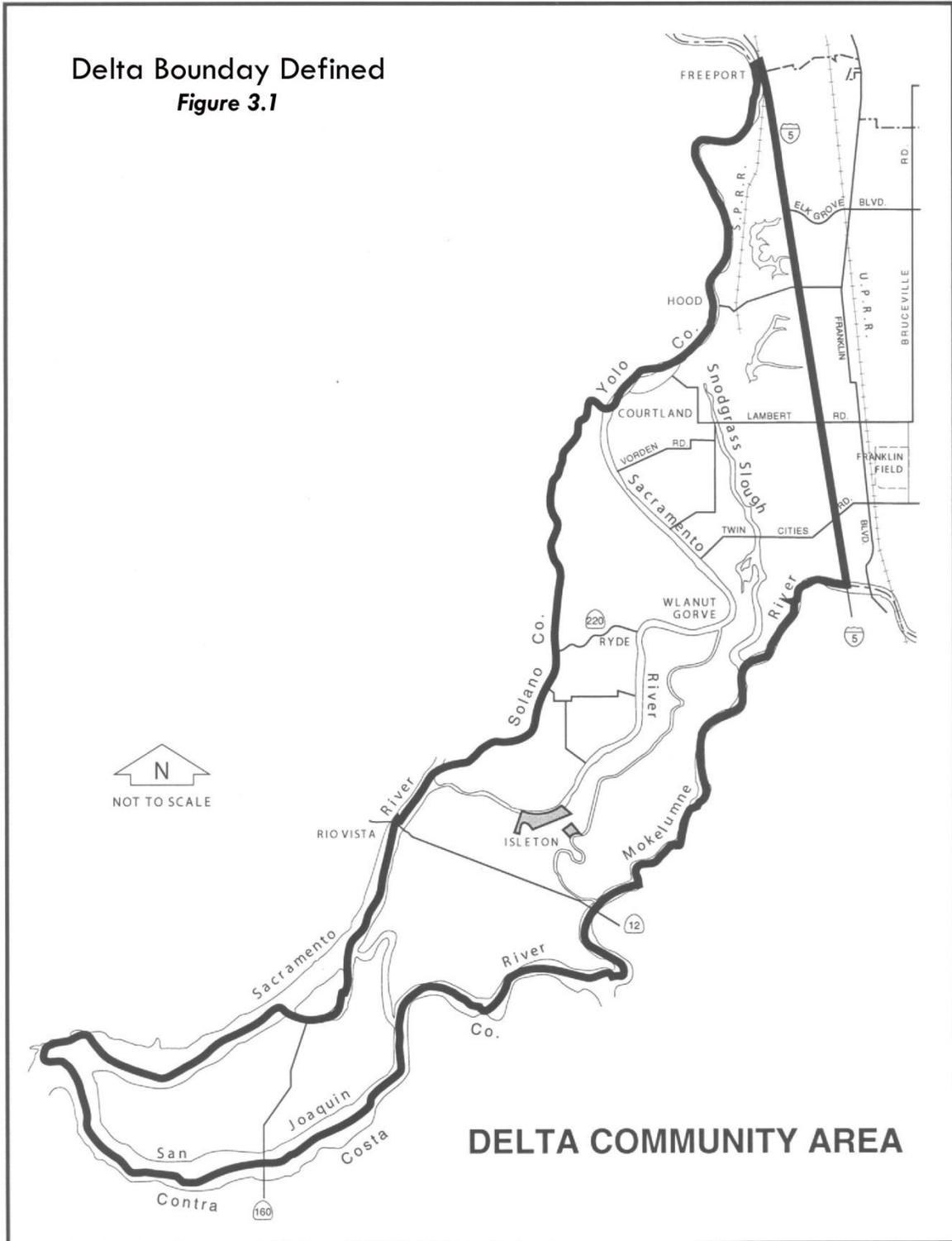
Commercial coaches may be used as temporary classrooms for private schools in any zoning district where private schools are permitted, provided that a Temporary Use Permit is obtained from the Zoning Administrator and further provided that a permit is obtained from the Chief Building Inspector.

8. Commercial Coaches for Temporary Commercial and Industrial Uses

- a. Commercial coaches may be considered as a temporary use for purposes of reconstruction of an existing permitted commercial or industrial use. Such commercial coaches shall:
 - (i) Not diminish the parking requirement or obstruct vehicular circulation,
 - (ii) Be within the buildable portion of the lot, and
 - (iii) Meet all other applicable development standards within said zoning district.
- b. If all applicable development standards in Section 3.10.3.H.8.a cannot be met, a Temporary Use Permit must be obtained by the Planning Director.
- c. Duration of stay for a commercial coach at approved location is six (6) months. The Zoning Administrator may extend the approval for a total duration of one (1) year. The commercial coach and its installation are subject to approval of the Chief Building Inspector and the issuance of all necessary building permits prior to installation on site. The applicant shall post a bond as established by the Building Inspection Division to insure removal by the end of the authorized period.

~~3.10.3.I. Short Term Shelter~~

~~A Short Term Shelter for the temporary housing of homeless and low-income persons at churches may be authorized by the Zoning Administrator in any zoning district. The Short Term Shelter may be used for up to 30 consecutive or nonconsecutive days in any given year. The maximum occupancy shall be 125 persons at any given time and occupancy shall comply with the Fire Code. Services shall only be offered between the hours of 3:00 p.m. and 9:00 a.m. A Temporary Use Permit may be issued by the Zoning Administrator for any proposal to exceed these criteria.~~



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