

# Sacramento County Zoning Code

Second Public Review Draft - August 2014



Department of Community Development

Division of Planning and Environmental Review  
Sacramento County, California



# SACRAMENTO COUNTY ZONING CODE

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## CHAPTER 1: GENERAL PROVISIONS

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### 1.1. TITLE AND EFFECTIVE DATE

This document shall be officially known as the Zoning Code of Sacramento County, and is referred to throughout this document as “this Code.” This Code shall become effective on \_\_\_\_\_ [effective date].

### 1.2. AUTHORITY

This Code is enacted pursuant to the authority established in the Constitution of the State of California, including Cal. Const. Article XI § 7, and all other powers authorized by state statutes and common law, including those for the regulation of land uses, land use planning and development, subdivision, environmental protection, police powers, and the power to abate nuisances.

### 1.3. PURPOSE OF THIS CODE

This Code is adopted to implement the policies of the Sacramento County General Plan, as may be amended from time to time, to preserve resources and to protect the public health, safety, and general welfare of the residents of Sacramento County. This Code is specifically intended to:

- Promote a balanced mix of land uses that are consistent with the General Plan;
- Ensure greater public safety, promote health and healthy communities, convenience, and accessibility through the physical design of the built environment and location of land use activities;
- Promote a healthful and convenient distribution of population by regulating and limiting the density of development;
- Encourage sustainable and efficient use of land in the County, including redevelopment of underutilized land in urbanized areas;
- Preserve the character and quality of residential neighborhoods;
- Promote a balanced supply of commercial, industrial, institutional, and transportation land uses that is compatible with adjacent land uses and has good access to transportation networks;
- Ensure the protection, preservation and provision of adequate open space for light, air, fire safety, and recreation; and
- Provide for the enforcement of the regulations of this Code.

## **1.4. APPLICABILITY AND JURISDICTION**

### **1.4.1. General Applicability**

This Code applies to all land, buildings, structures, and uses thereof located within Sacramento County outside of incorporated municipalities, unless an exemption is provided by or pursuant to the terms of this Code.

### **1.4.2. Application to Governmental Agencies**

To the extent allowed by law, the provisions of this Code shall apply to all land, buildings, structures, and uses owned, leased, or otherwise controlled by any municipal, district, county, state, or federal government agencies in Sacramento County. Where the provisions of this Code do not legally control such land, buildings, structures, and uses, such agencies are encouraged to meet the provisions of this Code.

### **1.4.3. Continuity of Provisions**

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

**1.5. DELEGATION OF ASSIGNED AUTHORITY**

- 1.5.1.** Whenever a provision of this Code authorizes the Planning Director, another head of a department, or another officer of the County to perform an act or duty, that provision shall be construed as authorizing the department head or officer to delegate that responsibility to others.
- 1.5.2.** Whenever a provision appears requiring a public hearing body to perform an act or duty, if that body is lapsed or otherwise unable to act in a timely manner as determined by the Board of Supervisors, then that provision shall be construed as authorizing the Board of Supervisors to delegate that responsibility to another public hearing body.

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## **1.6. OFFICIAL ZONING MAP**

### **1.6.1. General**

The boundaries of zoning districts established in this Code are delineated upon the Comprehensive Zoning Plan (CZP), adopted by the Board of Supervisors. The CZP is incorporated by reference as part of this Code, and shall be maintained on file in the office of the Planning Director. The boundaries of the zones as set forth on the CZP are confirmed, adopted, established and may be changed in accordance with this Code.

### **1.6.2. Interpretation of Zoning District Boundaries**

#### **1.6.2.A. Rules of Interpretation**

Where uncertainty exists with respect to any of the boundaries of the zoning districts, the following rules shall apply:

1. Where zoning district boundaries are indicated as approximately following the center line of streets, highways, roadways, alleys, railroad rights-of-way, municipal boundaries lines, stream bed or canal lines, or property lines, such lines shall be construed to be such boundaries.
2. No zoning district boundary shall be established to divide one lot into two or more districts unless approved by the Board of Supervisors.
3. In cases where the platted and physical rights-of-way do not coincide, the Planning Director shall determine the location of the zoning district boundary.
4. In un-subdivided property, zoning district boundaries shall be determined by use of the scale on the map. A legal description acceptable to the Planning Director shall be made available in the event of any dispute concerning zoning district boundaries.
5. Where a zoning district boundary is shown by specific dimension as being located at any given distance from any right-of-way line, such specific dimension shall govern.

## **1.7. RELATIONSHIP TO OTHER LAWS AND PLANS**

### **1.7.1. Relationship to Other Public Laws, Ordinances, Regulations, or Permits**

This Code is intended to complement other county, municipal, state, and federal regulations that affect land use. This Code is not intended to revoke or repeal any other public law, ordinance, regulation, or permit. However, where conditions, standards, or requirements imposed by any provision of this Code are either more restrictive or less restrictive than comparable standards imposed by any other public law, ordinance, or regulation, the provisions that are more restrictive or that impose higher standards or requirements shall govern, as determined by the Planning Director.

### **1.7.2. Relationship to General Plan**

It is the intent of this Code to implement the planning policies adopted by the Board of Supervisors for the County, as reflected in the Sacramento County General Plan.

### **1.7.3. Relationship to Other Adopted Project-Specific Zoning Ordinances**

Project-specific zoning ordinances provide regulations tailored to a specific area of the County that supplement or replace the general provisions of this Code. Project-specific ordinances include Planned Unit Developments, Specific Plans, Corridor Plans, Special Planning Areas, Neighborhood Preservation Areas, and other similar area-specific zoning ordinances.

**1.7.3.A.** Where the provisions of this Code differ from the provisions established within an area controlled by a project-specific zoning ordinance, the regulations of the project-specific zoning ordinance shall control.

**1.7.3.B.** Where a project-specific zoning ordinance is silent with regard to a requirement or standard contained in this Code, the regulations in this Code shall control.

**1.7.3.C.** Title IV of this Code, hereby incorporated by reference, contains all of those zoning districts considered to be temporary, and it is the intent to rezone each parcel of property to one of the permanent zoning districts, as defined by this Code, as community plans are updated.

**1.7.3.D.** Title V of this Code, hereby incorporated by reference, contains all of the adopted Special Planning Areas and Neighborhood Preservation Areas.

**1.7.3.E.** Title VI of this Code, hereby incorporated by reference, contains all of the adopted Specific Plans and Corridor Plans.

### **1.7.4. Relationship to Private Agreements**

This Code is not intended to revoke or repeal any easement, covenant, or other private agreement. However, where the regulations of this Code are more restrictive or impose higher standards or requirements than such easement, covenant, or other private agreement, then the requirements of this Code shall govern. Nothing in this Code shall modify or repeal any private covenant or deed restriction, but such covenant or restriction shall not excuse any failure to comply with this Code. In no case shall the County be obligated to enforce the provisions of any easements, covenants, or agreements between private parties.



**1.8. SEVERABILITY**

- 1.8.1.** If any court invalidates any provision of this Code, then such judgment shall not affect the validity and continued enforcement of any other provision of this Code.
- 1.8.2.** If any court invalidates the application of any provision of this Code, then such judgment shall not affect the application of that provision to any other building, structure, or use not specifically included in that judgment.
- 1.8.3.** If any court invalidates any condition attached to the approval of an application for development approval, then such judgment shall not affect any other conditions or requirements attached to the same approval, not specifically included in that judgment.

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## **1.9. NONCONFORMANCE**

### **1.9.1. General Provisions**

#### **1.9.1.A. Intent**

Within the zoning districts established by this Code or amendments that may later be adopted, existing lots, structures, and uses of land and structures exist that were lawful before this Code was passed or amended, but which may be prohibited, regulated, or restricted under the terms of this Code or future amendments. These nonconforming uses and structures are incompatible with permitted uses in the zoning districts and shall not be enlarged, expanded or extended. Furthermore, nonconforming uses shall be eliminated as soon as possible and shall not to be used as grounds for adding other structures or uses prohibited by this Code.

#### **1.9.1.B. Issued Building Permits**

To avoid undue hardship, nothing in this Code shall be deemed to require a change in the plans, construction, or designated use of any building for which a valid, unrevoked building permit has been issued by the Building Permits and Inspection Division. In most cases, construction or designated use of buildings shall begin no later than 60 days after the building permit has been first issued.

#### **1.9.1.C. Legal Nonconforming Uses**

Regardless of any other provision of this Code the following shall without further action be deemed legal nonconforming uses:

1. Any use for which a use permit or variance has been granted pursuant to a previous code or any other ordinance of the County subject to any conditions imposed at the time of said grant.
2. Any use for which a conditional use permit has been granted as provided by this Code.

#### **1.9.1.D. Uses, Structures, and Lots Rendered Nonconforming**

1. When a building, structure, or lot is used for a purpose that was a lawful use before the effective date of this Code, and this Code no longer classifies such use as an allowed use in the zoning district in which it is located, such use shall be considered nonconforming and shall be controlled by this Section.
2. Where any building, structure, or lot that legally existed on the effective date of this Code does not meet all standards set forth in this Code, such building, structure, or lot shall be considered nonconforming and shall be controlled by this Section.

### **1.9.2. Nonconforming Lots of Record**

#### **1.9.2.A. Residential Lots, Area**

In any residential zoning district, as defined in this Code, a single-family dwelling may be erected on an interior lot with an area of less than 5,200 square feet and a corner lot of less than 6,200 square feet subject to the following conditions:

1. The lot was recorded prior to July 11, 1956.
2. All yard requirements of the zoning district in which the lot is located are met.

3. Public water supply and public sewerage facilities are available.

#### **1.9.2.B. Residential Lots, Public Street Frontage**

In any residential zoning district, as defined in this Code, a single-family dwelling or mobile home may be erected on a legal lot not meeting the public street frontage requirement of the zoning district subject to the following conditions:

1. At least 20 feet of frontage exists and will be utilized as access, or
2. A private road from the lot to a paved public maintained street is used which meets the following standards:
  - a. Sixteen-foot wide, two (2) inch asphalt over four (4) inches aggregate base, including turnaround facilities when deemed necessary by the local fire district when only two primary dwellings would access the private drive.
  - b. Twenty-foot wide, two (2) inch asphalt over four (4) inch aggregate base, including turnaround facilities when deemed necessary by the fire district when more than two primary dwellings would access the private drive.
3. Irrevocable Offers of Dedication to a width(s) acceptable to the County Engineering Division are granted to conform to an existing or proposed public street system.
4. Project proponents who desire a lesser standard may apply for a Special Development Permit, pursuant to Section 6.4.6.

#### **1.9.2.C. Agricultural Residential Lots, Public Street Frontage**

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

1. At least 20 feet of frontage exists and will be utilized as access, or
2. A private road from the lot to a paved publicly maintained street is used which meets the following standards:
  - a. In cases where two or fewer primary homes will be served by the private drive the private drive will consist of four (4) inch aggregate base or equivalent to a width of 16 feet including adequate turnaround facilities when deemed necessary by the local fire district.
  - b. In cases where three or more primary homes will be served by the private drive, the private drive will consist of four (4) inch aggregate base or equivalent to a width of 20 feet including adequate turnaround facilities when deemed necessary by the local fire district.
3. Irrevocable Offers of Dedication to a width(s) acceptable to the County Engineering Division are granted to conform to an existing or proposed public street system.
4. Project proponents who desire a lesser standard may apply for a Special Development Permit, pursuant to Section 6.4.6.

**1.9.2.D. C-1, C-2, LC, and GC Commercial Zoning Districts**

In the C-1, Limited Commercial and C-2, General Commercial zoning districts, a side street yard may be less than 56 feet in depth subject to the following conditions:

1. The lot is less than 90 feet in width.
2. The lot was recorded as a separate parcel of property prior to July 11, 1956.
3. The lot abuts on a lot which is in the C-1, C-2, M-1 or M-2 zoning district.
4. The side street yard depth shall not be less than 25 feet. For rights-of-way with Public Utilities and Public Facilities Easement (PUPFs), the side street yard depth shall not be less than 31 feet.

**1.9.2.E. Residential, Agricultural-Residential, Agricultural and Recreational Zoning Districts**

1. In any AR-5, AR-10, AG-20, AG-40, AG-80, AG-160, A-5, or A-10 land use zoning district, or any of the above land use zoning districts with flood combining (F), or other overlay land use zone as defined in this Code, one single-family dwelling and accessory uses may be erected on the property notwithstanding the required lot area or lot width provisions of this Code, only if either:
  - a. The property satisfies all the following:
    - (i) The property is a single lot which was legally created and recorded prior to the effective date of the ordinance changing the property to one of said zoning districts,
    - (ii) The lot, as of January 15, 1988 was owned by an owner different from the owner of a lot or lots having a common boundary line with the single lot; and
    - (iii) The requirements of Section 1.9.2.E.3 are complied with; or
  - b. The property satisfies all of the following:
    - (i) The property is a group of lots, each of which was legally created and recorded prior to the effective date of the ordinance changing the property to one of said zoning districts,
    - (ii) The property consists of all of the lots having a common boundary line which were in the same ownership as of January 15, 1988, up to and including the minimum number of lots necessary to meet the lot area and lot width provisions of this Code for the zoning district in which the group of lots is located, and
    - (iii) The requirements of Section 1.9.2.E.3 are complied with.
2. In any AR-1, AR-2, residential, or recreation zoning district, as defined in this Code, a single-family dwelling and accessory uses may be erected on a single lot which was legally created and recorded prior to the effective date of the ordinance changing the property to one of said zoning districts, subject to the required lot area or lot width provisions of this Code and the requirements of Section 1.9.2.E.3.
3. Each lot described in Section 1.9.2.E.1.a and b and each group of lots described in Section 1.9.2.E.2 shall be deemed to be a legal nonconforming single-family dwelling site, subject to all yard requirements of the zoning district in which the lot

is located, provided that the lot contains a minimum one (1) acre gross area if neither public sewer nor public water is available. Accessory buildings, private stables and corrals, and accessory residential buildings shall be regulated pursuant to Section 3.9 and Section 5.4.5 of this Code.

4. The provisions of Section 1.9.2.E.1.a and b shall not apply to lots legally created after March 1972, pursuant to a land division created in compliance with the State Subdivision Map Act, provided the lot is a minimum one (1) gross acre in size.
  5. Existing legally established structures on parcels that do not meet the requirements of Sections 1.9.2.E.1 through 1.9.2.E.4 may be completely restored or rebuilt, provided all current development standards are maintained and upon issuance of the necessary building permits.
- 1.9.2.F.** Any lot or parcel which has been rezoned from A-1-A to A-1-B on or after April 17, 1974, and which at the time of the change in zoning complied with all of the requirements of A-1-A zoning district, shall be deemed to conform to the requirements of the A-1-B zoning district. The Board of Supervisors may adopt a resolution indicating the parcels or lots which are deemed to be conforming to the A-1-B zoning district pursuant to this Section. Upon adoption, the Resolution shall be binding on the administrative official designated by the Board, pursuant to Section 6.6.1.
- 1.9.2.G.** Any lot or parcel which has been zoned from A-1-B to A-2-B on or after April 17, 1974, and which at the time of the change in zoning complied with all of the requirements of the A-1-B zoning district, shall be deemed to conform to the requirements of the A-2-B zoning district. The Board of Supervisors may adopt a resolution indicating the parcels of lots which are deemed to be conforming to the A-2-B zoning district, pursuant to this Section. Upon adoption, the Resolution shall be binding on the administrative official, designated by the Board of Supervisors, pursuant to Section 6.6.1.
- 1.9.2.H.** In the RD-10 zoning district, as defined in this Code, a duplex may be erected on any legal lot not meeting the minimum area requirements of the zoning district, subject to Design Review by the Planning Director and the following conditions:
1. All yard requirements of the zoning district are met.
  2. Public water supply and public sewerage facilities are available.

### **1.9.3. Nonconforming Use of Land or Buildings**

#### **1.9.3.A. Continuation**

Except as provided in Section 1.9.3.B and subject to the provisions of Section 1.9.3.E, the nonconforming use of land or a conforming building or structure may be continued for a period of five (5) years, and thereafter upon issuance of a Certificate of Nonconforming Use, pursuant to Section 6.5.2 and subject to all of the following restrictions:

1. Such land use or building use shall not be expanded or extended in any way either on the same or adjoining land.
2. Such land use or building use shall not be changed, except to a use which conforms to the regulations of the zoning district in which such land or conforming building is located.

3. Notwithstanding the provisions of Section 1.9.1.B, if such use is discontinued for a period of more than 90 days, it shall not thereafter be re-established.
4. A conforming building or structure used in connection with a nonconforming use of land may be maintained or repaired subject to the limitation that any such repair or maintenance during any 12 consecutive month periods shall not exceed 25 percent of the current replacement cost of the conforming building or structure.
5. If the land use or nonconforming use of the building or structure requires either a general or special business license and such license is terminated pursuant to Section 4.02.065, 4.02.070 or 4.02.075 of the Sacramento County Code, such use shall not thereafter be continued.
6. A conforming building or structure used in connection with a nonconforming use of land may not be restored or remodeled unless the use of such building or structure conforms to the regulations of the zoning district in which the underlying land is located.

#### **1.9.3.B. Limitation**

Notwithstanding the provisions of Section 1.9.3.A, the nonconforming use of land shall be discontinued immediately in any of the following cases:

1. Where no buildings are employed in connection with such use; or
2. Where the only buildings employed are accessory or incidental to the principal use of the land and the replacement cost of such building does not exceed \$1,000.00.

#### **1.9.3.C. Lack of Required Off-Street Parking Space**

Where the automobile parking space maintained on a lot, in connection with a building or structure at the time this Code became effective, is insufficient to meet the requirements of this Code; or where no parking space has been provided, the building or structure shall not be altered or enlarged to create additional dwelling units, seating capacity, floor area, or guest rooms, as the case may be unless additional parking space is supplied. Refer to Section 5.9.1, "General Provisions" for off-street parking.

#### **1.9.3.D. Continued Occupancy of Mobile Homes**

Persons who have been authorized to occupy mobile homes as permanent dwellings on property in the unincorporated area of Sacramento County and who on September 22, 1971, lawfully occupied the mobile home shall be permitted to continue said occupancy at the same location on the property on which the mobile home is located. Mobile homes legally established may be replaced, provided, however, on parcels of land two (2) acres (gross) or smaller in size, the architectural standards set forth in Section 5.4.4 shall be met. Mobile homes or manufactured homes established in conformance to a Certificate of Mobile Home Compatibility issued by Sacramento County shall be considered legally conforming uses.

#### **1.9.3.E. Continuation of Nonconforming Use of Land or Building**

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

1. Such use was made nonconforming by a rezoning action initiated by the Board of Supervisors or by a Zoning Code amendment adopted by the Board of Supervisors.
2. Prior to the effective date of the action taken in Section 1.9.3.E.1, the use was a legally established use in conformance with the Zoning Code in effect at that time.
3. No complaints of any kind are pending before the Code Enforcement Division of the Department of Community Development regarding the property and no enforcement action of any kind is pending regarding the property. For purposes of this Section, "enforcement action" shall include, but not be limited to notices given by the Code Enforcement Division, stipulated judgments or other settlement documents requiring performance of some activity, and enforcement litigation. The pendency of any complaint or any action based solely on the nonconforming status of the property shall not be the basis for denial of the certificate.
4. If the use is one which is required by this Code to be located at least 500 or 1,000 feet from any residential, interim residential, estate, agricultural-residential, or agricultural land use zoning district, then the use shall meet the required distance from any such land use zoning district.
5. If the use is one for which a business license is required, a valid business license has been continuously held for the entire period it has been required.

A certificate may be issued subject to conditions reasonably related to making the current use conform to reasonable standards in the current zoning district. Conditions may include a term of expiration when deemed appropriate by the granting authority. A certificate may be revoked in the same manner as other entitlements as provided in Section 6.6. The use permitted by the certificate is subject to the restrictions set forth in Section 1.9.3.A.

#### **1.9.3.F. Continuation of Use of Land or Buildings Made Nonconforming Due to Distance Limitations**

Notwithstanding the provisions of Section 1.9.3.A, the use of land or a conforming building which is subject to a distance separation requirement from other specified uses that was legally established, but has been rendered nonconforming as a result of an incompatible use being established within the prescribed distance separation requirement, may continue subject to all of the following restrictions:

1. Such land use or building use shall not be expanded or extended in any way either on the same or adjoining land.
2. Such land use or building use shall not be changed, except to a use which conforms to the regulations of the zoning district in which the land use is located.
3. Notwithstanding the provisions of Section 1.9.3.A, if the nonconforming use is discontinued for a period of more than 90 days, it shall not thereafter be re-established.
4. A conforming building or structure, used in connection with a nonconforming use of land, may be maintained or repaired, subject to the limitation that any such repair or maintenance during any 12 consecutive month period shall not exceed 25 percent of the current replacement cost of the conforming building or structure.

5. If the use requires either a general or special business license and such license is terminated pursuant to Section 4.02.065, 4.02.070 or 4.02.075 of the Sacramento County Code, such use shall not thereafter be continued.
6. A conforming building or structure, used in connection with a nonconforming use of land, may not be restored or remodeled unless the use of such building or structure conforms to the regulations of the zoning district in which the underlying land is located.

### **1.9.3.G. Alcohol Sales**

Establishments that serve beer, wine and/or distilled spirits, and have obtained a special license for that purpose from the Department of Alcoholic Beverage Control (ABC), if lawfully established, shall be considered a permitted use, and shall not be required to obtain a Certificate of Nonconforming Use pursuant to Section 1.9.3.A, above. In the event that the type of ABC license for the address of the establishment is changed, the ABC license is transferred to a different address, or the use itself is expanded in any way, the use shall be subject to the regulations set forth in Table 3.1, Chapter 3.

## **1.9.4. Nonconforming Buildings and Structures**

### **1.9.4.A. Repair and Maintenance**

A nonconforming building or structure may be maintained or repaired; however, for any period of 12 consecutive months, such repair and maintenance shall not exceed 25 percent of the current replacement cost of the nonconforming building or structure. The criteria for determining the replacement cost may include the linear length of all existing walls (interior and exterior), square footage of the building, percentage of altered construction, actual construction valuation as determined by a California licensed appraiser, or any combination of the above.

### **1.9.4.B. Enlargements**

A building or structure, nonconforming as to use, lot area, or yard width or depth regulations, may be added to or enlarged upon a determination by the Planning Director that the proposed addition or enlargement thereto will meet the regulations of the zoning district in which it is located (e.g., a bedroom addition will meet all setback requirements), and the requirements of the Building Code. The remainder of the building or structure may remain nonconforming, and shall not preclude the proposed enlargement.

### **1.9.4.C. Relocation**

A nonconforming building shall not be moved to any other lot or to any other portion of the lot on which it is presently located unless as a result of the move the building shall conform to the regulation of the zoning district in which it will be located after the move.

### **1.9.4.D. Restoration**

This Section shall apply to all restoration of nonconforming buildings, structures, and bridges with the exception of those located within the Natural Streams zoning district. A nonconforming building or structure which is damaged or partially destroyed to the extent of not more than 50 percent of its value at that time, may be restored and the occupancy or use of such building, structure or part thereof, which existed at the time of



such partial destruction, may be continued or resumed, provided the total cost of such restoration does not exceed 50 percent of the value of the building or structure at the time of such damage and such restoration is started within a period of one year and is diligently prosecuted to completion. Value may be determined using the same criteria to determine replacement cost in Section 1.9.4.A, above. In the event such damage or destruction exceeds 50 percent of the value of such nonconforming building or structure, no repair or reconstruction shall be made unless every portion of such building or structure is made to conform to all regulations for new buildings. **For Single-family Dwellings and Residential Accessory Structures, the criteria for determining the reconstruction of more than 50 percent of a building may include the linear length of all existing walls interior and exterior or square footage of the building.**

**1.9.4.E. Single-family Residences without Public Street Frontage**

Any single-family residence constructed prior to January 1, 1979, on a lot or parcel without the required public street frontage, shall be a legal conforming building, provided that such building conforms in all other respects to the provisions of this Code and the Sacramento County Code in effect on that date.

**1.9.5. Nonconforming Signs**

**1.9.5.A. Application**

Nonconforming signs shall be regulated by the provisions of this Section.

**1.9.5.B. Extent of Regulation**

The provisions of this Section shall apply to all zoning districts and Special Sign Corridors established at the effective date of this Code or thereafter established by amendment.

**1.9.5.C. Continuation**

Except as otherwise provided in this Section, any sign lawfully in use on the effective date of this Code may continue to be used for a period of five years. Any sign which becomes nonconforming because of an amendment of this Code may continue to be used for a period of five years from the effective date of such amendment.

1. Signs for nonconforming uses of land or buildings continuing beyond five years under the provisions of Section 1.9.3.B, "Limitation," which are now located in an Agricultural, Agricultural-Residential, Residential, Interim Agricultural Holding, Interim Agricultural, Interim Estate, Interim Residential, or Interim Residential Townhouse zoning district, may have signs subject to a use permit by the Zoning Administrator.

**1.9.5.D. Alteration and Maintenance of Nonconforming Signs**

Nonconforming signs shall be kept in good repair and visual appearance during the five year period the sign may be used. Structural alterations or modifications of any nonconforming sign are prohibited. Structural repair resulting in same size and shape is permitted subject to the provisions of Title 18 of the Sacramento County Code.

**1.9.5.E. Removal or Modification as a Condition of Rezoning**

The Board of Supervisors may, as a condition of rezoning, require any nonconforming sign to be removed or altered so as to comply with the provisions of the new zoning district classification.

**1.9.5.F. Nonconforming Directory Pole Signs**

A directory pole sign, which becomes nonconforming because of the removal of advertising copy, may be made a conforming non-directory pole sign if a use permit is granted by the Planning Commission after application and public hearing.

**1.9.5.G. Abatement**

Nonconforming signs in existence beyond five years, as provided for by Section 1.9.5.C, are hereby illegal signs and a public nuisance and shall be abated as provided for in Title 18 of the Sacramento County Code.

**1.9.5.H. Exception for Off-Site Signs**

Off-site signs, except directional subdivision signs and regional directional subdivision signs in industrial and commercial zoning districts that were lawfully erected pursuant to the Zoning Code in effect immediately prior to December 26, 1985 and which do not comply with Ordinance No. SZC85-124 shall be nonconforming signs, subject to the remedies in Business and Professions Code Section 5412. The failure to have a conditional use permit for an off-site sign as of December 26, 1985, shall not, by itself, cause a sign to become nonconforming.

**1.9.6. Nonconforming Walls and Fences****1.9.6.A. Walls and Fences Seven Feet or Less in Height**

See Section 5.2.5.F.

**1.9.6.B. Walls and Fences Over Seven Feet in Height**

Any wall or fence over seven (7) feet in height shall be considered a “structure”, and shall meet the provisions of Section 1.9.4, pertaining to nonconforming buildings and structures.

## CHAPTER 2: ZONING DISTRICTS

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### **2.1. GENERAL**

#### **2.1.1. Purpose**

To carry out the purpose and provisions of this Code, the County is divided into zoning districts. This chapter establishes the base zoning districts and contains general information pertaining to zoning districts such as statements of purpose and district-specific regulations. Chapter 3, "Use Regulations," sets forth the uses and use standards allowed within the districts. Chapter 4, "Special and Combining Zoning Districts" establishes zoning districts in which additional standards may apply. Chapter 5, "Development Standards" contains standards that apply to development in the zoning districts.

#### **2.1.2. Applicability**

No building, structure, vehicle, sign, or area shall be used, altered, moved, enlarged, or stored in any zoning district except as specifically allowed in underlying zoning district and by the regulations of any applicable combining district.

#### **2.1.3. Prohibition**

No property in any zoning district shall be used in any manner so as to create problems unfavorable to public health, safety, or general welfare or so as to constitute a public nuisance.

#### **2.1.4. Sequence of Zoning Districts**

##### **2.1.4.A. Intermediate Zoning District Classifications**

Within each major Section of this Chapter, the zoning districts are listed in sequence for the purpose of determining the intermediate zoning district. The Planning Commission may recommend a zoning district classification to the Board of Supervisors intermediate to the existing zoning district and the zoning district classification sought by the applicant. The sequences in this Chapter are independent and are in the order of intensity, ranging from the least intense at the top of each sequence to the most intense at the bottom. The Planning Commission may recommend an intermediate zoning district classification between two zoning districts within a particular sequence, or may recommend a less intense zoning district in the sequence containing the zoning district advertised in the notice of public hearing. For example, R-2A is intermediate to R-2 and R-3; BP is intermediate to GC; R-3 however, is not intermediate to BP since the latter is in a different sequence from the advertised zoning district.

##### **1. Agricultural Land Use Zoning District Sequence**

- a. AG-160
- b. AG-80
- c. AG-40
- d. AG-20

##### **2. Agricultural-Residential Land Use Zoning District Sequence**

- a. AR-10

- b. AR-5
- c. AR-2
- d. AR-1

### **3. Residential Land Use Zoning District Sequence**

- a. RD-1
- b. RD-2
- c. RD-3
- d. RD-4
- e. RD-5
- f. RD-7
- g. RD-10
- h. RD-15
- i. RD-20
- j. RD-25
- k. RD-30
- l. RD-40
- m. RM-2

### **4. Commercial Land Use Zoning District Sequence**

- a. BP
- b. LC
- c. GC
- d. C-O

### **5. Industrial Land Use Zoning District Sequence**

- a. M-1
- b. M-2
- c. M-P

### **6. Mixed-Use Land Use Zoning District Sequence**

- a. NMC
- b. CMC
- c. CMZ

#### **2.1.4.B. Flood Combining Land Use Zoning District**

The Flood Combining Zoning District may be recommended to the Board of Supervisors if during the hearing before the Planning Commission, the Sacramento County Department of Water Resources provides evidence indicating that all or part of the

property falls within a floodplain identified by the Federal Emergency Management Agency or some other applicable Water Agency source.

#### **2.1.4.C. Interim Zoning District Sequences**

The following sequences apply to interim zones only. No interim zoning district shall be considered intermediate and land use zoning district, nor vice versa.

##### **1. Agricultural Sequence**

- a. A-80
- b. A-20
- c. A-10
- d. A-5
- e. A-2
- f. A-1-A

##### **2. Estate and Residential Sequence**

- a. RE-3
- b. RE-2A
- c. RE-2
- d. RE-1
- e. R-1-A
- f. R-2
- g. R-2A
- h. R-3

#### **2.1.4.D. Nonintermediate Land Use Zoning Districts**

The land use zoning districts listed in this Section are not intermediate to any other zoning classification and the Planning Commission shall not recommend any of the following zoning districts to the Board of Supervisors unless the zoning district classification was included in the public notice: SC, AC, TC, O, C-O, RM-2, PC, SM, NPA, SPA, DW, UR, RR, IR, FP, NS, and MHP. If property already carries a combining zoning district designation, the underlying zoning district may be changed without affecting the combining zoning district and such combining zoning district shall remain on the property unless a request to remove combining zoning district was included in the public hearing notice.

#### **2.1.5. Abbreviations**

Throughout this Code, zoning districts listed in this Chapter may be referred to and cited by use of the abbreviation thereof.

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## **2.2. COMPREHENSIVE ZONING PLAN**

### **2.2.1. General**

The boundaries of zoning districts established in this Code are delineated upon the Comprehensive Zoning Plan (CZP), adopted by the Board of Supervisors. The CZP is incorporated by reference as part of this Code, and shall be maintained on file in the office of the Planning Director. The boundaries of the zones as set forth on the CZP are confirmed, adopted, established and may be changed in accordance with this Code. The following documents containing zoning ordinances and other adopted documents supplement the CZP, and are also maintained on file in the office of the Planning Director:

- Appendix A of this Code, hereby incorporated by reference, contains all of the adopted Planned Unit Development Ordinances and Development Agreements.
- Title IV of this Code, hereby incorporated by reference, contains all of those zoning districts considered to be temporary and it is the intent to rezone each parcel of property to one of the permanent zoning districts, as defined by this Code, as community plans are updated.
- Title V of this Code, hereby incorporated by reference, contains all of the adopted Special Planning Areas and Neighborhood Preservation Areas.
- Title VI of this Code, hereby incorporated by reference, contains all of the adopted Specific Plans and Corridor Plans.

**2.3. COMBINING ZONE DISTRICTS**

**2.3.1. Purpose**

The Special and Combining Zoning Districts established in this Chapter are designed to promote and protect the public health, safety, and general welfare and are adopted for the following purposes:

- To provide for the orderly development and beneficial use of lands involving exceptional environmental characteristics.
- To preserve and enhance certain resources of the county from incompatible land uses.
- To preserve and protect areas of the county with special and unique social, architectural, or environmental characteristics that require special considerations not otherwise adequately provided by regular zoning districts.

To provide greater flexibility in design than is otherwise provided under the regular zoning districts, to permit and encourage a more efficient development and utilization of areas with unique characteristics, resources, environmental factors and conditions; while preserving and protecting the public interest, health, safety, welfare, and property values

**2.3.2. Table of Combining Zone Districts**

The following are the Combining Zone Districts for Sacramento County:

<b>TABLE 2.2: Table of Combining Zoning Districts</b>		
<b>Zoning District Name</b>	<b>Abbreviation</b>	<b>Purpose and District Summary</b>
Flood Combining	F	This zoning district is combined with the base zoning district and applies to those areas designated as subject to flooding in the event of a 100-year flood upon a recommendation by the Sacramento County Department of Water Resources. Any new or altered building designed for human habitation must have its first floor elevated as required by the Sacramento County Floodplain Management. If public water and sewer are not available, a minimum of 1 acre per lot is required.
Food Processing Combining	FP	This zoning district is combined with the base zoning district and provides for the location in agricultural areas of food processing industries which require extensive use of land for wastewater disposal. Adverse environmental impacts are minimized and agricultural productivity is enhanced and protected by the standards of this zoning district.

<b>TABLE 2.2: Table of Combining Zoning Districts</b>		
<b>Zoning District Name</b>	<b>Abbreviation</b>	<b>Purpose and District Summary</b>
Mobile Home Park Combining Zoning District	MHP	This zoning district is combined with the base zoning district and provides opportunities for a variety of mobile home park environments that are compatible with the communities in which they are placed.
Natural Streams Combining Zoning District	NS	This zoning district is combined with the base zoning district and is used to regulate property along the designated Natural Streams within the unincorporated area of the County to:
Neighborhood Preservation Area Combining Zoning District	NPA	This zoning district is combined with the base zoning district and provides a means by which regulations may be provided to supplement or modify the provisions in the basic zoning districts as necessary to preserve existing unique characteristics. An NPA zoning district may be combined with any other zoning classification.
Parkway Corridor Combining	PC	This zoning district is combined with the base zoning district and applied to property in areas on which uses may affect the aesthetics of the American River Parkway. This combining zoning district has been established to limit uses that visually impact the parkway. Recently, the bluff areas have begun to erode significantly and the combining zoning district contains development standards to provide safety for developments occurring near the tops of the bluffs.



## 2.4. AGRICULTURAL ZONING DISTRICTS

### 2.4.1. General Purpose

The Agricultural Zoning Districts are established to promote and protect the public health, safety, and general welfare. Each of the agricultural zoning districts is distinguished by minimum lot size and is adopted for the following purposes:

- To eliminate the encroachment of land uses incompatible with the long term agricultural use of land.
- To preserve the maximum amount of the limited supply of agricultural land in order to conserve the County's economic resources that are vital for a healthy agricultural economy within the County.
- To discourage the premature and unnecessary conversion of agricultural land to urban uses and resulting increase in the costs of providing community services.
- To assure the preservation and sustainability of agricultural lands that have a definite value as open space and for the production of agricultural products, so as to preserve an important physical, social, aesthetic, and economic asset of the residents of the County.
- To encourage the retention of sufficiently large agricultural lots to assure maintenance of viable agricultural units.
- These purposes shall be liberally construed insofar as they apply to agricultural pursuits and services to the end that conflicting uses shall not be permitted.

### 2.4.2. Table of Agricultural Zoning Districts

**TABLE 2.3: Table of Agricultural Zoning Districts**

Name of Zoning District	Abbreviation	Zoning District Summary	Purpose
Agricultural 160	AG-160	160 acres; permits one single-family residence per parcel, all agricultural uses, accessory dwellings for agricultural employees; most institutional uses allowed with a use permit	Promote the long-term agricultural use and discourage the premature and unnecessary conversion of agricultural land to urban uses.
Agricultural 80	AG-80	80 acres; same Permitted uses as AG-160	Same as AG-160
Agricultural 40	AG-40	40 acres; same permitted uses as AG-160	Same as AG-160
Agricultural 20	AG-20	20 acres; size in this district is based on anticipated agricultural use of this land and is highly dependent upon soils	Same as AG-160

<b>TABLE 2.3: Table of Agricultural Zoning Districts</b>			
<b>Name of Zoning District</b>	<b>Abbreviation</b>	<b>Zoning District Summary</b>	<b>Purpose</b>
Urban Reserve	UR	20 acres; agricultural zoning district, permits single-family uses	Reserved for urban development at some future date
Interim Agricultural Reserve	IR	20 acres; agricultural zoning district; permits single-family uses	Reserved for future industrial use at some future date

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## 2.5. AGRICULTURAL - RESIDENTIAL ZONING DISTRICTS

### 2.5.1. General Purpose

The Agricultural-Residential Zoning Districts established in this Section are designed to promote and protect the public health, safety, and general welfare. Each is distinguished by minimum lot size and is adopted for the following purposes:

- To establish living areas within the County where development is limited to low density concentrations of single-family dwellings.
- To limit the number of permitted nonresidential uses so as to promote and encourage a suitable environment for family life on parcels of land larger than generally is provided in residential zoning districts.
- To protect estate areas against fire, explosions, and other hazards and against offensive noises, odors, glare, and other objectionable influences.
- To provide adequate open space and access of light and air for privacy by controls over the spacing and height of buildings.
- To permit those religious, educational, recreational, and public cultural facilities that serve the needs of the nearby residents and that generally perform their own activities more effectively in a residential environment and that do not create objectionable influences.
- To promote the most desirable use of land and direction of building development in accord with the General Plan, to promote stability and sustainability of land development, to conserve the value of land and improvements and to protect the County's tax revenues.
- To regulate the development of land when not served with both public water supply and public sewerage facilities.
- To avoid undue concentration of population and overcrowding of land to lessen congestion in the streets.

**2.5.2. Table of Agricultural-Residential Zoning Districts**

<b>TABLE 2.4: Table of Agricultural-Residential Zoning Districts</b>			
<b>Name of Zoning District</b>	<b>Abbreviation</b>	<b>Zoning District Summary</b>	<b>Purpose</b>
Agricultural-Residential 10	AR-10	10 acres	Allows the keeping of animals and raising of crops for educational, recreational, or income purposes
Agricultural-Residential 5	AR-5	5 acres; same permitted uses as AR-10 except hog farms and feedlots are not allowed	Same as AR-10
Agricultural-Residential 2	AR-2	2 acres; same permitted uses as AR-10 except hog farms and feedlots are not allowed	Same as AR-10
Agricultural-Residential 1	AR-1	1 acre; same permitted uses as AR-10 except hog farms and feedlots are not allowed	Same as AR-10

## 2.6. RESIDENTIAL ZONING DISTRICTS

### 2.6.1. General Purpose

The Residential Zoning Districts are established to promote and protect the public health, safety, and general welfare. Each is distinguished by minimum lot size and is adopted for the following purposes:

- To provide sufficient space in appropriate locations for residential development to meet the housing needs of the County's present and expected future population with due allowance for the need for a choice of sites.
- To protect residential areas against fire, explosions, toxic and noxious matter, and other hazards, and against offensive noise, odorous matter, glare, and other objectionable influences.
- To protect residential areas, as far as possible, against heavy and through traffic.
- To protect residential areas against congestion by regulating the density of population, and the bulk of buildings in relation to the land around them and to one another; designing roadways that incorporate active transportation and encourage walking and bicycling through a network of interconnected streets, sidewalks and bike lanes; providing for off-street parking spaces to require the provisions of open space in residential areas wherever practicable, and thereby provide a more desirable, active environment for urban living in a metropolitan area.
- To provide for access of light and air and for privacy, by controls over the spacing and height of buildings and other structures.
- To provide appropriate space for those educational, religious, recreational, health, and similar facilities that serve the needs of the nearby residents, to generally perform their own activities more effectively in a residential environment, and do not create objectionable influences.
- To encourage the development of desirable, active, more attractive and economic building forms.
- To promote the most desirable use of land and direction of building development in accord with the General Plan; consider human health and design activity and sustainability in new developments and neighborhoods; to promote stability of residential development so as to protect the character of a district and its peculiar suitability for particular uses; to conserve the values of land and buildings; and to protect the County's tax revenues.
- To provide for the parking and storage of major recreational equipment within designated open spaces.
- To provide for state authorized, certified, or licensed family care homes, foster homes, or group homes as a residential use of property.

**2.6.2. Table of Residential Zoning Districts**

<b>TABLE 2.5: Table of Residential Zoning Districts</b>		
<b>Name of Zoning District</b>	<b>Abbreviation</b>	<b>Purpose and Zoning District Summary</b>
Residential 1	RD-1	Similar to AR-1, except general agricultural uses such as beekeeping, row crops, and gas wells are not permitted in this zoning district. Incidental agricultural uses, including the keeping of horses is permitted.
Residential 2	RD-2	Same as RD-1, except a minimum lot size of 20,000 square feet, with minimum lot width of 75 feet is permitted if either public water or sewage facility or both is in use.
Residential 3	RD-3	Same as RD-1, except a minimum lot size of 10,000 square feet, with minimum lot width of 65 feet is permitted if either public water or sewage facility or both is in use. Keeping of horses is permitted only if the lot area is 20,000 square feet or larger.
Residential 4	RD-4	Same as RD-3, except that a minimum lot area of 8,500 square feet is permitted if either public water or sewage facility or both is in use. Convenience centers are permitted, subject to issuance of a use permit. Minimum lot width and public street frontage is 65 feet.
Residential 5	RD-5	Most widely used single-family residential zoning district where public water supply and public sewage facilities are both in use. Minimum interior lot sizes are 5,200 square feet and corner lots 6,200 square feet. Duplexes are permitted with a minimum lot size of 8,500 square feet on corner lots and subject to the issuance of a use permit. Incidental agricultural uses are permitted on lots of 20,000 square feet or larger. Certain type of business and professional office uses when in scale and oriented to neighborhood and convenience centers are subject to issuance of a use permit.
Residential 7	RD-7	Single-family zoning district with interior lot size of 4,000 square feet and corner lots of 5,200 square feet. Zero lot lines can be used in this zoning district. Duplexes are permitted on 8,500-square-foot corner lots and on interior lots of 6,200 square feet with issuance of a use permit.

<b>TABLE 2.5: Table of Residential Zoning Districts</b>		
<b>Name of Zoning District</b>	<b>Abbreviation</b>	<b>Purpose and Zoning District Summary</b>
Residential 10	RD-10	Most common duplex zoning district, although other multifamily uses are permitted with a use permit. A maximum of 10 dwelling units per net acre is allowed. Single-family interior lots require 4,000 square feet, and corner lots require 5,200 square feet. Duplexes are permitted on minimum 7,200-square-foot corner lots and on interior lots of 6,200 square feet. Multifamily projects are permitted on minimum 6,200-square-foot corner lots and on interior lots of 5,200 square feet.
Multiple Family Residential 15	RD-15	Multifamily zoning district with maximum density of 15 dwelling units per acre; all multifamily zoning districts have the same permitted uses. Incidental agricultural uses are allowed only with issuance of a use permit. Minimum lot size is the same as for RD-10 with a minimum lot width and public street frontage of 52 feet.
Multiple Family Residential 20	RD-20	Same as RD-15, except allowing a maximum density of 20 dwelling units per acre.
Multiple Family Residential 25	RD-25	Same as RD-15, except allowing a maximum density of 25 dwelling units per acre.
Multiple Family Residential 30	RD-30	Same as RD-15, except allowing a maximum density of 30 dwelling units per acre.
Multiple Family Residential 40	RD-40	Same as RD-15, except allowing a maximum density of 40 dwelling units per acre.
Mobile Home Subdivision	RM-2	Mobile home subdivision with a minimum lot size of 5,200 square feet. The primary permitted use is a mobile home on an individually-owned parcel, similar in size to those found in typical single-family residential subdivisions. Yard requirements are 25 feet for front yard, 20 feet for rear yard, and 5, 7, or 10 feet for side yard. Minimum lot width and public street frontage is 52 feet.

## 2.7. RECREATION ZONING DISTRICTS

### 2.7.1. General Purpose

The Recreation Zoning Districts are established to promote and protect the public health, safety, and general welfare and are adopted for the following purposes:

- To preserve the open space and other areas of unusual scenic beauty and recreational potential that are unique to Sacramento County and California and to protect the physical, social, recreational, aesthetic, and economic resources that are of great value to the people of Sacramento County and to the public generally.
- To protect the scenic and recreational areas within Sacramento County, whenever feasible, from urban development and other types of development that jeopardize the values of these areas.
- To apply the regulations hereby established in this Chapter to such open space and scenic areas, waterways, and other areas of recreational value, and to promote and protect the general welfare by contributing to the physical, mental, social, and economic well-being of the people of Sacramento County.
- To encourage and protect the County's growing tourist and recreation resources.

### 2.7.2. Table of Recreation Zoning Districts

<b>Name of Zoning District</b>	<b>Abbreviation</b>	<b>Zoning District Summary</b>
Recreation Reserve	RR	Recreation reserve zoning district. Agricultural, single-family residential, some agriculturally-related commercial, and some institutional uses are permitted, subject to the issuance of a conditional use permit. Minimum lot area is 20 acres and 5 acres per accessory dwelling unit.
Recreation	O	Recreation zoning district, permitting public park facilities and wildlife preserves. Agricultural, single-family residential, some agriculturally-related commercial, and some institutional uses are permitted, subject to the issuance of a conditional use permit. The minimum lot area is 3 acres with minimum lot width of 20 feet. Public street frontage is not required.
Commercial Recreation	C-O	Recreation zoning district, permitting a wide range of recreation-oriented uses most of which require a use permit. Permitted uses include: marinas, restaurants, travel trailer parks, and resorts. Minimum lot area is 6,000 square feet where either but not both public water and sewerage facilities are in use and one acre when neither facility is available.



## 2.8. MIXED USE ZONING DISTRICTS

### 2.8.1. General Purpose

The mixed use zoning districts are intended to provide for and allow a mixture of residential and non-residential uses on one or more parcels as an integrated development. Mixed use development patterns allow people to drive less if they choose and make it easier for people to walk, bike and use transit to reach destinations. Mixed use development also adds to the creation of vibrant places. In addition to the general purpose for mixed use zoning districts, the specific purpose of each mixed use zoning district is established in Section 2.8.2.

### 2.8.2. Table of Mixed Use Zoning Districts

<b>Name of Zoning District</b>	<b>Abbreviation</b>	<b>Purpose and Zoning District Summary</b>
Neighborhood Mixed-Use Center	NMC	The Neighborhood Mixed-Use Center zoning district is intended to allow for small, neighborhood-scale, village center type mixed-use areas, providing neighborhood-serving commercial uses within neighborhoods that contain a mix of predominantly medium- to high-density housing. Residential is optional as part of the mix of uses.
Community-Regional Mixed-Use Center	CMC	The Community-Regional Mixed-Use Center zoning district is intended to allow transit-oriented, commercial or mixed-use development in horizontal and vertical formats along the County's major commercial corridors and within a one-quarter mile radius of existing or future transit stops. Residential is optional as part of the mix of uses.
Corridor Mixed-Use	CMZ	The Corridor Mixed-Use Zone district is intended to promote the orderly and gradual infill of residential and neighborhood-serving commercial mixed-use development along linear corridor areas that are located within a one-quarter to one-half mile distance to a commercial or mixed-use center or transit stop. Residential is required as part of the mix of uses.

## 2.9. COMMERCIAL ZONING DISTRICTS

### 2.9.1. General Purpose

The Commercial zoning districts are established to promote and protect the public health, safety, and general welfare. In addition to the following general purposes for commercial zoning districts, the specific purpose of each commercial zoning district is established in Section 2.9.2.

- To provide sufficient space, in appropriate locations in proximity to residential areas, for local retail development catering to the regular shopping needs of the occupants of nearby residences with due allowance for the need for a choice of sites.
- To provide appropriate space to satisfy the needs of modern local retail development, including the need for off-street parking spaces in areas to which a large proportion of shoppers come by automobile.
- To protect both local retail development and nearby residences against congestion, particularly in areas where the established pattern is predominantly residential but includes local retail uses by regulating the intensity of local retail development.
- To provide sufficient and appropriate space and, in particular, sufficient depth from the street to meet the needs of the County's expected future economy for modern commercial floor space in major commercial centers, including the need for off-street parking space in areas where a large proportion of customers come by automobile.
- To protect commercial development against fire, explosions, toxic and noxious matter, radiation, and other hazards, and against offensive noise, vibration, smoke, dust, and other particulate matter, odorous matter, heat, humidity, glare, and other objectionable influences.
- To promote the most desirable use of land and direction of building development in accord with the General Plan, to promote stability and sustainability of commercial development, to strengthen the economic base of the County, to protect the character of the zoning district and its peculiar suitability for particular uses, to conserve the value of land and buildings, and to protect the County's tax revenues.
- To protect residential areas from incompatible commercial uses by controlling the locations and design of commercial areas.
- To incorporate access and connectivity with the surrounding area, while also providing safe and attractive walkable networks internal to the commercial development.
- To promote attractive landscaping that contributes to the community's health, image, pedestrian safety, access and comfort.
- To advance a built environment that promotes and supports access to locally-grown fresh food, parks, schools, shopping, jobs, health care, and community services.

- To provide safe, convenient opportunities to purchase local fresh fruits and vegetables by ensuring that sources of healthy foods are accessible to neighborhoods, particularly those urbanized neighborhoods located within one-half mile of a transit priority area.

## 2.9.2. Table of Commercial Zoning Districts

<b>TABLE 2.8: Table of Commercial Zoning Districts</b>			
<b>Name of Zoning District</b>	<b>Abbreviation</b>	<b>Zoning Summary</b>	<b>Purpose</b>
Business Professional Office	BP	The BP zoning district generally permits office building and related uses such as banks, libraries, doctor's offices, general business office, and general uses.	To provide an area for business and professional office and compatible related uses. This zoning district is intended to promote a harmonious development of business and professional office areas with adjacent commercial or residential development.
Light Commercial	LC	The LC zoning district permits a wide spectrum of commercial uses, ranging from apartments (with use permit) to grocery stores, to minor auto repair shops.	To provide an area that will offer a wide choice of retail goods and services in locations where individual small lots are desired. It is intended that this zoning district be used in those locations along major streets and in commercial subdivisions where unlimited commercial uses are not appropriate or would not be compatible with the surrounding development.
General Commercial	GC	The GC zoning district permits a broad range of commercial uses, including more intense use such as small warehousing operations, auto repair shops, and truck service stations.	To provide an area for the general commercial and heavier types of commercial uses that would not be appropriate in the more restrictive commercial districts. It is intended that this district be used in appropriate locations along major streets or in commercial subdivisions where the uses permitted would not adversely affect the surrounding properties.

## 2.10. INDUSTRIAL ZONING DISTRICTS

### 2.10.1. General Purpose

The Industrial zoning districts established in this Chapter are designed to promote and protect the public health, safety, and general welfare. In addition to the following general purposes for commercial zoning districts, the specific purpose of each commercial zoning district is established in Section 2.10.2.

- To provide sufficient space in appropriate locations to meet the County's present and future needs for all types of industrial and related activities, with due allowance for the need of a choice of sites.
- To provide, as far as possible, that such space will be available for use for industrial and related activities, and to protect residential, agricultural, and other nonindustrial uses by separating them from industrial activities and by prohibiting the use of such space for residential or other nonindustrial activities.
- To encourage industrial development that is free from danger of fire, explosions, toxic and noxious matter, offensive noise, vibration, smoke, dust, heat, glare, and other objectionable influences, by permitting such development in areas where this Code restricts the emission of such objectionable influences.
- To protect adjacent residential, commercial, and agricultural areas, and to protect the labor force in other establishments engaged in less offensive industrial activities by restricting industrial activities that produce objectionable influences to those limited areas of the County that are appropriate therefor.
- To protect industrial and related development against congestion by limiting the bulk of buildings and other structures in relation to the land around them, and to one another, and by providing off-street parking and loading facilities associated with such activities.
- To promote the most desirable use of land and sustainable development in accord with the General Plan of the County, to promote the stability of industrial and related activity, and to strengthen the economic base of the County, by conserving the value of land suited for industrial activities, and to protect the County's tax revenues.
- To further encourage industrial activity, and thereby enhance the economic base of the County by limiting the intrusion of nonindustrial or unrelated activities into areas set aside by this Code for industrial purposes.
- To incorporate active transportation and safety into on-site circulation and parking lots, reflecting the need for mixing and separating of modes (i.e. trucks, autos, transit, pedestrians and bicyclists); and enhance pedestrian linkages to other buildings, transit and parking areas.
- To provide attractive landscaping that contributes to human health, image, pedestrian safety, access and comfort.

**2.10.2. Table of Industrial Zoning Districts**

Name of Zoning District	Abbreviation	Zoning District Summary	Purpose
Industrial-Office Park	MP	Requires a minimum lot area of 15,000 square feet. Prior to any construction in the MP zoning district, a site plan must be approved by the Planning Director. The submittal requirements for site plan review shall be as indicated in the User's Guide.	To provide for well-designed and controlled groupings of research, service, and light industrial uses within an area containing visual and operational amenities. This zoning district is intended to provide a park-like, nuisance free environment in an industrial office development.
Light Industrial	M-1	Requires a minimum lot size of 6,000 square feet and many of the uses are required to be carried out completely within an enclosed building or behind an enclosed solid wall or fenced area.	To provide for development of industrial uses that include fabrication, manufacturing, assembly, or processing of materials that for the most part are already in processed form and that do not in their operation create smoke, gas, odor, dust, sound, or other objectionable influences that might be obnoxious to persons conducting business or residing in this or any other zoning district; and land uses related to or compatible with the permitted uses.
Heavy Industrial	M-2	Provides for more objectionable industrial uses; requires a minimum lot size of 20,000 square feet.	To provide for the development of uses that include fabrication, manufacturing, assembly, or processing of raw materials and that may in their maintenance, assembly, manufacture, or plant operation create smoke, gas, odor, dust, sound, or other objectionable influences that might be obnoxious to persons conducting business or residing in this or any other zoning district.

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## CHAPTER 3: USE REGULATIONS

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### **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 overlay 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 overlay 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 as the findings indicate appropriate.

#### **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. Use standards and table notes, shown in previous versions of the Zoning Code, have been consolidated for easier reference in this Chapter to be more user friendly.

**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

CP= Conditional Use Permit by the Planning Commission

A = Permitted Accessory Use

Grey Boxes = Refer to Applicable

MC= Minor Use Permit

CB= Conditional Use Permit by the Board of Supervisors

TZ = Temporary Use Permit by the Zoning Administrator

Use Standards in Sections Identified

CZ = Conditional Use Permit by the Zoning Administrator

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	CMZ	BP	LC <sup>1</sup>	GC <sup>2</sup>	MP	M-1	M-2	
<b>AGRICULTURAL USES</b>																							
A. General Agricultural Uses	P	P	P	P	CZ <sup>3</sup>						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	P	
D. Beekeeping	P	P	P	P	MC	MC																	3.4.2
E. Crop Dusting Service	CP																						
F. Crops – Raising/Harvesting	P	P	P	P	P	CZ					P	CZ											
G. Feedlot	P	P	P																				3.4.3

<sup>1</sup> Includes former SC zoning district; interim standards for SC zoning districts should refer to Title IV of the Sacramento County Zoning Code.

<sup>2</sup> 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.

<sup>3</sup> In the AR-1 zoning district, general agricultural uses are permitted on lots of 150 feet or greater in width.

**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
	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	CMZ	BP	LC <sup>1</sup>	GC <sup>2</sup>	MP	M-1	M-2	
H. Hog Farm	P	P	P	P	P <sup>4</sup>						P	CZ											3.4.4
I. Kill Floor	CZ			CZ																			3.4.5
J. Stables and Corrals	P	P	P	P	P	P					P	P											3.4.6
K. Road-side Crop Sales	1. Field Retail Stand	P	P	P	P	CZ	CZ				P	P											3.4.7
	2. Farm Stand	P	P	P	P	CZ	CZ	CZ			P	P											
	3. Produce Stand	P	P	P	P	P					P	P											
	4. Agricultural Market	P	P	P	P	P					P	P											
L. Small Wineries/Breweries	P			P	CZ						CZ										P	P	3.4.8
M. Large Wineries/Breweries	CZ										CZ										P <sup>5</sup>	P <sup>5</sup>	3.4.9
N. Food Processing Industry <sup>6</sup>	CB	CB	CB																				3.4.10

<sup>4</sup> In the AR-2 zoning district, a maximum of three (3) adult hogs are permitted.

<sup>5</sup> In the M-1 and M-2 zoning districts, use is allowed if in compliance with use standards and the tasting facilities are limited to a maximum of 15 percent of the square footage of the indoor portion of the winery; otherwise, a Minor Use Permit is required.

<sup>6</sup> Use is intended for agricultural zoning districts, and must be accompanied by the Food Processing (FP) combining zoning district.

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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	CMZ	BP	LC <sup>1</sup>	GC <sup>2</sup>	MP	M-1	M-2	
O. Water Impoundment, Constructed Lake/Pond	P	P	P	P	P	P	P	P	P	P	P	P											3.4.1.1
<b>RESIDENTIAL USES</b>																							
<b>A. Household Living Uses<sup>7</sup></b>																							
1. Dwelling, Duplex or Halfplex								CZ <sup>8</sup>	P	P													3.5.1.B
2. Dwelling, Multiple Family								CZ <sup>9</sup>	P					P	P	P	CP	P	P				3.5.1.C
3. Dwelling, Single-family Attached <sup>10</sup>		CZ	CZ			CZ	CZ	CZ	P	CZ	CZ			P	P	P							3.5.1.D
4. Dwelling, Single-family Detached	P	P	P	P	P	P	P	P	P	P	P	CP		P	MC	P							3.5.1.E
5. Family Day Care Home <sup>11</sup>	P	P	P	P	P	P	P	P	P	P	P	P	P										3.5.1.F

<sup>7</sup> See "Accessory Uses" (Table 3.2) for accessory dwellings and guest houses.

<sup>8</sup> In the RD-5 and RD-7 zoning districts, permitted subject to issuance of a Conditional Use Permit by the Zoning Administrator; in the RD-10 zoning district, the use is permitted by right.

<sup>9</sup> Use is conditionally permitted, as noted, only in the RD-10 zoning district. Not permitted in the other referenced zoning districts.

<sup>10</sup> Single-Family Attached Dwellings address townhomes, condominiums, rowhomes, or cluster developments, designed for occupancy by one family.

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	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	CMZ	BP	LC <sup>1</sup>	GC <sup>2</sup>	MP	M-1	M-2	
6. Mobile/Manufactured Home	P	P	P	P	P			MC	MC	P	MC	CP											3.5.1.G
7. Mobile Home Park										P			CZ				CP	CP					3.5.1.H
8. Residential Care Home <sup>12</sup>	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	MC	MC	CZ	CP	CZ	P	P	P	P	P	P				3.5.1.I
9. Condominium Conversions						CP	CP	CP	CP	CP				CP	CP	CP	CP	CP	CP				3.5.1.J
10. Room Rental and Vacation Rental, Single-family Dwelling	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P							3.5.1.K
<b>B. Group Living Uses</b>																							
1. Boarding House								CZ <sup>9</sup>	P				CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	
2. Emergency Shelter																		P			P		3.5.2.A
3. Farm Worker Housing	P	P	P																				3.5.2.B
4. Fraternity House	CP	CP		CP	CP			CP <sup>9</sup>	P				CP	CP	CP	CP	CP	CP	CP	CP	CP	CP	

<sup>11</sup> Permitted by right in the Agricultural, Agricultural-Residential, Residential, and Recreation zoning districts, where it does not exceed a total of eight (8) 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.

<sup>12</sup> Residential Care Homes for six (6) or fewer persons are permitted by right in the designated zoning districts.

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	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	CMZ	BP	LC <sup>1</sup>	GC <sup>2</sup>	MP	M-1	M-2	
5. Single Room Occupancy Unit									P									P				3.5.2.C	
<b>PUBLIC, CIVIC, AND INSTITUTIONAL USES</b>																							
<b>A. Assembly Uses</b>																							
1. Church or Other Religious Institution	CP	CP	CP	CP	CP	CZ	CZ	CZ	CZ	CZ	CZ	CZ		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	CZ	CZ	CZ	CZ			CZ		P	P	P	MC	P	P	MC	P	P	
<b>B. Educational and Cultural Uses</b>																							
1. Art Gallery, Art Studio						CZ	CZ	CZ	CZ					P	P	P	P	P	P	P	P	P	
2. College, University				CP	CP	CP	CP	CP	CP								CP	CP	CP	CP	CP	CP	
3. School, Private	CZ	CZ		CZ	CZ	CZ	CZ	CZ	CZ	CZ			CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	3.6.2.A
4. School, K-12, Public	P	P	P	P	P	P	P	P	P	P			CZ	P	P	P	P	P	P	CZ	CP	CP	
5. School, K-12, Private	CZ	CZ		CZ	CZ	CZ	CZ	CZ	CZ	CZ			CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CP	CP	

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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	CMZ	BP	LC <sup>1</sup>	GC <sup>2</sup>	MP	M-1	M-2	
<b>C. Government Uses</b>																							
1. Government and Local Agency Buildings and Uses	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	CP	CP	CP	3.6.3.A
<b>D. Parks and Open Space</b>																							
1. Cemetery	CZ	CZ	CZ	CZ	CZ	CP	CP	CP	CP		CP	CP								CP	CP	3.6.4.A	
2. Community Garden	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P							3.6.4.B	
3. Public Park	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P								
4. Wildlife Preserve	P	P	P	P	P						P	P											
<b>E. Social Care Uses</b>																							
1. Ambulance Service																	P	P		P	P	P	
2. Adult Day Care Center <sup>13</sup>	CZ	CZ		CZ	CZ	CZ	CZ	CZ	P	CZ	CP	CP	CP	P	P	P	P	P	P	CP	CZ	CZ	3.6.5.A
3. Child Day Care Center	CZ	CZ		CZ	CZ	CZ	CZ	CZ	P	CZ	CZ	CZ	CZ	P	P	P	P	P	P	P	CZ	CZ	3.6.5.B
4. Congregate Care Facility		CP		CP	CP	CP	CP	CP	P	CP	CP	CP	P	P	P	P	CP	P	P				3.6.5.C

<sup>13</sup> 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 decided by the Planning Commission.

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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	CMZ	BP	LC <sup>1</sup>	GC <sup>2</sup>	MP	M-1	M-2	
5. Hospital	CP	CP		CP	CP	CP	CP	CP	CP		CP	CP	CP		CP		CP	CP	CP				
6. Hospital, Convalescent		CP		CP	CP	CP	CP	CP	CP				CP		CP		CP	CP	CP				3.6.5.C
7. Psychiatric Facility																	CP	CP	CP		CP	CP	
8. Social Rehabilitation Center	CP			CP	CP	CP	CP	CP	CP						CP		CP	CP	CP		CP	CP	3.6.5.C
<b>F. Utility and Public Service Facility Uses</b>																							
1. Major Utility		P	P	P	CZ	CZ	CZ	CZ	CZ	CZ	P	P	P	P	P	P	P	P	P	P	P	P	3.6.6.A
2. Minor Utility		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	3.6.6.B
3. Solar Energy Facility	a. Commercial I Solar Facilities	MC									CZ	MC	MC	MC	MC	MC	MC	MC	MC	MC	MC	MC	3.6.6.C
	b. Commercial II Solar Facilities	CP	CP	CP							CP										CP	CP	
4. Wind Turbine Facility	a. Small Wind Turbine	MC	MC	MC	MC	MC	MC	MC	MC	MC	MC	MC	MC	MC	MC	MC	MC	MC	MC	MC	MC	MC	3.6.6.D
	b. Large Wind Turbine	CP	CP	CP										CP	CP	CP	CP	CP	CP	CP	CP	CP	



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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	CMZ	BP	LC <sup>1</sup>	GC <sup>2</sup>	MP	M-1	M-2		
<b>G. Communication Uses and Facilities</b>																									
1. Wireless Communication Facilities		CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CP	CZ	CZ	CZ	CZ	CZ	CZ	CZ	3.6.7.A		
<b>COMMERCIAL USES<sup>14</sup></b>																									
<b>A. Commercial Service Uses</b>																									
1. Animal and Pet Services	a. Animal Grooming, Short-term boarding	CZ	CZ	CZ	CZ	CZ	CZ	CZ							P	P	P		P	P	CZ	CZ	CZ		
	b. Kennel, Cattery, Small Animal Boarding and Training	CZ <sup>15</sup>	CZ <sup>15</sup>	CZ <sup>15</sup>	CZ	CZ	CZ							CP				CZ	CZ	CZ	CZ <sup>16</sup>	CZ <sup>16</sup>	CZ <sub>16</sub>	CZ	CZ

<sup>14</sup> All commercial uses are subject to the general commercial use standards in Section 3.7.1; in addition to the use standards cited in this table.

<sup>15</sup> Small animal training is permitted by right in the agricultural zoning districts, where the owner of each animal is present during such training.

<sup>16</sup> 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.

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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	CMZ	BP	LC <sup>1</sup>	GC <sup>2</sup>	MP	M-1	M-2			
	c. Veterinarian Animal Hospital	CZ	CZ		CZ	CZ	CZ						CP				CZ	P	CZ	CZ	P	P	P	P	P	
2. Business Services	a. General Business Services								CZ <sup>18</sup>								P	P	P	CZ <sup>17</sup>	P	P	MC <sup>17</sup>	MC	MC	3.7.2.B.1
	b. Business Services, Intensive																	CZ		CZ		CZ	CZ	P	P	3.7.2.B.2
3. Personal Services	a. General Personal Services							CZ <sup>18</sup>	CZ <sup>18</sup>	CZ <sup>18</sup>							P	P	P	CZ <sup>17</sup>	P	P	CZ <sup>17</sup>	CZ	CZ	3.7.2.C.1

<sup>17</sup> Permitted subject to a finding that the use compatible to the office and industrial uses in the area.

<sup>18</sup> 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, 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.

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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	CMZ	BP	LC <sup>1</sup>	GC <sup>2</sup>	MP	M-1	M-2	
	b. Beauty or Barber Shop, Spa							CZ <sup>18</sup>	CZ <sup>18</sup>	CZ <sup>18</sup>					CZ	CZ	CZ	CZ <sup>17</sup>	P	P	CZ <sup>17</sup>	CZ	CZ	3.7.2.C.2
	c. Driving Instruction															P			P	P	P	CZ	CZ	
	d. Fortune Teller															CP			CP	CP				
	e. Funeral Establishment (Does not include a crematory)															CP	CP	CP	CP	P		CZ	CZ	
	f. Crematory																		CB			CP	CP	3.7.2.C.3
	g. Massage												MC	MC	MC	MC	MC	MC	MC	MC				3.7.2.C.4
	h. Self-Service Laundromat												P	P	P	P	P	P	P	P	P	P	P	
	i. Tattoo Shop <sup>19</sup>														MC			MC	MC					

<sup>19</sup> If located within the Fair Oaks Boulevard Corridor Plan, use may require a Conditional Use Permit by the Planning Commission. See Section 6.7.

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		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	CMZ	BP	LC <sup>1</sup>	GC <sup>2</sup>	MP	M-1	M-2		
	j. Tanning														CZ	CZ	CZ	CZ <sup>17</sup>	MC	MC	CZ <sup>17</sup>	CZ	CZ		
4. Repair Services	a. General Repair Services														CZ	P	CZ		P	P	P	P	P		
	b. Tool Repair, Sharpening, Reconditioning (i.e. Small Engines, Power Tools)																		CZ	P		P	P		
<b>B. Eating / Drinking Uses</b>																									
	1. Bar/Tavern														CZ	CZ	P	CZ		P	P		CZ	CZ	
	2. Catering Service																P			P	P		P	CZ	
	3. Restaurant, Carry-out/Drive-through <sup>20</sup> /Sit-down														CZ	CZ	P	CZ	CZ <sub>21</sub>	P	P	CZ <sup>21</sup>	CZ <sup>21</sup>	CZ <sup>21</sup>	3.7.3.A

<sup>20</sup> For drive-up windows, see Allowed Accessory Uses, Table 3.2.

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4. Brew Pub and Microbrewery												CZ	CZ	P	CZ	CZ	P	P	CZ	CZ	CZ		
5. On-Sale of Alcoholic Beverages												MC	MC	MC	MC	MC	MC	MC	MC	MC	MC	MC	3.7.3.B
<b>C. Entertainment / Recreation Uses</b>																							
1. General Recreation Facility, Indoor												CZ	P	P	P	CZ <sup>21</sup>	P	P	CZ <sup>21</sup>	CZ	CZ	3.7.4.A	
2. General Recreation Facility, Outdoor	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ			CZ	CZ		CZ	CZ	CZ		3.7.4.B	
3. Adult Uses	a. Sexually Oriented Business																				P	P	3.7.4.C
	b. Adult Related Establishment																				CB	CB	

<sup>21</sup> Permitted when located as a single tenant within a larger building, and not occupying more than 15 percent of the total floor area of that building. In the case of a free-standing use, or if the use occupies more than 15 percent of the total floor area of the building subject, a Conditional Use Permit by the Zoning Administrator is required. In the BP and MP 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; otherwise, the use is subject to a Conditional Use Permit by the Zoning Administrator.

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4. Arcade, Electronic, Mechanical, Video Games, or Computer Gaming Center															CZ	CZ		CZ	CZ		CZ	CZ	3.7.4.D
5. Boat Dock, Private	MC	MC	MC	MC	MC	MC	MC	MC	MC	MC	MC	MC											
6. Campground	CZ	CZ	CZ										CZ	CZ	CZ								
7. Card Room															CP		CP		CP	CP			
8. Dancing in a Bar or Restaurant, Incidental															CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	3.7.4.E
9. Hunting Club, Gun Club, Shooting Range	CZ	CZ	CZ										CZ	CZ	P							CZ	3.7.4.F
10. Live/Motion Picture Theater and Performing Arts Center															CZ			CZ	P		P	P	
11. Marina, Boat Dock/Launch													CZ	CZ	CZ								
12. Nightclub, Dance Club or Hall															CZ			CZ	CZ		CZ	CZ	
13. Race Track																						CB	

**TABLE 3.1: ALLOWED USES**

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TZ = Temporary Use Permit by the Zoning Administrator

Use Standards in Sections Identified

CZ = Conditional Use Permit by the Zoning Administrator

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	CMZ	BP	LC <sup>1</sup>	GC <sup>2</sup>	MP	M-1	M-2	
14. Recreation Vehicle Park, Travel Trailer Park	CP	CP	CP								CP	CP	CP					CP					
15. Stadium												CB	CB							CB	CB		
16. Internet Cafe														CP	CP	CP	CP	CP	CP				3.7.4.G
17. Smoking Lounge, Hookah, Cigar,													CZ	CZ	CZ	CZ		MC	MC		CZ	CZ	
<b>D. Financial Institutions</b>																							
1. General Financial Institutions															P	P	CZ	P	P	P	P		3.7.5.A
2. Payday Loan, Check Cashing <sup>22</sup>																CZ			MC	MC			
<b>E. Lodging Use</b>																							
1. Bed and Breakfast Inn	CZ	CZ		CZ	CZ	CZ	CZ	CZ	CZ				CZ	P				CZ	CZ				3.7.6.A
2. Hotel, Motel													CP		P			CP	CP	CP	CP	CP	
3. Farm Stay	P	P	P	CZ																			3.7.6.B

<sup>22</sup> If located within the Fair Oaks Boulevard Corridor Plan, use may require a Conditional Use Permit by the Planning Commission. See Section 6.7.

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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	CMZ	BP	LC <sup>1</sup>	GC <sup>2</sup>	MP	M-1	M-2			
4. Resort																									
<b>F. Office Uses</b>																									
1. Office Use, General					CZ	CZ	CZ	CZ	CZ							P	P	MC	P	P	P	P	CZ <sub>23</sub>	CZ <sup>23</sup>	3.7.7.A
2. Laboratory-Medical, Dental, or Optical															MC	P	MC	P	P	P	P	P	P	P	3.7.7.B
<b>G. Retail, Auction, and Wholesale Uses</b>																									
1. General Retail Sales (Up to 49,999 sq. ft.)																P	P	P	CZ <sup>24</sup>	P	P	CZ <sub>24</sub>	CZ <sup>24</sup>	CZ <sup>24</sup>	
2. General Retail Sales (50,000 – 350,000 sq. ft.)																P	CZ		P	P		CZ	CZ		

<sup>23</sup> In the M-1 and M-2 zoning districts, office uses are permitted as incidental uses, subject to a finding that the use does not exceed 25 percent of the gross floor area of structure(s) committed to the primary use; otherwise, the use is subject to a Conditional Use Permit by the Zoning Administrator.

<sup>24</sup> In the BP, MP, M-1, and M-2 zoning districts, the use is permitted subject to a finding that the retail use is incidental to the primary use and does not exceed 25 percent of the gross floor area of structure(s) committed to the primary use; otherwise, the use is subject to a Conditional Use Permit by the Zoning Administrator.



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Use Standards in Sections Identified

CZ = Conditional Use Permit by the Zoning Administrator

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	CMZ	BP	LC <sup>1</sup>	GC <sup>2</sup>	MP	M-1	M-2		
3. General Retail Sales (>350,000 sq. ft.)																								
4. Neighborhood Convenience Store, Food Markets (Up to 6,000 sq. ft.)								CP	CP															3.7.8.A
5. Food Production and Wholesales																CZ			P					
6. Liquor Store/Off-Sale of Alcoholic Beverages <sup>25</sup>																								3.7.8.C
7. Pawn Shop <sup>26</sup>																								
8. Thrift/Consignment <sup>26</sup>																								
9. Tobacco Shop <sup>26</sup>																								

<sup>25</sup> 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.

<sup>26</sup> 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**

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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	CMZ	BP	LC <sup>1</sup>	GC <sup>2</sup>	MP	M-1	M-2	
10. Public Auction, Flea Market																		CP					
11. Wholesale, not otherwise listed																		CZ	P	C			
12. Nursery <sup>27</sup>	P	P	P	P	P								P					P	P		P	P	
<b>H. Vehicle-Related Uses</b>																							
1. Armored Car Service																			MC	MC	MC	MC	3.7.9.A
2. Auto Sales, New and Used																		CP		CP	CP		3.7.9.B
3. Auto Service Station (Primary and Secondary Stations)								CP <sup>28</sup>	CP <sup>28</sup>						CP	CP <sup>28</sup>		CP	CP	CP	CP	CP	3.7.9.C
4. Auto Wholesaler, Auto Broker															CZ	CZ		P	P	P			3.7.9.D

<sup>27</sup> Except for the LC and GC zoning districts where retail sales are permitted, the nursery use shall be wholesale only. Incidental retail use of up to 25 percent shall be allowed with a Minor Use Permit, and additional retail sales shall be subject to a Conditional Use Permit by the Zoning Administrator.

<sup>28</sup> In the residential and CMZ zoning districts, only secondary auto service stations are permitted, subject issuance of a Conditional Use Permit by the Planning Commission.

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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	CMZ	BP	LC <sup>1</sup>	GC <sup>2</sup>	MP	M-1	M-2	
5. Automobile Lease or Rental, Limousine Service														CZ	CZ			MC	P	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		P	P	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	P	3.7.9.G
12. Small Vehicle and Trailer Lease, Rent, Repair, Sales, or Service													CZ	CZ	CZ	CZ		CZ	CZ		P	P	
13. Storage of Operable Boats, RVs, or Vehicles																			CZ		MC	MC	
14. Towing Service (office only)																		MC	P		P	P	
15. Truck and Large Vehicle Lease, Rent, Repair, Sales, or Service																			CZ		CZ	CZ	3.7.9.H

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Use Standards in Sections Identified

CZ = Conditional Use Permit by the Zoning Administrator

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	CMZ	BP	LC <sup>1</sup>	GC <sup>2</sup>	MP	M-1	M-2	
16. Utility Truck and Trailer Rent, Sales, or Services																		CZ	P		P	P	
17. Vehicle Auction																			CP		CP	CP	
<b>INDUSTRIAL USES</b>																							
<b>A. Extractive Uses</b>																							
1. Borrow Mining, Short-term	CZ	CZ	CZ	CZ														CZ		CZ	CZ	3.8.1.A	
2. Gas or Oil Well	P	MC	MC	MC	MC						CP	CP								MC	MC	3.8.1.B	
3. Surface Mining	CP	CP	CP								CP	CP								CP	CP	3.8.1.C	
<b>B. Manufacturing and Processing Uses</b>																							
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
3. Assembly, Manufacturing, and Processing – Outdoor																						P	3.8.2.C
4. Concrete Batch Plant			CP															CP		CP	P		3.8.2.D

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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	CMZ	BP	LC <sup>1</sup>	GC <sup>2</sup>	MP	M-1	M-2	
5. Specialty/Craft Breweries	P																CZ	MC		P	P	3.8.2.E	
5. Distilleries and Breweries																				CP	CP		
6. Canneries																				CB	CB		
7. Laboratory												CP					CZ	CZ	P	P	P	P	
8. Service Yard, Workshop <sup>29</sup>																		P		P	P	3.8.2.F	
9. Heavy Equipment Storage, Sales, Rental, Service, and Repair Yard																					CP	P	
10. Animal Slaughter, Tannery, and Rendering																					CB	CB	
11. Aircraft and Rocket Testing <sup>30</sup>																						CB	
<b>C. Storage and Warehousing Uses</b>																							

<sup>29</sup> If located within the Fair Oaks Boulevard Corridor Plan, use may require a Conditional Use Permit by the Planning Commission. See Section 6.7.

<sup>30</sup> Permitted provided the use is located not less than 500 feet from the boundary line of a more restricted zoning district and subject to the issuance of a Conditional Use Permit by the Board of Supervisors

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	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	CMZ	BP	LC <sup>1</sup>	GC <sup>2</sup>	MP	M-1	M-2	
1. Household Moving, Storage Service																		CZ		P	P	3.8.3.A	
2. Storage, Mini <sup>29</sup>																		CP	P		P	P	3.8.3.B
3. Storage, Moved Building																					CP	CP	3.8.3.C
4. Storage of Towed, Damaged, or Dismantled Vehicles																			CP		CP	CP	3.8.3.D
5. Warehousing																			P	P	P	P	3.8.3.E
<b>D. Transportation Facilities and Services</b>																							
1. Airport	CP <sup>31</sup>	CP	CP	CP	CP						CP	CP	CP								CP	CP	
2. Boat Dock/Pier - Commercial											CP	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

<sup>31</sup> 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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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	CMZ	BP	LC <sup>1</sup>	GC <sup>2</sup>	MP	M-1	M-2	
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	
<b>E. Waste Handling and Disposal</b>																							
1. Hazardous Waste Storage/Disposal Facility																				CB	CB	3.8.5.A	
2. Junk Tire Handling <sup>32</sup>																				CP	CP	3.8.5.B	
3. Junkyard, Vehicle/Equipment Wrecking Yard, Scrap or Used Materials Yard																					CP	3.8.5.C	

<sup>32</sup> 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.

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CZ = Conditional Use Permit by the Zoning Administrator

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	CMZ	BP	LC <sup>1</sup>	GC <sup>2</sup>	MP	M-1	M-2		
4. Recycling Facilities <sup>33</sup>	a. Convenience Recycling Facilities														P	P	P		P	P				3.8.5.D	
	b. Minor Recycling Facilities <sup>34</sup>																		CP			CZ	CZ		
	c. Major Recycling Facilities <sup>35</sup>																					CP	CP		
5. Greenwaste Facilities		CP	CP	CP																		CP	CP	3.8.5.E	
6. Solid Waste Facilities <sup>36</sup>																							CB		

<sup>33</sup> Refer to use standards for permitted and conditionally permitted uses and standards for all types of recycling facilities. If located within the Fair Oaks Boulevard Corridor Plan, use may require a Conditional Use Permit by the Planning Commission. See Section 6.7.

<sup>34</sup> Minor recycling facilities in the M-1 and M-2 zones involving outdoor operations must be located at least 500 feet from an AR or RD zoning district, unless separated from an AR or RD zoning district by a major freeway or railroad and located behind a screen fence; otherwise, the use requires a Conditional Use Permit by the Zoning Administrator.

<sup>35</sup> Major recycling facilities shall be permitted in the M-1 and M-2 zoning districts if located more than 1,000 feet from an AR or RD zoning district, unless separated from an AR or RD zoning district by a major freeway or railroad and located behind a screen fence; otherwise, the use requires a Conditional Use Permit by the Planning Commission.

<sup>36</sup> 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.



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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	CMZ	BP	LC <sup>1</sup>	GC <sup>2</sup>	MP	M-1	M-2	
7. Wastewater Disposal, Lagoon or Irrigation	CP																			CP	CP		

**TABLE 3.2: ALLOWED ACCESSORY USES<sup>37</sup>**

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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 <sup>38</sup>	GC <sup>39</sup>	MP	M-1	

<sup>37</sup> All accessory uses are subject to the general accessory use standards in Section 3.9.1, in addition to the specific standards cited in this table.

<sup>38</sup> Includes former SC zoning district; interim standards for SC zoning districts should refer to Title IV of the Sacramento County Zoning Code.

<sup>39</sup> 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.

**TABLE 3.2: ALLOWED ACCESSORY USES<sup>37</sup>**

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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 <sup>38</sup>	GC <sup>39</sup>	MP	M-1	M-2	
A. Coin Operated Dispenser or Amusement															A	A	A	A	A	A				3.9.3.A
B. Dish Antenna	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	3.9.3.B
C. Dwelling, Agricultural Accessory	A	CZ	CZ	CZ	CZ																			3.9.3.C
D. Dwelling, Residential Accessory	A	CZ	CZ	A	A	A	A	A	A	A	A		CP				CZ							3.9.3.D
E. Family Contractor's Business	A	A	A	CZ	CZ	CZ	CZ																	3.9.3.E
G. General Residential Accessory Structures	A	A	A	A	A	A	A	A	A	A	A	A	A	A										3.9.2.G
H. Home Occupation	A	A	A	A	A	A	A	A	A	A	A	A	CZ											3.9.3.F
I. Incidental Agricultural Uses	A	A	A	A	A	A	A	A						CZ				A	A	A	P	P		3.9.3.G

**TABLE 3.2: ALLOWED ACCESSORY USES<sup>37</sup>**

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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 <sup>38</sup>	GC <sup>39</sup>	MP	M-1	M-2			
J. Repair of Farm Equipment or Auto-mobiles for Personal Use	A	A	A	A	A	A	A	A																	3.9.3.L	
K. Residential Garage Sales	A	A	A	A	A	A	A	A	A	A	A	A														3.9.3.M
L. Residential Swimming Pools and Spa Equipment	A	A	A	A	A	A	A	A	A	A	A	A	A													3.9.3.Q
M. Incidental Office/Retail Sales																						A	A			3.9.3.I
N. Outdoor Display and Storage																			CZ	CZ						3.9.3.J
O. Parking, Commercial Accessory														A	A	A	A	A	A	A	A	A				3.9.3.K
P. Bus Shelter	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	3.9.3.N

**TABLE 3.2: ALLOWED ACCESSORY USES<sup>37</sup>**

**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 <sup>38</sup>	GC <sup>39</sup>	MP	M-1	M-2	
Q. Storage of Flammable, Explosive, or Highly Corrosive Materials														A						A		A	A	3.9.3.O
R. Utility Trailer or Truck Rental or Storage, Accessory														A					A	A		A		3.9.3.S
S. Storage of Unregistered and/or Private Vehicles	A	A	A	A	A	A	A	A	A	A	A													3.9.3.P
T. Cargo Container <sup>40</sup>	A	A	A	A	A							A	A	A				A	A	A	A	A	A	3.9.3.T
U. Remote Teller <sup>41</sup>															CZ	CZ	CZ	CZ	CZ	CZ	CZ			3.9.3.U
V. Drive-up Window <sup>41</sup>														CZ		CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	3.9.3.V

<sup>40</sup> The use of Portable On Demand Storage (PODS) or similar containers on a temporary basis is permitted in any zone for up to 48 hours. Use of cargo containers in conjunction with a public school or park is permitted and regulated through the applicable school or park district board, respectively.

**TABLE 3.2: ALLOWED ACCESSORY USES<sup>37</sup>**

**KEY**

P= Permitted Primary Use

CZ = Conditional Use Permit by the Zoning Administrator

Grey Boxes = Refer to Applicable

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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 <sup>38</sup>	GC <sup>39</sup>	MP	M-1	M-2												
W. Loading Dock															A	A	A	A	A	A	A	A	A	A	3.9.3.W										
X. Snack Bar Incidental to a Park, Boat Dock, Other Water-Oriented Use												CZ	CZ	CZ					MC	MC	MC	MC													
Y. 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	A	3.6.6.C										
Z. Solar Facility: Accessory II	MC	MC	MC	MC	MC	MC	MC	MC	MC	MC	MC	MC	MC	MC	MC	MC	MC	MC	MC	MC	MC	MC	MC	MC	3.6.6.C										
AA. Electric Fencing	A	A	A																	MC			A	A	3.9.3.X										
BB. Dwelling, Caretaker																					P	P	P	MC	P	P	MC	MC	MC	3.9.3.Y					
CC. Dwelling, Live- Work Units																										MC	MC	MC	MC	MC	MC	MC	MC	MC	3.9.3.Z

<sup>41</sup> 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.

**TABLE 3.3: ALLOWED TEMPORARY USES<sup>42</sup>**

**KEY**

TZ= Temporary Use Permit Decided 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, 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 <sup>43</sup>	GC <sup>44</sup>	MP	M-1	M-2		
A. Farmers Market <sup>45</sup>														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	3.10.3.B
C. Promotional Sale/Display														TZ		TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	3.10.3.C
D. Seasonal Sale/Display														TZ	TZ	TZ	TZ	TZ	TZ	TZ					3.10.3.D
E. Temporary Concession														TZ	TZ	TZ	TZ		TZ	TZ	TZ	TZ	TZ	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	TZ	TZ	TZ	3.10.3.F

<sup>42</sup> 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.

<sup>43</sup> Includes former SC zoning district; interim standards for SC zoning districts should refer to Title IV of the Sacramento County Zoning Code.

<sup>44</sup> 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.

<sup>45</sup> 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.

**TABLE 3.3: ALLOWED TEMPORARY USES<sup>42</sup>**

**KEY**

TZ= Temporary Use Permit Decided 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, 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 <sup>43</sup>	GC <sup>44</sup>	MP	M-1	M-2	
G. Temporary Sales/Construction Offices	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	3.10.3.G
H. Temporary Use of Mobile Homes and Commercial Coaches	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	3.10.3.H
<b>3.1.2.I. Temporary Uses, General</b>	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	3.10.2.L
<b>3.1.2.J. Short-term Shelter</b>	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	TZ	3.10.3.I

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### **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**

In the AR-1 zoning district, general agricultural uses are permitted only on lots of 150 feet or greater in width.

### **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 comply with the following regulations:**

##### **3.4.3.B. Setbacks and Separations**

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**
- 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 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 Planning Division. 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 Planning Division.
  - 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 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 Planning Division. 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 Planning Division.
  - 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 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 Planning Division. 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 Planning Division.
  - 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 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:
- There is no more than one sign at each entrance.
  - The sign is not over 50 square feet in area.
  - The sign is not more than six (6) feet above road grade.
  - The sign is setback at least 10 feet from the street right-of-way unless a lesser setback is approved by the Planning Department. 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.
  - Illumination of the sign, if any, is indirect.
  - 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

- 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.
- An off-street parking ratio of one space per 400 square feet of gross floor area dedicated to sales shall be required.
- All access roads must meet the standards of the Fire Marshall. All parking areas must have an active dust control program.
- 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*.

**3.4.8. Small Winery**

**3.4.8.A. Application**

The provisions of this Section shall apply to small wineries 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 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.

**3.4.8.C. Allowed Uses**

1. Growing and harvesting grapes and other fruit products suitable for wine, 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 premises.
3. Sale of wine for consumption off premises whether grown or produced on or off premises.
4. Tasting involving serving wine to the public for the purpose of sampling the product produced or offered for sale, subject to the following restrictions:
  - a. Wine 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

Total Parcel Size (Acres)	Maximum Number of Attendees (Peak) [1],[2],[3]
Over 20.0	350 people
<ol style="list-style-type: none"> <li>1. Permitted as an accessory use; the primary use of the parcel must be agricultural (if located in the AR or AG zoning districts).</li> <li>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.</li> <li>3. All events are subject to the Sacramento County Noise Ordinance.</li> </ol>	

6. In the 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, 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."
2. If the winery is located in an AG or AR zoning district, the premises shall have a minimum size of three (3) acres.
3. If the winery 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 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. 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.
6. The primary focus of the tasting area shall be for the marketing and sale of wine, 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.

7. 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 16 feet from the street right-of-way unless a lesser setback is approved by the Planning Division.
  - e. Illumination of the sign, if any, shall be indirect.
  - f. Signs are stationary.
2. In the M-1 and M-2 zoning districts, signs shall be allowed subject to the regulations of the industrial zoning district.

#### **3.4.8.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**

#### **3.4.9.A. Application**

The provisions of this Section shall apply to large wineries 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 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.

#### **3.4.9.D. Allowed Uses**

1. Growing and harvesting grapes and other products suitable for wine, 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 premises.
3. Sale of wine for consumption off premises whether grown or produced on or off premises.

4. Wine tasting involving serving wine 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, 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 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.
  - 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.
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.

**3.4.10. Food Processing Industry**

The use shall be permitted in agricultural zoning districts only where the Flood 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**

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

## **3.5. RESIDENTIAL USE STANDARDS**

### **3.5.1. Household Living Uses**

#### **3.5.1.A. Residential Uses, not otherwise listed**

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."

#### **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.
2. In all zoning districts, existing, and legally constructed duplexes may be converted to halfplexes, subject to all applicable Building Code requirements and all Building Inspection Division permit processes.

#### **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. 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 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



2. Bonuses of up to 25 percent 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.

#### **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.

#### **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 (1) 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 (6) persons including those receiving day care and children of the resident family who are under 12 years of age. For over six (6) persons, the use shall be subject to issuance of a Minor Use Permit by the Planning Director.
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 is permitted for up to two (2) 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) 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.

**3.5.2. Group Living Uses****3.5.2.A. Emergency Shelter**

The provision of these shelters will provide temporary shelter in unincorporated County area(s). The Planning Department 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 (1) 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 beds in group quarters or 12 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 (1) parking space per unit or one (1) space per three (3) beds.
2. A farm worker dwelling unit 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.

### **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.

**(iv) 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.

**(v) 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**

### **3.6.1. Assembly Uses**

#### **3.6.1.A. Churches and Other Religious Institutions**

In the agricultural, and agricultural-residential zoning districts, churches and other religious institutions shall be subject to issuance of a Conditional Use Permit by the Planning Commission. 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.**

### **3.6.2. 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.

### **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 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 district.
- b.** 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.

### **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.

## **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.
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 (8) persons shall be permitted by right;
  - b. Capacity between nine (9) 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. 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 (2) 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 (2) 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:

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	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.

**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-intertie 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.2.

### 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.

- (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.

**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 viewscapes 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 Community Development Department 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 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.

(i) Any subdivision of land in any residential zone that will allow the development of at least four (4) 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 indicated 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-intertie 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 viewscales 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 Community Development Department 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 Community Development Department, 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.

#### I. 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, "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, "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.

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- (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.

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- 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 close proximity designs when new antennas are placed on poles.
  - (3) The use of materials that blend the tower or wireless facility in with the skyline, prevalent architectural or natural features of the subject site.
  - (4) All unused or obsolete wireless facilities, towers or equipment shall be removed from their respective sites within six (6) months after operation has ceased.
  - (5) Identification signs, including emergency phone numbers of the utility provider, shall be posted at all tower and equipment sites.
  - (6) 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.

## **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.

### **3.7.2. 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 (1) 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.

##### **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 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 200 persons or a theater with four (4) or more screens shall be 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. Such use permit may include indoor recreation facilities and uses if the appropriate authority finds they are clearly accessory to the requested outdoor use.

### **3.7.4.C. Adult Uses**

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 shall be permitted, subject to compliance with all of the locational conditions in Section 3.7.4.C.2.
- b. Adult Related Establishments 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. 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 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.

**3. 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.

**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.



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**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. 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 Planning Division.

(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 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 premises 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. Liquor Store****(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, after a recommendation by the Planning Director 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-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) Driveways shall have a minimum width of 35 feet, except that driveways entering streets proposed at an 84-foot or 110-foot right-of-way shall be at least 45 feet wide. In all other respects, 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.2.1.(i) through 3.7.9.C.2.1.(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 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 (2.5) 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 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 Community Development Department 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 subject to the issuance of a Conditional Use Permit by the Zoning Administrator and compliance with the standards of Section 4.8, "Surface Mining (SM) Combining Zoning District." Short-term 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."

### **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 (1) concrete mixer with a capacity of one (1) 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 M-1 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 all 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, after a recommendation by the Planning Director. 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 (1) 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 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.

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

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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.
- 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 the date of adoption of this ordinance 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.).
- 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

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

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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 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 the date of adoption of this ordinance 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

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

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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-I 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-I 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 (1) 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.
- 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 on the effective date of amendment of this ordinance (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 the date of adoption of this ordinance (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. Same Ownership Required**

The principal use and the accessory use shall be under the same ownership.

#### **3.9.2.E. 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 3.9.2.B)

#### **3.9.2.F. 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.G. Dimensional Standards for Accessory Buildings and Structures****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 (1) 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 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 (1) dish antenna is permitted on each lot.

(iii) The distribution of signals to more than one (1) 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**

A certificate of occupancy shall be required from the Chief Building Inspector prior to occupancy.

### **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 (1) 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 a 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 a 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 65<sub>dB</sub>A.
- (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 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 part time.
- n. Sales representative, limited to office only.
- o. Swimming pool cleaning, limited to part time.
- p. Dressmaking, sewing, tailoring, and contract sewing, limited to one operator.
- q. Locksmith, limited to 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.

## 6. Prohibited Uses

The following uses are expressly prohibited as home occupations:

- a. Ambulance service
- b. Ammunition reloading, including custom reloading
- c. Boarding house, bed and breakfast hotel, time share condominium
- d. Carpentry, cabinet maker
- e. Ceramics utilizing a kiln of six (6) cubic feet or more
- f. Church, religious instruction
- g. Health salon, gym, dance studio, aerobic exercise studio
- h. Medical, dental, chiropractic, or veterinary clinic
- i. Mortician, hearse service
- j. Palm reading, fortune telling
- k. Private club
- l. Repair or reconditioning of boats or recreation vehicles
- m. Restaurant or tavern
- n. Retail sale from site (except direct distribution and artist's originals).
- o. Storage, repair, or reconditioning of major household appliances including refrigerators, freezers, clothes washers and dryers, dishwashers, stoves, and heating and air conditioning equipment.
- p. Storage, repair, or reconditioning of motorized vehicles or large equipment on site
- q. **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.**
- 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

In all districts, 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 10,000 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.
- 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, 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, 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

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.

#### **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.

#### **3.9.3.1. 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 and Storage**

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.
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 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."

#### **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 (1) 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 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.
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.P, "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 use 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 (1) 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.
2. 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.
3. 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.

4. 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.**
5. 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.
6. Cargo containers shall not display signage and shall be kept free of graffiti.
7. **Cargo containers may be used on public school and park sites if screened from public view.**

#### 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.
- 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, 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.

### **3.9.4. 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 ten 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. Temporary use permits are not required when these uses are conducted with 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 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 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 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.

### **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, 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 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 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 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 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 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 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 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 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**

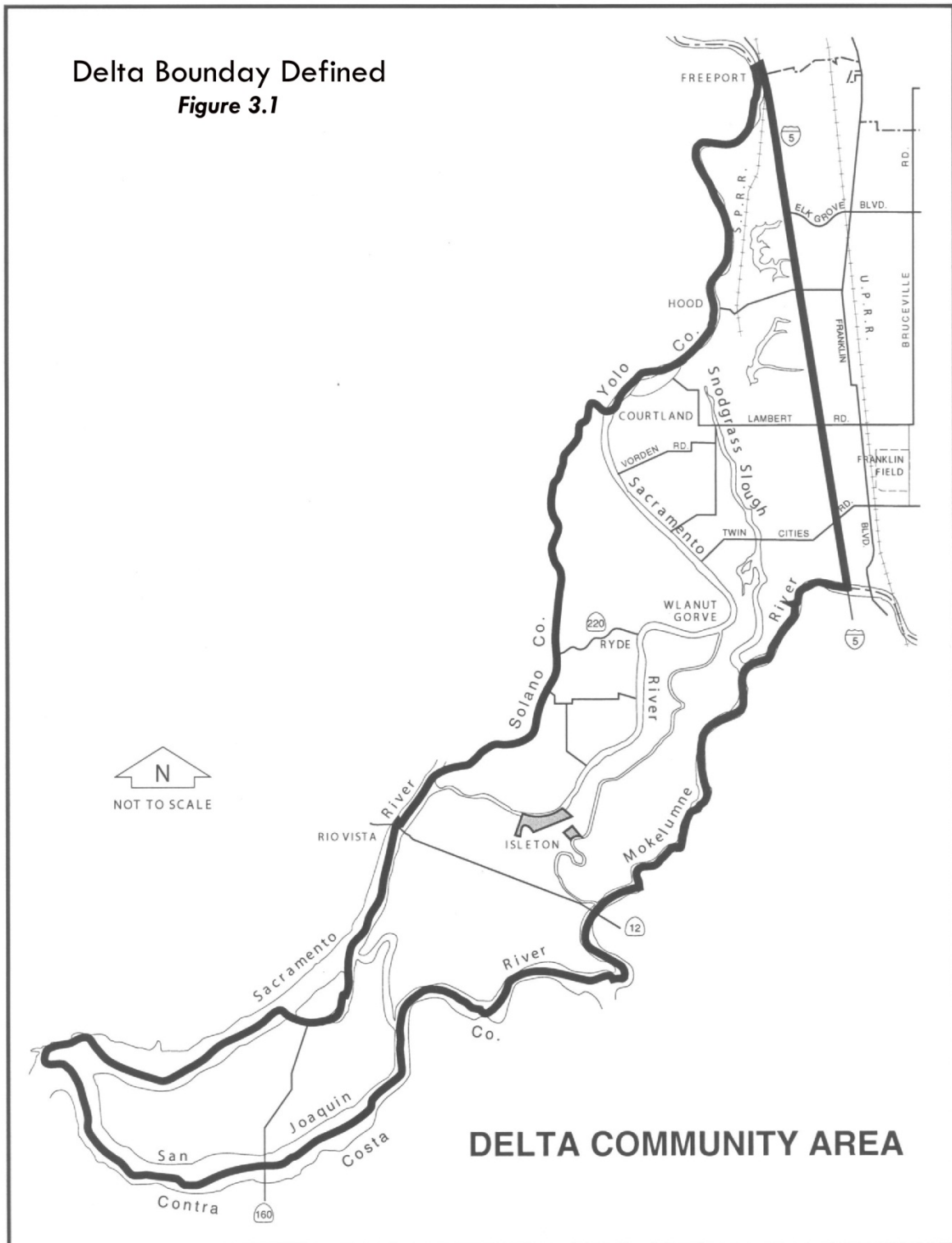
Commercial coaches may be used as temporary classrooms for private schools in any zoning district where private schools are permitted, provided that a Temporary Use Permit is obtained from the Zoning Administrator and further provided that a permit is obtained from the Chief Building Inspector.

**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 months. The Zoning Administrator may extend the approval for a total duration of one 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 may be authorized by the Zoning Administrator in any zoning district. The Short Term Shelter shall be under the supervision of a church or other nonprofit organization. The Short Term Shelter may be used for up to 30 consecutive or nonconsecutive days in any given year. The maximum occupancy shall be 75 persons at any given time and 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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## CHAPTER 4: SPECIAL AND COMBINING ZONING DISTRICTS

### 4.1. GENERAL

#### 4.1.1. Purposes

The Special and Combining Zoning Districts established in this Chapter are designed to promote and protect the public health, safety, and general welfare and are adopted for the following purposes:

- To provide for the orderly development and beneficial use of lands involving exceptional environmental characteristics.
- To preserve and enhance certain resources of the county from incompatible land uses.
- To preserve and protect areas of the county with special and unique social, architectural, or environmental characteristics that require special considerations not otherwise adequately provided by regular zoning districts.
- To provide greater flexibility in design than is otherwise provided under the regular zoning districts, to permit and encourage a more efficient development and utilization of areas with unique characteristics, resources, environmental factors and conditions; while preserving and protecting the public interest, health, safety, welfare, and property values.

#### 4.1.2. Table of Special and Combining Zoning Districts

The following special and combining zoning districts are established in this Chapter.

Section	Special or Combining Zoning District Name	Abbreviation
<b>Combining Zoning Districts</b>		
4.2	Flood Combining Zoning District	F
4.3	Food Processing Combining Zoning District	FP
4.4	Mobile Home Park Combining Zoning District	MHP
4.5	Natural Streams Combining Zoning District	NS
4.6	Neighborhood Preservation Area Combining Zoning District	NPA
4.7	Parkway Corridor Combining Zoning District	PC
4.8	Surface Mining Combining Zoning District	SM
<b>Special Zoning Districts</b>		
4.9	Delta Waterways Zoning District	DW
4.10	Special Planning Area Zoning District	SPA

#### 4.1.3. Relationship to Base Zoning Districts

Special zoning districts permit establishment of different uses and standards from the base zoning district. In the case of a combining zoning district, the regulations of the base zoning district generally apply; however, additional standards and rules of the combining zoning district may either add to or modify those regulations.

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## **4.2. FLOOD (F) COMBINING ZONING DISTRICT AND TRIBUTARY STANDARDS**

### **4.2.1. Purpose**

The Board of Supervisors in adopting the regulations of the Flood (F) combining zoning district recognizes that:

- The promotion of the orderly development and beneficial use of lands subject to recurrent flooding is necessary if the potential property damage that results from improper development is to be minimized.
- There is a need to protect current and future occupants of land subject to flooding from the physical damage of flooding.
- The health, general welfare, and safety of the public of the county as a whole require that lands subject to flooding be strictly regulated as to the uses permitted on the land and the amount of open space that separates buildings and structures.
- Inundation frequently causes extensive property damage.
- Strict regulation of flood lands is necessary to protect prospective buyers of land from deception as to the utility of the land within the flood zoning districts.

#### **4.2.1.A. Applicability**

The (F) combining zoning district is intended to comprise all land covered by rivers, creeks, and streams and land subject to flooding within the unincorporated area of the county.

#### **4.2.2. Prohibition**

No building, structure, vehicle, sign, or area in any zone with which the (F) combining zoning district is combined shall be used, nor shall any building, structure, sign, or vehicle be erected, altered, moved, enlarged, or stored in any zone with which the (F) combining zoning district is combined, except as hereinafter specifically provided in this Section or elsewhere in this Code; nor shall any area, building, structure, vehicle, or sign be used in any manner so as to create problems inimical to the public health, safety, or general welfare, or so as to constitute a public nuisance. Any building, structure, vehicle, sign, or lot, or the use of any building, structure, vehicle, or lot in any zone with which the (F) combining zoning district is combined shall be regulated and governed by the provisions of this Section, the regulations and provisions applicable to the zone with which the (F) combining zoning district is combined, and the regulations and conditions for each use in this Code. To the extent of any conflict between the provisions of the zoning district with which the (F) combining zoning district is combined the provisions of this Section shall prevail.

#### **4.2.3. Definitions**

##### **4.2.3.A. Designated Tributary**

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

##### **4.2.3.B. 100-Year Floodplain**

The area adjoining a river, stream, or watercourse which is subject to inundation by the 100-year flood.

#### **4.2.3.C. 100-Year Floodway**

The channel of stream or body of water, and those portions of the floodplain which are reasonably required to carry and discharge the 100-year floodwater or flood flow.

#### **4.2.3.D. 100-Year Floodway Fringe**

The area of the 100-year floodplain which is not within the 100-year floodway.

### **4.2.4. Flood Combining Zoning District Standards**

#### **4.2.4.A. Lot Area**

Each lot or parcel shall have a minimum lot area as required by the underlying zoning district, except that if neither a public water supply nor a public sewerage facility is in use, the net lot area for each lot or parcel shall be not less than one acre.

#### **4.2.4.B. Water Agency Regulations**

Every property, structure, or use in the (F) combining zoning district shall comply with all applicable provisions of the Drainage Ordinance, Floodplain Management Ordinance, and other applicable Water Agency regulations.

### **4.2.5. Development Standards for Property Adjacent to Designated Tributaries**

No building or structure shall be erected or maintained within the 100-year floodplain of designated tributaries, as defined in Section 4.2.3, and no lot shall be created unless the standards and requirements set forth in this Section are complied with and maintained. The locations of “designated tributaries indicated on the Comprehensive Zoning Plan are approximate. Therefore, in order to ensure compliance with the provisions of this Section, the proponent of any application for entitlement on any property located within 200 feet of the center line of a designated tributary must demonstrate the applicability of development standards set forth in this Section.

#### **4.2.5.A. Development Standards**

The following development standards shall apply to the placement of structures within floodplains of designated tributaries.

1. All construction except fences shall be located either:
  - a. Outside the 100-year floodplain of the tributary, or
  - b. At least 25 feet from the center line of the designated tributary and outside the floodway.
2. All construction shall maintain a habitable finished floor elevation at least one (1) foot above the water surface elevation of the 100-year floodplain.
3. Fences and other structures such as culverts and bridges which must be constructed within the floodway shall be designed to the requirements of the Sacramento County Department of Water Resources so as to prevent an obstruction or diversion of flood and drainage flow and to minimize adverse effects to natural riparian vegetation.

- 4.** Tributary channels shall remain in their natural state and shall not be altered (i.e., piped or channelized) unless the proposal is heard and approved by the appropriate authority in conjunction with any application for rezone, use permit, special development permit, variance or other similar application. If no such application has been filed, the proponent of such alteration shall apply for a site development plan approval to be heard by the Planning Commission.
- 5.** All proposed projects within designated tributary floodplains shall meet the requirements and regulations set forth in the Tree Ordinance of the Sacramento County Code, Title 19, Chapter 19.04.
- 6.** No fill shall be permitted within the 100-year floodplain of designated tributaries unless:
  - a.** The 100-year flood depth prior to the fill is less than two (2) feet, and
  - b.** The fill is for the minimum area to accommodate a structure and allow for a five (5) foot border area which shall have a side slope of 4:1 or flatter when no landscaping or erosion control is provided by the proponent, and
  - c.** There are no trees nine (9) inches in diameter or larger which cannot be successfully transplanted or otherwise protected from the impact of the fill, and
  - d.** The toe of the fill will not encroach within twenty-five (25) feet of the center line of the designated tributary, and
  - e.** The fill will not result in adverse hydrologic impacts on the stream, as determined by the Water Resources Division.
- 7.** Any new lot which is proposed to be created adjacent to a designated tributary, as defined in Section 4.2.3, must provide either:
  - a.** A buildable area outside the 100-year floodplain of that tributary, or
  - b.** A buildable area which is located at least twenty-five (25) feet from the center line of the tributary and which provides for construction with a minimum habitable floor elevation that is at least one foot above the water surface elevation of the 100-year floodplain and is outside the floodway.



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## **4.3. FOOD PROCESSING (FP) COMBINING ZONING DISTRICT**

### **4.3.1. Purpose**

The Food Processing (FP) Combining Zoning District provides for the location in agricultural areas of food processing industries that are dependent upon land extensive wastewater disposal in a manner that minimizes adverse environmental impacts and protects and enhances agricultural productivity.

#### **4.3.1.A. Applicability**

The FP zoning district may be combined with the AG-160, AG-80, AG-40, AG-20, and UR zoning districts.

#### **4.3.2. Allowed Uses**

- Any permitted or conditional use in the underlying zoning district and subject to the regulations of the underlying zoning district, except as otherwise provided in this Section.
- Food processing industries as defined in Section 7.3, “Use Definitions,” subject to approval of a conditional use permit by the Board of Supervisors after receipt of a recommendation on such use by the Planning Commission.
- Irrigation disposal of liquid waste material onto land, subject to approval of a conditional use permit by the Board of Supervisors after receipt of a recommendation on such use by the Planning Commission. The Board of Supervisors may issue a single use permit where an application is made for both a food processing facility and irrigation disposal of wastewater.

#### **4.3.3. Development Standards**

A food processing use shall be developed using the following standards:

##### **4.3.3.A. Setbacks**

The site map shall show the setbacks of plant facilities from property lines. The building setbacks should correspond proportionately to the height of proposed structures. Plant facilities should be set well back from public streets, other public uses, and residential uses.

##### **4.3.3.B. Landscaping, Signing, and Screening**

Plant facilities shall be designed and landscaped to minimize their visual impact upon adjoining uses. The site development plan shall include:

1. A screening and landscaping plan, consisting of a combination of fencing, berms, and plantings.
2. The elevations of buildings and structures demonstrating to the maximum extent possible the concealment of all process piping and equipment from adjacent properties.
3. Location, size, height, and elevation drawings of any proposed signs.

##### **4.3.3.C. On-site Signs**

On-site signs and permitted advertising devices may be erected subject to the development standards of Section 5.10, “Sign Regulations.” In addition, the use

permit for food processing use may establish specific conditions for signs that are less or more restrictive than the generally applicable sign standards.

#### **4.3.3.D. Bird and Rodent Nuisances**

No use shall be conducted or operated in such a manner as to cause a concentration of rodents, birds, or other animals in such numbers that may directly or indirectly interfere with the safe operation of general aviation craft within or above the disposal area, or in any other way constitute a threat to the public health or safety.

#### **4.3.4. Procedures**

For every use in the FP combining zoning district, a use permit is required. Substantial change of ownership, method of operation, nature of use, or expansion of a permitted food processing use is subject to an amendment to the use permit in force.

##### **4.3.4.A. Considerations**

When deciding a use permit application, the appropriate authority should consider the following:

##### **1. Parking**

The location and design of off-street vehicular parking facilities for visitors and employees and projected peak employee data.

##### **2. Truck Traffic**

The location and design of docking and waiting areas for trucks handling raw materials and processed products, ingress and egress from public roads, anticipated public street truck routes to freeways and major arterials, and the estimated peak number of trucks arriving and departing hourly and daily from the food processing plant.

##### **3. Soil Engineering**

A soil engineering analysis with recommendations, if necessary, to prevent structural damage as a result of the expansion and contraction of underlying soils, settling, subsidence, or other action.

##### **4. Type of Food Processing Operation**

The raw food crops that will be processed, their origins, previously processed bulk agricultural products used in the production process, the food products that will be produced, and the duration of the processing season.

##### **5. Water Consumption**

- a. The source of water to be used in plant operation.
- b. The proposed location of wells and estimated drilling depth, if groundwater is to be used.
- c. The location and identification number of existing wells on the property and on adjoining property.
- d. An analysis of groundwater samplings from wells on the property or, if none exist, groundwater quality data that may be available for adjoining wells.
- e. The average and peak daily water requirements, in gallons per day.

- f. The total annual process water requirements and supplemental water requirements for irrigation in acre feet per year.
- g. The existing annual water use at the site, including the area proposed to accommodate the waste disposal system.
- h. Comments by the Sacramento County Environmental Management Department and Department of Water Resources regarding the proposed water supply system for the plant.

#### **6. Air Pollution Control**

- a. Control sulfur, nitrous oxide, and hydrocarbon emissions from fuel oil boilers.
- b. Control hydrocarbon emissions from can manufacturing equipment incorporated in the plant design.
- c. Limit odors resulting from the food processing operation.

#### **7. Grading and Irrigation**

- a. Location and acreage of the disposal area and the existing and graded topography at two-foot contour intervals (with spot elevations for flat land) with all surface drainage courses shown.
- b. Specific measures, if any, to improve soil permeability, such as ripping of hardpan or installation of underdrains.
- c. The design slope and length of run for surface irrigated fields.
- d. The layout of the irrigation system and irrigation return and discharge system.
- e. A description of the irrigation cycle, application rate, and infiltration rates of wastewater during periods of peak irrigation and the equipment or methods used to regulate application.
- f. The surface disposal systems, provisions for storm drainage, surface runoff drainage, and discharge of effluent, if any.
- g. Provisions for on-site liquid waste storage facilities capable of meeting emergency storage needs resulting from unreasonable weather or equipment failure.
- h. The comments by the Sacramento County Environmental Management Department, Department of Water Resources, the Sacramento Yolo Mosquito Abatement District, and Central Valley Regional Water Quality Control Board on the program to grade and irrigate the property.

#### **8. Agricultural Management**

- a. The proposed agricultural use of the land and existing agricultural use on and in the vicinity of the site.
- b. The types of crops to be grown, the management program (rotation, etc.) to be employed, and specific measures to minimize the concentration of rodents on and the attraction of birds to the disposal site.
- c. The distribution of soil types, soil profile descriptions (including depth to hardpan), soil chemical analysis, permeability data, and other relevant soil information that relate to the disposal site.

## 9. Economic Data

Because a clear and compelling economic need for land extensive wastewater disposal systems is the principal justification for rural industries and rural land disposal systems, the use permit application shall quantitatively identify the economic advantages of land disposal over conventional municipal treatment. Information necessary to make such a determination, include, but not limited to: the costs of land acquisition; land preparation: conveyance systems, pumps, and other capital improvements; projected maintenance and operation requirements and costs; average and peak volume, organic loading, and suspended solids content of wastewater; and other information necessary to project sewage changes for municipal treatment shall be considered.

## 10. Domestic Sewage Disposal

- a. An estimate of the average and peak daily sanitary sewage flow during the processing season and during the off season shall be included within the waste management plan of the use permit application.
- b. The proposed method of treatment and disposal of domestic sewage.
- c. Conformance with the requirements of the Environment Management Department and the Regional Water Quality Control Board.

## 11. Solid Waste Management

The proposed program for reclamation and disposal of solid waste as defined in Chapter 7, Definitions, generated at the disposal site, including:

- a. The type and quantity of solid waste.
- b. Reclamation and reprocessing procedures to be instituted.
- c. Disposal techniques, including on-site storage, transportation, and the ultimate location of off-site disposal.
- d. The location of and procedures for disposing of any solid waste at the site.
- e. Specific operating procedures designed to prevent conditions that might attract birds to the disposal area.
- f. Accordance with the Health Agency's regulations governing the disposal of organic cannery wastes in Sacramento County.

### 4.3.4.B. Use Permit

#### 1. Conditions

The Planning Commission may recommend and the Board of Supervisors may require the use permit be subject to reasonable conditions. The Board of Supervisors has accepted the report "Agricultural Industries: Prospects, Perspectives, Planning", prepared by a technical advisory committee appointed by the Board of Supervisors. Guidelines and criteria in Chapter 7 of the report coupled with mitigation measures recommended in any environmental analysis of an application shall be duly considered by the Planning Commission or the Board of Supervisors, or both, in recommending and approving an application.

#### a. Enforceable Restrictions

The conditional use permit may be conditioned upon the owner of the land used for wastewater discharge executing a Land Conservation Act agreement or an open space easement.

**b. Waste Discharge Requirements**

The use permit shall be expressly conditioned upon compliance with waste discharge requirements of the Regional Water Quality Control Board. The use permit shall also specify that if the state suspends or revokes its approval of the waste discharge program then the conditional use permit may also be suspended or revoked. The county shall encourage the Regional Water Quality Control Board to include the following provisions in their waste discharge requirements:

- (i) Maximum seasonal BOD loading rates to the land.
- (ii) Monitoring of groundwater levels.
- (iii) On-site liquid waste storage facilities sufficient to meet emergency storage requirements resulting from unseasonable wet weather during operating periods.

**c. Soils Analysis**

Each conditional use permit shall include, as a condition, that an ongoing monitoring program be established to insure that the long term productivity of soils irrigated with wastewater is maintained. A soils analysis shall be performed biannually (immediately prior to the processing season and immediately following the processing season). The Cooperative Agricultural Extension Office or other qualified experts shall review such data to determine the level of buildup of sodium based salts. If it is determined that soil salt levels are detrimentally affecting the agricultural productivity of the wastewater disposal site, this shall be reported to the Sacramento County Environmental Management Department and the operator, along with recommended measures to reverse the salt buildup. Such measures may include changes in the types of crops planted, rotational cropping techniques, the use of soil amendments, alteration of production process to reduce chemical concentration in the wastewater, modified application practices, or other changes in the waste disposal program. Within 30 days of receiving such written measures the Environmental Management Department shall establish, in consultation with the operator of the wastewater disposal site, a written schedule for implementing necessary measures. The operator shall implement all necessary measures no later than one year following establishment of the schedule, or within any lesser period as may be provided in the schedule.

**2. Responsibility**

The operator of the processing plant shall be responsible to the county for the operation of the disposal site even though the disposal site is owned or operated by another person or entity. If there is separate ownership or operating management, the county may condition the use permit by requiring an agreement between the land disposal operator and the plant operator relating to the management of the disposal site. Any agreement shall be approved by the County Counsel prior to the grant of the use permit.

### **3. Term**

The term of the permit shall be consistent with the operative life of the food processing industry involved. A term of 30 years is considered reasonable.

#### **4.3.4.C. Bond**

The Board of Supervisors may require that the applicant post a bond or other security to ensure compliance with any conditions of the use permit. The bond shall be in a form to be approved by the County Counsel and in an amount to be approved by the Director of the Sacramento County Community Development Department and shall be deposited with the Clerk of the Board of Supervisors. The Director of the Community Development Department is authorized to release the bond or security upon satisfaction of the conditions or expiration of the use permit. In lieu of the bond, the following will satisfy the bond or security requirement:

1. Certificates of deposit payable to the county issued by banks doing business in this state and insured by the Federal Deposit Insurance Corporation.
2. Investment certificates or share accounts assigned to the county and issued by a savings and loan association doing business in this state and insured by the Federal Savings and Loan Insurance Corporation.
3. Bearer bonds issued by the Federal or state government; or cash deposited with the county.
4. Other forms of security acceptable to the County Counsel.

#### **4.3.4.D. Advisory Committee**

The Board of Supervisors may establish a committee to advise the county in technical matters relating to the establishment of appropriate conditions of approval for the use permit, the periodic review of uses permitted under the provisions of this ordinance or the recommendation of measures that may be necessary to ensure ongoing compliance with the conditions of the use permit.

#### **4.3.4.E. Action by the Board of Supervisors**

In addition to any other findings required as a matter of law, the Board of Supervisors shall not grant a conditional use permit for a food processing industry until it finds that:

1. The required plans and reports adequately describe the proposed operation.
2. The proposed use is consistent with the definition of food processing industries as provided in this Code.
3. The required plans and reports incorporate all reasonable measures to mitigate probable significant adverse environmental effects of the proposed operation.
4. The required data establish a clear and compelling economic benefit to land disposal of process wastewater.
5. The proposed use benefits agriculture.

## **4.4. MOBILE HOME PARK (MHP) COMBINING ZONING DISTRICT**

### **4.4.1. Purpose**

The Mobile Home Park (MHP) combining zoning district, as shown on the Comprehensive Zoning Plan, is designed to provide for the development of mobile home parks, as defined in Section 7.3, “Use Definitions,” of this Code. When combined with the underlying zoning district, it will provide opportunity for a variety of mobile home park environments that are compatible with the communities in which they are placed. In adopting these regulations, the Board of Supervisors recognizes that:

- There is a need to afford present and future county residents with increased options for residential living environments.
- Mobile home parks are a potential means for affordable housing.
- Mobile home park densities should be consistent with densities in surrounding areas.
- There should be opportunities for design flexibility to permit mobile home park developments to be responsive to different site conditions, community plan considerations, potential markets, and sizes of mobile homes.

### **4.4.1.A. Applicability**

The “MHP” appearing after a zoning district abbreviation in the Comprehensive Zoning Plan indicates that the property so classified is subject to the provisions of this Section in addition to those of the underlying zoning district, except as otherwise specified in this Code. The MHP combining zoning district may be combined with any residential underlying zoning district. The MHP combining zoning district shall be applicable to all new mobile home park projects proposed after \_\_\_\_\_ [the effective date of this ordinance].

### **4.4.2. Permitted Uses**

The uses permitted in the MHP combining zoning district shall be those uses specified in the Table 3.1, Allowed Uses for Agricultural, Agricultural-Residential, Residential, and Recreation Zoning Districts, subject to the provisions of this Section.

### **4.4.3. Site Planning Guidelines and Principles**

#### **4.4.3.A. Site Development Plans**

No mobile home park shall be constructed in the MHP combining zoning district and no permits issued for any construction unless a site development plan is prepared and approved pursuant to the provisions of Section 6.4, “Site Development Plans” and utilizes the guidelines set out in this Section.

The site development plan shall show individual site conditions and reflect the type of market to be served, and be adaptable to the trends in design of mobile homes. Site planning should utilize terrain, existing trees, shrubs, and rock formations and should reflect the following recommendations:

#### **1. Amenities**

Include provision for facilities and amenities appropriate to the needs of the occupants.

## **2. Arrangement of Structures and Facilities**

The site, including mobile home stands, patios, structures, and all improvements, should be harmoniously and efficiently organized in relation to topography, the shape of the plot, and the shape, size, and position of structures and common facilities. Attention should be given to use, appearance, and livability.

## **3. Adaptation to Site Assets**

The mobile home unit should be fitted to the terrain with a minimum disturbance of the land. Existing trees, rock formations, and other natural site features should be preserved if practical. Favorable views or outlooks ought to be emphasized by the plan.

## **4. Protection from Adverse Influences**

Adequate protection should be provided against any undesirable off-site views or any adverse influence (such as heavy commercial or industrial use, heavy traffic, or brightly lighted activities) from adjoining streets and areas.

## **5. Site Plan**

The site plan shall provide for a desirable residential environment for mobile homes that is an asset to the community in which it is located. Innovation and imaginative design shall be encouraged; monotony avoided.

## **6. Suitability of Site Improvements**

All site improvements shall be appropriate to the type of development, and durable under the use, and maintenance contemplated.

### **4.4.4. Mobile Home Park Design Standards**

No building or structure shall hereafter be erected or located, nor shall any mobile home park be constructed within the MHP combining zoning district unless the following requirements are provided and maintained.

#### **4.4.4.A. Park Area**

Each park shall have a minimum net area of not less than five acres.

#### **4.4.4.B. Density**

The gross residential density of a mobile home park shall not exceed the allowable density of the underlying zoning district, except that the appropriate authority may permit increased densities up to 50 percent over the maximum permitted by the underlying zoning district when it finds that at least 15 percent of the lots are designed exclusively for the placement of single wide mobile homes.

#### **4.4.4.C. Perimeter Yards**

There shall be a landscaped yard of not less than 20 feet adjoining each public street right of way and not less than 10 feet adjoining each interior property line.

#### **4.4.4.D. Public Street Frontage**



Each park shall be located on a public street having at least a 60-foot right of way. Each park shall have not less than 60 feet of frontage on a public street, except as authorized by the appropriate authority.

For right of ways with PUPFs, each park shall have not less than 66 feet of frontage on a public street, except as authorized by the appropriate authority.

#### **4.4.4.E. Mobile Home Lots**

Each mobile home lot shall be designed to be occupied by one mobile home and uses accessory thereto. Lot sizes shall be appropriate to the anticipated size of mobile home and be governed by the regulations concerning yards, minimum distances between stands and structures, outdoor living areas, and on-site parking; however, no lot shall be less than 1,100 square feet. All lots shall be numbered, clearly defined and marked at all corners with permanent markers.

#### **4.4.4.F. Separation of Mobile Homes**

1. The occupied area of a mobile home lot shall not exceed 75 percent of the lot area.
2. The minimum distance required for the separation of a mobile home or accessory structure from a building shall be 10 feet. The minimum distance required for the separation of a mobile home or accessory structure from any other mobile home or accessory structure shall be 10 feet from side to side, eight feet from side to rear, and six feet from rear to rear or front to front or front to rear; provided, however, that each mobile home or accessory structure shall not be located closer than three feet from the rear or side lot line or any lot line abutting a property line or another mobile home lot.
3. When a mobile home has projections, including eave overhangs, the projections may intrude into the distance required for separation of setback, provided that a minimum of six feet separation is maintained between the edge of the projections and an adjacent mobile home, building, accessory structure, or its projection. A minimum of three feet shall be maintained from the mobile home projection and the adjacent lot line or property line.
4. The minimum setback from an interior access roadway shall be five (5) feet.
5. Whenever the mobile home lot adjoins a perimeter street yard or perimeter interior yard, the distances specified here shall be in addition to the perimeter street yard or perimeter interior yard specified in Section C, above.

#### **4.4.4.G. Outdoor Living Area**

Private outdoor living and service space shall be provided on each lot for each mobile home and be located for privacy and convenience to the occupant. The minimum area shall be not less than 300 square feet, with a least dimension of 15 feet.

#### **4.4.4.H. Recreation Area**

Recreation areas provided must be landscaped and maintained in a dust free condition as shown and approved on the site development plan.

#### **4.4.4.I. Storage Area**

One or more storage areas shall be provided for the storage of boats, campers, camping trailers, utility trailers, and extra vehicles. 100 square feet of vehicle storage areas shall be provided per mobile home space. Each vehicle storage area shall be completely enclosed within a chain link or comparable fence six feet in height and shall be screened from exterior view. Such storage areas shall not be located within any street or interior yard required by the paragraph, above. Whenever any such storage area is adjacent to an interior yard, and the adjacent property is within a residential or agricultural zoning district, the interior yard shall be planted with fast growing screening trees selected from the approved list of Plant Materials for Parking Lot Landscaping.

#### **4.4.4.J. Water Supply and Sanitation Facilities**

Public water supply and public sanitary sewerage facilities shall be required.

#### **4.4.4.K. Fire Protection**

Onsite and offsite fire hydrants and fire protection facilities shall be installed as specified in the site development plan and shall be of a type approved by the chief of the local fire protection district.

#### **4.4.4.L. Entrance Roadways**

1. Entrance roadways shall not be located closer than 150 feet from any intersection of public streets.
2. Entrance roadways shall have a minimum width of 40 feet, except where said entrance roadway is divided by a median planting strip; in such case, the minimum width shall be 50 feet and each side shall then be one way.

#### **4.4.4.M. Interior Access Roadways**

No mobile home, travel trailer, or recreation vehicle site shall have direct frontage on any public street. The interior roadways within the mobile home park shall meet the following standards:

1. The minimum width of pavement on any roadway shall be 25 feet. Roadways on which parking is permitted on one side shall have a paved width of not less than 32 feet. Roadways on which parking is permitted on both sides shall have a paved width of not less than 40 feet.
2. Any roadway that does not provide for continuous circulation shall not exceed 600 feet in length from the nearest intersection of another roadway or a street. Any roadway that does not provide for through circulation shall terminate with a turnaround design acceptable to the Sacramento County Engineering Division.
3. All roadways shall be surfaced with a minimum of two inches of asphaltic concrete over four inches of compacted aggregate base or an equivalent structural Section.

#### **4.4.4.N. Parking**

Parking spaces in mobile home parks shall be provided pursuant to Section 5.10, "Off-street Parking Requirements."

## **4.5. NATURAL STREAMS (NS) COMBINING ZONING DISTRICT**

### **4.5.1. Purpose**

The Natural Streams (NS) Combining Zoning District, as shown on the Comprehensive Zoning Plan, shall be used to regulate property along the designated Natural Streams within the unincorporated area of the county to:

- Protect current and future occupants of land subject to flooding from the physical damage of flooding.
- Protect property from flood losses and prevent incompatible development in floodprone areas.
- Protect and preserve the natural character and amenities of the Natural Streams.
- Minimize the placement of fill in floodplain areas of the Natural Streams.
- Protect and enhance the quality of water entering and flowing within the Natural Streams.
- Preserve the recreation potential of the Natural Streams.

### **4.5.1.A. Applicability**

1. The NS appearing after a zoning district abbreviation on the Comprehensive Zoning Plan indicates that the property so classified is subject to the provisions of this Section in addition to those of the underlying zoning district, except as otherwise specified in this Section.
2. The NS combining zoning district may be applied to the unincorporated area of the county adjacent to or near the designated Natural Streams unless the Board of Supervisors determines that land development may have an impact on the preservation or enhancement of scenic, recreational, hydrological, or related values along or near the Natural Streams.
3. For purposes of this Section, the following streams or portions of streams are designated as Natural Streams:
  - a. Arcade Creek from Auburn Boulevard (near Winding Way) to Greenback Lane (east of Almond Avenue).
  - b. Arcade Creek South Branch from the confluence with Arcade Creek to approximately 1100 feet east of Kenneth Avenue.
  - c. Brooktree Creek from the confluence with Arcade Creek to San Juan Avenue.
  - d. Carmichael Creek from Ancil Hoffman Park to Walnut Road.
  - e. Chicken Ranch Slough from Cottage Way to approximately 350 feet west of Garfield Avenue.
  - f. Coyle Creek from the confluence with Brooktree Creek to Madison Avenue.
  - g. Cripple Creek from the confluence with Arcade Creek to approximately 400 feet north of Central Avenue.
  - h. Kohler Creek from the confluence with Arcade Creek to Madison Avenue.

- i. Linda Creek from the Placer County line near Old Auburn Road to the Placer County line near Mountain Avenue.
- j. Minnesota Creek from the American River Parkway to approximately 550 feet north of Olive Street.
- k. San Juan Creek from the confluence with Arcade Creek to Greenback Lane.
- l. Strong Ranch Slough from Arden Way to approximately 800 feet east of Walnut Avenue.
- m. Verde Cruz Creek from the confluence with Arcade Creek to approximately 1800 feet west of Dewey Drive.

#### **4.5.2. Supplemental Use Regulations**

##### **4.5.2.A. Permitted Uses**

Except as provided in Sections B. and C. of this Section, all uses designated as either permitted or conditional uses in the underlying zoning district shall be conditional uses in the NS combining zoning district subject to obtaining a conditional use permit from the appropriate authority and further subject to satisfactorily meeting the development guidelines established in section 4.5.4.

##### **4.5.2.B. Activities and Uses Permitted Without a Conditional Use Permit**

1. Notwithstanding Section A, the following uses, buildings, improvements, and structures are permitted uses without a conditional use permit upon approval of the Planning Director or his designee per Section E, below, and provided they meet the development standards described in 4.5.4.
  - a. Modification or alteration to an existing single-family detached dwelling on each lot.
  - b. Modification or alteration to an existing two family dwelling on each lot.
  - c. Accessory uses, building, and structures (including swimming pools and appurtenant equipment) customarily incidental to and subordinate to single-family detached and two-family dwellings when constructed in conjunction with an existing single-family or two-family dwelling.
  - d. Erosion control improvements with the Sacramento County Department of Water Resources approval in conjunction with existing residential uses and "low flow" bridges in conjunction with recreation and open space uses operated by a public park district.
2. In an NS combining zoning district, any application for a building permit or other entitlement of use, building, or structure authorized without a conditional use permit by this Section shall be reviewed by the Planning Director for compliance with the provisions of this Section. The Planning Director shall require a site plan to make any determination. If, in the opinion of the Planning Director, the proposed development will not meet the development requirements provided in this Section, he shall inform the applicant that the building permit or other entitlement of use is disapproved. The Planning Director's decision is not subject to an appeal. The applicant's sole recourse to the Planning Director's decision is to apply for approval of the proposed development by conditional use permit.

**4.5.2.C. Uses with Prior Approval**

A use or development that received prior approval from an appropriate authority, including review by the Natural Streams Task Force, between March 1, 1979, and \_\_\_\_\_ [the effective date of this Section], shall be exempt from the provisions of Section 4.5.4, "Development Standards," provided that any use to be developed operated and is maintained in a manner consistent with the conditions of the issued approval.

**4.5.2.D. Use of County-owned Property**

County owned or controlled real property in an NS zoning district shall require prior approval of the Board of Supervisors for any use of the property. The Board of Supervisors shall not approve any use of such property that is inconsistent with the General Plan.

**4.5.2.E. Appropriate Authority for Granting of Use Permits**

The appropriate authority to hear use permits required under this Section shall be as prescribed in Section 6.4.3, "Conditional Use Permits," except that the Planning Director shall be the appropriate authority to hear use permits for the following uses:

1. One new single-family detached dwelling on each lot.
2. One new two-family dwelling on each lot.
3. Accessory uses, building, and structures, including swimming pools and appurtenant equipment customarily incidental to and subordinate to single-family detached and two-family dwellings when constructed at the same time as any new single-family detached or two-family dwelling.

**4.5.3. Development Standards****4.5.3.A. General Standards**

1. Generally, development requirements of property including lot area, lot width, or public street frontage applicable to property located in the underlying zoning district, shall apply to uses authorized by Sections 4.5.3.A and 4.5.3.B, above.
2. Every property, structure, or use in the NS zoning district that is located within flood hazard area shall comply with the Floodplain Management Ordinance, and applicable provisions of all other Water Agency regulations.
3. In addition, the appropriate authority, in consideration of any use permit application filed pursuant to this chapter, shall utilize the following development guidelines as the basis for approving or denying the application. Any project that deviates from these development guidelines described may be approved only if there are no reasonable alternatives to the project that would meet the development guidelines and the project is consistent with the purposes of the NS combining zoning district.

**4.5.3.B. Placement of Structures in Floodplain Areas**

1. All new construction or substantial improvements shall have the lowest habitable floor including basements floodproofed or elevated at least one foot above the water surface elevation of the 100-year floodplain.

2. No encroachment, fill, alteration, or use shall result in diminution of the freeboard of an existing dwelling's lowest habitable floor below one foot above the water surface elevation of the 100-year floodplain.
3. Single-family and duplex garages, swimming pools, and other similar structures shall be constructed at an elevation equal to or greater than the water surface elevation of the 100-year floodplain.
4. Parking lots and driveways shall not be constructed lower than one foot below the water surface elevation of the 100-year floodplain. The appropriate authority may approve parking lots on an elevation lower than one foot below the water surface elevation of the 100-year floodplain in instances where the use of the parking lot is infrequent, where the property owner has entered into a hold harmless agreement with the county, and where appropriate warning signs are erected to advise vehicle operators of the flood hazard potential.
5. Utility and sanitary facilities shall be elevated at least one foot above the 100-year floodplain water surface elevation, or buried at least 30 inches below grade using watertight construction. Inspection and maintenance accesses shall be flood proofed and located outside the 100-year floodway fringe. Exceptions may be granted by the Sacramento County Department of Water Resources.

#### **4.5.3.C. Floodway Areas**

1. Within the 100-year floodway, no project, public or private, shall result in the alteration of the 100-year floodway except when the project will correct conditions that are hazardous to the public health and safety.
2. No fill, storage, encroachment, new construction, or substantial improvement of existing habitable dwellings or accessory structures shall be allowed.
3. Fences and other structures such as culverts and bridges that must be constructed within the floodway shall be designed to the requirements of the county so as to prevent an obstruction or diversion of flood and drainage flow, and to minimize adverse effects to natural riparian vegetation and ecosystems.
4. No structures or parts of structures shall overhang, project, or protrude into the 100-year floodway.

#### **4.5.3.D. Landfill in Floodplain Areas**

No fill shall be permitted in the 100-year floodplain unless:

1. The 100-year flood depth prior to the fill is less than two feet, and
2. The fill is for the minimum area to accommodate a structure and allow for a five-foot border area that shall have a side slope of 4:1 or flatter when no landscaping or erosion control is provided by the proponent, and
3. There are no trees nine inches in diameter or larger that cannot be successfully transplanted or otherwise protected from the impact of the fill.
4. Exceptions to the above standards may be permitted within the floodplain when special circumstances exist as may be determined by the appropriate authority consistent with the goals and policies of the Natural Streams Plan. Such circumstances include:

- a.** If the fill area is a swale or depression that is not a designated tributary and that lacks trees or shrubs, rock outcroppings, or other distinctive natural features, or
- b.** If the fill is necessary for resolving a health or safety hazard.

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## **4.6. NEIGHBORHOOD PRESERVATION AREA (NPA) COMBINING ZONING DISTRICT**

Some areas of the county, due to unique social, architectural, environmental, or other characteristics, require special regulations not found in the basic Zoning Districts, in order to protect and preserve existing neighborhood characteristics.

### **4.6.1. Purpose**

It is the intent of a Neighborhood Preservation Area (NPA) Combining Zoning District to provide a means by which regulations may be provided to supplement or modify the provisions in the basic zoning districts as necessary to preserve existing unique characteristics. An NPA zoning district may be combined with any other zoning classification.

### **4.6.2. Establishment**

An NPA zoning district shall be established by ordinance that shall specify and describe the area to be subjected to the regulations of the ordinance. An NPA ordinance may specify yard areas, lot area, lot width, public street frontage requirements, height limitations, sign standards, or other development standards to be applied within the district in lieu of the requirements contained in the underlying zoning district(s).

#### **4.6.2.A. Criteria**

The following criteria shall be applicable to the establishment to any NPA zoning district, and the ordinance establishing said zoning district shall contain findings relative to such criteria:

1. The neighborhood described in and subject to the NPA ordinance has unique social, architectural, environmental, or other characteristics that will be preserved by the regulations and standards contained in the NPA ordinance.
2. The NPA zoning district is of sufficient size to constitute an identifiable neighborhood.
3. The NPA zoning district does not unduly restrict reasonable uses of the land nor cause undue hardship on property owners within this zoning district.

#### **4.6.2.B. Limitations**

An NPA ordinance adopted pursuant to this Section shall not limit or add to the uses permitted in the underlying zoning district(s), nor shall such ordinance permit a greater density of land use than permitted in the underlying zoning district(s).

#### **4.6.2.C. Designation**

The abbreviation "NPA" appearing on a comprehensive zoning district plan incorporated in this Code indicates that the property so classified is subject to the provisions of this Section and any ordinance adopted pursuant to this Section.

### **4.6.3. Strict Interpretation**

An NPA zoning district shall be interpreted strictly to modify only the standards or requirements as specified in the applicable NPA ordinance. All standards and requirements of this Code that are not inconsistent with the stated provisions of the NPA ordinance shall apply.



## **4.7. PARKWAY CORRIDOR (PC) COMBINING ZONING DISTRICT**

### **4.7.1. Purpose**

The Parkway Corridor (PC) Combining Zoning District, as shown on the Comprehensive Zoning Plan, shall be used to regulate property along the American River within the unincorporated area of the county. The goals promoted by establishment of this zoning district include:

- Preserve and enhance the American River and its immediate environment consistent with the goals and policies of the American River Parkway Plan, an element of the Sacramento County General Plan.
- Ensure, to the extent possible, the compatibility of land uses within the American River Parkway and land adjacent to the Parkway for their mutual benefit.
- Ensure that development with access within and adjacent to the American River Parkway is designed to reduce as much as possible visible intrusion into the Parkway and to complement the naturalistic amenities of the Parkway.
- Provide flexibility in development requirements such as setback, height, bulk, and landscaping applicable to parcels of property subject to the regulations of the PC zoning district.
- Minimize risks to public health, safety, and welfare in areas that are potentially threatened by erosional processes.
- Ensure that bluff development, including related storm runoff, foot traffic, site preparation, construction activity, irrigation, and other activities and facilities accompanying such development, does not create or contribute significantly to problems of erosion or geologic instability on the site or on surrounding areas.
- Ensure that bluff development is sited and designed to assure stability and structural integrity for its expected economic lifespan while minimizing alteration of natural landform features.
- Ensure that development within the American River Parkway Corridor zoning district occurs in a manner that maintains a safe environment for homes and other improvements, and protects the aesthetic and environmental quality of the Parkway.

### **4.7.1.A. Applicability**

1. The PC appearing after a zoning district abbreviation on the Comprehensive Zoning Plan indicates that the property so classified is subject to the provisions of this Section in addition to those of the underlying zoning district, except as otherwise specified in this Section.
2. The PC combining zoning district may be applied to the unincorporated area of the county adjacent to or near the American River for which the Board of Supervisors determines that land development may affect the stability of bluffs or terraces or have an impact on the preservation or enhancement of scenic, recreational, fishery, or wildlife values along or near the American River.
3. The PC combining zoning district is comprised of four erosion zoning districts based on geologic hazards resulting from erosional processes. Erosion zoning districts have been defined with development setbacks that identify areas potentially

subject to erosion within the next 100 years. Property owners and developers must address the erosion problems associated with the erosion zoning districts prior to development in the applicable erosion zone.

4. County owned or controlled property in the PC combining zoning district shall require prior approval of the Board of Supervisors for any use of the property. The Board of Supervisors shall not approve any use of such property that is inconsistent with the American River Parkway Plan or any other element of the General Plan.

## 4.7.2. Erosion Zones

### 4.7.2.A. Erosion Zones Established

The Erosion Zones shall be established as depicted in Erosion Zone Exhibits A through D of this Section.

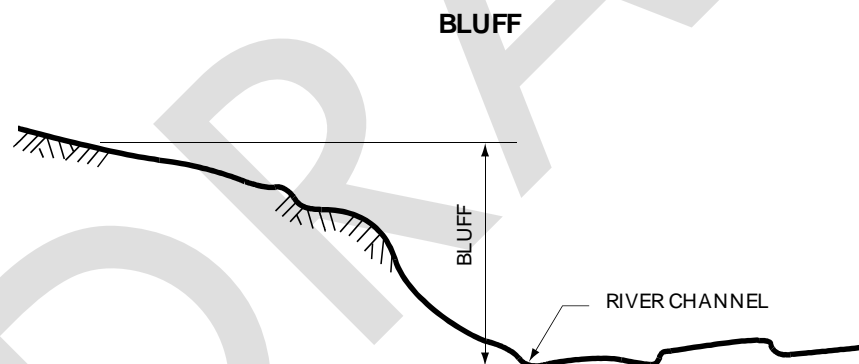
### 4.7.2.B. Definitions

The following definitions apply to this Section.

#### 1. Bluff

A bluff is an escarpment or steep face of rock, decomposed rock, sediment, or soil resulting from erosion, faulting, folding, or excavation of a landmass. A bluff may be planar or have a curved surface, or it may be step-like in section. As used in this zone, "bluff" is limited to those features having a vertical relief of 10 feet or more whose toe is subject to river erosion (See Figure 4-1).

**FIGURE 4-1**



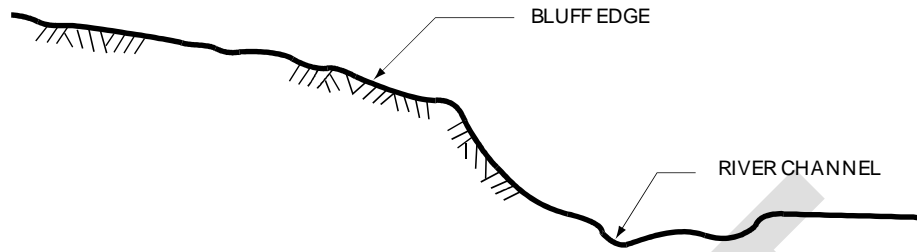
#### 2. Bluff Edge

The bluff edge is the upper termination of a bluff. The bluff edge can be defined in the following manner:

- a. When the top of the bluff is rounded away from the face of the bluff, the edge shall be defined as that point nearest the bluff at which the slope of the land surface becomes more or less continuous with the general slope of the surrounding land area going away from the river (See Figure 4-2).

**FIGURE 4-2**

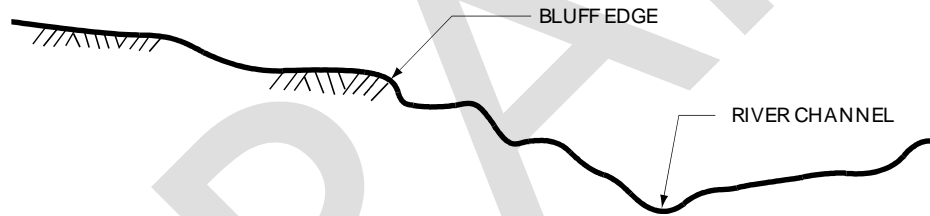
**BLUFF EDGE**



- b. When there is a step like feature at the top of the bluff face, the landward edge of the topmost riser shall be defined as the bluff edge (See Figure 4-3).

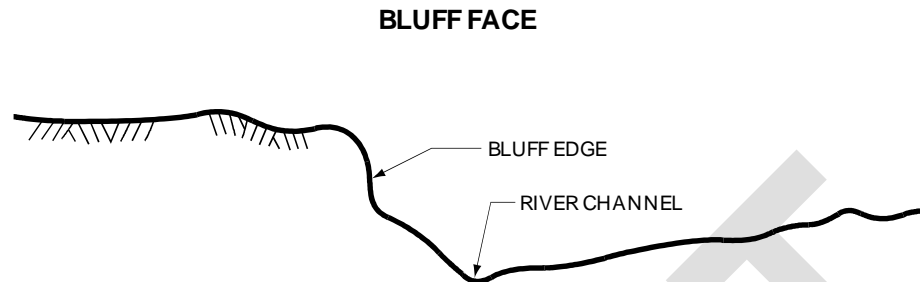
**FIGURE 4-3**

**BLUFF EDGE**

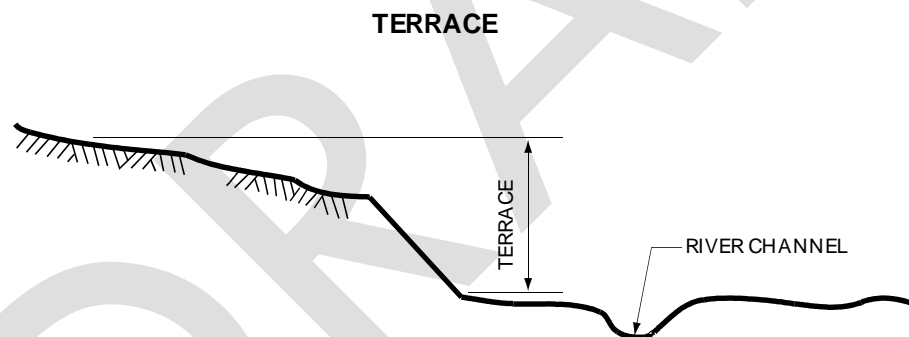


**3. Bluff Face**

The bluff face shall be defined as that portion of the bluff's land surface that extends in a downward gradient from the bluff edge to the toe (See Figure 4-4).

**FIGURE 4-4****4. Terrace**

A terrace shall be defined as an elevated portion of rock, decomposed rock, sediment, or soil resulting from erosion, faulting, folding, or excavation of a landmass. A terrace may have a curved surface or it may be step like in section. As used in this zone, a "terrace" is limited to those features having a vertical relief of 10 feet or more whose toe is not presently subject to river erosion (See Figure 4-5).

**FIGURE 4-5****4.7.2.C. Resolution of Disputes**

The Planning Director shall resolve disputes with regard to a determination made establishing a bluff or terrace, the edge of a bluff or terrace, toe of a bluff or terrace, 100-year floodplain, designated floodway, or other significant topographic or geologic feature. Any person dissatisfied with the determination made by the Planning Director may appeal such determination, pursuant to Section 6.1.3, "Appeal."

**4.7.3. Development Standards****4.7.3.A. Standards On Lots Protected By Levees**

Development standards for uses, buildings, or structures on lots protected by levees maintained by a public agency shall be as follows:

**1. Height**

The maximum height of a building or structure shall not exceed the difference between the elevation of the finished grade of the building site and the elevation of that portion of the levee crown closest to the building site, plus five feet, plus one foot for each five feet by which the distance from the building structure to the landward toe of levee exceeds 35 feet; but in no event greater than the height limitations of the underlying zone.

**2. Setback**

No building or structure other than an accessory building is located closer than 35 feet, and no accessory building is located closer than 25 feet to the landward toe of the levee.

**4.7.3.B. Standards On Lots Not Protected By Levees**

Development standards for uses, buildings, or structures on lots not protected by levees maintained by a public agency and also not within the total setback distance in an erosion zoning district as described on the Erosion Zone Exhibits A through D, shall be as follows:

**1. Height of Accessory Buildings**

Accessory buildings shall not exceed 12 feet in height.

**2. Screening**

Dwellings and other structures shall be screened by live plantings of locally native trees and shrubs to minimize the visual impact of the dwelling or structure from the parkway.

**3. Finish Color**

Dwellings and structures shall be finished in earthtones as defined in this Chapter 7 of this Code.

**4.7.3.C. Standards on Lots Located Within and Erosion Zoning District**

Development standards for uses, buildings, or structures on lots that are located within an erosion zoning district, as described on Exhibits A through D, and within the total setback distance for that zoning district as shown on Table 4.1 below.

**1. Height of Accessory Buildings**

Accessory buildings shall not exceed 12 feet in height.

**2. Screening**

Dwellings and other structures shall be screened by live plantings of locally native trees and shrubs to minimize the visual impact of the dwelling or structure from the parkway.

**3. Finish Color**

Dwellings and structures shall be finished in earthtones as defined in this Code.

#### 4. Setbacks from Bluffs

- a. Accessory uses, buildings, and structures (including swimming pools and appurtenant equipment) customarily incidental to and subordinate to single-family detached and two-family dwellings shall not be located closer than 20 feet from the edge of a bluff or terrace.
- b. Construction, erection, or installation of any fence, wall, abutment, or similar device shall not be located closer than:
  - (i) 20 feet from the edge of a bluff or terrace when proposed in Erosion Zone 1 or 2; and
  - (ii) Ten feet from the edge of a bluff or terrace when proposed in Erosion Zone 3 or 4.
- c. No form of trenching, grading, earth filling, or similar disturbance of residual or transported soils shall occur within:
  - (i) 20 feet from the edge of a bluff or terrace when proposed in Erosion Zone 1 or 2; and
  - (ii) Ten feet from the edge of a bluff or terrace when proposed in Erosion Zone 3 or 4.

Erosion Zone	Potential Long-Term Recession Due to Channel Migration [1]	Potential Short-Term Erosion Due to Slope Erosion [2]	Buffer Zone [3]	Total Setback [4]
1	0	20 ft.	20 ft.	40 ft.
2	30 ft.	20 ft.	20 ft.	70 ft.
3	30 ft.	10 ft.	20 ft.	60 ft.
4	30 ft.	10 ft.	20 ft.	60 ft.
5	*	*	*	*

[1] Long term bluff recession is based on estimated channel migration rate and a 100-year time period.  
 [2] Distance measured from edge of bluff that is potentially subject to erosion within 10 years.  
 [3] Buffer zone added to allow for property remaining at end of 100-year period.  
 [4] The total setback distance is measured from the edge of a bluff or terrace whichever is closer to the river.  
 \*The entire area within Zone 5 is potentially subject to erosion within a 100-year period.

#### 4.7.4. Procedures

##### 4.7.4.A. Conditional Use Permit Required

1. Unless otherwise provided in this Section, all uses designated as either permitted or conditional uses in the underlying zoning district shall be authorized in the PC combining zoning district provided a conditional use permit is obtained for any such use as provided in Section 6.4.3, "Conditional Use Permits" of this Code.
2. The following uses and activities are permitted in an Erosion Zone as defined in section 4.7.3.B and within the total setback distance as shown in Table 4.1,

Development Setbacks for the PC District, upon submission of required geotechnical data and approval of a conditional use permit by the appropriate authority as prescribed in Section 6.4.3, “Conditional Use Permits,” of this Code.

- a. Construction, enlargement, or modification of any building or structure for which a building permit is required.
- b. Construction, erection, or installation of any structure, wall, abutment, or similar device for which a building permit is required that is intended to reinforce, stabilize, or otherwise protect any bluff or terrace from erosion, mass wasting, or similar land movement.

#### **4.7.4.B. Administrative Approvals**

1. Notwithstanding Section A, the following uses, buildings, and structures, either located outside an Erosion Zone or within an Erosion Zone as defined in Section 4.7.3, but outside the total setback distance as shown in Table 4.1, Development Setbacks for the PC District, are authorized without the grant of a conditional use permit and provided the buildings or structures meet the development standards specified in Section 4.7.4; otherwise such uses, buildings, or structures shall not be erected or maintained without first obtaining a conditional use permit as in Section A, above.
  - a. One single-family detached dwelling, including mobile home, on each lot.
  - b. One two-family dwelling, including mobile home on each lot.
  - c. Accessory uses, buildings, and structures (including swimming pools and appurtenant equipment) customarily incidental to and subordinate to single-family detached and two-family dwellings.
2. In a PC combining zoning district, any application for a building permit or other entitlement of use, building, or structure authorized without a conditional use permit per Section 4.7.4.B.1 shall be reviewed by the Planning Director for compliance with the provisions of this Section. The Planning Director may require an application for Design Review for any use, building or structure that is visible from the American River or an adjacent location within the Parkway to make this determination. If, in the opinion of the Planning Director, the proposed development will not meet the development requirements provided in this Section, the Planning Director shall inform the applicant that the building permit or Design Review for the use is disapproved. The Planning Director's decision is not subject to an appeal. The applicant's sole recourse to the Planning Director's decision is to apply for approval of the proposed development under the conditional use permit process per Section A, above.

#### **4.7.4.C. Exemption**

When the procedures of this Section differ from procedures for review of development in any county or privately initiated planned development, special development permit, or zoning agreement, then the procedures of the planned development ordinance, special development permit, or the zoning agreement shall prevail. Notwithstanding the preceding sentence, when this Section prescribes a procedure for review and issuance for permits within an Erosion Zone as depicted on Erosion Zone Exhibits A through D and within the total setback distance as shown Table

4.1, “Development Setbacks for the PC District,” the procedures of this Section shall prevail.

#### **4.7.4.D. Findings**

In addition to the findings required by Section 6.4.3, “Conditional Use Permits,” when development is proposed within an erosion zoning district as described on Exhibits A through D and within the total setback distance as shown in Table 4.1, “Development Setbacks for the PC District,” the appropriate authority shall not grant a conditional use permit unless it finds and records in writing that:

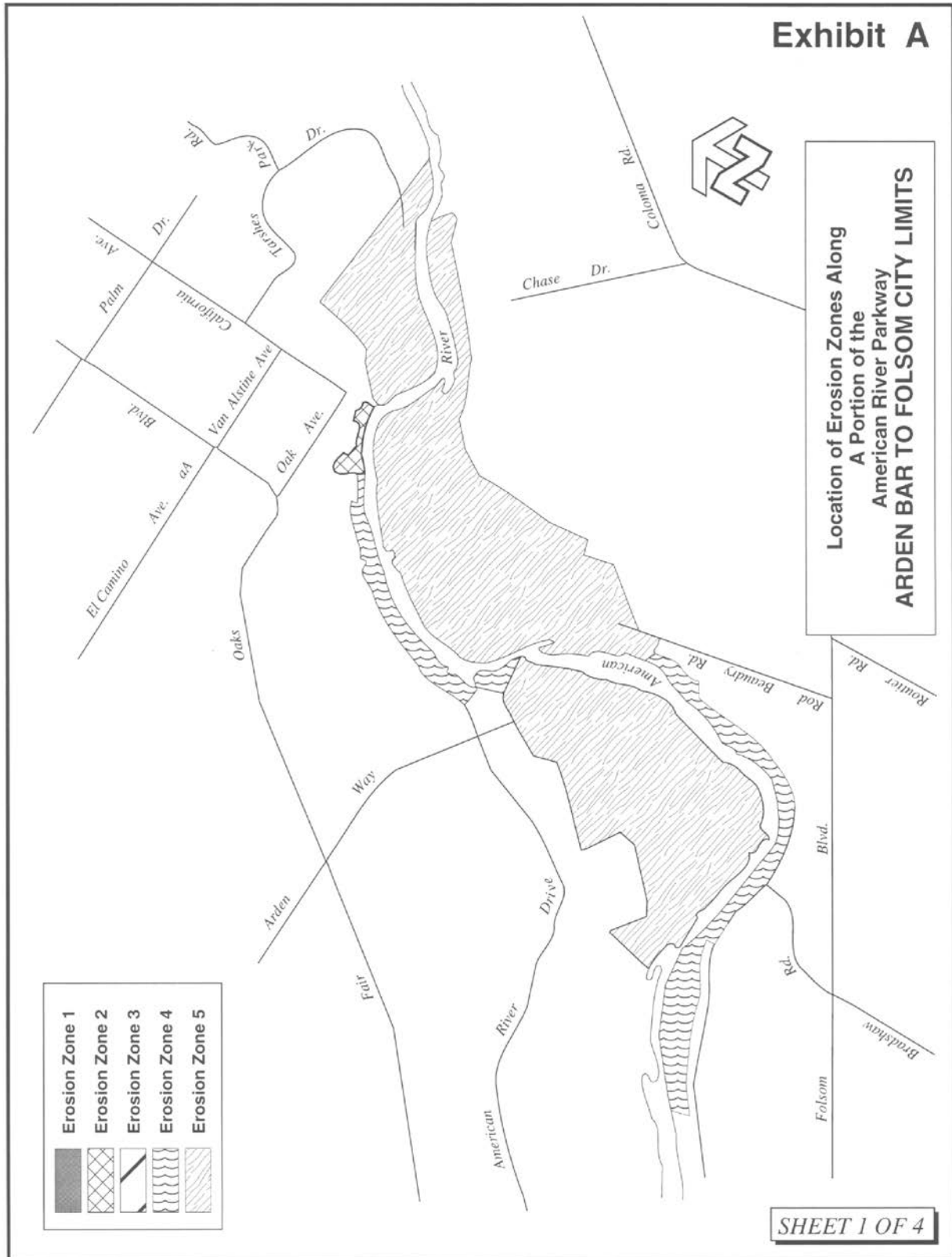
1. Development will be sited and designed to assure stability and structural integrity for its expected economic lifespan while minimizing alteration of natural landform features;
2. Development will not create or contribute to significant problems of erosion or geologic instability on the site or on surrounding areas;
3. Development will maintain a safe environment for homes and other improvements and protect the aesthetics and environmental quality of the American River Parkway;
4. Development does not preclude or foreclose future recreation or open space potential in the American River Parkway; and
5. There are adequate provisions included in the development proposal for maintenance and revegetation of the project area.

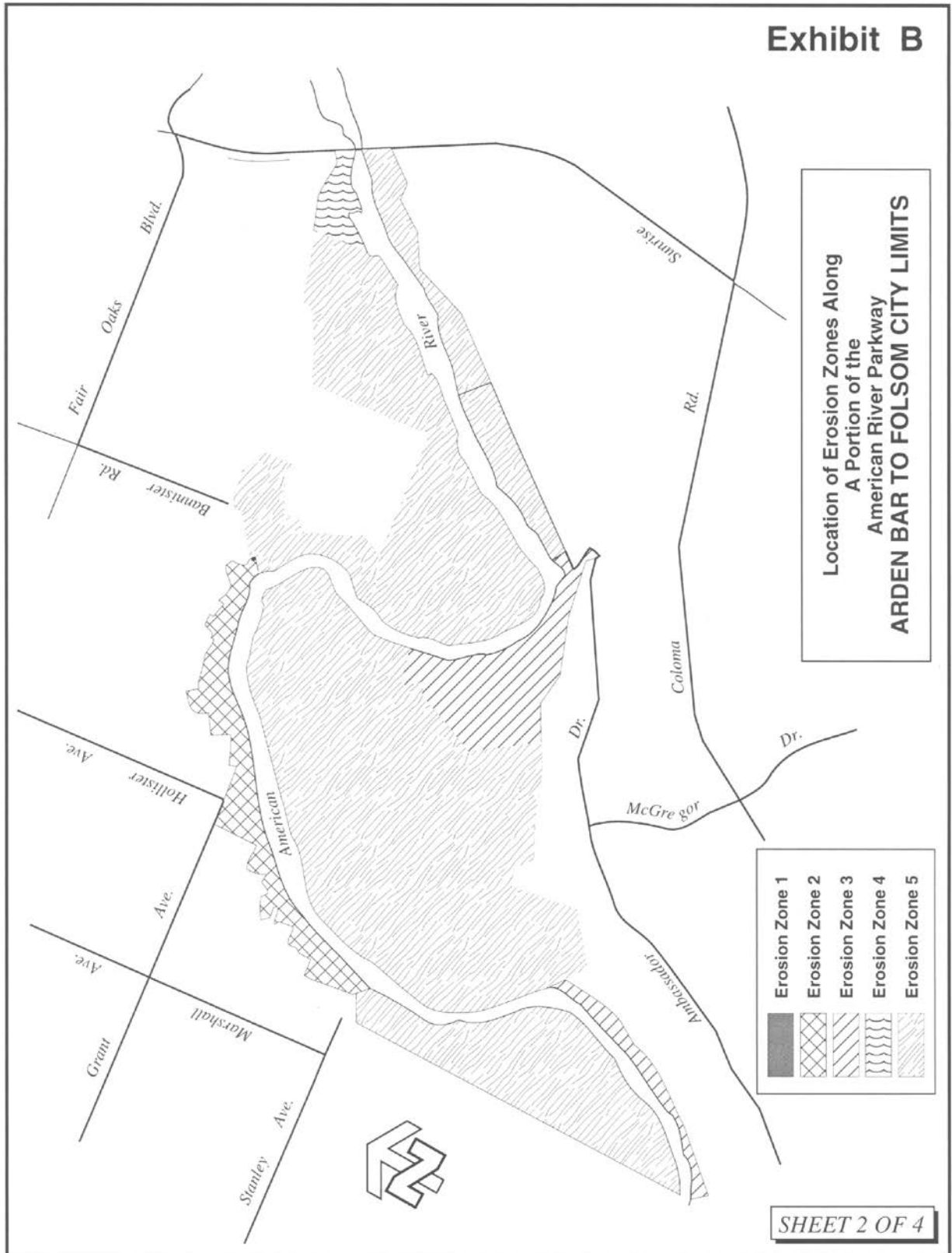
#### **4.7.4.E. Authority of Hearing Body**

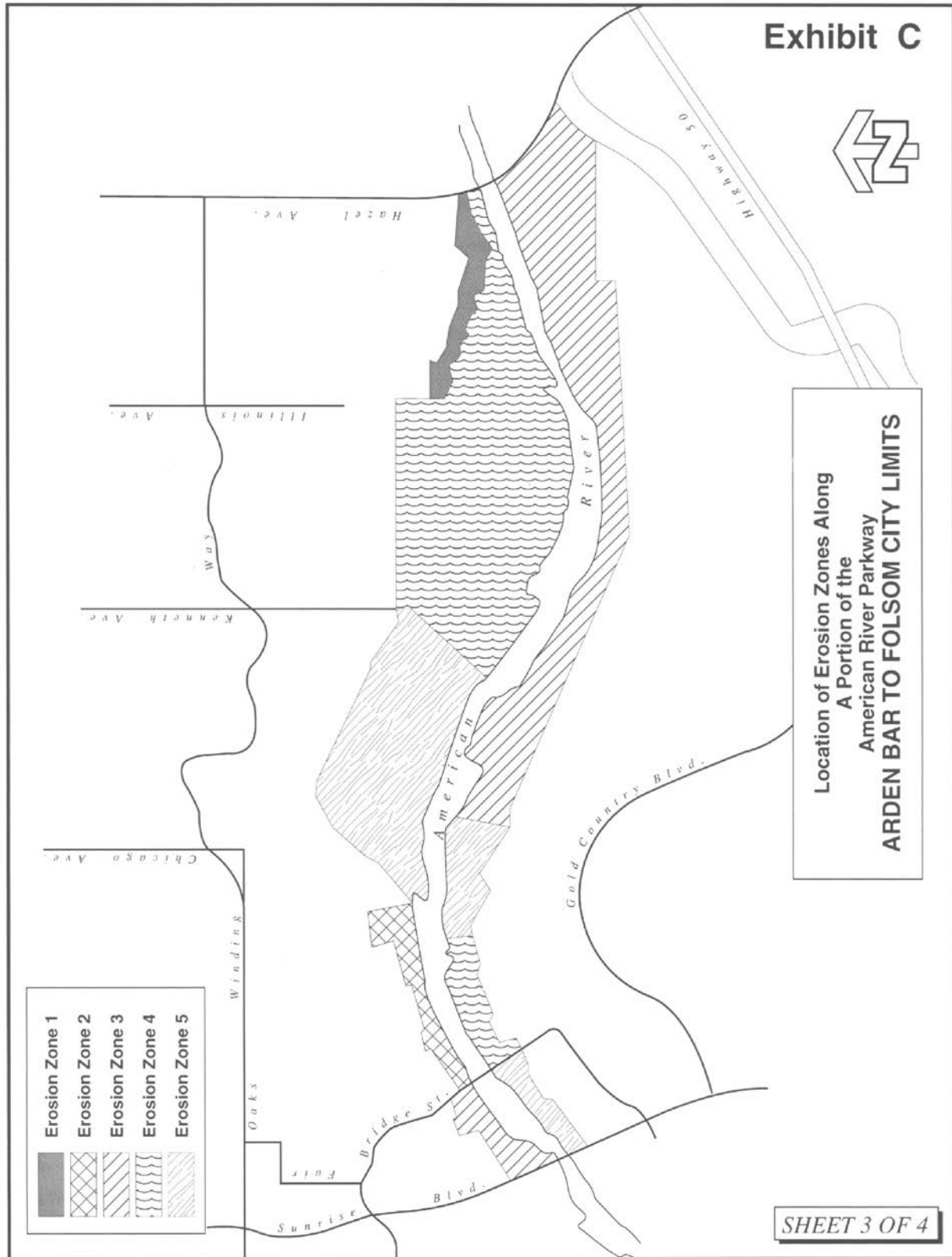
1. Generally, development requirements of property including lot area, lot width, or public street frontage applicable to property located in the underlying zoning district shall apply to the uses authorized by Section A, above. However, the appropriate authority in granting the conditional use permit may impose any or all of the development requirements specified in this Section if, in the judgment of the appropriate authority, the special requirements specified in this Section are necessary to carry out the intent of this Section.
2. The granting authority may:
  - a. Require a reasonable additional building setback or yard area particularly in high terrace and bluff areas that overlook the American River.
  - b. Require the screening of any portion or all of the structure, building, or use through the use of walls or fences, the planting of locally native trees or shrubbery, or combinations thereof.
  - c. Require the modification of exterior features of structures where necessary to minimize physical or visual intrusion into the Parkway.
  - d. Establish a limitation on the size or bulk of a building or structure.
  - e. Regulate the design and location of access drives and other features.
  - f. Regulate the location, design, and capacity of utilities.
  - g. Require the use of specific colors, lighting, and landscaping features as otherwise required by this Section.

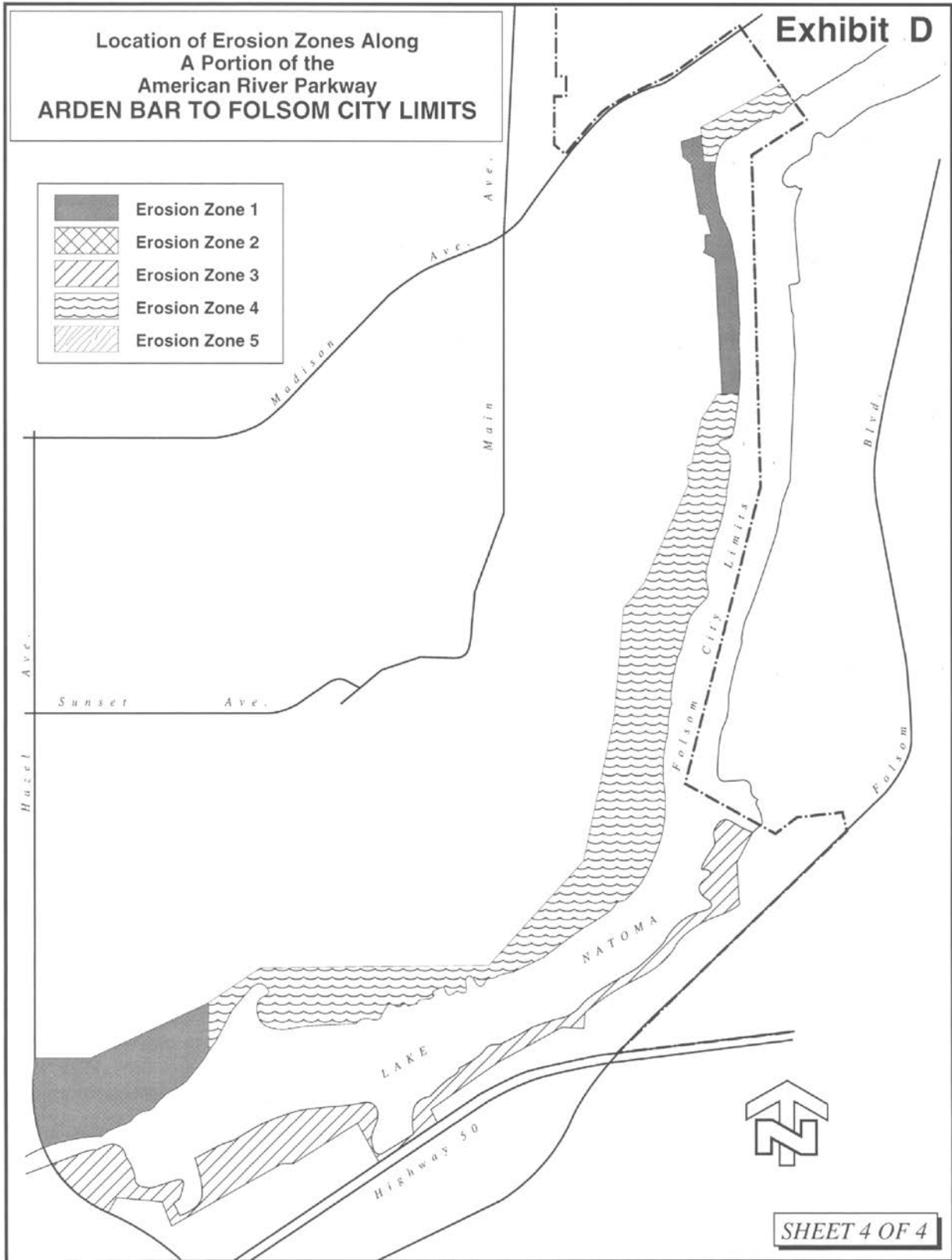


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- h. Regulate the design, as well as require the maintenance of grounds, landscaping, or an irrigation or drainage system.
  - i. Regulate noise, vibration, odors, and other similar concerns within certain performance standards.
  - j. Require the phasing of development.
  - k. Require a bond or deposit of money to assure completion of development as authorized by the permit.
  - l. Require the use of non-combustible roofing and siding materials to minimize structural loss in areas with limited accessibility and that are potentially threatened by the occurrence of fire originating from the Parkway.
  - m. Require a fire resistant buffer between the open areas of the parkway and structures adjacent to it or require locally native plant varieties that are drought and fire resistant. A list of locally native plant varieties is maintained by the Parks and Recreation Department.
  - n. Require that disruption to natural riparian vegetation be minimized, and no trees that are native to the area and that are six inches in diameter or larger shall be damaged or removed unless in imminent danger of collapse from erosion.
  - o. Require that the area disrupted by the project be revegetated in accordance with a revegetation program utilizing an approved combination of locally native riparian trees, shrubs, and groundcover. If gabion, rip rap, or other structural measures are used, require that they be screened from public view with locally native vegetation.
  - p. Require that the slope and appearance of the project area be compatible with the natural character of nearby slopes or riverbanks.
  - q. Require that, where feasible, vegetation be used to prevent further erosion. Gabions, rock and wire mattresses, or wire mesh over stone, may be used where vegetative measures alone are insufficient, but the erosion control program shall include measures to minimize damage to riparian vegetation and wildlife. Rip rap shall not be used unless slope, stream current, and existing native vegetation are favorable to providing substantial vegetative screening of the rip rap. Rubble, gunite, cement or sandbags, bulkheads, fences, used tires, and similar materials or structures are prohibited.
  - r. Require the review of development at a specified time to ensure compliance with all conditions of approval, zoning agreements, ordinances, statutes, regulations, and procedures applicable at the time of development.
3. If the granting authority imposes any of the development requirements specified above, the granting authority shall find and record in writing the circumstances that it determined necessary to require the imposition of any special development requirement.









## **4.8. SURFACE MINING (SM) COMBINING ZONING DISTRICT**

### **4.8.1. Purpose**

The Surface Mining Combining (SM) Zoning District is designed to protect the mineral resources of the county from incompatible land use; to manage the mineral resources; to assure the county of an adequate supply of these resources with due consideration for the environment; and to provide for the restoration of mined lands for future use. The goals to be pursued by establishment of this zoning district include that:

- Mineral resource areas be protected from preclusive and incompatible land uses.
- Surface mining be controlled to provide for protection of the environment.
- Surface mining be controlled to protect the public health, safety, welfare, and property values of residents living near surface mining operations.
- Provisions be made for the reclamation of mined lands in compliance with the Sacramento County Code, Chapter 20.04, *Surface Mining and Reclamation*.

### **4.8.1.A. Applicability**

The SM combining zoning district may be combined with the following zoning districts: AG-160, AG-80, AG-40, AG-20, A-80, A-20, A-10, UR, IR, M-1, M-2, O, C-O, and (F).

### **4.8.2. Definitions**

The following definitions apply to this chapter:

- 4.8.2.A.** "Aggregate" means sand, gravel, crushed rock, cobble, and quarried stone.
- 4.8.2.B.** "Board" means the Board of Supervisors, County of Sacramento, State of California.
- 4.8.2.C.** "Department" means the Sacramento County Community Development Department.
- 4.8.2.D.** "Habitable Structure" means a building used for normal residential activities such as living, sleeping, eating and cooking.
- 4.8.2.E.** "Mined Lands" includes the surface, subsurface and groundwater of an area in which surface mining operations will be, are being, or have been conducted, including private ways and roads appurtenant to any such areas in which structures, facilities, equipment, machines, tools or other materials or property which result from, or are used in surface mining operations, are located.
- 4.8.2.F.** "Mining Operations" includes all types of surface mining uses including primary uses, ancillary uses and accessory uses.
- 4.8.2.G.** "Operator" means any person who is engaged in surface mining operations himself, or who contracts with others to conduct operations on his behalf, except a person who is engaged in surface mining operations as an employee with wages as his sole compensation.
- 4.8.2.H.** "Permit," for the purposes of this chapter, means a conditional use permit to conduct surface mining operations granted by the Board of Supervisors.
- 4.8.2.I.** "Person" means any natural person, firm, association, joint venture, joint stock company, partnership, club, company, corporation, business trust, or organization of any kind as well as a city, county, district, or the state or any department or agency thereof.

- 4.8.2.J.** “Potentially Incompatible Uses” means those uses which, when proximate to surface mining uses, would be potentially detrimental to public health, safety or welfare. Such uses include but are not limited to schools, residences, offices, churches, day care centers, parks, or golf courses.
- 4.8.2.K.** “Primary Aggregate Uses” means the removal of aggregate pursuant to this Section.
- 4.8.2.L.** “Reclamation” means the combined process of land treatment that minimizes water degradation, air pollution, damage to aquatic or wildlife habitat, flooding, erosion and other adverse effects from surface mining operations, including adverse surface effects incidental to underground mines, so that mined lands are reclaimed to a usable condition which is readily adaptable for alternate land uses and creates no danger to public health or safety. The process may extend to affected lands surrounding mined lands, and may require backfilling, grading, re-soiling, re-vegetation, soil compaction stabilization or other measures.
- 4.8.2.M.** “Residential Properties” means any land use zone which allows one or more habitable structures, as listed in Section 3.2 of this Code.

#### **4.8.3. Prohibition**

No building, structure, vehicle, sign or area in the Surface Mining Combining Zone shall be used, altered, moved, enlarged, or stored in any zone with which the Surface Mining Combining Zone is combined except as specifically provided in this Section or in the underlying zone which is combined with the Surface Mining Combining Zone. No property subject to the Surface Mining Combining Zone shall be used in any manner inimical to the public health, safety or general welfare or so as to constitute a public nuisance.

#### **4.8.4. Uses**

##### **4.8.4.A. Surface Mining Operations**

The following types of mining operations are permitted in the Surface Mining Combining Zone, subject to approval of a conditional use permit by the Planning Commission, and upon approval of a reclamation plan and financial assurances pursuant to the Sacramento County Code, Chapter 20.04, *Surface Mining and Reclamation*.

##### **1. Aggregate Mining Uses**

- a. Primary Aggregate Uses** including sand, gravel or cobble mining, hard rock quarrying for crushed rock or dimension stone, and the mining of existing dredger tailings.
- b. Ancillary Uses** are production of Ready-mix concrete and asphaltic concrete using materials mined on-site, and recycling of aggregate-based construction materials, if all the following are satisfied:
  - (i) The Planning Commission finds that the environmental impacts have been considered and that there are regional benefits in permitting the ancillary uses.
  - (ii) The Planning Commission imposes in a conditional use permit the following conditions:

(1) Except for recycling of aggregate-based construction materials, only material mined under the approved use permit can be used to supply the primary aggregate needs of the ancillary uses. Minor quantities of other mined material not available on-site (e.g. natural sands) may be imported as required for ancillary uses.

(2) All ancillary uses shall cease when mining is complete. Their removal shall be provided for in the Reclamation Plan.

## **2. Clay, Lignite and Related Minerals Mining**

Subject to the regulations set forth in this Section.

## **3. Borrow Sites or Pits**

Subject to the regulations set forth in this Section, except as otherwise provided in Section 3.2.

## **4. Mining Accessory Uses**

- a. Dimension stone facilities, on-site conveyor systems, crushing, sorting, the use of sedimentation ponds, processing facilities and stockpiles, all subject to the regulations set forth in this Section.
- b. Offices, shops, equipment and truck storage yards, scales and weighing equipment.

### **4.8.5. Work Authorization Permit**

#### **4.8.5.A. Issuance**

Prior to commencement of any construction or mining activities pursuant to the conditional use permit, the applicant shall obtain a Work Authorization Permit from the Planning Director. This permit shall not be issued until the Director is satisfied that all conditions of the use permit, and provisions of this Section have been met. In addition, prior to issuance of the Work Authorization Permit the Planning Director must receive the items listed below. Additional items specific to a project may be required prior to issuance of a Work Authorization Permit.

1. Proof of a financial assurance in the amount and form approved by the Planning Director and made payable to the County of Sacramento and the Director, Department of Conservation.
2. Approval by the Sacramento County Division of Environmental Review and Assessment of the setbacks for sewage systems on or near the site, as described in Section 4.9.13.G.5.
3. A final drainage plan pursuant to Section 4.9.12.H and approved by the Sacramento County Water Resources Department.
4. A final lighting plan as described in Section 4.9.51.K approved by the Department.

#### **4.8.5.B. Revocation**

The Planning Director may revoke or suspend the Work Authorization Permit if the operator of the mining site fails to comply with the provisions of this Section or the conditions of the use permit. Continued operation of a mine after revocation or suspension of the work authorization permit is deemed a violation of this Code.



**4.8.5.C. Procedures**

The procedure for suspension or revocation of a Work Authorization Permit is as follows:

1. The Planning Director shall notify the operator in writing of the alleged violation. Notice shall be hand delivered to the operator's local office or deposited as certified or registered mail in the U.S. mails.
2. The operator may request an informal hearing with the Planning Director or his or her designee to be held within 7 days of delivery of the notice. The purpose of the meeting is to allow the Director and the operator to present their respective views regarding the alleged violations.
3. At the conclusion of the hearing, or the failure of the operator to ask for an informal hearing, the Planning Director shall determine in writing if the permit should continue in force, be suspended, or be revoked. A copy of the decision shall be delivered to the operator.
4. Decisions of the Planning Director may be appealed to the Board by giving notice and paying applicable fees to the Clerk of the Board not later than 10 days from the date of decision of the Director. The Clerk shall schedule the appeal to be heard by the Board not later than the third regular meeting of the Board following receipt of notice of the appeal. The Board shall hear the appeal de novo.

**4.8.6. Findings for Approval**

In addition to any other findings required as a matter of law, the Planning Commission shall not grant a conditional use permit, unless it finds:

- 4.8.6.A. That the plans and reports, submitted pursuant to Section 4.9.12 or Section 4.9.16, adequately describe the proposed operation.
- 4.8.6.B. That the plans and reports, submitted pursuant to Section 4.9.12 or Section 4.9.16, incorporate all reasonable measures to mitigate significant adverse environmental effects of the proposed operation.
- 4.8.6.C. That the plans and reports, submitted pursuant to Section 4.9.12 or Section 4.9.16, incorporate adequate measures to restore the site to a usable condition compatible with adjacent areas.
- 4.8.6.D. That the uses proposed are not likely to adversely affect the public health or safety; and
- 4.8.6.E. That the uses proposed would not be incompatible with the objectives, policies, and general land uses and programs specified in the Sacramento County General Plan.

**4.8.7. Minor Deviations from Approved Use Permit Conditions****4.8.7.A. Approval Authority**

The Planning Director may approve requests for minor deviations from approved use permits, when necessitated by extraordinary circumstances.

**4.8.7.B. Approval Criteria**

The Planning Director, when considering a request for a minor deviation, shall consider the following criteria, in addition to others that may be relevant to the request.

1. Whether the request is in substantial compliance with the intent of the use permit and its conditions.
2. The proximity of the site to sensitive land uses.
3. For fencing and landscaping, including berms:
  - a. Maintenance of visual openness and the preservation of rural character.
  - b. In rural areas, the protection of watering systems and/or landscaping from theft.
  - c. Consistency with surrounding landscaping patterns.

#### **4.8.7.C. Noticing**

Notice of the decision of the Planning Director shall be mailed to neighboring property owners in accordance with the Code. The decision of the Planning Director may be appealed to the Board of Supervisors. Appeals must be submitted in writing, with appropriate fees, to the Clerk of the Board within 10 days of the date of the determination.

#### **4.8.8. Recordation**

No conditional use permit shall be effective until it has been executed by the Chair of Planning Commission and recorded in the official records of the County Recorder of Sacramento County.

#### **4.8.9. Fees**

The County shall establish such fees as it deems necessary to cover the reasonable costs incurred in implementing this Section and the State regulations, including but not limited to, processing of applications, annual reports, inspections, monitoring, enforcement and compliance. Such fees shall be paid by the operator, as required by the County, at the time of filing of the conditional use permit application, Reclamation Plan application, and at such other times as are determined by the County to be appropriate in order to ensure that all reasonable costs of implementing this Section are borne by the mining operator.

#### **4.8.10. Severability**

If any subsection, sentence, clause or phrase of this Section is for any reason held to be invalid or unconstitutional by the decision of a court of competent jurisdiction, it shall not affect the remaining portions of this Section.

#### **4.8.11. Application Data for Aggregate Mining Operations**

In addition to the application data for conditional use permits set forth in Section 6.5.3, an application for a conditional use permit under this Section shall include the following information:

##### **4.8.11.A. Mining Plan**

The application shall include a mining plan, which shall:

1. Show the progression of all operations of the facility.
2. Show the location of equipment, stockpiles, settling ponds, interim drainage, and deposit locations.

3. Indicate the progression of stripping and excavating through the use of cross sections or elevations.
4. Indicate the time lag between mining and reclamation, and between original equipment siting and relocations.
5. Show the proposed plan for concurrent excavation and reclamation, if applicable.
6. Show the location and type of all fencing that will be erected for safety and security purposes. Also, indicate the approximate timing (construction and dismantling) of site fencing.

#### **4.8.11.B. Reclamation Plan**

The applicant shall submit a reclamation plan that complies with the Sacramento County Code, Chapter 20.04, "Surface Mining and Reclamation."

#### **4.8.11.C. Soil, Geologic and Hydrologic Data**

The applicant shall provide the following data:

1. An estimate of the total quantity of constituent materials (extracted materials, overburden, other) available at the site.
2. Anticipated dimensions of the excavation area, i.e., areal extent and average depth of overburden and resource materials.
3. An estimate of the ton per hour plant capacity and the anticipated annual production rates.
4. Description of the equipment and methods used in the resource recovery for the total operation and for each constituent resource or extracted material.
5. Soil; geologic, especially lithologic; surface and ground water samplings if required by the Municipal Services Agency; and any sand and aggregate studies of the site prepared for project proponent. Any previous sand and aggregate studies of the project site or adjacent sites of which project proponent may be aware should also be provided.
6. Fate of overburden following removal, i.e., disposal, sale, storage for later use, other.
7. Description of drainage course alterations and diversions.
8. Identification numbers of existing wells on the project site and the location of proposed wells.
9. Source of water, purpose and rate of water use, and description of disposal methods or treatment of such water.
10. Source and nature of fill, if any, for reclamation and an engineering stability analysis of final slopes based on the physical characteristics of the slope material, its probable maximum water content, landscaping requirements and other factors.
11. Identification of all sewage disposal systems within 300 feet of the proposed mining area.
12. Information regarding mitigation measures proposed to reduce potential nuisances, hazards or environmental impacts if required by the Department.

**4.8.11.D. Traffic and Parking Plan**

The application shall include an off-street parking plan for customers, employees and equipment as provided in Section 5.9. The plan shall demonstrate that the site provides adequate space for parking, queuing and loading of trucks, as well as parking of employee vehicles to minimize traffic problems to residents on neighboring streets. The application shall also show the anticipated street truck routes from the site to freeway and major arterials, site ingress and egress points, and address the potential benefit of using feasible alternatives to trucks, including conveyor belt systems.

**4.8.11.E. Air Pollution Control Measures**

The application shall include dust control measures designed to comply with any relevant rules of the Sacramento Metropolitan Air Quality Management District (SMAQMD), including Rules 402 and 403. The air pollution control measures shall include signage and other notification that provides neighbors with information needed for reporting nuisance dust concerns to the operator and to SMAQMD. Such signage shall be placed at intervals of not more than 500 feet.

**4.8.11.F. Noise Data**

The application must include a plan indicating the anticipated noise contour levels on the mining site and adjacent properties along with the measures proposed to control the noise. When mining, processing, and related activities are planned to occur within 500 feet of a habitable structure and/or potentially incompatible use, the mining operator shall provide to the County a noise monitoring program prepared by a qualified acoustical consultant (chosen from a list provided by the Department of Environmental Review and Assessment). The study area radius of the noise monitoring program shall be increased to 1,000 feet if habitable structures and/or potentially incompatible uses are on land with either Agricultural or Agricultural-Residential zoning. The program will be used to evaluate the effectiveness of mitigation measures in reducing noise levels to comply with applicable noise ordinances. A qualified consultant shall test noise levels during the removal of overburden, the extraction of aggregates and the backfill of overburden as they occur at abutting residential boundaries. The owners of habitable structures and/or potentially incompatible uses included in the study area shall be notified when testing is to occur. Further testing may not be required if the consultant determines the mitigation measures are successful in achieving the required noise reduction. If testing indicates that noise standards are exceeded, the testing results shall be reported to the County and additional mitigation measures will be required.

**4.8.11.G. Waste Data**

The application shall include a plan showing the kind, amounts and method of removal of solid and liquid waste anticipated to occur at the site. The plan shall indicate the quantity of given water waste that will be discharged into settling or percolation ponds or discharged directly to water courses.

**4.8.11.H. Drainage Plan**

The application shall include a draft drainage plan. Approval of a final drainage plan is required before a Work Authorization Permit will be issued as provided in Section 4.8.5.

**4.8.11.I. Hazardous Materials**

The applicant shall identify any hazardous materials to be used in the aggregate mining operations and measures proposed for the handling, storage and disposal of those materials.

**4.8.11.J. Landscape Plan**

The applicant shall submit a landscape plan to the Department which shall include the location, description and timing of plantings, fences, sound walls, and berms. The description of fencing or sound walls, including temporary noise barriers, shall include color and materials, when appropriate. The landscaping plan shall be designed to be generally compatible with the surrounding uses and existing landscaping patterns, to the satisfaction of the Senior Landscape Architect, Department of Transportation. In rural areas the following shall be considered when approving the landscape plan:

1. Maintenance of visual openness and the preservation of rural character through design that may include clustering of plant species.
2. Protection of watering systems and/or landscaping from theft.
3. Requests from owners of residential properties located within 500 feet of the parcel or parcels that are being mined.

**4.8.11.K. Lighting Plan**

The applicant shall submit a lighting plan that outlines performance criteria and demonstrates that neither public rights-of-way nor adjacent properties will be significantly illuminated during aggregate mining operations. The lighting plan shall describe site-specific standards including a requirement that a minimum of 90 percent of the light shall be projected downward and within the mining site boundaries. Shielding will be used, as needed, to minimize glare and to minimize light projection into the sky. Approval of the lighting plan is required before a Work Authorization Permit will be issued as provided in Section 4.8.5.

**4.8.11.L. Regional Analysis of Ancillary Uses**

The applicant shall provide a detailed analysis of regional benefits created by locating the ancillary uses on or abutting the mine site as compared to locating the uses on available sites with industrial zoning. The analysis shall include an evaluation of the potential regional benefits to air quality and traffic.

**4.8.12. Operating Standards for Aggregate Mining Operations**

Standards for aggregate mining operations, including sand and gravel mines, hard rock quarries and dredger tailing mining operations allowed in the SM combining zoning district shall comply with the minimum standards of this Section.

**4.8.12.A. Operating Hours**

Unless otherwise provided as a condition of use permit the hours of operation of mining, processing, maintenance, and related activities shall be as follows.

1. When mining, processing, and related activities occur within 1,000 feet of a habitable structure and/or potentially incompatible use on land zoned Agricultural or Agricultural-Residential, or within 500 feet from a habitable structure and/or potentially incompatible uses in all other zones, or are otherwise provided as a

condition of use permit, then the hours of operation of mining, processing and related activities, including haul out, shall be:

- a. Monday through Friday, inclusive: 6:00 a.m. until 9:00 p.m.; maintenance operations beyond mining hours to occur from 9:00 p.m. to midnight.
  - b. Saturday: 7:00 a.m. through 3:00 p.m.; maintenance operations beyond mining hours to occur from 3:00 p.m. to 4:00 p.m.
  - c. Sunday and any Federal/State holidays: no mining, processing, hauling or maintenance permitted.
2. For all parcels not subject to Section 4.9.14.A, subsection 1 above, the hours of operation of mining, processing, maintenance, and related activities, including haul out, shall be:
- a. **Monday through Friday, inclusive:** 6:00 a.m. until 10:00 p.m.; maintenance operations beyond mining hours to occur from 10:00 p.m. to 6:00 a.m.
  - b. **Saturday:** 6:00 a.m. through 3:00 p.m.; maintenance operations beyond mining hours to occur from 3:00 p.m. to 10:00 p.m.
  - c. **Sunday and any Federal/State holidays:** no mining, processing, hauling or maintenance permitted.
3. **Extensions of Operating and Haul Out Hours.** The use permit may specify hours of operation and haul out exceeding the hours set forth above for specified activities including haul out, basic uses, and ancillary uses, but not including mining. Any extension of hours through the use permit shall specify the use(s) and the hours, and may specify the circumstances required for using the extended hours and/or the number of days annually that the extended hours may be used.
4. **Exceptions for Operating and Haul out Hours.** The Zoning Administrator may permit, on an interim basis, operating or haul out hours different from those allowed under the use permit if he or she finds that the public benefit outweighs the community hardship, and/or public projects are being served by the site and require extended periods of continuous operation, and/or the work requires a continuous pour of concrete. Applicants for exceptions must submit an application and fees for a Zoning Administrator's Action (ZAZ) and a letter stating the specific reason for the exception, the duration of the exception (with approximate dates), haul route, the extension of hours requested, and the specific uses to be allowed under the exception. The application should be filed at the least 30 days in advance of the proposed operating or haul out event in order to meet the appeal deadlines below. Notice of the decision of the Zoning Administrator shall be mailed to neighboring property owners in accordance with this Code. Decisions by the Zoning Administrator may be appealed to the Board of Supervisors. Appeals must be submitted in writing, with appropriate fees, to the County Clerk within 10 days of the date of the decision.

#### 4.8.12.B. Fences

Unless otherwise provided by condition of the use permit, the following fence requirements shall apply:

1. Fences erected for safety purposes shall be chain link.

2. The fence shall be not less than six feet in height above the grade of the property outside the fenced area.
3. Gates shall be installed to fence height at all entrances.
4. Fences shall be kept in good repair.
5. Fences shall conform to the ground to preclude opening of more than four inches between the ground and the fence.
6. Fences shall be placed around mining site and processing site boundaries as necessary to ensure public safety and security.

#### **4.8.12.C. Warning and Compliant Information Signs**

1. The operator shall provide warning and trespass signs advising of the mining operation on the fences at intervals of not less than 500 feet. Signs shall be kept legible and in good repair.
2. The operator shall provide signs containing information necessary for reporting complaints to the mine operator, and also for reporting fugitive dust to the Sacramento Metropolitan Air Quality Management District. Signs shall be placed to be easily visible by the public.

#### **4.8.12.D. Visual Screen**

The Planning Commission may, as a condition of the use permit, require a visual screen when the mining site is adjacent to a public street and/or potentially incompatible uses. Visual screening shall be designed to “soften” views into the pit to create aesthetically pleasing landscaping. Landscaping plans shall locate trees and shrubs, if required, in a natural looking distribution. Berms, if required, should be designed to meander to create a natural-looking effect. Complete blockage of the view into the pit is discouraged. Visual screening may be accomplished by use of berms, fences, landscaping, setbacks or combinations thereof.

#### **4.8.12.E. Noise**

Unless otherwise provided by ordinance, the sound level created by the mining use at the boundary line of the authorized mining area shall not exceed 70 dBA except along a boundary contiguous to another area authorized to mine for sand or aggregates. A violation of the noise standard will occur if the noise level at the property line exceeds:

1. The noise limit for a cumulative period of more than 30 minutes in any hour, or;
2. The noise limit plus five dBA for a cumulative period of more than one minute in any hour, or the noise limit plus 20 dBA for any period of time.

#### **4.8.12.F. Mining Setbacks**

Unless otherwise provided as a condition to the use permit, mining areas shall be set back from property lines, public streets, and sewage disposal systems as follows:

##### **1. Periphery of Mining Site**

A 25-foot minimum setback from the property line is required, the first five feet of which shall consist of undisturbed land.

## 2. Periphery of Mining Site Adjacent to Habitable Structures and/or Potentially Incompatible Uses

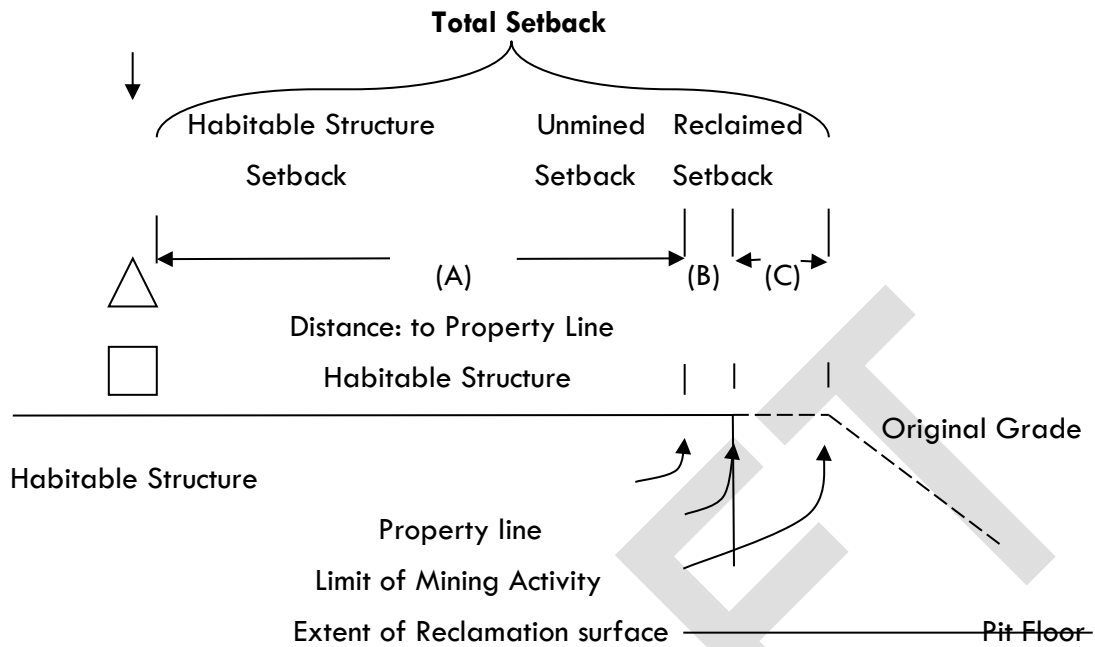
A 25-foot minimum setback from the property line is required, the first 10 feet of which shall consist of undisturbed land. For habitable structures existing at the time of mining use permit issuance (including habitable structures primarily used as a residence on a non-residentially zoned property) a minimum of 50 feet of unmined land between the structure and mining activity is required. The distance from habitable structures is to be measured from the edge of a primary residence or residential accessory dwelling, whichever is closer to the property line. The distance is not to be measured from ancillary structures such as pools, decks, and patios.

Setbacks, as applied to this subsection only, are defined as follows:

- Total Setback – The distance from the residence to edge of the pit at reclamation. Typically, the total setback will include both residential and mining land.
- Unmined Setback – The distance on mining property that is to remain unmined. The minimum unmined setback is 10 feet and the maximum required setback is 50 feet.
- Reclaimed Setback – The distance on mining property that may be mined, but must be returned to the original grade at reclamation. It may range from zero up to 15 feet.



**Diagrammatic Definition of Setback Components:**



- a. If the habitable structure is 80 feet or greater from the mining property line, then the unmined Setback at reclamation shall be no less than 10 feet on the mining property, and the reclaimed setback shall be no less than 15 feet on mining property (see Section 4.9.13.G, subsection 2).
- b. If the habitable structure is between 80 feet and 40 feet from the mining property, then the setback standards of Table 4.2 shall apply. In no case will the total setback be less than 90 feet.

**TABLE 4.2: SETBACK STANDARDS, HABITABLE STRUCTURES BETWEEN 80 FEET AND 40 FEET FROM PROPERTY LINE**

Distance: Habitable Structure to Property Line (A)		Minimum Setbacks on Mining Property	
Less Than (feet)	Equal to or More Than (feet)	(B) Unmined Setback (feet)	(C) Reclaimed Setback (feet)
80	75	15	10
75	70	20	5
70	65	25	0
65	60	30	0
60	55	35	0
55	50	40	0
50	45	45	0
45	40	50	0

- c. If the habitable structure is less than 40 feet from the mining property line, then the unmined setback at reclamation shall be no less than 50 feet on the mining property. The reclaimed setback may be zero.

### **3. Mining Sites Adjoining Public Streets**

A 31-foot minimum setback from all public streets consisting entirely of unmined land is required.

For right of ways with PUPFs, there shall be a 31-foot minimum setback from all public streets consisting entirely of unmined land.

### **4. Mined Setback Areas**

Setback areas consisting of mined land shall be reclaimed to original grade within one year or less of completion of mining.

### **5. Setbacks from Individual Sewage Disposal Systems**

In the event there are individual sewage disposal systems near or within the mining site, the mining setbacks shall conform to the provisions of the County Code, Chapter 6.32, *Sanitary Sewage Systems*, and the rules and regulations adopted pursuant thereto, and shall be subject to the approval of the Sacramento County Environmental Management Department and the Regional Water Quality Control Board. Approval of these agencies must be obtained on the minimum mining setback before a work authorization permit can be obtained. The Planning Commission or the Board of Supervisors may consider the setback information on plates one and two that are part of the Section and other relevant information in establishing setbacks from the mined areas. If setbacks are established that exceed the setbacks prescribed in this Section, the Board of Supervisors shall specify in writing the reasons for requiring the additional setback and the setbacks shall become conditions of the use permit.

## **4.8.12.G. Standards for Backfilling, Regrading, Slope Stability and Recontouring.**

### **1. Slope Stability**

Final reclaimed fill slopes, including permanent piles or dumps of mine waste rock and overburden, shall not exceed 2:1 (horizontal to vertical) for the purpose of maintaining slope stability, except when site specific geologic and engineering analysis demonstrate that the proposed final slope will have a minimum slope stability factor of safety that is suitable for the proposed end use, and when the proposed final slope can be successfully revegetated.

### **2. Slope Compatibility**

At closure, all fill slopes, including permanent piles of mine waste and overburden, shall conform to the surrounding topography and/or approved end use.

### **3. Final Use**

Cut slopes, including final highwalls and quarry faces, shall have a minimum slope stability factor of safety that is suitable for the proposed end use and conform to the surrounding topography and/or approved end use.

## **4.8.12.H. Road Repairs**

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The operator shall repair any damage caused by its hauling operations to structural paving material along the project site roadway segments upon which loaded trucks are routed.

#### **4.8.13. Additional Operating Standards for Hard Rock Mining Operations**

In addition to the regulations set forth in Section 4.9.12, applicants seeking approval for hardrock mining operations must also satisfy the following:

##### **4.8.13.A. Cal OSHA Compliance.**

Demonstrate that measures are in place to achieve compliance with California Office of Safety Hazard Administration (Cal OSHA) regulations as well as other applicable state regulations regarding the handling and reporting requirements for use of explosives during mining operations.

##### **4.8.13.B. Setbacks**

Demonstrate the adequacy of mining setbacks and/or mitigation measures to address noise, fly rock, vibration, and aesthetic concerns for the mine site. The operator is required to make a showing that sufficient buffer lands and/or other mitigation measures have been incorporated into the project to address these matters.

#### **4.8.14. Development Guidelines for Aggregate Mining Operations**

The Development Guidelines provide guidance intended to achieve goals to minimize mining impacts to sensitive uses in specific circumstances. The guidelines provide a basis for formation of use permit conditions or for directing the approval process.

Not all guidelines will apply to all projects. Each set is defined by a specific circumstance which is followed by a goal statement. The guidelines offer options which may be selected by decision-makers for achieving that goal. In some circumstances a goal may be better achieved through other approaches tailored to the specific situation.

##### **4.8.14.A. Guidelines for Mining Sites Adjacent to Habitable Structures and/or Potentially Incompatible Uses.**

**Goal:** Provide improved protection for sensitive uses from the impacts of nearby mining operations and accommodate potential future urbanization where appropriate.

###### **1. Slopes**

Where mining and residential property are adjacent, or in mine locations inside the County Urban Service Boundary, the reclaimed slope should be no steeper than 3:1.

###### **2. Haul Roads**

Haul roads should be at least 25 feet away from residential property lines.

###### **3. Stockpiles**

No stockpiled soil or material should be placed closer than 25 feet from a property boundary or other required setback, unless the property boundary abuts a mining use. This shall be measured from the toe of the stockpile.

###### **4. Facilities and Stationary Equipment**

No stationary aggregate processing equipment or facilities, such as grisleys and pit feeders but excepting conveyors, should be located within 200 feet of any habitable structure.

###### **5. Noise Barriers**

The operators should provide noise barriers consisting of 8 foot high earthen berms or temporary portable barriers installed and moved along property boundaries as mining progresses. The noise barriers should be maintained in place at least until sufficient pit excavation has occurred to block the line of site between nearby residences and mining activities.

###### **6. Scenic and Visual Preservation**

Use a temporary sound wall for noise and chain link fence for safety, instead of perimeter planting. Once sites are reclaimed, provide residents the option to remove and replace chain link fencing with lighter cattle fencing at the aggregate producer's expense.

###### **7. Loading Points**

Loading points should be located to minimize noise and ground vibration. Loading points should not be located closer than 50 feet to any residential property line, unless otherwise conditionally permitted.

#### **8. Good Neighbor Policy/Notification of Mining Activities**

In a good faith effort to facilitate communication between aggregate producers and nearby properties containing habitable structures, the mining operator should notify residential property owners located within 800 feet of anticipated mining activities. Notification should be given 3 months prior to the anticipated, initial start-up of mining activities. The aggregate producer should thereafter keep residents informed of all major operational changes.

#### **4.8.14.B. Guidelines for Mining Operations Abutting County Roads**

**Goal:** Minimize the impacts to county roads from the impacts of abutting aggregate mining operations.

##### **1. Limitations on Truck Routes**

Coordinate with Sacramento County Department of Transportation on appropriate signage for prohibiting truck traffic when a collector is not to be used for truck traffic.

##### **2. Minimization of Dirt/Gravel from Trucks onto Roadways**

A paved surface, gravel surface or mud trap (series of metal bars or grating with space underneath to accumulate material) may be required at distances of not less than 100 feet from a right-of-way line without PUPFs into the area of operation in order to minimize the deposit of dirt and gravel from trucks onto the public highway. During hauling operations, any spillage of materials onto public roads should be promptly and completely removed by the operator.

#### **4.8.14.C. Guideline for Two-Lane Street with Mining on One Side and a Residence on the Other**

**Goal:** Minimize visual impacts to residential uses across a two-lane street from aggregate mining operations.

The operator should maintain a 25 foot landscaped setback from the ultimate right-of-way line without PUPFs. The aggregate producer should install and maintain landscaping throughout the permitted operation. Ultimately, once the mining site is reclaimed, the owner of the land should be responsible for maintenance of the landscaped setback. Alternatively, if the landscaping is acceptable, upon completion of mining, the landscape strip may be dedicated to a Lighting and Landscape District.

#### **4.8.14.D. Guidelines for Processing Plants in the Proximity of Residential Properties**

**Goal:** Minimize visual and noise impacts to residential uses in the proximity of aggregate processing plants.

1. Processing Plants abutting residentially zoned properties should only be considered after finding that there is no other feasible alternative location or method of transporting the materials to other plants.

##### **2. Soundwalls for Processing Plants**

The operator should construct an earthen berm or soundwall or combination berm/soundwall of not less than 8 feet in height early in the stripping phase along adjacent residential/mining property lines within 1,200 feet of the processing plant to break the line of sight of loaders and crushers at the processing plant from any sensitive off-site receptor.

### 3. Plant Elevations

The operator should consider lowering processing plant elevations to not less than 15 feet below existing grade if natural topography does not mitigate visual impacts sufficiently and when alternative methods for mitigating visual impacts are not feasible, or when noise impacts cannot meet Zoning Code standards.

### 4. Noise Conformance

After processing plant start-up, the operator should conduct a noise investigation of the plant to determine what adjustments, if any, must be made to comply with Section 4.9.12.F. If noise readings taken during initial plant start-up indicate that processing activities exceed noise standards, additional noise measures or plant adjustments shall be made to ensure that noise standards are met.

#### 4.8.14.E. Guidelines for Fencing and Landscaping in Rural Areas

**Goal:** Allow flexibility in landscaping and fencing standards, as appropriate, in rural areas.

In remote areas, it is not always necessary to construct fencing or landscaping. Alternative fencing, e.g. three-strand barbed wire fencing, may be appropriate in some cases. In rural areas, landscaping should be installed exterior to berms or chain link fencing to provide the least “industrial” appearance and the highest compatibility with neighboring uses. Chain link fencing may be placed in front of landscaping and berms to protect landscaping and watering systems from theft. However, the types of shrubbery chosen must be capable of eventually obscuring the fencing by growing through and around it.

#### 4.8.14.F. Planting Guidelines

**Goal:** Successfully establish effective and timely visual barriers when required.

##### 1. Planting Schedule

To maximize its effectiveness during mining phases, required landscaping should be planted as soon as possible after final project approval, to the extent allowed by the approved mining plan. To provide a reasonable means of securing the use and enjoyment of nearby properties and roadways, plantings along all areas adjacent to neighboring properties or roadways should occur at one time.

##### 2. Fencing with Slats

Fencing with slats should only be used when complete blockage of the view into the site is needed and if there is no other reasonable alternative such as vegetation or other solid fencing types.

##### 3. Planting Intervals

Trees and shrubs should be placed to mimic a natural distribution and spaced to allow partial viewing of the pit.

#### 4. Planting Types

Native plantings are encouraged; however, non-native plants that are preferred by nearby residents may be used.

#### 5. Irrigation

Plantings should be irrigated with trenching or with individual bubblers on an automatic irrigation system.

#### 6. Inspections

Plantings should be inspected yearly for the first 5 years after installation to ensure compliance with the Landscape Maintenance Plan. After the first 5 years, inspections should take place every other year.

#### 4.8.14.G. Guidelines for Berms

**Goal:** Create visually pleasing berms, when berms are required.

To the extent possible, earthen berms should meander and be contoured to reflect a more natural pattern with variations in width, height, and direction.

#### 4.8.14.H. Guidelines for Suppressing Dust

**Goal:** Minimize impacts of dust to surrounding residential and agricultural uses.

##### 1. Overburden Stockpiles

- a. Should be treated with appropriate dust suppressants, watered regularly, or otherwise treated to minimize wind erosion.
- b. Every effort should be made to remove overburden during the period of the year when surface soils are moist. If overburden is removed when surface soils are dry, water-spraying equipment should be used to cut dust emission. Water-spraying equipment should likewise be used, as needed, when removing aggregate.
- c. Seeding of stockpiled overburden and exposed soils is required at the next appropriate planting time unless the site is excavated within 6 months of overburden removal, or if site has been partially excavated, but is to remain dormant for a period of more than 1 year. Saleable aggregate products produced by the processing plant are exempt from this provision.

##### 2. Unpaved Haul Roads

Unpaved haul roads should be regularly treated with appropriate dust suppressants (e.g. water or chemical dust palliatives). The frequency of application should vary according to the weather and moisture level of the soils on the site, but should be frequent enough to avoid visible dust plumes.

#### 4.8.14.I. Guidelines for Development of Ancillary Uses

**Goal:** Minimize the impacts of ancillary uses by providing appropriate regulation as needed.

Consider application of the Industrial Development Standards (Section 5.6) when evaluating proposed ancillary uses.

#### **4.8.15. Application Data for Clay, Lignite, Borrow Sites and Related Mineral Mining Operations**

In addition to the application data for conditional use permits set forth in Section 6.4.3, the applicant for a conditional use permit for clay, lignite, borrow sites and related minerals mining when the mining site is located in Permanent Agricultural or Industrial Extensive land use categories on the Sacramento County General Plan shall submit as part of the application the data required by Section 4.9.16.A through 4.9.16 E. When the mining site is located in any land use category on the General Plan other than the Permanent Agricultural or Industrial Extensive, the applicant shall submit as part of the application the data required by Sections 4.9.12.D, E, F, and G and Sections 4.9.16.A through 4.9.16.E.

##### **4.8.15.A. Mining Plan**

The applicant shall submit a mining plan which shall:

1. Show the proposed area of excavation.
2. Show the anticipated phased progression of mining.
3. Show the location of inventory piles and overburden piles.
4. Show the fate of overburden following removal, such as disposal, sale, storage for other use or other disposition.
5. Show the estimated surface areas disturbed annually and days of annual production. Show the anticipated pit side slopes and end slopes.

##### **4.8.15.B. Reclamation Plan**

The applicant shall submit a reclamation plan which shall:

1. Show land uses for which the site, after reclamation, is adaptable. If storage of water is indicated, the pit shall be justified as a water storage site only if it is demonstrated to be a collector of substantial runoff and the ultimate use of stored water is demonstrated
2. Show present and future topography of site after reclamation, showing degree of slopes of remaining excavations, contours, and disposal of drainage.
3. Show management of mined and unminable portions of deposit.
4. Show at least an annual inspection schedule and a report schedule in 5 year intervals. The report shall show 5 year increments in: changes to original grade, existing grade, and final topography expected with reclamation details to date of report. Each five year report shall indicate progress made and deviations required in reclamation of the property that has occurred since filing of the previous report.

##### **4.8.15.C. Soil, Geologic and Hydrologic Data**

The applicant shall provide the following data:

1. A topographic contour map with at least 10 foot intervals of the existing terrain and the terrain following reclamation.
2. Anticipated dimensions of the disturbed area and average depth of both overburden and the resource materials.



3. A summary of sampling data on soil, geologic and hydrologic characteristics and other preexisting studies of the site prepared for the project proponent or other relevant reports which the proponent may be aware. The Environmental Coordinator may require a full report if necessary to prepare an environmental document.
4. A description of drainage course alterations and or diversions.
5. If applicable, source of water, purpose and rate of water use, and description of disposal methods or treatment of any water to be used. If groundwater is to be used, the proponent shall provide identification numbers of any wells on the project site.
6. A drainage design for runoff and flood control for approval by the Water Resources Department
7. The location of all individual sewage disposal systems within 300 feet of the proposed mining area.

#### **4.8.15.D. Fencing and Posting**

The applicant shall show the locations of all fences and signs warning of the aggregate mining operations. Trespass signs shall be posted at reasonable access points. Signs shall be kept in good repair.

#### **4.8.15.E. Air Pollution Control**

The application shall describe methods to be used in:

1. Dust control on roads and other graded surfaces on the subject property.
2. Removal of dust and spillage from off-site public streets or roads used by trucks from the subject property.
3. Control of dust emanating from mined areas and inventory piles.

#### **4.8.16. Operating Standards for Clay Lignite, Borrow Sites and Related Mineral Mining Operations**

All clay, lignite, borrow sites, and related materials mining shall be subject to the requirements set forth in this Section. This Section is not intended to replace or otherwise limit in any manner other County regulations or to preclude the imposition of reasonable use permit conditions as authorized in Section 6.4.3.

#### **4.8.16.A. Mining Setbacks**

Mining setbacks of the minable area from property lines shall be as follows:

1. Mining may take place no closer than 5 feet from a property line not adjacent to a public street right-of-way. The Board may waive this requirement if:
  - a. Evidence is provided by the applicant that the setback can be reduced by engineering design, or;
  - b. The neighboring property owners consent to the request.
2. Mining shall be setback 50 feet from all public street rights-of-way without PUPFs. The setback may be reduced if evidence is provided by the applicant to the Planning Commission to the effect that the setback is not necessary.

**4.8.16.B. Fences**

Unless otherwise provided by condition of the use permit or a deviation is approved, the applicant shall:

1. Contain fences to the ground so as to prevent any opening between the fence and ground surface from exceeding 4 inches.
2. Maintain gates to fence height at all vehicular and pedestrian entrances.
3. Keep fences in good repair.
4. Post trespass signs on the fences at reasonable access points. Signs shall be kept in good repair.

**4.8.16.C. Reclaimed Site**

All clay, lignite, and related materials mining sites shall be reclaimed after completion of mining operations consistent with the approved Reclamation Plan. The site shall be left with safe slopes no steeper than 1:1. Slopes closer to horizontal may be required as a condition of the use permit. The slopes shall be revegetated where necessary for soil stabilization. The site shall be free of derelict machinery, scrap and unnatural waste materials.

**4.8.16.D. Term of Conditional Use Permit**

Any conditional use permit granted for clay, lignite and related material mining shall have a term of not less than 10 years. Permits may thereafter be renewed for up to 3 successive 5 year periods by the Planning Commission if the mining operation is being conducted in conformance with the provisions of the conditional use permit and applicable Federal, State and County regulations.

**4.8.16.E. Registration of Mines under Ordinance 1163**

Clay, lignite and other mines registered pursuant to Ordinance No. 1163 of the County of Sacramento are deemed to have a vested right to continue operation of the registered mines. The registration under Ordinance No. 1163 does not exempt the mine or the operator thereof from the requirements of the Surface Mining and Reclamation Act of 1975, Division 2, Chapter 9 of the Public Resources Code of the State of California.

## **4.9. DELTA WATERWAYS (DW) ZONING DISTRICT**

### **4.9.1. Purpose**

The Delta Waterways (DW) Zoning District is designed to regulate property in the unincorporated area of the county along the Sacramento River and along the Waterways in the area commonly known as the "Delta area." The purposes of the DW zoning district are to:

- Preserve and enhance the waterways and their immediate environment consistent with the General Plan.
- Ensure the compatibility of land uses along the river and waterways and land adjacent to the river and waterways.
- Provide a process to promote and ensure the compatibility of development by examination of individual development proposals.

### **4.9.1.A. Applicability**

These regulations shall apply to those waterways of the Delta and the waterside berm and levee area extending to the top of the waterside of the levee or to the water's edge at mean lower low water or as otherwise indicated by a DW on the Comprehensive Zoning Plan.

### **4.9.2. Definitions**

The following definitions apply to the specified terms as used in this Section:

#### **4.9.2.A. Natural Areas**

As used in this zoning district, "Natural Areas" are those waterways or portions of waterways exhibiting significant scenic, ecological, historical, or natural values that should be preserved to protect wildlife habitat, existing vegetation, and remnants of the waterways history. Such areas shall be indicated on the Comprehensive Zoning Plan as "DW-N."

#### **4.9.2.B. Scenic Areas**

As used in this zoning district, "Scenic Areas" are those waterways or portions of waterways that are of a lesser ecological or natural value than "Natural Areas" or have the potential for enhancement of such values, but that can support a wider range of active recreational activities without adverse environmental impact. Such areas shall be indicated on the Comprehensive Zoning Plan as "DW-S."

#### **4.9.2.C. Restricted Areas**

As used in this zoning district, "Restricted Areas" are those portions of waterways that are restricted for through navigation by existing docks, marinas, or other development, or are located adjacent to the Delta urban communities; but are located such that expansion of such facilities or additions of similar water oriented facilities will be compatible with the purpose and standards of this zoning district. Restricted areas shall be indicated on the Comprehensive Zoning Plan as "DW-R."

#### **4.9.2.D. MLLW**

MLLW as used in this Section shall mean "Mean Lower Low Water" Uses.

**4.9.2.E. Prohibited Uses**

The following uses and activities are expressly prohibited:

1. Permanent moorage or anchorage of a houseboat or other vessel used for human habitation, except within an approved marina. Existing houseboat owners may apply for a conditional use permit as provided in this Code to qualify an existing houseboat anchorage as a lawful nonconforming use.
2. The mooring or anchoring of a houseboat for a period exceeding one day within two miles of the intake for a domestic water supply.
3. The establishment of any project such as marinas, commercial piers and docks, boat sheds, and other commercial facilities such as restaurants in any area shown on the Comprehensive Zoning Plan as a "Natural Area."
4. The release of any polluting material, debris, junk, abandoned vehicles, and similar materials into any waterway.
5. The location of any industrial and non-water-oriented commercial facilities within any area shown on a Comprehensive Zoning Plan as a "Scenic Area."
6. The storage of hazardous materials including, but not limited to, herbicides, pesticides, explosives, and similar materials in an area not protected from flooding.
7. Storage of recreational vehicles(s) for a period exceeding 180 days in any one-year period.
8. Private multiple docks accommodating more than three boats are prohibited in all zoning districts except where adjacent to commercial zoning districts.
9. Private docks are prohibited on parcels created after March 1, 1994, if rezoning is required to create the new parcels.

**4.9.2.F. Permitted Uses and Activities**

The following uses and activities shall be permitted by-right in the DW zoning district:

1. Legally established buildings, structures, or uses that have become nonconforming by placement of the property in the DW zoning district may remain nonconforming and may be repaired, restored, or replaced. Any expansion of such buildings or structures shall be in conformance with the provisions in effect at the time of such expansion.
2. Agricultural uses and minor accessory structures for facilities, including but not limited to pumps, drains, and fences. This does not include agricultural related industry.
3. Floating structures for permanent human habitation when moored in an approved marina.
4. Removal of grass, brush, or dead or downed trees.
5. Removal of vegetation determined as noxious weeds by the Agricultural Commission.
6. Removal of junk, debris, or obstructions.

7. Any action required to eliminate an immediate safety hazard or to insure the safety of persons or property.
8. Camping, group use, and certain other uses allowed within public park facilities will be subject only to permits issued by the operating agency.
9. Property owners' personal recreational uses, excluding docks that are regulated in subsection 4.9.3 B, "Location of Structures in Waterways."
10. Private boat docks, swim floats, and fishing piers when the requirements of Section 4.9.3 C, "Development Standards," are met.
11. Single-family dwellings, including mobile homes and accessory buildings and structures.

#### **4.9.2.G. Conditional Uses**

Notwithstanding any other Section or Table of this Code, the following water-dependent uses are permitted in the DW zoning district upon issuance of a conditional use permit by the appropriate authority.

1. Boat launches.
2. Water recreation equipment rentals and sales.
3. Snack bar outside existing marinas incidental to a park, boat launch, or other water oriented use.
4. Tackle Shops.
5. Parks, including facilities for boat launching, overnight camping, picnicking, and travel trailer and recreation vehicles.
6. Boat rentals and sales outside an existing marina.
7. Industrial facilities for the shipping and receiving of raw or processed materials by water.
8. Restaurants.
9. Existing structures for human habitation when moored or anchored permanently in the waterway.
10. Marine supplies.
11. Boat harbors, marinas, and incidental accessory uses.
12. Commercial docks and piers.
13. Other similar water dependent uses.
14. Expansion of existing marinas.
15. Commercial boat docks, swim floats, fishing piers.
16. Gas and boat service at existing marinas and docks.
17. Mobile home parks in existence as of July 26, 1978 that held a validly issued use permit. If such use permit has expired, application to renew the use permit may be filed and, if approved, the use may be continued.

18. Private boat docks, swim floats, and fishing piers that do not meet the requirements of Section 4.9.3, "Development Standards". Private multiple docks accommodating more than three boats are allowed only adjacent to commercial zoning districts.
19. Guest homes, residential accessory dwellings.
20. Gas and oil wells subject to obtaining permits from the State of California.

#### **4.9.3. Development Standards**

All projects in the DW zoning district shall meet the following development standards, unless deviations are specifically permitted by a use permit:

##### **4.9.3.A. Dimensional Standards**

###### **1. Lot Area**

Each lot in the DW zoning district shall have a net lot area of not less than 20,000 square feet. If neither a public water supply nor a public sewerage facility is in use, the net lot area for each lot shall be not less than one acre.

###### **2. Lot Width**

Each lot in the DW zoning district shall have a minimum width of 75 feet.

###### **3. Setbacks**

###### **a. Front**

The minimum setback from the levee to any structure shall be 10 feet measured towards the waterway from the toe of the levee.

###### **b. Side Yard**

There shall be a side yard in the DW zoning district on each side of all buildings or structures of not less than 20 feet.

##### **4.9.3.B. Location of Structures in Waterways**

1. Structures may be located within "Restricted Areas" as indicated on the zoning maps when extensions into the waterways do not exceed one third of the horizontal distance across the waterway and an unrestricted navigation channel of not less than 100 feet is maintained.
2. Structures located in all other areas of the waterways must maintain an unrestricted navigation channel of not less than 100 feet and adhere to the most restrictive of the following standards:
  - a. Extensions shall not exceed more than 200 feet at MLLW for commercial and public facilities.
  - b. Extensions shall not exceed more than 100 feet at MLLW or to the line of existing adjacent structure in areas of intensive shoreline development, for private facilities.
  - c. Extensions shall not exceed more than one third of the horizontal distance across the waterway.
  - d. 300 feet of clearance between the project and the undeveloped opposite bank, assuming the opposite bank is not to be developed.

- e. 500 feet of clearance between the project and any development along the opposite bank.
- f. 700 feet of clearance between the project and the undeveloped opposite bank, when development of the opposite bank is physically possible and is zoned for development.

#### **4.9.3.C. Standards for Private Boat Docks, Swim Floats, and Fishing Piers**

1. Maximum length along the shoreline shall not exceed one half the width of the lot or 60 feet, whichever is less.
2. Swimming floats will be permitted that are capable of being removed from the floodway during the flood season.
3. Docks shall be side tie or one berth and shall accommodate no more than three boats of any size at any one time.
4. Docks shall be limited to one per parcel that was in existence prior to March 1, 1994. Private docks may be considered by use permit for new parcels created after March 1, 1994 when the new parcels are consistent with existing zoning. The purpose of the use permit is to review the cumulative impacts of docks on through navigation, levee stability, and riparian habitat and to consider evolving policies on waterways use from the state and local studies.
5. Boat docks, swim floats, and fishing piers shall not extend more than 40 feet into the river at MLLW.

#### **4.9.3.D. Building Pad Requirements**

1. The type of fill for the pad is to be approved by the Sacramento County Environmental Health Department and the Department of Water Resources.
2. Trees exceeding nine inches in diameter may not be removed except when located in an area needed for the building pad.

#### **4.9.3.E. Elevation and Floodproofing Requirements**

1. All structures and improvements, if within the floodway or the 100-year floodplain, shall comply with elevation requirements pursuant to the Department of Water Resources Floodplain Management Ordinance and regulations adopted pursuant thereto.

#### **4.9.3.F. Parking**

Parking will be as required in Section 5.9, "Off-Street Parking Requirements."

#### **4.9.3.G. Signs**

Signs and permitted advertising devices may be erected subject to Section 5.10, "Sign Regulations." Where specific conditions of the use permit are less or more restrictive than the development standards, the condition shall apply.

#### **4.9.3.H. Private Septic Services**

Any development shall comply with the sewage regulations of the Environmental Management Department as provided in the Sacramento County Code and regulations adopted pursuant thereto.

#### **4.9.4. Procedures**

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**4.9.4.A. Special Considerations**

The appropriate authority in the consideration of a use permit filed pursuant to Section 6.4.3, "Conditional Use Permits," shall, in addition to any requirements imposed by law, give due consideration to the following in the analysis of any application:

**1. Considerations for All Uses**

- a. The location and anchorage of any private docks, piers, floats, and swimming.
- b. The location, size, and lighting of any signs.
- c. Flood hazards.
- d. The adequacy of flood warning and evacuation plans.

**2. Special Considerations for Commercial and Industrial Uses**

- a. The adequacy of parking, landscaping, and vehicular access.
- b. The convenience of off-street parking and lighting of the off-street parking.
- c. Health Agency acceptance of pump out facilities, holding tanks, and other sewage facilities. Septic tank systems are not permitted for commercial uses.
- d. Availability of potable water as required by the Health Agency.
- e. Public access to the waterway(s).
- f. Flood hazards.
- g. The measures proposed to reduce the impact of any loss of vegetation and fowl or animal habitats.

**3. Special Considerations for Recreational Facilities or Uses**

- a. Whether the proposed use is available to the general public.
- b. The compatibility with the waterway environs.
- c. The mitigation measures such as fences and screen planting to mutually protect recreation uses and residential uses from each other.
- d. Any recreational use other than commercial recreational use shall not be approved until the same has been approved by the Director of the Regional Parks Department.
- e. Flood hazards.

**4. Special Considerations for Private Docks.**

- a. The impacts relative to on-site parking, concentration of boating activities, noise, and the relationship to adjoining residential and agricultural uses.
- b. The potential for on-street and off-street parking problems, vehicle traffic, and pedestrian safety.
- c. The size of the boating facility relative to the width and size of the lot, the width of the river, and basic compatibility with other docks in the area.

**4.9.4.B. Conditions of Approval**



In addition to the general conditions for approval of a conditional use permit in Section 6.4.3, the granting authority may require and specify the following conditions:

1. Removal of debris, abandoned structures, other hazards.
2. Installation of boating regulation signs.
3. Compatibility of the project with existing structures and natural features.

#### **4.9.4.C. Written Findings**

No conditional use permit application shall be approved until the granting authority shall find that the use, structure, or facility will not significantly:

1. Limit the diversity of public uses appropriate in the waterway.
2. Result in a substantial adverse environmental impact to natural habitats.
3. Impede the natural flow of the channel.
4. Adversely affect the stability of the levee or lands adjacent to the waterway or formation of sandbars or shoals.
5. Create a safety or navigation hazard.
6. Cause increased flood heights.
7. Cause additional threats to public safety.
8. Reduce the ecological or scenic values of an existing or approved state or local ecological preserve or wildlife management area.
9. Cause excessive disturbance, dredging, filling, or bulkheading to the shoreline, and be incompatible with the existing natural and manmade features.

#### **4.9.4.D. Findings on Appeals**

On appeal, the following findings must be made in addition to the findings outlined above:

1. That a public need is demonstrated. In determining public needs, the services provided the boating public and the residents of the adjacent community as well as providing access to points of historical significance shall be given primary consideration.
2. That no feasible alternative location exists.
3. That an environmental document has been accepted as adequate and adequate mitigation of any identified adverse impact is provided.

## **4.10. SPECIAL PLANNING AREA (SPA) ZONING DISTRICT**

### **4.10.1. Purpose**

The purpose of this Section is to establish a procedure whereby the Board of Supervisors or the Planning Commission may initiate proceedings to regulate property in areas throughout the county area that have unique environmental, historic, architectural, or other features that require special conditions not provided through the application of standard zoning district regulations. It is recognized that in certain circumstances it may be desirable to provide for a greater range or mixture of uses in an area than would be permitted in the standard land use zoning districts of this Code. It is the purpose of this Section to provide the method for the county to guide the development of such areas so as to preserve such unique characteristics or provide for a broader mixture of land uses when appropriate.

### **4.10.2. Establishment**

#### **4.10.2.A. Initiation of Zoning District**

Only the Board of Supervisors or the Planning Commission may initiate by resolution the proceedings to place parcels within an SPA zoning district. The resolution shall include reasons for initiating the SPA zoning district.

#### **4.10.2.B. Findings**

An SPA ordinance shall not be adopted unless the following findings are made:

1. The area included within the SPA zoning district has one or more unusual environmental, historical, architectural, or other specified significant features that justify the adoption of the SPA zoning district.
2. The unusual features cannot adequately be protected by the adoption of any other land use zone.

#### **4.10.2.C. Designation**

The abbreviation "SPA" appearing on a comprehensive zone plan indicates that the property so classified is subject to the provisions of this Section and an ordinance adopted pursuant to this Section.

#### **4.10.2.D. Amendment**

The procedures amending an SPA zoning district adopted pursuant to this Section shall be the same as for any map amendment to this Code, per Section 6.2, "Zoning Amendments."

#### **4.10.2.E. Mandatory Contents**

An SPA zoning district shall be established by ordinance and provisions shall be included in each SPA ordinance for the following matters:

1. Legal description of property covered by the ordinance.
2. Reasons for establishment of an SPA zoning district on the particular property.
3. A list of permitted uses.
4. Performance and development requirements relating to yards, lot area, intensity of development on each lot, parking, landscaping, and signs.

5. Other design standards appropriate for the specific site and development.

#### **4.10.2.F. Additional Permissive Contents of SPA Ordinance**

The following provisions are permissive and are not intended to be an exclusive list of the provisions that may be included in an SPA ordinance.

1. Procedure for review of proposed development. The procedures may include:
  - a. Types of projects that require review.
  - b. Documents required from developers.
  - c. Hearing procedures, if any.
2. Regulations relating to nonconforming lots, uses, structures, and signs.
3. Time phasing and sequence of development of projects.

#### **4.10.3. Strict Interpretation**

An SPA zoning district shall be interpreted to strictly to modify only the standards or requirements as specified in the applicable SPA ordinance. All standards and requirements of this Code that are not inconsistent with the stated provisions of the SPA ordinance shall apply.



## CHAPTER 5: DEVELOPMENT STANDARDS

### 5.1. INTRODUCTION

#### 5.1.1. Purpose

Chapter 5 describes the development standards applicable for all land use zoning districts in the unincorporated area of Sacramento County. These standards are established to preserve or enhance the urban design character of the community. They define the relationship of buildings and structures to the lot, street, parking, existing site and neighborhood context while considering the human interaction and use.

The development standards contained in this chapter seek to promote coordinated, sound development, effective use of land, and high quality site planning that considers the unique character and context of each unincorporated community and implements the goals and policies of the 2030 General Plan. These standards also seek to encourage innovation in development and renewal to provide quality communities that meet anticipated demands for housing, services, employment, and industry; while allowing a variety of approaches to design that preserves or establishes a sense of place for each community, but does so in a healthy, safe and sustainable manner.



Decisions on how and where to build homes, businesses, shopping, parks, schools all have significant impacts on human health and the natural environment. Mixed land uses (job/housing/retail proximity), community connectivity, and active transportation choices all promote and increase walking and physical activity. By incorporating Active

Design, identified by the above icon, and other design considerations into the built environment, physical activity and improved health can be achieved. Utilizing Crime Prevention through Environmental Design (CPTED) strategies can also enhance the urban design character by discouraging crime and an enhanced sense of community safety. The County Design Guidelines seek to promote quality designs that reflect the community character and among other things promotes public health, safety, and livability through design of the built environment. Active Designs and CPTED strategies are discussed further in the County's Design Guidelines.

Due to the wide range of communities in unincorporated Sacramento County, concepts of community character and context are introduced in this chapter to balance the need to be sensitive to differences among communities, with the need for flexibility and understandable and manageable guidance for development. It is recognized that some standards will not always work for all situations. Thus, the Design Review process, required for single-family and multi-family residential and non-residential development projects, will be used to approve alternative standards or solutions that differ in some respects, but are substantially consistent with the County's development standards and design guidelines. Project applicants should consult with the County early in the design stages of the project to ensure compliance with all applicable Code requirements.

#### 5.1.2. Chapter Format and Use of Development Standards

This chapter contains General Standards, Off-Street Parking, and Sign Regulations that are applicable to all land use zoning districts in the County; and development standards applicable to each of the land use zoning districts in the County:

- **Section 5.2 General Standards and Exceptions**
- **Section 5.3 Agricultural, Open Space, and Recreational Zoning Districts**
- **Section 5.4 Residential Zoning Districts**
- **Section 5.5 Commercial Zoning Districts**
- **Section 5.6 Industrial and Business Park Zoning Districts**
- **Section 5.7 Mixed-Use Zoning Districts**
- **Section 5.8 Institutional Uses**
- **Section 5.9 Off-Street Parking**
- **Section 5.10 Signs Regulations**

Development Standards set the specific requirements for each project or design solution. They define the dimensional requirements that apply to structures built within each of the land use zoning districts, including required lot sizes, lot coverage; setbacks; building and structure heights; and other requirements related to the building envelope, location, and configuration of buildings and structures. Development standards in this Code are structured by topic areas and ensure projects within each of the County's land use zoning districts are compatible and sensitive to the context of the existing community. To understand the complete application of all development and design requirements, the user of this code should review the development standards Section for the applicable land use zoning district of the project, including Section 5.9, "Off-Street Parking" and Section 5.10, "Sign Regulations." Additional standards apply to certain uses and in special zoning districts, as specified in Chapters 3, "Use Standards" and Chapter 4, "Special and Combining Zoning Districts." Chapter 7, "Definitions" should be consulted for the terms used in this chapter.

Development and design standards in this Code set the basic, often quantitative requirements for development that supports the goals and policies of the County's 2030 General Plan and should be referenced in conjunction with the County's Design Guidelines for expectations on the qualitative design criteria that will be used to evaluate development projects during the Design Review process. Development examples, where provided in this Code, illustrate typical or possible building types and designs that are encouraged, but are not intended to encompass all possible solutions or examples that may be permitted in the County.

## 5.2. GENERAL STANDARDS AND EXCEPTIONS

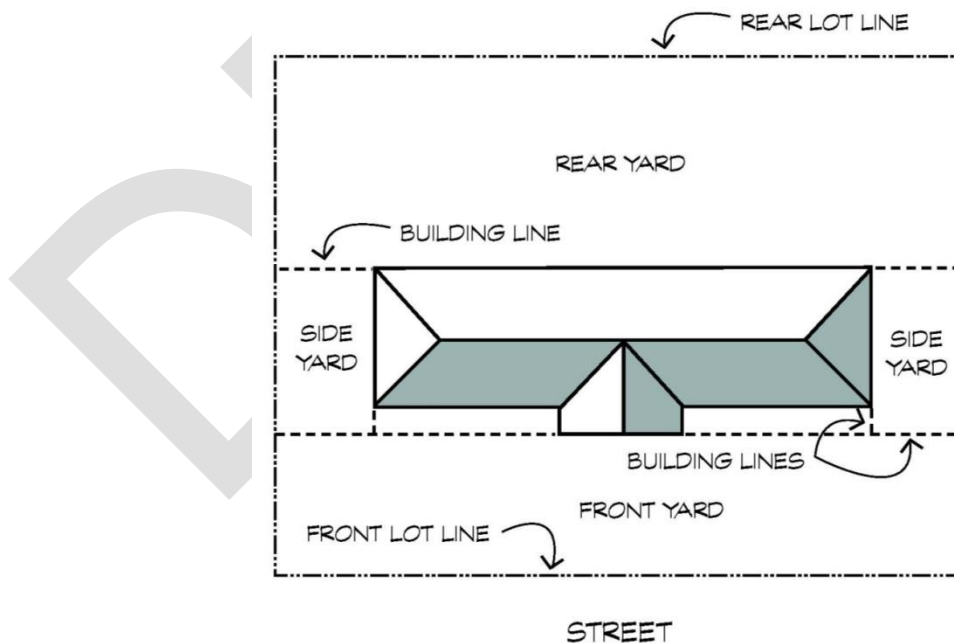
### 5.2.1. Setback Standards for all Zoning Districts

#### 5.2.1.A. Measuring Setbacks

Street right-of-way dimensions and width are described in the adopted County Improvement Standards. Setbacks in the Zoning Code are identified and measured, based on one of two approaches, depending on whether the street right-of-way or future street right-of-way includes or does not include a Public Utilities and Public Facilities (PUPF) easement. Prior to the adoption of the revised County Improvement Standards in 2009, buildings setbacks were historically measured from the back of the sidewalk. The revised County Improvement Standards include provisions for a PUPF easement overlaying the landscape buffer and sidewalk area, where the right-of-way is now measured from the back of the curb.

The Zoning Code reflects the existence of both methods for measuring setbacks from the public street right-of-way, as indicated in the Development Standard Tables for each zoning district. Developments that acquired right-of-way prior to adoption of the 2009 Improvement Standards shall follow the standards for setbacks without a PUPF easement, using setbacks measured from the back of the sidewalk. New or recent right-of-way acquisitions with setbacks that include a PUPF easement shall be measured from the back of curb. Where there is no street right-of-way, access easement, or future street right-of-way, as identified through an official control or private road, a setback is measured from the property line.

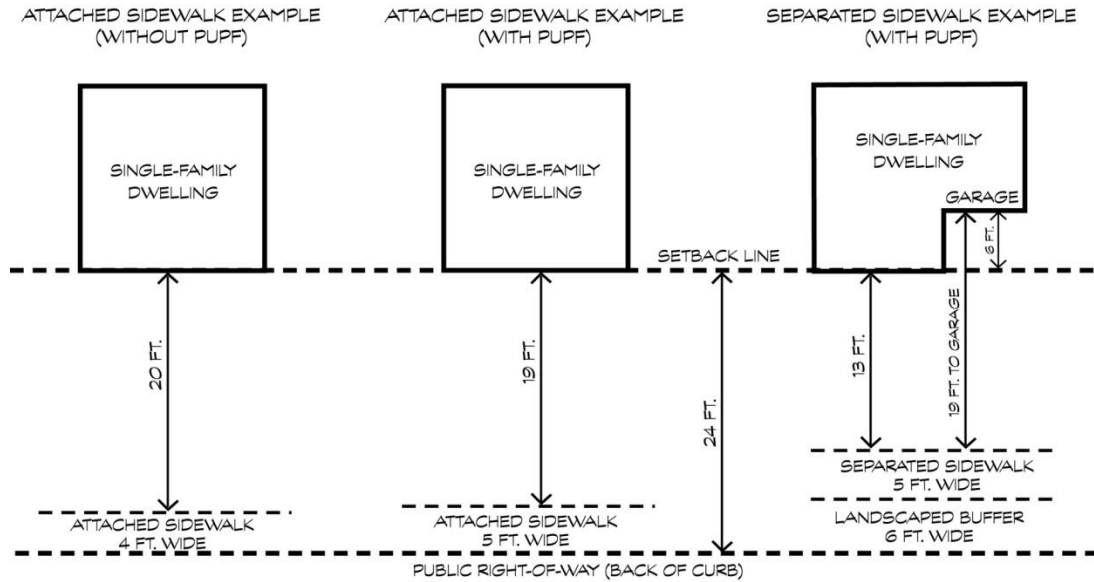
The descriptions and accompanying diagrams that follow define the front, side, and rear yard areas and the methods for measuring setbacks.



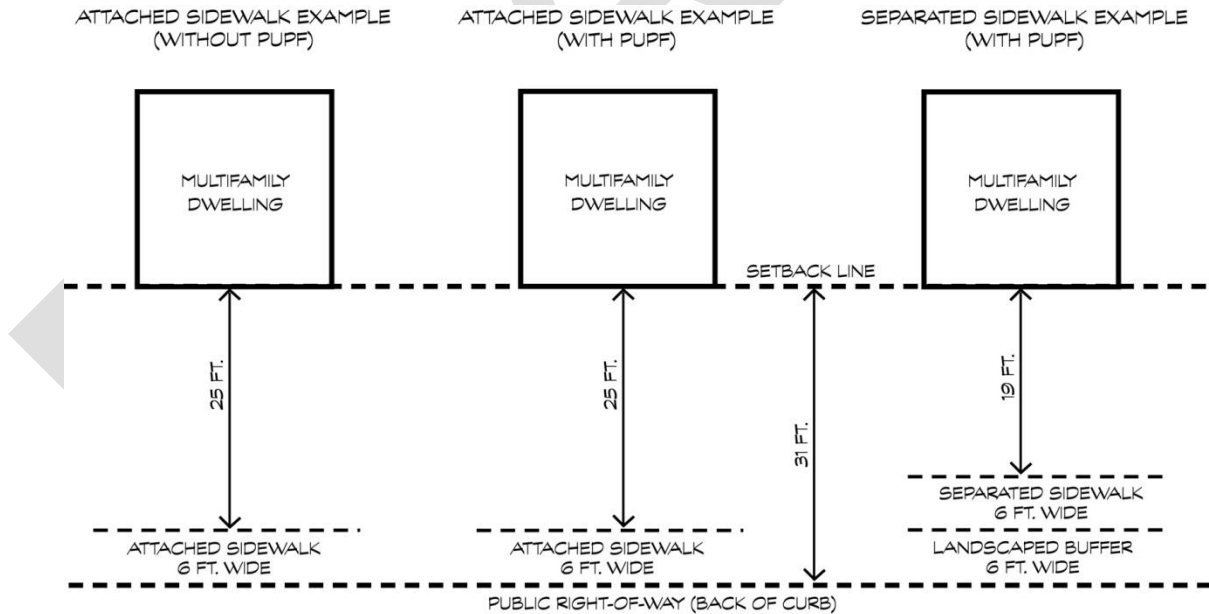
**Figure 5-1: Typical Lot Identifying Yard Areas**

- 1. Front Yard Setback.** The front yard setback is the depth, measured perpendicularly from the nearest point of the front lot line, at the back of the

sidewalk, to the nearest part of the main building. Where a PUPF is required, setbacks shall be measured from the back of the curb to the main building.

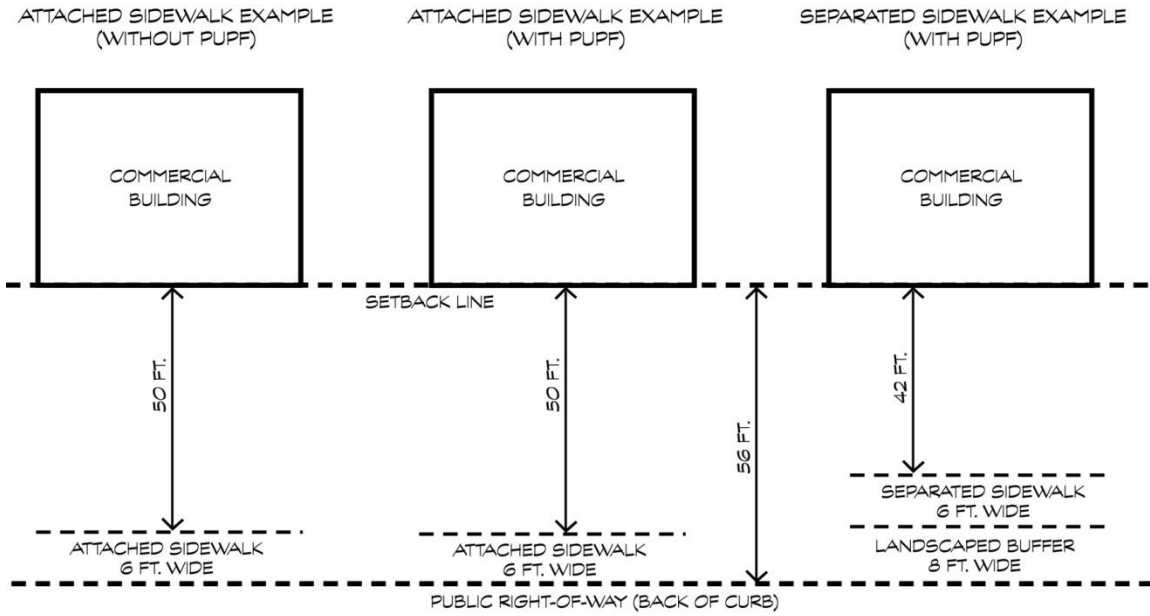


**Figure 5-2: Single-Family Setback Measurement**

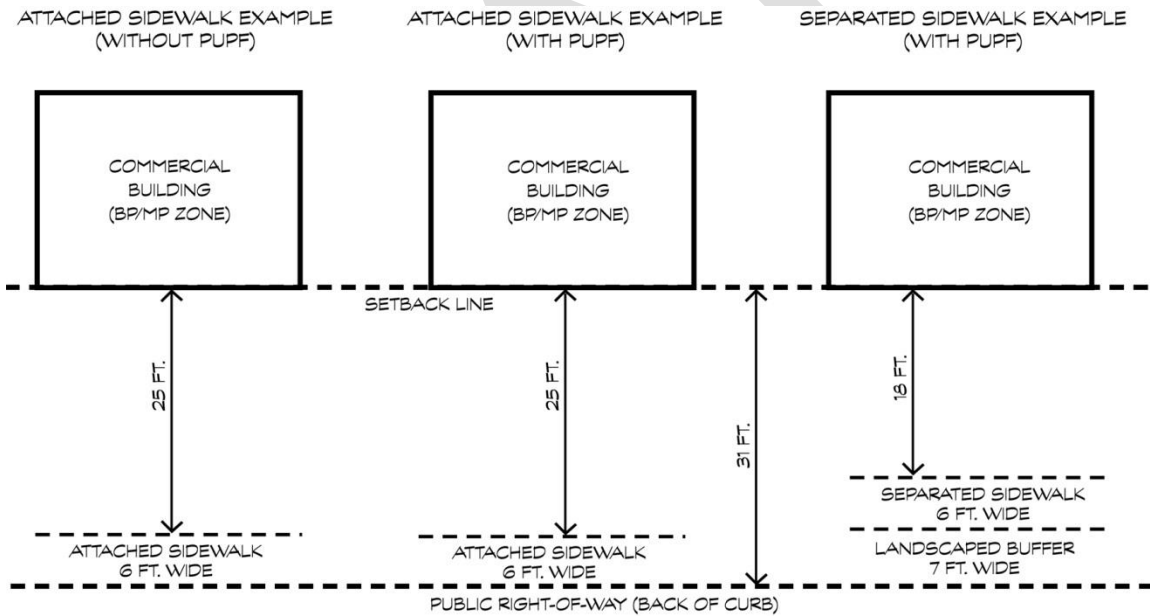


**Figure 5-3: Multifamily Setback Measurement**



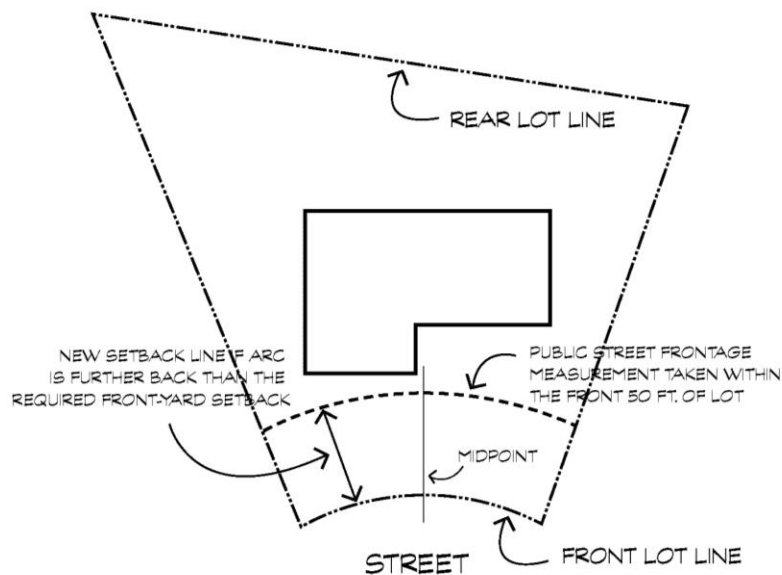


**Figure 5-4: Commercial and Industrial Setback Measurement**



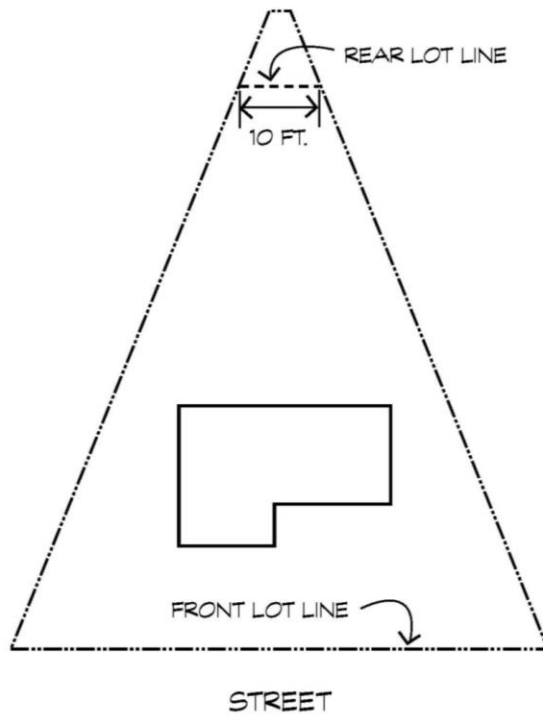
**Figure 5-5: Business Professional Office (BP) and Industrial-Office Park (MP) Setback Measurement**

- 2. Front Yard Setback on a Curved Street.** For lots fronting on a curved streets or the curved portion of a cul-de-sac street, the setback is measured along a chord from the center point along an arc coincidental with the edge of the street right-of-way to the nearest part of the main building (as shown in 5-6 figure). Where a PUPF is required, setbacks shall be measured from the back of the curb.

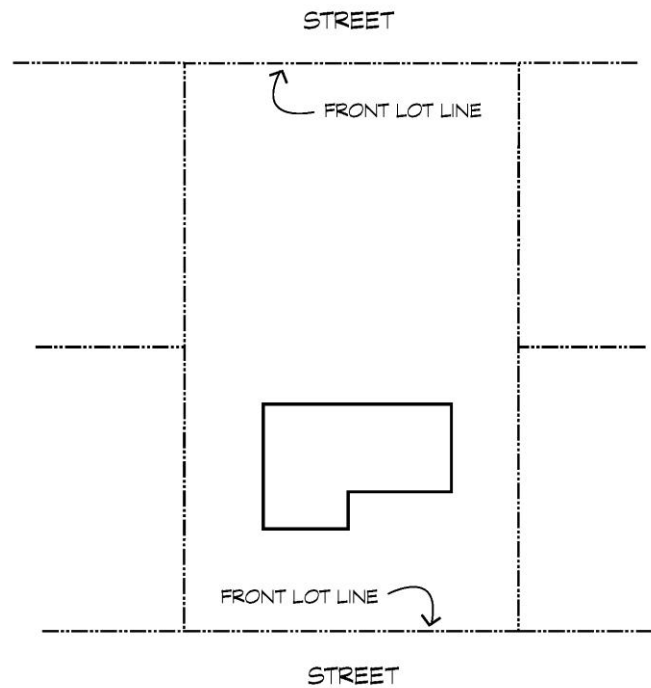


**Figure 5-6: Front Yard Setback along a Curved Street**

- 3. Side Yard Setback.** The side yard setback is the depth, measured perpendicularly, from the nearest point of the side lot line to the nearest part of the closest building.
- 4. Corner Street Side Yard Setback.** The corner street setback is the depth, measured horizontally, from the nearest part of the closest building to the nearest point of the side lot line at the back of the sidewalk. Where a PUPF is required, setbacks shall be measured from the main building to the street right-of-way line, at the back of curb.
- 5. Rear Yard Setback.** The rear yard setback is the depth, measured perpendicularly from the nearest point of the rear lot line to the nearest part of the main building. For irregularly shaped lots, the rear lot line is defined as the point where the width of the lot is a minimum of 10 feet (as indicated in figure 5-7).



**Figure 5-7: Rear Yard Setback for Irregular Shaped Lots**



**Figure 5-8: Through Lots**

#### 5.2.1.B. Through Lots

A lot having a frontage on two parallel or approximately parallel streets. In such cases, the property owner may choose which frontage will be used to define the front lot line, and thus the front yard area. The primary buildings and any accessory structures shall be constructed so as not to encroach upon the required yards of any streets. Where a lot has a depth of 125 feet or more, the lot may be treated as two (2) lots with the rear line of each approximately equidistant from the front lot lines (as shown in figure 5-8), provided that all of the yard requirements are met.

#### 5.2.1.C. Use of Setback Areas

Except as otherwise permitted in this Code, every part of a required setback shall be open from its lowest point to the sky (refer to Section D., below, for a description of allowed encroachments into setbacks). For non-residential development, all setback areas visible from public streets and areas shall be landscaped, as required in Section 5.2.4.

#### 5.2.1.D. Allowed Encroachments into Setbacks

Refer to the Development Standards tables, found under the applicable land use district in this chapter for allowed encroachments into setback areas. Where not otherwise provided in the Zoning Code, the following setback encroachment standards shall apply.

1. Cornices, sills, eaves, canopies, awnings, and similar features may encroach into any required yard area a distance not to exceed 24 inches.
2. Window bays, having a minimum of 50 percent glass, may encroach 24 inches into a required yard area when the finished floor of the window bay is at least 15

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inches above the finished floor of the room. The roof overhang above the window bay may not encroach 24 inches into the yard area.

3. Accessory structures must maintain a minimum three (3) foot setback from property lines for any portion of the structure, including the encroachment described by this Section, except for small accessory structures or sheds as noted in Table 5.8
4. Fire escapes, outdoor stairways, balconies, and mechanical equipment shall not encroach more than 36 inches into a yard or court. Ordinary projections of chimneys and flues may be permitted by the Chief Building Official where the same are so placed as not to obstruct the light and ventilation.
5. Except as otherwise restricted in this code, bus shelters may be located within the front or side yard setback of any lot, provided that the shelter complies with Section 3.9.3.N.
6. **Lot Area or Setback Reduction for Dedications.** Where a lot area or a lot width, depth, or setback has been reduced for an existing legally created lot by not more than 15 percent as a result of acquisition or dedication for a highway, road, drain, or other public purpose, as a result of a dedication pursuant to a result of a Rezoning, Variance, or Conditional Use Permit, the lot area or yard so reduced may be included in determining compliance with lot area or yard requirements in the same manner as if the acquisition or dedication has not taken place.
7. **Lot Area and Width Reduction for Local Public Agency Uses.** Contemporaneously with the hearing for a Conditional Use Permit for the establishment of any buildings or grounds owned and operated by a local public agency in any agricultural zoning district, interim agricultural zoning district, or agricultural-residential zoning district, the appropriate authority may permit such uses on a lot of less area or width than required in the zoning district, provided that the area and width of the lot is:
  - a. Adequate for the proposed use and sufficient to provide the required yards, parking areas, and landscaping.
  - b. Adequate under the circumstances of the particular case to prevent the proposed use from being detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing or working in the neighborhood or to property and improvements in the neighborhood or to the general welfare of the County.

**5.2.1.E. Accessibility Accommodations-Federal Fair Housing Amendments Act of 1988 and the California Fair Employment and Housing Act**

1. During the building permit review process, staff may approve reduced setbacks for structures relating to disability access (as defined by the Federal Fair Housing Amendments Act of 1988 and the California Fair Employment and Housing Act), such as ramps or handrails, as follows:
  - a. Accessibility structures must be clearly labeled as such on building plans.
  - b. Staff may deny or approve modified reduced setbacks if it is determined that the structures can accommodate accessibility needs within or closer to standard requirements.

- c. In no case shall reduced setbacks result in structures contrary to the public health, safety, or welfare, or be injurious to the property or improvements of adjacent properties.
  - d. In no case shall accessibility related structures encroach onto public utility, road, or other recorded easements.
2. Applicants are not required to provide documentation of disability nor are they required to remove the accessibility structures should an immediate need no longer be present.

#### **5.2.1.F. Building Attachments**

**When the subordinate building is connected to the primary dwelling by a continuous roof structure as specified herein, it shall be considered as a portion of the primary dwelling.**

1. **The continuous roof structure shall consist of a design that is compatible to the primary dwelling as it relates to slope of roof, roof covering and overall appearance. The area spanned by this roof area shall be equal in width to a minimum 30 percent of the adjacent accessory building wall, with length not exceeding three (3) times its width.**
2. **The connecting structure may be open or enclosed. If enclosed, it may have a connecting door to the accessory building, but not necessarily to the main building.**
3. **When the subordinate “building” is connected to the main building by a roof structure without walls for the purpose of a pedestrian walkway except as specified herein, it shall be considered as a separate building.**

#### **5.2.2. Building Height Standards for all Zoning Districts**

In addition to the height regulations in the Sections and development standard tables that follow, the uses that follow shall also be subject to the height provisions below. The height provision for buildings or structures shall be interpreted so that both the limitation as to the number of stories and the limitation of the height in feet apply.

##### **5.2.2.A. Height Limits in Aircraft Approach Zoning Districts**

In any zoning district, no tree or other object of natural growth shall be allowed to grow and no building, appurtenance, tower, or other structure shall be erected or maintained to exceed the height limits developed for aircraft approach and take off areas that are designated on the Comprehensive Zoning Plan that is part of this Code.

##### **5.2.2.B. Height Exceptions for Certain Structures**

Towers, penthouses, and other roof structures for the purpose of shelter for mechanical equipment, solar panels, wind turbines, cupolas, water tanks, church steeples, carillon towers, radio television antennas, and similar structures and necessary mechanical appurtenances may be erected on a building, or on the ground, to a height greater than the limit otherwise established within the zoning district, or for that use, provided that no such exception shall cover at any level more than 15 percent (of the area of the lot, nor have an area at the base greater than 1,600 square feet. See Section 3.9.3.B for dish antenna regulations. All construction is subject to approval of the Chief Building Official. Signs may not be placed on such structures at any height exceeding the height of an

otherwise permitted building. Fences or walls may be required and conditioned to exceed six (6) feet in height for a project, as determined by the appropriate authority hearing related planning matters on the same parcel of land.

### **5.2.2.C. Height Exceptions for Buildings in Residential, Commercial, and Industrial Zoning Districts**

Either ~~the Board of Supervisors~~ or the County Planning Commission may, after reviewing development plans which address (1) glare/reflected heat; (2) energy efficiency; (3) traffic impacts; and (4) effects on adjacent parcels relating to height, scale, and mass of the proposed building; **grant a Special Development Permit** to allow exceptions to height if the appropriate authority finds that any adverse effects caused by the above factors have been adequately mitigated through design features incorporated into the proposed project:

- 1. All Residential Land Use Zoning Districts.** Public buildings, hotels, apartment houses, schools, churches, hospitals, and other similar buildings may be erected to a height not to exceed 75 feet, provided that the required yards shall be increased one (1) foot for each one (1) foot of height of said building.
- 2. All Commercial and Industrial Land Use Zoning Districts.** The number of stories and the height limits for commercial or industrial buildings, hotels and apartment buildings may be increased to a maximum of 150 feet, provided that all buildings are set back from the ultimate right-of-way line of all abutting streets and freeways a distance at least equal to the height of the building. For any residential portion of a hotel or apartment house, all required yards and courts shall be increased one (1) foot for each foot that such building exceeds 40 feet in height. In any case, the floor area to lot area ratio shall not exceed 2.5:1.

### **5.2.2.D. Height Criteria**

In evaluating **Special Development Permits** for height exception requests, the appropriate authority shall consider the following factors:

1. Use of all contiguous parcels
2. Elevation of the respective parcels
3. The height and number of stories of any structures or buildings on contiguous parcels
4. The beneficial or harmful effect of the height of the building on existing terrain and vegetation
5. The opportunity for a higher structure to overlook yard areas of contiguous parcels and invade the privacy of such yard areas
6. The impact of the proposed structure on traffic circulation

### **5.2.3. Density Bonuses and Intensity Increases**

In addition to the development standards and associated tables for each land use Section in this Chapter, the minimum density and intensity requirements may be increased for:

- 5.2.3.A.** Residential, commercial, or mixed-use projects that provide housing for very low, lower income, or senior households in accordance with the provisions in Section 6.5.4;

- 5.2.3.B.** Residential, commercial, or mixed-use projects of five (5) units or more on property zoned RD-20 or greater that provide housing opportunities for individuals with special needs in accordance with the provisions and procedures in the County's Housing Incentive Program (HIP), described in Section 6.5.5;
- 5.2.3.C.** Transit-supportive projects or uses located within a one-quarter (1/4) mile of a transit station or stop along a light rail line, bus rapid transit line, or other trunk line providing high frequency bus service with 20 minute or better headways, which is either in existing service, under construction, or planned for service as identified in Regional Transit's *Short-Range Transit Plan Ten Year Capital Program of Projects*. Refer to the development standards tables by zoning district in each Chapter for automatic density increases, or Section 6.4.6.G for a Special Development Permit to allow density increases for multifamily residential, commercial, and mixed-use projects, adjacent to transit. Design Review and/or a Special Development Permit, as required, will be used to determine consistency with this requirement, taking into account project-specific opportunities and constraints and reasonable opportunities for access to transit.
- 5.2.3.D.** Clustering of residential lots and project designs protecting environmentally sensitive or significant physical features on-site such as woodlands, wetlands, steep slopes, urban stream corridors, or open space buffers from farming or ranching activities. Refer to Section 6.4.6.G for density increases permitted for protecting open space resources.
- 5.2.3.E.** Project design or construction techniques, including the provision of on-site Accessory I or Accessory II solar energy or small wind turbine-generated energy that will result in energy savings beyond those obtained with conventional design and construction techniques, as addressed in Section 6.4.6.G.
- 5.2.3.F.** Mobile home parks that design at least 15 percent of its lots for the placement of single wide mobile homes, as described in Section 4.5.5.B.

## **5.2.4 Landscape Standards**

### **5.2.4.A. Purpose**

**Landscape standards in this Section apply to all new development, buildings, or structures that may be erected or enlarged, and/or the maintenance of existing landscaping for all land use zoning districts in the unincorporated area of Sacramento County, unless otherwise noted in this Section. Landscape standards are provided to:**

- **Ensure the use of native and/or drought tolerant landscaping which is appropriate to the climate and conditions in Sacramento County, provide shade, screen loading and services facilities, help frame views and edges, and provide natural transitions that enhance the quality, walkability, safety and aesthetics of the surrounding built environment;**
- **Ensure the healthy establishment and appropriate long term care and maintenance of all existing and new landscaping provided for all types of development;**
- **Promote sustainable landscaping practices that lower urban heat island temperatures, improve air quality, conserve water and energy, restore, and**

**enhance environmentally sensitive areas; and emphasized the use of river friendly landscaping practices and stormwater best management practices.**

- **Set provisions for the removal and replacement of unhealthy trees and/or hazardous conditions and proper pruning of trees to remove hazardous obstructions; and**
- **Protect the function of trees for shading, carbon and particulate capture, water quality, energy conservation, and aesthetics while ensuring adequate clearance and visibility for safety, lighting of merchant signage, and balancing other needs and functions of the property.**

**5.2.4.B. General Requirements for all Land Use Districts Except Residential Districts (See Section 5.2.4.C)**

**1. General Requirements**

- a. Unless otherwise indicated, the minimum container sizes for trees shall be 24-inch box for 35 percent of the trees, and the remainder shall be 15-gallon. The minimum container sizes for shrubs shall be five (5) gallon for 70 percent of the shrubs, and the remainder shall be one (1) gallon. The minimum container sizes for groundcovers shall be one (1) gallon. The required percentages may be considered for adjustment as part of the Design Review process.**
  - b. Unless otherwise indicated, the size for required landscaping shall consist of trees at a minimum of 15 gallons in size, shrubs at a minimum of one (1) gallon in size, and groundcover at minimum of one (1) gallon in size. Larger sizes of trees and shrubs may be required as part of the Design Review process, especially at key entrances and corner treatments.**
  - c. Varied tree and plant species shall be used throughout the site. No one species shall comprise more than 75 percent of trees, shrubs, or groundcovers proposed for the site.**
  - d. All landscape and streetscape improvements must meet the County's Improvement Standards, unless otherwise approved by an adopted streetscape plan, corridor plan, or other special area zoning code; and shall be consistent with the current edition of the County's Design Guidelines and the following standards.**
- 2. Landscaping of Setback and Frontage Areas. All areas between the edge of the street right-of-way and the building or parking lot, and visible from the public street, except for driveways and screen areas, shall be landscaped. See Section 5.2.4.F for parking lot landscaping requirements.**
- a. Frontage Landscaping Adjacent to Parking Lots and Driveways**
    - (i) A planter at least 25 feet wide in the BP zone and eight (8) feet wide in all other zones, excluding curbing, shall be provided between the edge of parking areas and: 1) sidewalks, where sidewalks are detached from curb and gutter, and 2) street right-of-way where sidewalks are attached. In addition, where the right-of-way is located behind a public sidewalk or curb, any area within the street right-of-way shall be developed as a planter or**



- landscaped area in conjunction with the required eight (8) foot area above. The planter shall be designed to comply with parking lot shading and street tree requirements in this Chapter.
- (ii) Within this planter, trees approved by the Planning Director shall be planted no further than 30 feet on center and at least four (4) feet but not further than 10 feet from the back of the sidewalk. The planter shall also include shrubs, ground covers, and other natural growth, or stormwater quality features and drainage treatments. Nothing in this Section shall preclude the installation of additional landscaping and the planting of additional trees so long as it is consistent with the visibility regulations for the County.
  - (iii) Bus shelters may be located within this planter if approved by the Director of the Department of Transportation or his or her designee and the regional transit agency, but shall not be placed so as to reduce the number of trees which are otherwise required by this Section.
- b. **Frontage Landscaping Adjacent to Buildings.** Within the area between the right-of-way and buildings, trees approved by the Planning Director shall be planted no further than 30 feet on center and at least four (4) feet but not further than 10 feet from the back of the sidewalk. The planter shall also include shrubs, ground covers, and other natural growth, or stormwater quality features and drainage treatments. Nothing in this Section shall preclude the installation of additional landscaping and the planting of additional trees so long as it is consistent with the visibility regulations for the County.
- c. **Landscaped Parkways.** When required by the County's Improvement Standards, a six (6) to eight (8) foot landscaped parkway shall be provided between the curb (i.e., edge of the street right-of-way) and detached sidewalk.
- (i) Landscape parkways may include earth berms, hedges, fences, or walls, in combination with trees and plantings, and may be used for stormwater purposes.
  - (ii) Alternative landscaping methods and landscape parkway requirements may be considered as part of the Design Review process.
  - (iii) **Street Trees.** Approved trees for planting in County right-of-way and public easements shall be subject to the County's Improvement Standards. Trees not listed in the Improvement Standards, may be planted with the approval of the Department of Community Development for tree selections that can provide the greatest benefits (i.e., benefits to shading, health, air quality, water and energy conservation) is recommended. The planting of street trees applies to new construction or major reconstruction.
- d. **Clustering and Alternative Design.** Alternative design approaches, such as clustering of trees, may also be approved during Design Review.

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- e. **Pedestrian Walks and Connections.** Required landscape areas should include pedestrian walks and well-marked paths of travel and connections, steps, and similar hard surface areas, provided that such hard surface areas do not cover more than 25 percent of the required landscape areas. A barrier free, four (4) foot wide paved walk may be provided through the required planter at street and driveway intersections to provide unencumbered access for the disabled from the sidewalk to the parking lot. Such walk shall be located so as to facilitate the most direct movement of persons using sidewalk curb ramps, if such are provided.
3. **Landscape Screening Adjacent to Residential and Agricultural-Residential Parcels.** For all uses except agricultural and single-family uses, a minimum seven (7) foot wide continuous landscaped planter area shall be provided adjacent to the interior property lines of all adjoining parcels zoned for residential or agricultural-residential purposes. Landscaping shall consist of screen trees approved by the Department of Community Development, spaced 30 feet on center, in combination with other plant materials to provide a dense visual screen. Trees shall be planted a minimum of five (5) feet and no further than 10 feet from the required fencing. Fencing requirements for specific uses can be found in Section 5.2.5.
4. **Landscape Screening.** Shrubs and other natural growth, combined with berms and other landscape features, at least three (3) feet in height, shall be designed to enhance, soften, and visually screen loading and parking areas, trash enclosures, mechanical equipment, walls, and other unsightly uses visible to public right-of-way, except near street and driveway intersections where landscaping shall not exceed two and one half (2.5) feet in height in accordance with the visibility regulations of the Sacramento County Improvement Standards. Consideration shall be given to public safety as part of the design and maintenance of these areas. A five (5) foot landscape planter shall be installed around the perimeter of trash enclosures.
5. **Landscape Maintenance.** All landscaped areas shall be mowed, trimmed, and/or maintained as often as necessary to prevent overgrowth and blight. No junk, debris, or other similar materials may be stored in the landscaped areas. Refer to Section 5.2.4.G for additional standards on landscape care and maintenance.
6. **Stormwater Quality Landscaping.**
- a. On-site stormwater quality landscaping, approved in setback areas or public right-of-way or integrated into the project may count toward required landscaping.
  - b. Pervious pavement and permeable pavers may be a substitute for impermeable hard surfaces but may not substitute for required landscaped planting areas. Ornamental or landscape rock and gravel areas, artificial turf, or areas covered with other artificial materials may be combined with landscape areas, provided that they area approved through the design review process.

- 7. Disabled Access.** The design of landscaping shall provide for the access needs, safety, and comfort of the disabled in conformance with the standards of the Americans with Disabilities Act (ADA).
- 8. Tree Preservation.** Existing mature and native trees and shrubs shall be preserved and incorporated within the project site design to the extent feasible. Removal of protected trees shall be consistent with the County General Plan, the County Tree Ordinance, Section 5.2.4.H of this Code, and applicable project-specific CEQA mitigation measures.
- 9. Sustainable Design.** Landscaping for projects shall be designed to integrate principles of sustainability to the greatest extent feasible. This includes principles of water conservation, the use of trees for energy conservation and to improve air quality, and the use of storm water control features for treatment and run-off reduction, with an emphasis on the use of drought-tolerant and/or native plants. Landscaping plans shall cohesively incorporate the following requirements and guidelines:
  - a. The County of Sacramento Water Efficient Landscape Ordinance.
  - b. The County-Wide Design Guidelines.
  - c. The Sacramento Stormwater Quality Partnerships *River-Friendly Landscape Guidelines - Sustainable Practices for the Landscape Professional*.
  - d. The Stormwater Quality Design Manual for the Sacramento and South Placer Regions.
  - e. The County of Sacramento Zoning Code, including this Section and the Parking Section 5.2.4.F
  - f. The integration of these practices shall not compromise requirements for landscaping as established by the County Zoning Code and the Water Efficient Landscape Ordinance.

#### **10. Irrigation**

- a. All landscaped areas shall be provided with a permanent or temporary irrigation system, demonstrated on site plans, to ensure the establishment and ongoing maintenance of landscaping. Alternative and innovative methods of irrigation such as use of cisterns for rainwater harvesting and other techniques that recycle water on-site, is encouraged when feasible.
- b. Drip irrigation systems are recommended for water conservation and run-off reduction for more efficient means of watering trees, shrubs, groundcovers, perennials, and ornamental grasses than a conventional spray system. However, if proper maintenance of drip irrigation systems cannot be provided, a conventional spray or bubbler system is preferred.
- c. Turf and groundcover areas are more effectively irrigated with efficient, low angle spray heads. Head-to-head spray coverage is recommended. Avoid overspray onto sidewalks and adjacent properties.

**11. Design Review. Landscape Plans shall be required and reviewed as part of the Design Review process. For existing buildings and uses, additional landscaping may be required in order to meet the intent of these requirements.**

#### **5.2.4.C. Requirements for Residential Zoning Districts**

**The following landscape requirements address required front and side-street yard areas that apply to all new single family and duplex units for lots sizes of 10,000 square feet or less.**

- 1. Street Trees for Single Family Housing. A minimum of one (1) street tree shall be planted in the front yard for all single family lots. For lots of 7,500 square feet or more that meet or exceed the minimum street frontage requirements measured at the public rights-of way line, a minimum of two (2) street trees shall be planted in the front yard. A minimum of three (3) trees shall be planted on corner lots where the size of the front yard permits full canopy growth.**
- 2. Reduction of Street Trees for Single Family Housing. One (1) street tree in planted landscape areas between the curb and sidewalk, in the front yard of the lot may count toward the minimum street tree requirements for single family or multifamily housing.**
- 3. Required Yard Area Hardscape Restrictions. The maximum amount of paving and hardscape is regulated by Section 5.9.3.C.**
- 4. Landscape and Maintenance Requirements. Notwithstanding 5.9.3.C.a, the remaining unpaved or uncovered portion of the required setback area shall be landscaped, irrigated, and maintained. The landscaping may consist of a combination of grass, annuals, perennials, groundcover, shrubs, trees, edible gardens, and any other recognized landscape material as approved by the Planning Director. Landscape design elements such as rocks, planters, and mulch may be used, provided that living vegetation is the primary groundcover. Irrigation may be waived in the event of mandatory water conservation measures by the water purveyor for the community in which the property is located.**
- 5. Irrigation. An automatic irrigation system shall be installed in the front yard of new construction to provide consistent coverage of all planted areas. A home on a corner lot shall have an automatic irrigation system that covers the yard fronting both streets. Automatic controllers with rain shut-off valves or microclimate sensing capabilities provide greater water conservation.**
- 6. Vehicle Parking Requirements. Vehicles, including, but not limited to, automobiles, boats, campers, trailers and other recreational vehicles must be parked on a surfaced area in conformance to this Code (See Section 5.9.3.C. for parking standards) and may not be parked within the required landscaped area.**
- 7. Landscape Alternatives. In the case of a circular driveway that may exceed the maximum hardscape restriction for the yard area, off-setting landscaping may be provided in the area between the required yard area and the dwelling. Other options for landscaping the required yard areas, including the use of additional hardscape materials, artificial turf, or other landscape elements may be approved through the Design Review process.**

8. **Multi-family Residential. Multi-family residential open space and landscaping requirements can be found in Section 5.4.3., and Section 5.2.4. B of this Section shall apply.**

#### **5.2.4.D. Additional Requirements for Industrial Zoning Districts**

1. **Screening for Public Rights-of-way. For industrial uses visible from a public right-of-way, not otherwise screened by required landscaping, a 10-foot wide landscaped area shall be provided adjacent to the right-of-way. Landscaping shall include a combination of trees and shrubs at sufficient intervals to achieve the desired screening. Trees shall be planted at least thirty (30) feet on center. The right-of-way elevation, relative to elevations in the adjoining property, shall be a consideration in selecting landscape plants which can accomplish appropriate visual screening.**
2. **Screening Within Scenic Corridors. For properties within a scenic corridor, contiguous to a freeway right-of-way, not otherwise screened, a 15-foot wide landscaped area shall be provided adjacent to all freeway rights-of-way in the scenic corridor. Landscaping shall include a combination of trees and shrubs at sufficient intervals to achieve appropriate screening. Trees shall be planted at least 30 feet on center. The freeway elevation, relative to elevations in the adjoining property, and air quality benefits shall be a consideration in selecting landscape plants which can accomplish appropriate visual screening.**

#### **5.2.4.E. Additional Requirements for Commercial Zoning Districts**

1. **Screening Within Scenic Corridors. For properties within a scenic corridor, contiguous to a freeway right-of-way, not otherwise screened, a 15-foot wide landscaped area shall be provided adjacent to all freeway right-of-way in the scenic corridor. Landscaping shall include a combination of trees and shrubs at sufficient intervals to achieve appropriate visual screening. Trees shall be planted at least 30 feet on center. The freeway elevation, relative to elevations in the adjoining property, and air quality benefits shall be a consideration in selecting landscape plants which can accomplish the desired screening.**

#### **5.2.4.F. Parking Lot Landscaping**

1. **General Landscaping in Parking Lots**
  - a. **No Planter shall be less than five (5) feet wide or have an area less than 40 square feet, excluding curbing. Smaller planter sizes may be considered through the Design Review process.**
  - b. **Each Planter shall include an irrigation system, unless otherwise permitted in Section 5.2.4.B.9.**
  - c. **Not more than 25 percent of the parking landscaped area may be covered with hard surfaces such as gravel, landscaping rock, concrete, or other impervious materials. Pervious pavement and permeable pavers may be considered a substitute for impermeable hard surface areas as described in Section 5.2.4.B.5.b.**
  - d. **All landscaping shall be within planters bound by a curb at least six (6) inches high. Curbs separating stormwater management landscaping or**

**other landscaped area intended to filter runoff, from parking areas, shall provide curb cuts to allow stormwater run-off to pass through them.**

- 2. Interior Parking Lot Landscaping. The standards for interior landscaping are applicable to all zoning districts where there are more than five (5) parking spaces on the entire site, except for existing parking lots where compliance with interior landscaping standards would result in the loss of existing required parking spaces.**
  - a. Landscaping shall be dispersed throughout the parking area.**
  - b. The layout of interior landscaped areas shall meet the criteria described below:**
    - (i) Interior landscaping is arranged in landscape strips at least five (5) feet wide between rows of parking stalls, exclusive of landscaped bumper overhang areas and curbing. Stormwater management planters provided in landscaping strips shall be at least eight (8) feet wide to count toward required parking area landscaping and may include bumper overhang areas.**
    - (ii) Interior landscaping is arranged in areas at the ends of rows of parking or within islands between parking spaces with rows of parking. Landscaped areas at the end of aisles shall be a minimum of eight (8) feet in width, excluding curbing, and shall not obstruct the driver's vision of vehicle and pedestrian cross traffic. Landscape islands or tree wells shall be located no more than eight (8) parking spaces apart, unless an interior landscape strip between the adjacent rows of stalls, wide enough to accommodate large shade trees, is provided.**
    - (iii) Interior landscaping may be combined with perimeter landscaped areas as long as the interior landscape areas extend at least five (5) feet into the parking area from the perimeter landscaping.**
    - (iv) Individual tree planting spaces, where an individual tree is planted in a space surrounded by pavement and tree well planters shall have a minimum planting area of 40 square feet, excluding curbing. Shade trees having larger canopies that provide urban heat island reduction benefits may require larger planter areas.**

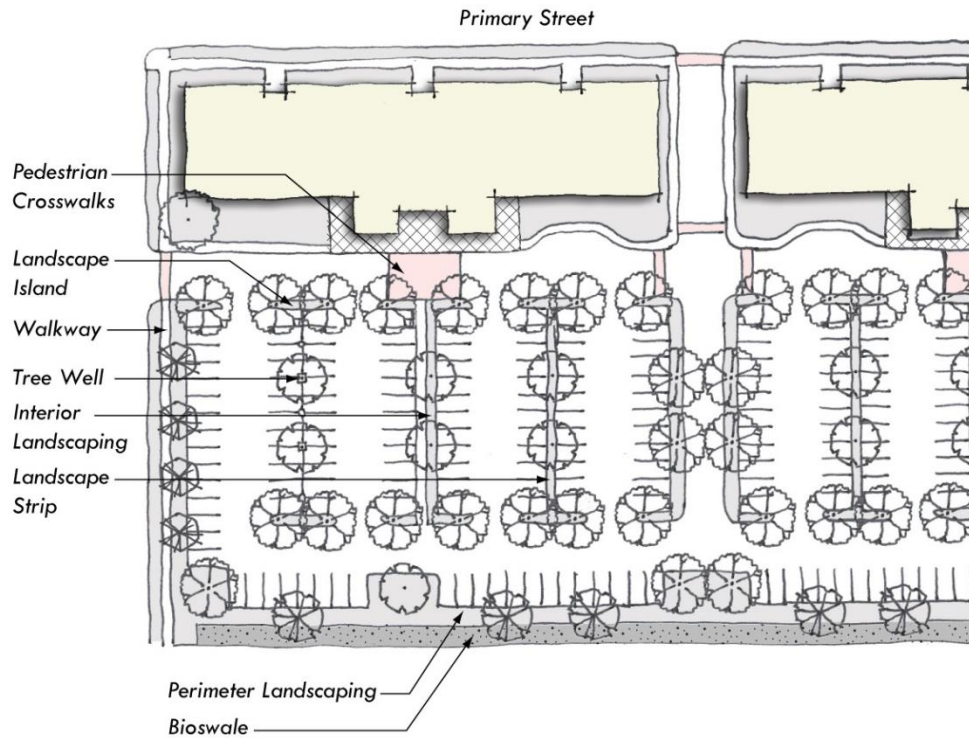


Figure 5-11: Large Parking Lot Landscaping Example

**3. Parking Lot Shading. Parking lot landscaping, including perimeter and interior landscaping requirements, shall include shade trees approved by the Planning Director, placed so as to cover a percentage of the total parking area with tree canopies within 15 years of securing a building permit, as follows:**

**TABLE 5.18: PARKING LOT LANDSCAPING REQUIREMENTS**

Parking Spaces Required [1]	Minimum Percentage of Total Parking [2]
5-24	30%
25-29	40%
50+	50%

[1] The percentage of area required to be shaded shall be based on the number of above ground and uncovered parking spaces provided.

[2] The coverage shall be determined by the approximate crown diameter of each tree at 15 years, as approved by the Planning Director. Trees shall be a minimum 15 gallon size at planting.

- a. Tree selection, planting approach, and irrigation shall be designed to provide for the rapid growth and sustained health of shade trees and shall comply with the County’s water efficient landscape ordinance. Small ornamental trees are appropriate for accent planting but shall not be used to meet shading requirements.

- b. **Minor exceptions to parking lot shading standards may be permitted through the Design Review process for parking layouts incorporating stormwater quality features, or alternative shading mechanisms.**
4. **Additional Standards for Large Parking Areas.**
- a. **Solutions that minimize the visual impact of residential and commercial driveways shall be used whenever possible, including shared driveways, alley access, or other design approaches that minimize the number and width of driveways and curb cuts.**
  - b. **Surface parking shall be divided into smaller, landscaped lots or courts with well-defined and safe pedestrian connections from the public street to the buildings, landscaping, shade trees, and lighting as needed. Refer to Parking Lot and Driveways Sections of the County-Wide Design Guidelines for additional information.**
    - (i) **Parking rows in single or double set configurations shall be limited in length to no more than 270 feet (or approximately 30 adjacent parking spaces).**
  - c. **Reduction of parking stall sizes shall be allowed to be reduced by two (2) feet, provided the bumper overhang area is incorporated into adjacent sidewalk or landscape areas.**

#### **5.2.4.G. Landscape Care and Maintenance**

**This Section addresses the appropriate long-term care and maintenance of all landscaping provided for commercial, multifamily, industrial, and institutional developments. It is also intended to set provisions for the removal and replacement of unhealthy trees and or hazardous conditions and provide adequate clearance and visibility of merchant signage, when the aesthetics of the tree and shading requirements will not be reduced.**

##### **1. Care and Maintenance**

- a. **All landscaping and irrigation, required to be installed as part of a development project, shall be maintained for the life span of the project and in such a manner so as to not create hiding places or hinder visibility.**
- b. **All plant materials (trees, shrubs, and groundcovers) shall be maintained free from physical damage or injury arising from vehicle encroachment, lack of water, weather events, chemical damage, insects and other pests, and diseases. Plant materials showing such damage shall be replaced with the same or similar species. Planting areas shall be kept free from weeds, debris, and undesirable materials which may be detrimental to safety, drainage, or appearance.**
- c. **It is the responsibility of the property owners to seek professional advice and spray and treat trees, shrubs, and groundcover for diseases which can be successfully controlled if such untreated diseases are capable of destroying an infected tree or other trees within a project.**
- d. **Property owners may refer to the integrated pest management strategies in the Sacramento Stormwater Quality Partnership's River-friendly Landscape Guidelines and can cooperate with the University of California Agricultural**



**Extension Service and the County Agricultural Commission on methods and procedures by which infestations can be reduced or retarded.**

## **2. Tree Pruning**

- a. Prior to pruning any tree within a landscaped area previously required to be installed as part of a development approval, a County Tree Pruning Permit shall be approved by the Planning Director or his or her designee, and the County Tree Coordinator. Tree Pruning shall be performed by a California Landscape Contractor (C-27 or C-61). The licensed contractor shall also be certified by the International Society of Arboriculture as a Certified Tree Trimmer or Certified Arborist or other qualified tree expert. The Planning Director or his or her designee shall require the following information upon submitting the Tree Pruning Permit request:**
  - (i) A site plan indicating the type of tree, size, and location of the trees to be pruned;**
  - (ii) Reasons for pruning;**
  - (iii) Evidence that the pruning shall be performed by a certified arborist, certified tree trimmer, or other qualified tree expert; and**
  - (iv) Number of trees to be pruned.**
- b. Tree pruning is limited to:**
  - (i) Removal of dead wood and diseased, crowded, and weakly attached trunks and branches which create a hazard to private property and citizens;**
  - (ii) Providing adequate clearance and visibility for safe use of parking stalls, travel ways, and walkways for the passage of persons and vehicles;**
  - (iii) Removing visibility obstructions to traffic signs;**
  - (iv) Providing adequate visibility for security patrols;**
  - (v) Repair of split trees and limbs in order to save the tree and its appearance;**
  - (vi) Removing or pruning roots of trees which are causing damage to public or private property such as curbs, gutters, sidewalk, drainage lines, and parking lot surfaces; and**
  - (vii) Providing visibility for merchant signage and parking lot lighting only when the aesthetics of the tree and the parking lot shading requirements will not be reduced.**

### **5.2.4.H. Removal and Replacement of Landscaping**

- 1. All plant material removed from a project in which the Planning Director has approved the landscape plan shall be replaced with the following replacement sizes: shrubs (5-gallon size), groundcover (flats). Replacement of trees shall be as specified in Section I, below.**

2. **Tree removal shall be limited to trees which are in poor health, structurally distressed, or unsafe and shall be in compliance with the regulations and procedures for tree preservation and protection in Title 19 of the Sacramento County Code. The removal of a tree shall be the final recourse upon determining that it is infeasible to save the tree by any other method (e.g., pruning, treatment of diseases, fertilizing). Prior to the removal of any tree, a Tree Removal Permit shall be approved by the Planning Director and the County Tree Coordinator or his/her designee.**
3. **The following information shall be required:**
  - a. **A statement of the health and condition of the trees to be removed by a Certified Arborist or licensed Landscape Architect;**
  - b. **Reasons for removal; and**
  - c. **Landscape Plan indicating size, quantity, species, and location of the trees to be removed and replaced.**
4. **Failure to obtain an approved tree removal permit prior to removing a tree shall require the owner of the project to replace the removed tree as stated in the Replanting Requirements in Section I., below.**

**5.2.4.I. Replanting Requirements and Replacement Fee**

1. **Replacement trees shall be required for trees removed with or without a Tree Removal Permit, as set forth below.**
2. **Trees removed with a Tree Removal Permit shall be replaced by 24-inch box specimen trees. A 15-gallon size tree may be used as a replacement tree with an additional replacement fee. The replacement fee is based on the difference of the wholesale value between a 24-inch box and a 15-gallon tree as set forth in a fee schedule approved by the Board of Supervisors. The replacement fee may be waived by the Planning Director if the loss of the tree resulted from causes completely out of the control of the property owner.**
3. **Trees removed without a Tree Removal Permit or severely and improperly trimmed with or without a Tree Pruning Permit shall be replaced and a replacement fee may be required. The replacement tree is based according to the size of the tree removed or damaged as indicated in Table 5.2 below.**

<b>TABLE 5.2: SIZE OF REQUIRED REPLACEMENT TREES</b>	
<b>Size of Damaged/Removed Tree</b>	<b>Replacement Tree Required</b>
2 inches	24-inch box
4 inches	36-inch box
6 inches or greater	48-inch box

4. **A 15-gallon size tree may be used as a replacement with an additional replacement fee, as set forth in a fee schedule approved by the Board of Supervisors. Replacement fees shall be deposited into a Parking Lot Shade Tree Violation account. Fees shall be used for tree planting/tree care on public**

property and for public education on tree planting and care, as determined by the Board of Supervisors.

5. Mitigation Monitoring and Reporting Program (MMRP). Prior to accepting an application for tree removal or pruning, the County Tree Coordinator, or his or her designee shall determine if there is an active MMRP that affects the proposal. If there is an active MMRP an application will not be required and the applicant is to be referred to the Sacramento County Division of Planning and Environmental Review.

## 5.2.5 Development Standards for Walls and Fences

All proposed walls and fences shall comply with the requirements of this section.

### 5.2.5.A. General Standards

1. All Fences Adjacent to Drives and Street Intersections. When fences, walls, and/or landscape screening are adjacent to street intersections and points of ingress and egress the visibility requirements of the Sacramento County Improvement Standards shall be adhered to. Application of CPTED strategies shall be considered in the design of these features.
2. Perimeter Fences for Swimming Pools. Perimeter fences shall be required around private pools, not otherwise restricted from unauthorized access from the public, subject to the construction requirements contained in the California Building Code Section 3109.4.3.
3. Masonry Walls. A graffiti-resistant aesthetic surface treatment, appropriate to the location, shall be required. Long spans of masonry walls or fences shall provide breaks for pedestrian connections at least every 300 feet. Application of CPTED strategies shall be considered in the design of these features.
4. Freeway Fences. Solid fences to screen freeways and any required maintenance shall be the responsibility of the property owner in which the fence is located.
5. Vacant Property. A Temporary Use Permit is required from the Zoning Administrator for security fencing, including chain link, which may be erected on all property lines and to the edge of the sidewalk. The vacant property shall be maintained in a weed and litter free condition.
6. Permitted Materials. A fence may be constructed of permanent material, such as wood, chain link, stone, rock, concrete block, masonry brick, brick, decorative wrought iron or other material approved by the Planning Director.
7. Prohibited Materials. Fencing materials prohibited include, but are not limited to, the following. This Section shall only apply to fences located in the front yard, street side yard, and fences abutting any alley or other public right-of-way.
  - a. Cast-off, secondhand, or other items not originally intended to be used for constructing or maintaining a fence.
  - b. Plywood less than five-eighths inches thick, plywood not of a grade approved the Planning Director, particle board, paper, and visqueen plastic, plastic tarp, or similar material.

8. **The use of barbed wire, concertina wire or electric fencing shall require a Minor Use Permit, unless such fencing is located in the Agricultural, M-1, or M-2 zoning districts, and located adjacent to property in either the agricultural or industrial zoning district, in which case its use shall be permitted, subject to the standards set forth in Section 3.9.3.X.**
9. **Maintenance. All fences shall be properly maintained so as not to create a hazard, public nuisance, or blight.**
10. **Exceptions. Fences deviating from the standards in this Section are permitted with a Special Development Permit from the Zoning Administrator. Fence standards may be modified by a condition of approval by the appropriate authority as part of a separate entitlement.**

**5.2.5.B. Residential Fences. Applicable to all AG, AR or RD zones.**

1. **Front Yards. Solid walls or fences, as defined in Section 7, not exceeding three (3) feet in height may be placed within the front yard area. Solid walls or fences, or fences constructed of chain link or similar woven wire materials over three (3) and not exceeding seven (7) feet, may be permitted with the issuance of a Minor Use Permit. Chain link fences over three (3) feet in height are permitted in AG and AR zones.**
2. **Side Street Yards. Fences shall not exceed seven feet (7) feet in height. Fence height for fences within five (5) feet of a public right-of-way or right-of-way with PUPF shall be measured from the grade of the right-of-way or right-of-way with PUPF, and from its highest elevation on either side thereafter.**
3. **Interior Yards. Fences shall not exceed seven (7) feet, unless otherwise noted in Section 5.4.5.B., and may be located on a retaining wall not to exceed four (4) feet in height. Fence height for interior property lines shall be measured from the highest elevation at the interior property line or at the finished grade of the rear or side yard setback, whichever is higher.**

**5.2.5.C. Multi-Family and Institutional Use Fences**

1. **Front and Side Street Yards.**
  - a. **Multi Family Uses. Only open ornamental security fences may be located directly outside and adjacent to the back of the sidewalk. All other fences along a public right-of-way in the multifamily zoning district shall be subject to the requirements for sound walls in Section 5.2.5.A.9, below.**
  - b. **Institutional Uses. Fences are not permitted, except that open ornamental fences such as wrought iron are permitted on the property line along a public right-of-way. Any fence located along a public right-of-way shall be placed behind sidewalks and required landscaping.**
2. **Adjacent to Residential and Agricultural-Residential Zoning Districts. Either a solid wood fence or masonry wall of at least six (6) feet in height shall be provided along the interior property lines when located adjacent to residential and agricultural-residential zoning districts, except where pedestrian connections are needed.**

**5.2.5.D. Commercial and Industrial Fences**

1. **Front and Side Street Yards.** Fences are not permitted, except that open ornamental fences such as wrought iron are permitted on the property line along a public right-of-way. Any fence located along a public right-of-way shall be placed behind sidewalks and required landscaping.
2. **Adjacent to Residential and Agricultural-Residential Zones.** A masonry wall of at least six (6) feet in height shall be provided along the interior property lines for all industrial, commercial, and mixed-use projects when located adjacent to residential and agricultural-residential zoning districts, except where pedestrian connections are needed.
3. **No fencing requirements for interior yards for commercial and industrial uses not located adjacent to Residential and Agricultural-Residential Zones.**
4. **Fencing in the M-1 and M-2 zones may have an additional three (3) feet of wire fencing placed on top of a fence to a maximum overall height of nine (9) feet.** This is not permitted within the front and side street yards.
5. **Screen Fences**
  - a. **Outdoor storage of materials and equipment shall be located within the buildable portion of the lot, and screened from view with solid wood fencing, a masonry wall, or chain-link fencing with slats.** Screen fencing shall also be located within the buildable portion of the lot, unless otherwise noted in this Code.
  - b. **Outdoor storage areas, abutting a public street frontage, shall be screened with a six (6) foot high fence, constructed of wood, brick, rock, or other masonry material and designed to shield stored materials from public view.** Outdoor storage yards along a scenic corridor shall not be permitted, unless a Conditional Use Permit is issued by the appropriate authority.
  - c. **All company vehicles in the MP zoning district shall be located within the buildable portion of the lot and screened from view with fences, constructed of wood, brick, rock, or other masonry material.**
  - d. **In the M-1 and M-2 zoning districts, company vehicles, less than one (1) ton, do not require screening and may be parked behind the required landscape area with or without security fencing, as set forth in this Section.** Company vehicles, exceeding one ton that are permitted on the public highways and used in the daily operation of the company may be parked within the buildable portion of the lot without screen fencing.

#### **5.2.5.E. Sound Walls Adjacent to Streets**

1. **Whenever sound walls are required by a condition of approval to mitigate sound impacts adjacent to street, the following standards shall apply. These standards shall not preclude the use of other innovative methods of project design, utilizing greater setbacks, building design, mounding, terracing, or single-story structures. Application of CPTED strategies shall be considered in the design of these features.**
  - a. **Setbacks.** Walls shall be located behind the sidewalk and required landscaping, unless otherwise approved, and have an average setback of

nineteen (19) feet from the ultimate public street right-of-way, but can vary in setback to a minimum of thirteen (13) feet.

- b. **Height.** Maximum height of a wall shall not exceed six (6) feet above the finished grade at the base of the wall on the roadway side, with the exception for earthmounds below, unless otherwise approved through a use permit, as described in this Section.
  - **Earthmounds.** When the sound and visual attenuation requires a wall exceeding six (6) feet above the grade of the adjacent roadway, earthmounds or terraced landscaping shall be used such that no more than six (6) feet of the wall is visible from the roadway. The mounds shall not exceed a 3:1 slope. The mounds may support the wall or be placed against the wall on the street side. Drainage shall be contained
  - **An assessment district or similar financing mechanism.**
  - **Other variable alternative presented in public hearing and found acceptable to the appropriate authority.** The proposed maintenance program shall be submitted with the application.

#### 5.2.5.F. Non-Conforming Fences

1. **Continuation and Maintenance.** A non-conforming fence may be continued, and may be maintained, except as provided below.
2. **Maintenance or Repair of Existing Nonconforming Fence.** Maintenance or repair, including structural repairs, may be made to any non-conforming fence or portions thereof if the repairs do not result in a different condition of conformity, or if the repairs bring the fence into compliance with this Section.
3. **Reconstruction of Damaged Nonconforming Fences.** A property owner may reconstruct a non-conforming fence damaged by fire or other calamity if the reconstructed fence is in conformity with this Section.
4. **Removal of Worn Nonconforming Fence.** If because of normal wear and tear a non-conforming fence is no longer fully upright or is no longer serviceable, the property owner either shall remove it or shall replace it with a new fence in conformity with this chapter
5. **Non-conforming Commercial or Industrial Fences Adjacent to Residential and Agricultural-Residential Zones.** In addition to the above, existing wood fences and chain link fences with slats shall be maintained with metal posts, minimal gaps, no broken boards and no sections that lean. Non-conforming fencing shall be the responsibility of the commercial or industrial property owner where the fence is located and activities on the premises shall comply with the County's Noise Ordinance.

### 5.3. AGRICULTURAL, AGRICULTURAL-RESIDENTIAL, AND RECREATIONAL ZONING DISTRICTS

This Section provides overall development and design standards for agricultural uses, agricultural-residential, and recreation zoning districts. Refer to Section 3.4 for applicable special use regulations.

#### 5.3.1. Development Standards for General Agricultural Uses

##### 5.3.1.A. Development Standards Summary for Agricultural, Agricultural-Residential, and Recreational Zoning Districts

Table 5.3 provides the development standards for all Agricultural, Agricultural-Residential, and Recreational zoning districts.

**TABLE 5.3: DEVELOPMENT STANDARDS SUMMARY FOR AGRICULTURAL, AGRICULTURAL-RESIDENTIAL, AND RECREATIONAL ZONING DISTRICTS**

Minimum Standards	AG-160	AG-80	AG-40	AG-20	UR	IR	RR	O	AR-10	AR-5	AR-2	AR-1
Lot Area (gross acres, unless otherwise specified)	160 [1], [2], [3]	80 [1], [2]	40 [1], [2]	20 [1], [2]	20 [3]		20 (net) [3]	3 (net)	10 [3]	5 [3]	2 [4]	1 [4]
Lot Width (feet)	1,000		500		500	250	300	200	300	250	150	75
Street Frontage (feet)	N/A								300	250	150	75
Residential Yard Setbacks and Height	See Table 5.4											
General Agricultural Uses (Without PUPF/With PUPF)	50/54 (front yard, side street yard, rear yard, and interior side yard)											
Incidental Agricultural Uses (Without PUPF/With PUPF)	25/29 (front yard and side street yard); 10 (rear yard and interior side yard) [5]											
Maximum Structure Height (feet) General Agricultural	50 [6]											
PUPF = Public Utilities, Public Facilities easement (per Section 5.2.1)												

- [1] Parcels may be created smaller than the lot area specified for the following uses: agricultural processing; agricultural organizations; agricultural sales; agricultural warehousing; agricultural specialty services; animal feed lot/sales; agricultural equipment repairs, maintenance; kill floors; hospitals; cemetery; commercial riding stables, boarding stables and riding academies; private social center; lodge, fraternal hall; animal hospital and veterinarian office; kennel/cattery; church; public or private school, college, or university; child day care center; residential care home for more than 6 children or adults; public and government buildings or uses; airport; public utilities and public service facilities; outdoor recreation uses; fraternity/sorority house; and similar and like uses subject to the approval of a Conditional Use Permit. These uses shall also be subject to the following standards:
- Lot area and width shall be the minimum required for the operation of the proposed use and its necessary infrastructure and still comply with all applicable setback requirements of this Section. Final determination of the minimum area and width necessary for any proposed use above shall rest with the administrative hearing body empowered to grant such requests. For any parcel encumbered by the Williamson Act Contract, said lot area shall also comply with the provisions of Government Code Section 66474.4.
  - As a condition of approval of the reduction in lot area for any of the proposed uses above, the owner or owners of the property shall convey to the County the right to develop or construct principal residences on the lot created and on the remainder of the property in order to guarantee that the reduction in the lot area will not result in an increase in the density of residential uses than otherwise permitted in the zoning district in which the property is located.
- [2] Minimum required lot size may be reduced for certain uses, subject to Design Review approval.
- [3] For each lot or parcel in the UR, IR, RR, AR-10, and AR-5 zoning district, a minimum gross area of five (5) acres per accessory dwelling unit is permitted.
- [4] For each lot or parcel in the AR-2 and AR-1 zoning district, a minimum gross area of one (1) acres per accessory dwelling unit is permitted. Additionally, subdivision projects shall be required to have public water.
- [5] For commercial or private stable setbacks in the case of incidental agricultural uses, see Section 5.3.2.A.4.
- [6] Water tanks, silos, granaries, barns, antennas, and similar accessory or necessary mechanical structures may exceed a height of 50 feet provided they do not exceed any other height restrictions imposed on the specific location of the structure.

## 5.3.2. Development Standards for Incidental Agricultural Uses

### 5.3.2.A. General Development Standards

#### 1. Applicability

The provisions of this Section shall apply to the following uses in any zoning district:

- Incidental agricultural uses, as defined in Chapter 7.
- Refer to Section 3.4.6 for special use standards for stables and corrals (including boarding stables, and riding academies, whether private or commercial) and Section 3.9.3 H for the incidental keeping of animals.

#### 2. Lot Area

The minimum lot area for any lot used for incidental agricultural uses shall be the area hereinafter specified, whichever is 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 (with a weight of less than 75 pounds at maturity), other than pets on a noncommercial scale as an incidental use, shall be 10,000 square feet; except that small animals may be kept on a lot of less than 10,000 square feet, subject to provisions of this Section and a Minor Use Permit.
- d. For any other incidental agricultural use, the minimum lot area shall be 20,000 square feet.

### 3. Building Area

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.

### 4. Yard Setback Requirements

- a. All barns, stables, and other structures used for the housing of animals on any lot or parcel used as a commercial or private stable shall be located not less than 30 feet from all property lines and not less than 34 feet from the street right-of-way line in the case of a PUPF, except as otherwise herein provided.
- b. All barns, stables, and other structures used for the housing of animals on any lot used as a private stable or for incidental agricultural uses shall be located not less than 10 feet from any property line and not less than 25 feet from the front property line, and not less than 29 feet from the right-of-way line in the case of a PUPF, except as otherwise herein provided.
- c. All barns, stables, and other structures used for the housing of animals may be located not less than five (5) feet from the rear or side property line, provided such property line or a public park or parcel which, at the time the building or structure is erected, is used for or occupied by a public or private stable.
- d. All barns, stables, and 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:
  - (i) The building or structure is constructed with solid walls with no openings of any kind within 10 feet of the property line, and
  - (ii) 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.
  - (iii) Height shall be limited to the height requirements in the Section below.

### 5. Height

No building or structure shall be erected or maintained on any lot or parcel to a height greater than:

- a. Buildings or structures maintaining yard requirements set forth in 4.a, above, shall not exceed two (2) stories, and shall not be greater than 30 feet in height.
- b. Buildings or structures maintaining yard requirements set forth in 4.b, above, shall not exceed one (1) story, except for storage loft, and shall not be greater than 24 feet in height with plate line not exceeding 12 feet.

- c. Buildings or structures maintaining yard requirements set forth in 4.d., above, shall not exceed one (1) story, and shall not be greater than 16 feet in height with plate line not exceeding 10 feet.

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## **5.4. RESIDENTIAL ZONING DISTRICTS**

### **5.4.1. Purpose**

This Section provides the development standards regulating all types of residential development, including single family residential development, multifamily residential development, mobile subdivisions, and accessory structures. The Residential Standards consist of five sections, including:

**Section 5.4.1: Purpose;**

**Section 5.4.2: Single Family Residential Development Standards;**

**Section 5.4.3: Multifamily Residential Development Standards;**

**Section 5.4.4: Mobile Subdivision Development Standards; and**

**Section 5.4.5: Residential Accessory Structure Development Standards**

Residential standards in this Section are provided to facilitate project review and help applicants and County staff to identify major design issues and devise solutions early in the application process, reducing the need for special exceptions that require elaborate discretionary project approvals. The standards are updated to account for a variety of residential prototypes, yet establish a process that allows flexibility within the intent of these standards and encourages creative and innovative development solutions, with the final determination of acceptability and appropriateness made by the County based on the review of each project proposal through the Design Review process, described in Section 6.3.2. Applicants should consult with County staff in the early stages of the project design.

The purpose of this Section is to work with the County, community members, and developers to raise the overall design quality of residential developments occurring in the County. Application of these principles will result in high quality residential developments that are varied and integrated into the existing built surroundings and character of their respective neighborhood communities. The residential standards are provided to:

- Promote compatibility and connectivity between new and existing development;
- Maintain and enhance the community's identity, health, safety, and quality of life;
- Encourage high-quality development;
- Integrate physical activity and the use of sustainable strategies in designing the built environment when addressing site design, building design, and landscaping;
- Integrate active transportation, safe routes to schools, and parks strategies;
- Facilitate a clear and efficient project review process; and
- Maintain the health, safety, and welfare of all citizens of the County.

### **5.4.2. Single Family Residential Development Standards**

#### **5.4.2.A. Applicability**

**The single family residential development standards in this Section apply to all residential projects in RD-1 through RD-7 zones. The development standards in this**

Section are to be used in close concert with the County-wide Design Guidelines to achieve high quality projects that fit within the surrounding community. All single family residential projects shall be subject to the development standards, summarized in Table 5.4, and Design Review. Alternatives to these standards may be approved with a Special Development permit if the intent and purpose of the standards and guidelines are met.

The Single Family Residential Development Standards are applicable to all single family projects and new construction, retrofitting, and remodeling of existing construction, not governed by other specific plan or neighborhood preservation area standards. Where exact dimensions for setbacks, heights, and other standards are too difficult to meet due to site restrictions, alternative and creative solutions that meet the intent and purpose of this document may be approved by the County through the Design Review process.

#### 5.4.2.B. Single Family Residential Development Standards

The development standards for single family residential development are summarized in Table 5.4. For the creation of new lots, the lot area and width requirements regulate minimum lot size and configuration for each zoning district and are not necessarily as optimum project design standards. Refer to the Countywide Design Guidelines for ways to provide compatibility, access and connectivity with surrounding neighborhoods.

<b>TABLE 5.4: SINGLE FAMILY RESIDENTIAL DEVELOPMENT STANDARDS</b>						
<b>STANDARD</b>	<b>RD-1</b>	<b>RD-2</b>	<b>RD-3</b>	<b>RD-4</b>	<b>RD-5</b>	<b>RD-7</b>
<b>Lot Standards [1]</b>						
Maximum Density (dwelling units/acre) [2]	1	2	3	4	5	7
Minimum Interior Lot Area (with public water and sewerage) (square feet) [3]	1 acre	20,000	10,000	8,500	5,200 (SF) 8,500 (D)	4,000 (SF) 6,200 (D)
Minimum Corner Lot Area (with public water and sewerage) (square feet) [3]	1 acre	20,000	10,000	8,500	6,200 (SF) 8,500 (D)	5,200 (SF) 8,500 (D)
Minimum Lot Width and/or Public Street Frontage Width (with public water and sewerage) (feet) [4]	75		65		52 (SF) 80 (D)	40 (SF) 62 (D)
Minimum Corner Lot Width and/or Corner Lot Street Frontage Width (with public water and sewerage) (feet) [5]	75		65		62 (SF) 80 (D)	52 (SF) 80 (D)
Minimum Open Space with Net Buildable Area (percentage)	N/A		N/A		5% [6]	
<b>Yard Setback Requirements (feet) [7]</b>						
Minimum Front Yard (Without PUPF/ With PUPF) [8] [15]	20 / 24		20 / 24[15]		20 / 24	
Minimum Interior Side Yard [9] [10]	5 (1-2 story)		5 (1-2 story)		5 (1-2 story)	

**TABLE 5.4: SINGLE FAMILY RESIDENTIAL DEVELOPMENT STANDARDS**

STANDARD	RD-1	RD-2	RD-3	RD-4	RD-5	RD-7
	<b>25 (3 story)</b>		<b>25 (3 story)</b>		<b>25 (3 story)</b>	
Minimum Rear Yard [11]	Varies [12]		Varies [12]		Varies [12]	
Minimum Side Street Yard (Without PUPF/With PUPF) [13]	12.5 / 16.5		12.5 / 16.5		12.5 / 16.5	
<b>Building Height and Width (feet)</b>						
Maximum Building Height [14]	30 (2 story) 40 (3 story)		30 (2 story) 40 (3 story)		30 (2 story) 40 (3 story)	
Minimum Building Width [16]	20		20		20	

SF = Single Family; D = Duplex; PUPF = Public Utilities, Public Facilities (per Section 5.2.1); FAR = Floor Area Ratio

- [1] Unless otherwise noted, lot area standards are based on net acreage calculations.
- [2] Density bonuses or increases may be allowed for the provision of affordable housing, project amenities, proximity to transit, and/or other special project considerations, as noted in Section 5.2.3.
- [3] For single family development, minimum lot sizes where a public sewage facility is not in use, is one (1) acre; and two (2) acres, where neither; a public water, nor a public sewage facility is in use. For duplexes, minimum lot sizes where a public sewerage facility is not in use, is 15,000 square feet; and where neither; a public water nor a public sewage facility is in use, is 2 acres. Public water facilities shall be required for all subdivision projects.
- [4] In the RD-5 and RD-7 zoning district, minimum interior lot width for single family uses where a public sewage facility is not in use or where neither a public water nor a public sewage facility is in use is 52 feet. The required minimum lot width for duplexes in this scenario is 100 feet.
- [5] In the RD-5 and RD-7 zoning district, minimum corner lot widths for single family uses where a public sewage facility is not in use or where neither a public water nor a public sewage facility is in use is 62 feet. The required minimum lot width for duplexes in this scenario is 100 feet.
- [6] Applicable for duplexes only.
- [7] Cornices, sills, eaves, canopies, awnings, window bays, and similar features may encroach into any required yard area a distance not to exceed 24 inches. Accessory structures must maintain a minimum 3 foot setback from property lines for any portion of the structure.
- [8] The setback for all residential structures in each category shall be the minimum distances measured from the street right-of-way. Front setbacks shall be measured from front property line if street dedication is required for future right-of-way. Setbacks shall allow enough room for utilities, if greater than those outlined.
- [9] To allow for greater flexibility, side yard requirements may be combined to a total minimum 10 feet for one and two-story buildings and 50 feet for three-story buildings for single family residential dwellings in the RD-1 through RD-10 zoning districts.
- [10] For duplexes, side yards shall be a minimum five (5) feet for one-story buildings, seven and a half (7.5) feet for two-story buildings, and 10 feet for three-story buildings.
- [11] The main building may project into the required rear yard provided that an equal area is provided as a yard or court within the buildable portion of the lot.
- [12] For lot depths greater than 125 feet, minimum rear yard setback shall be 25 feet. For lot depths smaller than 125 feet, minimum rear yard setbacks shall be 20 percent of the average lot depth. For the latter, the rear yard shall not be less than 10 feet for one-story buildings and 15 feet for two and three story buildings.
- [13] Each corner lot shall provide and maintain a minimum open space area within the buildable portion of the lot equivalent to 10 percent of the net lot area.
- [14] Maximum height may be increased to 3 stories. Height criteria shall consider factors as prescribed in Section 5.2.2.D.

**TABLE 5.4: SINGLE FAMILY RESIDENTIAL DEVELOPMENT STANDARDS**

STANDARD	RD-1	RD-2	RD-3	RD-4	RD-5	RD-7
[15] As part of Design Review for Single Family subdivisions, front yard setbacks may be varied up to 25 percent.						
[16] Measured as the smallest projected building width. "Smallest projected building width" means the smallest dimension attained by the parallel projection of the outside, enclosing walls of the building when projected from every direction.						

**5.4.2.C. Lighting for Subdivision Developments**

Site and street lighting shall comply with Section 5, "Street Light Design" of the *Sacramento County Improvement Standards* and the following standards.

1. Lighting fixtures shall provide pedestrian safety and be adequately spaced and scaled without interference from landscaping, and directed away from adjacent areas to minimize light pollution caused by glare or spillage into neighboring properties.
2. Nighttime pollution of the sky is discouraged by following illumination levels required for safety per Illuminating Engineering Society of North America (IESNA).

**5.4.2.D. Signage for Subdivision Developments**

Signs shall be integrated and designed at a quality consistent with the design of the project and shall comply with Chapter 5.10, "Sign Regulations."

**5.4.2.E. Walls and Fences**

Walls and fences shall be located and constructed in conformance with Section 5.2.5, "Development Standards for Walls and Fences."

**5.4.2.F. Landscaping.**

**Landscaping shall be provided in conformance with Section 5.2.4.**

**5.4.2.G. Number of Kitchens**

Any single family dwelling shall have no more than one (1) kitchen. For purposes of this Section, a kitchen is an area within a dwelling that has non-commercial appliances to cook food. Exceptions to this requirement may be granted by a Minor Use Permit for dwellings of developmentally disabled persons.

**5.4.2.H. Architectural Standards for Manufactured Homes**

**In addition to all other requirements of this Article, a manufactured home, as defined in Section 130-120.1, shall comply with the following architectural requirements:**

1. **The exterior siding material shall be wood, stucco, stone or masonry, including wood/stove/masonry veneers. Siding shall extend below the top of the foundation or to the finished ground, whichever is applicable.**
2. **The roof shall have eave and gable overhangs not less than 12 inches measured from the vertical side of the building.**

3. **The exterior roofing surface shall be shingle, shake or tile types of roofing either in natural form or simulated from such materials as metal, plastic or concrete. Specifically excluded are built-up, roll roofs and corrugated, sheet or skin metal or plastic panels.**
4. **Manufactured homes shall be secured to a permanent foundation or a foundation system approved by the Chief Building Inspector.**

### **5.4.3. Multifamily Residential Development Standards**

#### **5.4.3.A. Applicability**

The multifamily development standards in this Section apply to all residential projects in the RD-10 through RD-40 zones. The development standards in this Section are to be used in close concert with the County-wide Design Guidelines to achieve high quality projects that fit within the surrounding community. All multifamily residential projects shall be subject to the development standards applicable to multifamily residential districts, summarized in Table 5.5 which follows, and Design Review. Alternatives to these standards may be approved with a Special Development permit as part of the Design Review process if the intent and purpose of the standards and guidelines are met.

#### **5.4.3.B. Multifamily Residential Development Standards**

For projects that include the construction of residential units within 25 feet of an arterial or thoroughfare right-of-way (as identified by the roadway classifications in the General Plan), project applicants shall submit an acoustical analysis demonstrating façade construction will be such that interior noise levels will not exceed 45 dB  $L_{dn}$  under future (cumulative case) traffic conditions.

<b>TABLE 5.5: MULTIFAMILY RESIDENTIAL DEVELOPMENT STANDARDS</b>						
<b>STANDARD</b>	<b>RD-10</b>	<b>RD-15</b>	<b>RD-20</b>	<b>RD-25</b>	<b>RD-30</b>	<b>RD-40</b>
<b>Allowed Density [1]</b>						
Maximum Density (dwelling units/acre)	10	15	20	25	30	40
<b>Unit Types [2]</b>						
Apartments	Not Allowed	Allowed				
Townhomes	Allowed					
Row house	Allowed					
Small Lot	Allowed					
Cluster (4 pack/6 pack)	Allowed					
Zero Lot Line/Zipper Lots	Allowed					
Podium Condos/Apartments	Not Allowed	<b>Allowed</b>				
Mid-Rise and High Rise (4+ stories)	Not Allowed	<b>Allowed</b>				
Non-Residential Use	Not Allowed	Allowed				
<b>Lot Standards (where public water and sewer are in use) [3]</b>						
<b>Single Family</b>						
Interior Lot Area (square feet)	4,000					
Corner Lot Area (square feet)	5,200					
Interior Lot Width and/or Public Street Frontage (feet)	40					
Corner Lot Width and/or Public Street Frontage (feet)	52					
<b>Two Family</b>						
Interior Lot Area (square feet)	6,200					
Corner Lot Area (square feet)	7,200					
Interior Lot Width and/or Public Street Frontage (feet)	62					
Corner Lot Width and/or Public Street Frontage (feet)	72					
<b>Multiple Family</b>						
Interior Lot Area (square feet)	5,200					
Corner Lot Area (square feet)	6,200					
Interior Lot Width (feet)	52					



<b>TABLE 5.5: MULTIFAMILY RESIDENTIAL DEVELOPMENT STANDARDS</b>						
<b>STANDARD</b>	<b>RD-10</b>	<b>RD-15</b>	<b>RD-20</b>	<b>RD-25</b>	<b>RD-30</b>	<b>RD-40</b>
Corner Lot Width (feet)	62					
<b>Minimum Yard Setback Requirements (feet) [4],[5]</b>						
Front Yard (Without PUPF/With PUPF)	25 / 31		25 / 31		25 / 31	
Interior Side <b>and</b> Rear Yards	10 (1 story) 15 (2 story) 20 (3 story)		10 (1 story) 15 (2 story) 20 (3 story)		10 (1 story) 15 (2 story) 20 (3 story)	
Side Street Yard (Without PUPF/With PUPF)	25 / 31		25 / 31		25 / 31	
<b>Setback with Allowed Encroachment (Porches/Stoops/Patios/Bay Windows/Balconies) into the:</b>						
Front Yard (feet)	12		8		6	
Side Yard (feet)	3		3		3	
Rear Yard (feet)	3		3		3	
<b>Encroachment over Sidewalk (Awnings/Bay Windows/Upper Floors)</b>						
Front	Not Allowed		3 feet max., with 8 feet min. height clearance from top of sidewalk			
<b>Multifamily Setback Requirements from Existing Single Family Residential (feet)</b>						
One Story	Side Yard	20				
	Rear Yard	20				
Two Story	Side Yard	40				
	Rear Yard	40				
Three Story	Side Yard	60				
	Rear Yard	60				
Four Story	Side Yard	Not Permitted		60		
	Rear Yard	Not Permitted		60		
Five+ Story	Side Yard	Not Permitted			60	
	Rear Yard	Not Permitted			60	
<b>Maximum Height Limits [6]</b>						
<b>Maximum Height (feet)</b>	<b>40</b> <b>Three stories</b>		<b>45</b> <b>Four stories</b>		<b>150</b>	
<b>Open Space Requirements [7]</b>						
Minimum Open Space and Landscaping (i.e. yards and landscaped setbacks)	20% (Attached) 30% (Detached)					

**TABLE 5.5: MULTIFAMILY RESIDENTIAL DEVELOPMENT STANDARDS**

STANDARD	RD-10	RD-15	RD-20	RD-25	RD-30	RD-40
Common Outdoor Amenities Required	For 10 units or more					
Minimum Private Open Space/Unit (square feet)	40					
<b>Private Storage Requirements</b>						
Minimum Storage Area Volume/Unit (cubic feet)	80					
<b>Parking Requirements</b>						
For multifamily residential parking requirements, refer to Section 5.9, "Off-Street Parking;" Table 5.12A, "Parking Requirements for Multifamily Residential Development."						
PUPF = Public Utilities, Public Facilities easement (per Section 5.2.1)						
<p>[1] 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% density bonus is permitted for multifamily residential development in the RD-25, RD-30, and RD-40 zoning district, when located 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 of up to 25% may be permitted with a Special Development Permit, as noted in Section 6.4.6.G. <b>Projects located in Housing Category III areas as defined by the Design Guidelines may have unlimited density with a Special Development Permit.</b></p> <p>[2] Other creative housing types may be permitted with variations in these development standards upon review and approval in the Design Review process.</p> <p>[3] Lot standards included in the table are for when public water and sewage are in use. Minimum lot requirements for all multifamily development where a public sewage facility is not in use: 1) minimum lot area of 10,000 square feet for residential uses and 15,000 square feet for non-residential uses, where permitted; 2) minimum interior lot and/or public street frontage width of 52 feet; and 3) minimum corner lot and public street frontage width of 62 feet. Lot requirements for all multifamily development where neither a public water nor a public sewage facility is in use includes: 1) minimum lot area of 1 acre; 2) minimum interior lot and/or public street frontage width of 52 feet; and 3) minimum corner lot and public street frontage width of 62 feet. Public water facilities shall be required for all subdivision projects.</p> <p>[4] Setback requirements, encroachments, and internal street widths are subject to review by local service providers and may be restricted based on the County Access Drive Standards or other guidelines used for multifamily residential developments to ensure adequate spacing is available for all necessary utilities.</p> <p>[5] Variable and reduced setbacks are allowed and encouraged as part of project approval through a Special Development Permit, <b>as outlined in the Design Guidelines.</b></p> <p>[6] <b>Heights may be increased by one story along major collector and arterial street with widths of 80 feet or more.</b></p> <p>[7] Common open space and outdoor amenities can include common patios, small common greens, community gardens, pools, pedestrian walkways, tot-lots, and recreation areas. It does not include areas used for vehicular access and parking. Public parks and open space constructed as part of the proposed multifamily project may be counted up to one-half of the common open space requirement.</p>						

**5.4.3.C. Driveway Dimensions**

1. **Street design and width shall be confirmed with the Fire Department.**
2. **For driveway access with 10 or fewer units, a T-shaped turnaround shall be allowed. A dimension of 20 feet by 80 feet will accommodate most vehicles.**
3. **Dead end driveways shall be less than 150 feet long, and have appropriate turnarounds as needed.**
4. **Circular cul-de-sacs shall be designed with a radius of 40 feet or less to the greatest extent possible.**
5. **The minimum widths for internal streets or driveways, per Fire Department Standards, shall be as follows:**
  - a. **For uncurbed driveways with no parallel parking when a fire lane is not necessary – 16 feet.**
  - b. **For curbed internal streets with no parallel parking – 20 feet.**
  - c. **For curbed internal street with parallel parking on one side – 28 feet.**
  - d. **For curbed internal street with parallel parking on both sides –36 feet.**

**5.4.3.D. Lighting for Multifamily Housing**

1. **Site and street lighting shall comply with Section 5, “Street Light Design” of the Sacramento County Improvement Standards and the following standards.**
2. **Lighting fixtures shall provide for pedestrian safety and be adequately spaced and scaled without interference from landscaping, and directed away from adjacent areas to minimize light pollution caused by glare or stray light into neighboring properties.**
3. **Illumination shall be 0.25 foot-candles at grade level for surface areas of alcoves, walkways, and yards other than required for exits.**
4. **Illumination shall be one (1) foot-candle at floor level for open parking areas and carports.**
5. **All lights shall be placed on a timer or photo electronic cell capable of turning the lights on and off one-half (1/2) hour prior to dawn and one-half (1/2) hour past dusk.**

**5.4.3.E. Signage for Multifamily Housing**

Signs shall be integrated and designed at a quality consistent with the design of the project and shall comply with Chapter 5.10, “Sign Regulations.”

**5.4.3.F. Services and Utilities for Multifamily Housing**

1. **Trash and Recycling Enclosures**
  - a. **All trash and recycling containers and enclosures shall be located within an enclosed masonry area with a surrounding wall at least six (6) feet high and no taller than eight feet in height, with an appropriate solid gate; and shall be located a minimum of 25 feet from any residentially zoned property, and property used for residential purposes.**

- b. Trash and recycling enclosure areas shall be designed to the County’s latest stormwater quality source control design standards.
- c. **There shall be adequate area provided for recycling containers and enclosures. Recycling enclosures shall be located for functional use by occupants and by the disposal and hauling companies, providing collection services. The appropriate authority can allow flexibility on the above requirements to facilitate the siting and provision of adequate space allocation for recycling collection and storage areas.**

**5.4.3.G. Walls and Fences**

Walls and fences shall be located and constructed in conformance with Section 5.2.5, “Development Standards for Walls and Fences.”

**5.4.3.H. Landscaping**

**Landscaping shall be provided in conformance with Section 5.2.4.**

**5.4.4. Mobilehome Subdivision Development Standards**

**5.4.4.A. Applicability**

This Section provides regulations for the placement of mobilehomes on individual lots with an approved subdivision specifically designed and designated RM-2 for the sale, not rental, of lots to accommodate mobilehomes as the dwelling unit.

**5.4.4.B. Standards for Manufactured Homes**

In addition to other requirements in this Section, a manufactured home shall comply with the following architectural standards and development standards in Table 5.7.

**1. Architectural Standards for Manufactured Homes**

- a. The exterior siding material shall be wood, stucco, stone, or masonry, including wood, stone, or masonry veneers. Siding shall extend below the top of the foundation or to the finished ground, whichever is applicable.
- b. The roof shall have eave and gable overhangs not less than 12 inches measured from the vertical side of the building.
- c. The exterior roofing surface shall be shingle, shake, or tile types of roofing either in natural form or simulated from such materials as metal, plastic, or concrete. Specifically excluded are built-up, roll roofs, and corrugated, sheet, or skin metal or plastic panels.
- d. Manufactured homes shall be secured to a permanent foundation or a foundation system approved by the Sacramento County Division of Building Permits and Inspections.

**5.4.4.C. Mobile Home Development Standards Summary**

**TABLE 5.7: MOBILE HOME (RM-2) SUBDIVISION DEVELOPMENT STANDARDS**

STANDARD	Single Family	Two Family (On Corner Lots)
<b>Minimum Lot Standards Where a Public Water Supply and Public Sewage Facility are both in use</b>		

Net Lot Area (interior lots/corner lots) (square feet)	5,200 / 6,200	- / 8,500
Lot Width (interior lots/corner lots) (feet)	52 / 62	- / 80
Public Street Frontage (interior lots/corner lots) (feet) [1]	52 / 62	- / 80
<b>Minimum Lot Standards Where a Public Water Supply or Public Sewage Facility, but not both, in use</b>		
Net Lot Area (interior lots/corner lots) (square feet)	10,000 / 10,000	- / 15,000
Lot Width (interior lots/corner lots) (feet)	52 / 62	- / 100
Public Street Frontage (interior lots/corner lots) (feet) [1]	52 / 62	- / 100
<b>Minimum Lot Standards Where Neither a Public Water Supply nor a Public Sewage Facility is in Use</b>		
Net Lot Area (interior lots/corner lots) (acre)	1 / 1	- / 1
Lot Width (interior lots/corner lots) (feet)	52 / 62	- / 100
Public Street Frontage (interior lots/corner lots) (feet) [1]	52 / 62	- / 100
<b>Yard Setback Requirements</b>		
Minimum Front Yard (Without PUPF/ With PUPF)	20 / 24	
Minimum Side Yard	5 (one-story); 7.5 (two-story)	
Minimum Rear Yard [2]	20	
Minimum Corner Street Side (Without PUPF/ With PUPF)	15 / 19	
PUPF = Public Utilities, Public Facilities easement (per Section 5.2.1)		
[1] The public street frontage for lots fronting on a curved street or on the curved portion of a cul-de-sac street may be measured along an arc located within the front fifty (50) feet of the lot, and based on a center point coincidental with the center point of the street curve. If such arc is further than twenty (20) feet from the right-of-way line of the street, that arc will be considered the front yard setback line of the lot.		
[2] The minimum depth of the required rear yard may be reduced to ten (10) feet if an equivalent or greater amount of space is added to the required side yard area so that the combined total area of the rear and side yards is equal to or greater than the minimum area which would otherwise be required.		

## 5.4.5. Residential Accessory Structures

### 5.4.5.A. Applicability

No building or structure, used for an accessory structure incidental to a primary residential dwelling, shall be built, enlarged, or moved unless the provisions of this Section are met. No accessory building shall be used as sleeping or housekeeping quarters, unless expressly permitted in the zoning district in which the property is located. Accessory structures are not permitted until the primary structure is present.

This Section shall apply to the following uses and structures in any zoning district, when incidental to a primary residence located on the same lot or parcel.

1. Habitable accessory structures
  - a. Guest house
  - b. Accessory mobilehome
  - c. Residential accessory dwelling
2. Ancillary accessory structures
3. Detached garage and carport
4. Storage shed
5. Detached covered patio and deck
6. Workshop
7. Greenhouse
8. Swimming pool and spa
9. Cabana or similar recreation facility
10. Miscellaneous structures and uses
  - a. Enclosures for swimming pool or spa
  - b. Uncovered decks
  - c. Fences
  - d. Miscellaneous recreation structures not including portable equipment

**5.4.5.B. Residential Accessory Structure Development Standards**

The following development standards in Table 5.8 apply to accessory dwellings and other residential accessory structures, listed in Section 5.4.5.A, above, constructed, enlarged, or otherwise modified. Deviations from height and setback standards and the standards below may be permitted by the appropriate authority. Refer also to Section 3.9 for development standards for specific residential accessory uses.

<b>TABLE 5.8: RESIDENTIAL ACCESSORY STRUCTURE DEVELOPMENT STANDARDS</b>					
<b>STANDARD</b>	<b>Accessory Use</b>				
	<b>General</b>	<b>Accessory Mobilehome</b>	<b>Accessory Dwelling Unit</b>	<b>Swimming Pool or Spa [1]</b>	<b>Fences (≤ 7 feet / &gt; 7 feet)</b>
<b>General Standards</b>					
Maximum Lot Area	The area of all accessory structures on a single parcel, except residential accessory dwellings and swimming pools, shall not exceed 50% of the habitable floor area of the primary residential dwelling on the parcel except in AR districts. [2]		Refer to Section C1, below.	N/A	N/A

**TABLE 5.8: RESIDENTIAL ACCESSORY STRUCTURE DEVELOPMENT STANDARDS**

STANDARD	Accessory Use				
	General	Accessory Mobilehome	Accessory Dwelling Unit	Swimming Pool or Spa [1]	Fences (≤ 7 feet / > 7 feet)
Maximum Building Coverage	30% of rear yard [3]		N/A	N/A	N/A
Maximum Height (feet)	16 [4]	-	16 [5]	-	
Number of Habitable Accessory Structures	-	-	1	-	
<b>Minimum Yard Setback Requirements (feet)</b>					
Front Yard (Without PUPF/With PUPF)	20 / 24	20 / 24	Same setbacks for the primary structure	N/A	[7]
Interior Side Yard	3 [6]	5		3	None / [7]
Rear Yard	3 [6]	10		3	None / [7]
Side Street Yard (Without PUPF/With PUPF)	12.5 / 16.5	12.5 / 16.5		N/A	[7]
Primary Structure	[8]	10	10	None	None / [7]
<b>Maximum Permitted Encroachment Into Required Yard Areas (feet)</b>					
Front Yard and Side Street Yard	Air Conditioning Equipment: 5 [9] Other Mechanical Equipment: 5 [9]			5 [9]	[7]
Interior Side Yard and Rear Yard	Air Conditioning Equipment: 0 Other Mechanical Equipment: 5 [10]			3	[7]
N/A = Not Applicable; PUPF = Public Utilities, Public Facilities easement (per Section 5.2.1)					
[1] Swimming pools and spas may not be located within the required front or side street yard; within a recorded setback, except the rear yards of through lots unless otherwise prohibited by a recorded subdivision map; within a public utility easement; or within a public easement. These regulations shall not affect requirements of SPA zoning districts.					
[2] For all AR- zoning districts, the total floor area for all accessory structures may be equal in size to the habitable floor area of the primary residential structure on the same parcel, provided the parcel is at least one (1) gross acre in area. For any parcel at least two (2) gross acres in area, the maximum floor area for accessory structures may be twice the size of the habitable floor area of the primary residential structure on the same parcel. <b>The total floor area for all accessory structures in AR- zoning districts may not exceed 5,000 square feet.</b> Exceptions to these area requirements may be permitted with a Minor Use Permit.					
[3] For the purpose of this calculation, all enclosed or roofed space shall be counted as space occupied by accessory buildings.					
[4] In all AR- zoning districts, an accessory structure may be equal in height to the primary residential structure on the lot. All accessory structures over sixteen (16) feet in height must meet the same setback requirements for the primary residential structure. Exceptions to these maximum height or setback requirements may be permitted with a Minor Use Permit.					
[5] The appropriate authority may approve a residential accessory dwelling which exceeds sixteen (16) feet, provided					

**TABLE 5.8: RESIDENTIAL ACCESSORY STRUCTURE DEVELOPMENT STANDARDS**

STANDARD	Accessory Use				
	General	Accessory Mobilehome	Accessory Dwelling Unit	Swimming Pool or Spa [1]	Fences (≤ 7 feet / > 7 feet)
	the proposed height does not adversely affect adjoining residentially zoned property and the residential dwelling does not exceed the allowable height of the primary residential structure on the lot.				
[6]	Accessory structures must maintain a minimum three (3) foot setback from property lines for any portion of the structure, except that smaller structures or sheds which do not exceed 120 square feet in area or 9 feet in height overall may be placed on the property line.				
[7]	<b>Fences over seven (7) feet in height are permitted when setback three (3) feet from an interior property line after first securing an approved building permit. Fences over seven (7) feet in height may be permitted on interior property lines with a Special Development Permit by the Zoning Administrator. See Section 5.2.5, “Development Standards for Walls and Fences” for complete fencing standards. Fence height may be modified by a condition of approval where the appropriate authority finds that due to site features different screening requirements are necessary.</b>				
[8]	If less than six (6) feet from the primary residential structure, accessory structures must meet the same setback as the primary residential structure on the same parcel.				
[9]	Provided said equipment is within a solid fenced yard or enclosure.				
[10]	Provided equipment shall be no closer than two (2) feet from any property line.				

**5.4.5.C. Additional Residential Dwelling Development Standards****1. Lot Area**

**Any lot considered for an accessory residential dwelling shall provide a minimum net lot area of 5,200 square feet.**

- 2. Parking.** Parking requirements for secondary units shall be one (1) parking space per bedroom. Additional parking may be permitted provided that a finding is made that the additional parking requirements are directly related to the use of the secondary unit and are consistent with existing neighborhood standards applicable to existing dwellings.

**a. Surface of Parking and Driveway Areas.** Each dwelling unit shall be served by a driveway with a dust free surface constructed to the standards of Sacramento County Division of Building Permits and Inspections.

- 3. Sewer and Water.** Public sewer and water facilities shall be provided in the RD zoning districts.
- 4. Parcel Subdivision.** The property upon which an accessory dwelling is located shall remain an unsubdivided parcel, unless all standards of the parent zoning district can be met.
- 5. Maximum Floor Area.** The following maximum size (habitable floor area) for an accessory dwelling on any lot in any zoning district shall be permitted as identified in the table below, and the minimum lot area of the zoning district as specified above. Accessory dwelling units that meet these provisions shall be permitted by right.



Lot Size (square feet)	Maximum Permitted Accessory Dwelling Size (square feet)
8,500 or less	400
8,501 – 10,000	500
Greater than 10,000	600

- a. Larger floor areas may be considered via a Conditional Use Permit from the Zoning Administrator, but in no event shall accessory dwellings be larger than 1,200 square feet of habitable floor area.
6. **Additional Requirements.** The appropriate authority may apply additional conditions to a Conditional Use Permit relative, but not limited to, dwelling size, location, access, height, etc., if special circumstances arise requiring such mitigation of anticipated adverse impacts to neighboring residences.
7. **Attached Units.** Attached units shall share entrances with the primary unit and shall be clearly incidental and subordinate architecturally to the primary unit.

#### 5.4.5.D. Residential Accessory Dwelling Conditional Use Permits

The following criteria shall be given consideration when acting on a Conditional Use Permit for a residential accessory dwelling.

1. **Lot Area.** Lot size relative to the surrounding pattern of development and neighborhood.
2. **Number of Accessory Units.** Only one (1) residential accessory dwelling shall be permitted on any lot.
3. **Parking.** Additional parking may be permitted provided that a finding is made that the additional parking requirements are directly related to the use of the secondary unit and are consistent with existing neighborhood standards applicable to existing dwellings.
  - a. **Surface of Parking and Driveway Areas.** Each dwelling units shall be served by a driveway with a dust free surface constructed to the standards Sacramento County Division of Building Permits and Inspections.
4. **Setbacks and Height.** See Table 5.8, above.
5. **Sewer and Water.** Public sewer and water may be considered subject to Environmental Health approval.
6. **Maximum Floor Area.** Larger floor areas may be considered via the use permit process, but in no event larger than 1,200 square feet of habitable floor area.
7. **Additional Conditions.** The appropriate authority may apply additional conditions to a Conditional Use Permit relative, but not limited to, dwelling size, location, access, height, etc., if special circumstances arise requiring such mitigation of anticipated adverse impacts to neighboring residences.

## 5.5. COMMERCIAL ZONING DISTRICTS

### 5.5.1. Purpose and Applicability

The commercial development standards in this Section apply to all residential projects in the BP, C-O, GC, and LC zones. The development standards in this Section are to be used in close concert with the County-wide Design Guidelines to achieve high quality projects that fit within the surrounding community. All commercial projects shall be subject to the development standards applicable to commercial residential districts, summarized in Table 5.9, and Design Review. Alternatives to these standards may be approved with a Special Development permit as part of the Design Review process if the intent and purpose of the standards and guidelines are met.

### 5.5.2. Commercial Development Standards

#### 5.5.2.A. Development Standards Summary

Development in commercial zoning districts is subject to the applicable development standards in Table 5.9 and Design Review in accordance with the County-wide Design Guidelines. Additionally, for projects that include construction of residential units within 25 feet of an arterial or thoroughfare right-of-way (as identified by the roadway classifications in the General Plan), project applicants shall submit an acoustical analysis demonstrating façade construction will be such that interior noise levels will not exceed 45 dB L<sub>dn</sub> under future (cumulative case) traffic conditions.

**TABLE 5.9: COMMERCIAL LAND USE DEVELOPMENT STANDARDS**

STANDARD	BP	C-O	GC, LC
<b>Lot Standards</b>			
Minimum Lot Area (square feet)	See Note [1]	N/A	N/A
Minimum Lot Frontage and Width (feet)	60	66	N/A
Minimum Lot Depth (feet)	100	N/A	N/A
Residential Density (dwelling units/acre)	As Approved [2]	N/A	30 or 40 [3]
<b>Yard Setback Requirements (feet) [4]</b>			
Minimum Front Yard (Without PUPF/With PUPF)	25 / 31	50 / 56 [5]	50 / 56 [5]
Minimum Interior Side and Rear Yards [6],[7] Adjacent to Multifamily Residential/ Adjacent to Non-Residential Use	25 / 0	25 / 0	20 / 0
Minimum Interior Side Yard and Rear Yard [6],[7],[8] Adjacent to Single Family Residential Use	20 (1 story); 40 (2 story); 60 (3 story)	20 (1 story); 40 (2 story); 60 (3 story)	20 (1 story); 40 (2 story); 60 (3 story)
Minimum Side Street Yard (Without PUPF/With PUPF)	25 / 31	50 / 56 [5]	50 / 56 [5]
<b>Building Height (feet) [9]</b>			
Maximum Building Height	40	40	40

<b>TABLE 5.9: COMMERCIAL LAND USE DEVELOPMENT STANDARDS</b>			
<b>STANDARD</b>	<b>BP</b>	<b>C-O</b>	<b>GC, LC</b>
<b>Landscaping Requirements</b>			
Minimum Landscape Requirements	Refer to Section 5.2.4, "Landscape Standards."		
<b>Parking Requirements</b>			
Minimum Parking Requirements	Refer to Section 5.9, "Off Street Parking"		
<b>Trash and Recycling Enclosures and Loading Docks</b>			
Minimum Setback of Trash and Recycling Enclosures	31 feet from any public street; 25 feet from residentially zoned property, or property used for residential purposes; 15 feet from the edge of pavement of a private street; and include a 6 foot minimum and 8 foot maximum solid gate		
Minimum Setback of Loading Docks	75 feet from the boundary of property zoned or used for residential purposes, unless a reduced setback is allowed by a Special Development Permit by the Zoning Administrator.		
PUPF = Public Utilities, Public Facilities easement (per Section 5.2.1)			
<p>[1] For business and professional uses and convenience centers in residential zoning districts, the minimum lot area shall be at least 6,000 square feet where both a public water and sewerage facility are in use; 10,000 square feet if either a public water system or public sewerage facility, but not both, is in use; or one acre if neither a public water system nor a public sewerage facility is in use.</p> <p>[2] In the BP zoning district, apartment or multifamily building require a Conditional Use Permit by the Planning Commission.</p> <p>[3] In the GC and LC 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 a one-quarter mile of a transit station or stop along a light rail line, bus rapid transit line, or other trunk line providing high frequency bus service with 20 minute or better headways, 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 or with density bonuses for providing affordable housing, project amenities, and/or other special project considerations, as described in Section 5.2.3.</p> <p>[4] All setback areas visible from public streets and areas shall be landscaped. Required planter or landscaped areas shall include pedestrian walks, steps, and similar hard surface areas provided that such hard surface does not cover more than 25 percent of the required landscaped area. Ornamental or landscaping rock and gravel areas, artificial turf, or areas covered with other artificial materials shall be considered hard surface areas for the purposes of this provision.</p> <p>[5] <b>Such yard depth may be reduced to a minimum of 25 feet, and to a minimum of 31 feet for right-of-way with a PUPF, provided that for each square foot of additional buildable area created by the application of this provision, an equivalent square foot of landscape area is provided in the corresponding street yard.</b></p> <p>[6] <b>Exceptions for Parcels Adjacent to a Freeway or Scenic Corridor.</b> If the rear yard or interior side yard abuts a freeway or scenic corridor, a minimum 15-foot rear or interior side yard setback shall be provided. The entire 15' setback shall be landscaped.</p> <p>[7] <b>Exceptions for Mechanical Equipment.</b> Mechanical equipment may be located in the required rear yard or interior side yard provided that no structure or equipment shall occupy more than 200 square feet of the required yard area, or be located within five (5) feet of any property boundary, or extend more than 12 inches above the finished grade. All vents, flues, doorways, or other openings shall be oriented away from the adjacent property boundary. Landscaping shall be provided to screen any portion of such use which extends above ground level.</p>			

**TABLE 5.9: COMMERCIAL LAND USE DEVELOPMENT STANDARDS**

STANDARD	BP	C-O	GC, LC
[8] The main building may project into the required rear yard provided that an equal area is provided as a yard or court within the buildable portion of the lot.			
[9] A <b>Special Development Permit</b> may be granted for exceptions to building height pursuant to section 5.2.2.C.			

**5.5.2.B. Lighting**

Site and street lighting shall comply with Section 5, Street Light Design of the *Sacramento County Improvement Standards*. **Also refer to Section 5.9.4.H for Parking Lot Lighting standards.**

**5.5.2.C. Signage**

Signs shall be integrated and designed at a quality consistent with the design of the project and shall comply with Chapter 5.10, Sign Regulations and the County's Design Guidelines.

**5.5.2.D. Services and Utilities****1. Trash and Recycling Enclosures**

- a. **All trash and recycling containers and enclosures shall be located within an enclosed masonry area with a surrounding wall at least six (6) feet high and no taller than eight feet in height, with an appropriate solid gate.**
- b. **Trash and recycling enclosure areas shall be designed to the County's latest stormwater quality source control design standards.**
- c. **There shall be adequate area provided for recycling containers and enclosures. Recycling enclosures shall be located for functional use by occupants and by the disposal and hauling companies, providing collection services. The appropriate authority can allow flexibility on the above requirements to facilitate the siting and provision of adequate space allocation for recycling collection and storage areas.**

**2. Compliance with Noise Ordinance (County Code Section 6.68)**

**All commercial activities, including truck loading, operation of machinery, and human activity areas, located within proximity of a residential or agricultural-residential zone shall comply with the County Noise Ordinance. If complaints are received and non-compliance verified by the Environmental Management Department, then the Planning Director may require the property owner to submit an acoustical study prepared by a qualified acoustical engineer. Said study shall provide recommended physical and operational measures to bring the property into compliance. The Planning Director may require compliance with such measures as a condition of the business license as provided for in County Code Section 4.06.090. This requirement shall be applicable to existing and new commercial uses.**

**3. Shopping Carts**

**All businesses shall comply with Chapter 9.76 of the Sacramento County Code relating to Unauthorized Use of Shopping Carts.**

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**5.5.2.E. Circulation, Access, and Pedestrian Facilities****1. Circulation**

Incorporate attractive and well-marked pedestrian networks that provide connectivity and safe travel from the public rights of way and through parking areas. Design shall reflect the need for safely mixing and separating modes (i.e. trucks, autos, transit, pedestrians and bicyclists), while enhancing the pedestrian linkages to other buildings, transit and parking areas.

**2. Access**

**Provide cross-access between projects to the extent practicable to support mixed use development, active design and walkability.**

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## **5.6. INDUSTRIAL AND INDUSTRIAL PARK ZONING DISTRICTS**

### **5.6.1. Purpose and Applicability**

The commercial development standards in this Section apply to all residential projects in the BP, C-O, GC, and LC zones. The development standards in this Section are to be used in close concert with the County-wide Design Guidelines to achieve high quality projects that fit within the surrounding community. All commercial projects shall be subject to the development standards applicable to commercial residential districts, summarized in Table 5.9, and Design Review. Alternatives to these standards may be approved with a Special Development permit as part of the Design Review process if the intent and purpose of the standards and guidelines are met.

The purpose of this Section is to provide standards for business and industrial districts. Industrial parks are often characterized by affordable low-rise buildings, lack of pedestrian facilities, disconnected site planning, and outdoor storage. New office campuses and business parks are typically one to four-story buildings developed as individual projects with common vehicular access, and shall provide an emphasis on pedestrian connections for the health and safety of employees and customers. The development standards are to be used to review individual projects in concert with office and industrial district plans.

### **5.6.2. Industrial and Business Park Development Standards**

#### **5.6.2.A. Development Standards Summary**

Development in industrial and industrial park zoning districts are subject to the applicable development standards in Table 5.10 and Design Review in accordance with the County's Design Guidelines.

#### **5.6.2.B. Lighting**

Site and street lighting shall enhance safety for employees, the public and pedestrians, and shall comply with Section 5, Street Light Design of the Sacramento County Improvement Standards. **Also refer to Section 5.9.4.H for Parking Lot Lighting standards.**

#### **5.6.2.C. Signage**

Signs shall provide directions to building entry, wayfinding for autos, trucks and pedestrians, and shall be integrated and designed at a quality consistent with the design of the project and shall comply with Chapter 5.10, Sign Regulations and the County's Design Guidelines.

**TABLE 5.10: INDUSTRIAL AND BUSINESS PARK LAND USE DEVELOPMENT STANDARDS SUMMARY**

STANDARD	M-1	M-2	MP
<b>Yard Setback Requirements (feet) [1]</b>			
Minimum Front Yard (Without PUPF/ With PUPF)	50 / 56 [2]	50 / 56 [2]	25 / 31 [3]
Minimum Interior Side and Rear Yard Adjacent to Non-Residential Use [4]	0	0	0
<b>Minimum Interior Side Yard and Rear Yard [5],[6],[7] Adjacent to Single Family Residential Use</b>	<b>20 (1 story); 40 (2 story); 60 (3 story)</b>	<b>20 (1 story); 40 (2 story); 60 (3 story)</b>	<b>20 (1 story); 40 (2 story); 60 (3 story)</b>
Minimum Side Street Yard (Without PUPF/ With PUPF)	50 / 56 [2]	50 / 56 [2]	25 / 31 [3]
<b>Building Height (feet) [9]</b>			
Maximum Building Height	<b>100</b>	<b>100</b>	<b>40</b>
<b>Landscaping Requirements</b>			
Minimum Landscaping [8],	Refer to Section 5.2.4, "Landscaping Standards."		
<b>Trash and Recycling Enclosures and Loading Docks</b>			
Minimum Setback of Trash and Recycling Enclosures	31 feet from any public street; 25 feet from any residentially zoned, or property used for residential purposes; 15 feet from the edge of pavement of a private street; and Including a 6 foot minimum and 8 foot maximum solid gate		
Minimum Setback of Loading Docks	75 feet from the boundary of property zoned or used for residential purposes, unless a reduced setback is allowed by a Special Development Permit by the Zoning Administrator.		
PUPF = Public Utilities, Public Facilities easement (per Section 5.2.1)			
[1] All setback areas visible from public streets and areas shall be landscaped, as required in Section 5.2.4.			
[2] Such yard depth may be reduced to a minimum of 25 feet, and to a minimum of 31 feet for a right-of-way with a PUPF, provided that for each square foot of additional buildable area created by the application of this provision, an equivalent square foot of landscape area is provided in the corresponding street yard.			
[3] A minimum of 25 feet of landscaping is required between the building and the right-of-way, and a minimum of 18 feet of landscaping is required between the building and the right-of-way with a PUPF.			
[4] A side or rear yard is not required when the parcel within the M-1, M-2, or MP zoning district is adjacent to a rail line or spur track or abuts any of the following commercial and industrial zoning districts: SC, LC, GC, AC, TC, M- 1, M-2, or MP. A side and rear yard of 10 feet is required when abutting an agricultural zoning district.			
[5] <b>Exceptions for Parcels Adjacent to a Freeway or Scenic Corridor. If the rear yard or interior side yard abuts a freeway or scenic corridor, a minimum 15-foot rear or interior side yard setback shall be provided. The entire 15' setback shall be landscaped. A 6-foot high fence constructed of wood, brick, rock, or other masonry material shall be used to screen storage yards. The fence shall extend along both sides of the exterior storage area for a distance of 100 feet perpendicular to the right-of-way to shield the stored</b>			

**TABLE 5.10: INDUSTRIAL AND BUSINESS PARK LAND USE DEVELOPMENT STANDARDS SUMMARY**

STANDARD	M-1	M-2	MP
<p>materials from the view of oncoming traffic. No fence shall be required along the freeway right-of-way where the elevation of the freeway is more than eight feet above or below the grade of the adjacent property.</p> <p>[6] <b>Exceptions for Mechanical Equipment.</b> Mechanical equipment may be located in the required rear yard or interior side yard provided that no structure or equipment shall occupy more than 200 square feet of the required yard area, or be located within 5 feet of any property boundary, or extend more than 12 inches above the finished grade. All vents, flues, doorways, or other openings shall be oriented away from the adjacent property boundary. Landscaping shall be provided to screen any portion of such use which extends above ground level.</p> <p>[7] The main building may project into the required rear yard provided that an equal area is provided as a yard or court within the buildable portion of the lot.</p> <p>[8] No landscaping is required when located adjacent to commercial and industrial zoning districts.</p> <p>[9] <b>A Special Development Permit may be granted for exceptions to building height pursuant to Section 5.2.2.C.</b></p>			

**5.6.2.D. Services and Utilities**

**1. Trash and Recycling Enclosures**

- a. All trash and recycling containers and enclosures shall be located within an enclosed masonry area with a surrounding wall at least six (6) feet high and no taller than eight feet in height, with an appropriate solid gate.
- b. **Trash and recycling enclosure areas shall be designed to the County’s latest stormwater quality source control design standards.**
- c. **There shall be adequate area provided for recycling containers and enclosures. Recycling enclosures shall be located for functional use by occupants and by the disposal and hauling companies, providing collection services. The appropriate authority can allow flexibility on the above requirements to facilitate the siting and provision of adequate space allocation for recycling collection and storage areas.**

**2. Compliance with County Noise Ordinance**

**All industrial activities, including truck loading, operation of machinery, and human activity areas, located within proximity of a residential or agricultural-residential zone shall comply with the County Noise Ordinance. If complaints are received and non-compliance verified by the Environmental Management Department, then the Planning Director may require the property owner to submit an acoustical study prepared by a qualified acoustical engineer. Said study shall provide recommended physical and operational measures to bring the property into compliance. The Planning Director may require compliance with such measures as a condition of the business license as provided for in County Code Section 4.06.090. This requirement shall be applicable to existing and new industrial uses.**

**3. Shopping Carts**



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**All businesses shall comply with Chapter 9.76 of the Sacramento County Code relating to Unauthorized Use of Shopping Carts.**

**5.6.2.E. Circulation, Access, and Pedestrian Facilities**

**1. Circulation and Pedestrian Facilities**

**Incorporate attractive and well-marked pedestrian networks that provide connectivity and safe travel from the public right-of-way and through parking areas. Design shall reflect the need for safely mixing and separating modes (i.e. trucks, autos, transit, pedestrians and bicyclists), while enhancing the pedestrian linkages to other buildings, transit and parking areas.**

**2. Access**

**Provide cross-access between projects to the extent practicable to support mixed use development, active design and walkability.**

DRAFT

## **5.7. MIXED-USE ZONING DISTRICTS**

### **5.7.1. Introduction**

This Section provides the development standards for mixed-use districts with residential, office, retail, civic, and other activities that provide a social, healthy, sustainable and economic focus for Sacramento County's communities and commercial corridors. It establishes standards for both horizontal and vertical mixed-use quality development, as well as standards for the review of residential projects located in commercial districts. Three zoning districts have been tailored to mixed-use developments in Sacramento County. They are classified as Neighborhood Mixed-Use Centers (NMC), Community-Regional Mixed-Use Centers (CMC), and Corridor Mixed-Use Zones (CMZ). These zoning districts could be applied to larger infill sites, "greenfield" projects, or redeveloped commercial sites that lend themselves to pedestrian, bicycle and transit-oriented development (TOD) and provide a mix of two or more uses.

This Section provides an overview of the three mixed-use zoning districts, a description of each zoning district and their particular purpose, applicable development standards, performance standards, and procedures for review of mixed-use development applications. The standards in this Section do not apply to adopted Specific Plans, Master Plans, SPAs, and other area plans. Consultation with Planning Staff is required prior to filing an application for a mixed-use project. Applicants may choose to propose different development standards or take alternative approaches through the initiation of a Master Plan or Specific Plan process.

The mixed-use standards in this Section are organized by the following subsections:

- **Section 5.7.1 Purpose**
- **Section 5.7.2 Establishment and Overview of Mixed-Use Zoning Districts**
- **Section 5.7.3 Development and Performance Standards for Mixed-Use Zoning Districts**
- **Section 5.7.4 Project Review and Required Findings**

The County's Design Guidelines, including mixed-use guidelines, should be consulted in conjunction with development standards in this Code. Sections 5.4, 5.5, 5.6, and 5.7 of this Code apply as appropriate for single use residential, commercial, business, industrial, and institutional developments, respectively.

#### **5.7.1.A. Purpose**

The purpose of mixed-use zoning districts is to:

1. Accommodate intensities and patterns of development that support active design and transportation choices that include multiple modes of transportation, including walking, bicycling and transit.
2. Provide for a mix of uses and activities that create a healthy, social, sustainable and economic focus for the diverse communities and commercial corridors in Sacramento County.
3. Ensure new development enhances established residential neighborhoods and character, provides pedestrian and vehicular connections, and improves the transition between adjacent commercial and residential uses.
4. Provide development standards that are flexible and suited for quality and innovative mixed-use infill in the County's corridors, phasing out undesired uses and

aging or deteriorating commercial areas over time to develop more vibrant, complete and integrated communities.

## 5.7.2. Overview of Mixed-Use Zoning Districts

Three mixed-use zoning districts are established to provide development opportunities for integrated development of complementary use on the same parcel or contiguous group of parcels. Singular, stand-alone uses shall be permitted when they foster an overall mixture of uses in the zoning district. A wide range of uses and mix of product types is encouraged. Development solely as commercial or residential districts is strongly discouraged. However, phasing of a mix of uses may be permitted, subject to the standards in Section 5.7.4.B. and residential uses are required in all Corridor Mixed-Use Zones.

### 5.7.2.A. Neighborhood Mixed-Use Centers

Neighborhood Mixed-Use Centers (NMC) provide for small, village center or mixed-use nodes that offer neighborhood-scaled shopping, service, and employment uses near a transit station or stop, within a walkable (one-quarter to one-half mile) distance to low-, medium-, or high-density residential areas. NMC zoning districts can occur in the context of an existing or planned corridor or neighborhood area. The NMC zoning districts are appropriate at the key intersections of arterial and collector roads, with pedestrian access and connections to adjacent neighborhoods. Uses permitted in this zoning district are intended to provide for the convenience of residents in the surrounding neighborhood area, support making walking or bicycling for daily trips a safe and viable transportation choice, and help reduce the need for trips outside the area for basic goods and services.

The target mix of uses in the table below is representative of the variety and intensity of different uses, desired from application of the NMC zone to sites of five (5) acres or more. Targets in the table are not expected to be achieved in every case, but are intended to allow a minimum of two or more different uses, tailored to be compatible with the needs and character of the surrounding community.

Target Mix by Development Emphasis			
Use	Non-Residential	Residential	TOD District*
Retail, Service	10%-50%	10%-30%	10%-30%
Office, Institutional	0%-50%	0%-30%	0%-40%
Public/Civic	10% minimum		
Residential	0%-50%	40%-80%	30%-70%
Required Residential	No	Yes	Yes
*TOD districts are located adjacent to a light rail transit station or other frequent transit services, and identified in Figure 6 of the TOD Guidelines of the General Plan.			

Structures in the NMC zoning district may vary between two (2) to four (4) stories and allow a variety of multifamily housing types, ranging between 10-50 dwelling units per acre and vertical mixed-use buildings, designed with ground floor commercial uses and residential units above. Additional development intensities may be permitted with a Conditional Use Permit by the Planning Commission. Minimum density and FAR requirements for development adjacent to light rail or bus rapid transit (with 20 minute or better headways) or other frequently serviced transit also apply, as noted in

Table 5.11. Refer to the County's Design Guidelines for representative examples of the scale, character, and variety of neighborhood centers envisioned for NMC zoning districts. In NMC zoning districts, residences shall be organized to front onto and provide entryways that address the public street and integrate Crime Prevention Through Environmental Design (CPTED) principles of safety. Continuous, well lit walkways connect residential units to common open space, adjacent commercial uses, and surrounding area streets and transit stops.

### 5.7.2.B. Community-Regional Mixed-Use Centers

Community-Regional Mixed-Use Centers (CMC) provide for more regional-scaled mixed-use centers, adjacent to transit stops, serving several neighborhoods, an entire community, or regional market (more than one community or city). This zoning district allows a variety and mix of retail, office, entertainment, civic, and institutional uses and promotes compact, transit-oriented development along commercial corridors at the intersection of major thoroughfare or arterial roads, or surrounding an urban town center or regional-serving (bus, BRT, or light rail) transit stop. The CMC zoning district is intended to provide flexibility to accommodate different types of regional and transit-oriented centers, including commercial and entertainment centers, main street retail or town centers, and transit-oriented development station areas.

The target mix of uses in the table below is representative of the intended development, mix, and variety of uses that could result from application of the CMC zoning district to sites of 10 acres or more, as guided by Table 6 in the Land Use Element of the General Plan. Targets in the table are not expected to be achieved in every case, but intended to allow a minimum of two or more different uses that are compatible with the needs of the surrounding community and allow the mixing of uses to be phased into the project to respond to changing market demands.

Structures in the CMC zoning district may vary between two (2) to six (6) stories; permit multifamily housing types ranging between 12-100 dwelling units per acre; support commercial development ranging from 0.3 FAR and above; and encourage development of vertical mixed-use buildings, with ground floor commercial uses. Minimum density and FAR requirements for development adjacent to light rail, bus rapid transit, or other frequently serviced transit (with 20 minute or better headways) also apply, as noted in Table 5.11. Refer to the County's Design Guidelines for representative examples of the scale, character, and variety of community and regional mixed-use centers envisioned for CMC zoning districts. CMC zoning districts provide safe, attractive, and convenient pedestrian and transit access, with good connections and transitions between uses and to surrounding neighborhood areas, as addressed by the performance standards in this Section and the County's Design Guidelines.

Target Mix by Development Emphasis				
Use	Commercial	Office	Residential	TOD District*
Retail, Service, Entertain.	50%-70%	10%-30%	10%-30%	10%-30%
Office, Institutional	0%-20%	50%-70%	0%-30%	20%-60%
Public/Civic	10% minimum			
Residential	0%-40%	0%-30%	50%-80%	20%-60%
Required Residential	No	No	Yes	Yes

Target Mix by Development Emphasis				
Use	Commercial	Office	Residential	TOD District*
*TOD districts are located adjacent to a light rail station and identified in Figure 6 of the TOD Guidelines of the General Plan.				

**5.7.2.C. Corridor Mixed-Use Zone**

The Corridor Mixed-Use Zone (CMZ) promotes infill development of linear commercial or mixed-use areas, within a walkable (one-quarter to one-half mile) distance of mixed-use centers along a major commercial corridor or transit stop. CMZs promote residential uses and other uses that support the development of the surrounding community, while avoiding competition with adjacent centers. Development in CMZs focus on infill residential development and encourage the clustering of uses such as retail, office, business service, and civic uses adjacent to other compatible uses at street intersections or next to existing centers; encourage the integration of well connected medium- and high-density housing, parks and open space, and civic or neighborhood amenities in the adjacent areas between; and focus on completing public streetscape improvements that make walking or bicycling for daily trips a safe and viable transportation choice while reducing the need for trips outside the area for basic goods and services - all within the corridor or neighborhood area.

The target mix of uses in the table below is representative of the variety and intensity of different uses, desired from application of the CMZ district on sites of five (5) acres or more. Except for a requirement for residential uses in CMZs, targets in the table are not expected to be achieved in every case, but are intended to allow a minimum of two or more different uses compatible with the needs and character of the surrounding community and responsive to changing market conditions.

Use	Target Mix
Retail	10%-30%, clustered at intersections, mid-block, or at key locations
Office, Service	10%-50%, clustered with retail or in vertical mixed-use formats
Public/Civic	10%-30%, clustered with retail or office or serving as a neighborhood focal point or center
Residential	25%-80%, including a minimum of 25% residential uses is required, and designed to integrate with surrounding non-residential uses or in a vertical mixed-use format

Structures in CMZs may vary from two (2) to five (5) stories, with taller structures encouraged at street intersections; permit multifamily housing types, ranging between 8-50 dwelling units per acre; and support commercial development ranging from 0.25 FAR to 1.5 FAR. Heights, however, are generally no greater than two stories above surrounding uses. Minimum density and FAR requirements for development adjacent to light rail, bus rapid transit, or other frequently accessed transit (with 20 minute or better headways) also apply, as noted in Table 5.11. Development in CMZs provides convenient, safe, and attractive pedestrian connections between adjacent uses, to transit stops, and other community amenities. Streetscape improvements engage and enhance the safety and livability of the street. Refer to the County’s Design Guidelines

for representative examples of the scale, character, and variety of development envisioned for CMZ zoning districts.

### 5.7.3. General Development Standards

#### 5.7.3.A. Mixed-Use Development Standards Summary

Table 5.11, below, provides the development standards for the three mixed-use zoning districts: Neighborhood Mixed-Use Centers (NMC); Community-Regional Mixed-Use Centers (CMC); and Corridor Mixed-Use Zones (CMZ).

<b>TABLE 5.11: MIXED-USE DEVELOPMENT STANDARDS</b>			
<b>STANDARD*</b>	<b>NMC</b>	<b>CMC</b>	<b>CMZ</b>
<b>Density and Intensity Requirements</b>			
Residential Density [1] (dwelling units/acre)	8-50	12-100	8-50
Horizontal Mixed-Use (for Single Use) Floor Area Ratio	0.25-1.25	0.3-no max	0.25-0.75
Vertical Mixed-Use Floor Area Ratio	0.3-2.0	0.4-no max	0.3-1.5
Required Residential Uses?	Optional depending on the approved mix of uses		Yes
<b>Minimum Density and Intensity Requirements Adjacent to Light Rail [1A]</b>			
Within 0-1/8 mile of Transit Stop (dwelling units/acre ; floor area ratio)	30; 0.45 FAR	40; 0.65 FAR	N/A
Within 1/8 mile-1/4 mile of Transit Stop (dwelling units/acre ; floor area ratio)	18; 0.35 FAR	25; 0.45 FAR	18; 0.35 FAR
Within 1/4 mile-1/2 mile of Transit Stop (dwelling units/acre ; floor area ratio)	12; 0.3 FAR	18; 0.35 FAR	12; 0.3 FAR
<b>Minimum Density and Intensity Requirements Adjacent to BRT or Other Trunk Bus Line [1A]</b>			
Within 0 mile-1/8 mile of Transit Stop (dwelling units/acre ; floor area ratio)	20; 0.35 FAR	25; 0.45 FAR	N/A
Within 1/8 mile-1/4 mile of Transit Stop (dwelling units/acre ; floor area ratio)	15; 0.3 FAR	18; 0.35 FAR	15; 0.3 FAR
Within 1/4 mile-1/2 mile of Transit Stop (dwelling units/acre ; floor area ratio)	10; 0.25 FAR	12; 0.3 FAR	10; 0.25 FAR
<b>Minimum Setback Requirements (feet) [2]</b>			
Front Yard and Side Street Yard Setback (Without PUPF/With PUPF)	15 / 21	10 / 16	15 / 21
Setback Reductions To Back of Sidewalk, if approved through Design Review	Yes	Yes	No
Interior Side Yard Setback [3],[4],[5] and Rear Yard Setback Adjacent to Non-Residential or Multifamily Residential Use	5 (1 story); 15 (2-3 story);	5 (1 story); 15 (2-3 story);	5 (1 story); 15 (2-3 story);

<b>TABLE 5.11: MIXED-USE DEVELOPMENT STANDARDS</b>			
<b>STANDARD*</b>	<b>NMC</b>	<b>CMC</b>	<b>CMZ</b>
	25 (4 story)	20 (4+ story)	25 (4 story)
Interior Side Yard Setback [3],[4],[5],[6] and Rear Yard Setback Adjacent to Single Family Residential Use	20 (1 story); 40 (2 story); 60 (3 story+)	20 (1 story); 40 (2 story); 60 (3 story+)	20 (1 story); 40 (2 story); 60 (3 story+)
<b>Encroachment Over Sidewalk (Awnings/Bay Windows/Upper Floor)</b>			
Front	3 foot max., with 8 foot min. height clearance from top of sidewalk		
<b>Building Height (in feet)</b>			
Maximum Building Height	55 (4-5 stories)	75 (6-7 stories)	55 (4-5 stories)
<b>Minimum Landscaping Requirements</b>			
Landscape Coverage [7]	20%	20% (residential) 10% (other)	20%
Street Tree Spacing (On Center, In Feet)	30	30	30
<b>Trash and Recycling Enclosures and Loading Docks</b>			
Minimum Setback of Trash and Recycling Enclosures	25 feet from any public street, residentially zoned property, or property used for residential purposes; 15 feet from the edge of pavement of a private street; shall also provide a 6 feet minimum, 8 feet maximum high solid gate		
Minimum Setback of Loading Docks	75 feet from the boundary of property zoned or used for residential purposes, unless a reduced setback is allowed by a Special Development Permit by the Zoning Administrator.		
<p>* Alternatives or exceptions to these development standards may be permitted through the Design Review process or granted with a Special Development Permit, in accordance with the standards in Section 6.4.6.</p> <p>[1] Residential densities of up to 40 dwelling units per acre are permitted by right for development adjacent (within a one-quarter mile) of light rail, BRT, or high frequency bus transit station, as defined in Section 5.2.3. Additional density bonuses may also be permitted for the provision of affordable housing, project amenities, proximity to transit, and other special project considerations, as defined in Section 5.2.3, "Density Bonuses and Intensity Increases." Densities above 40 dwelling units per acre may be permitted, subject to a Conditional Use Permit, approved by the Planning Commission.</p> <p>[1A] Minimum density and intensity requirements shall apply for mixed-use development within a one-half mile of a light rail, BRT, or high frequency bus transit station, with 20 minute or better headways, in accordance with the standards in Section 5.2.3.</p> <p>[2] All setback areas visible from public streets and areas shall be landscaped. Refer to the required landscape requirements in Section 5.2.4.B.</p> <p>[3] <b>Exceptions for Parcels Adjacent to a Freeway or Scenic Corridor.</b> If the rear yard or interior side yard abuts a freeway or scenic corridor, a minimum 10-foot rear or interior side yard setback shall be provided. The entire 10' setback shall be landscaped.</p> <p>[4] <b>Exceptions for Mechanical Equipment.</b> Mechanical equipment may be located in the required rear or interior</p>			

**TABLE 5.11: MIXED-USE DEVELOPMENT STANDARDS**

STANDARD*	NMC	CMC	CMZ
side yard, provided no structure or equipment shall occupy more than 200 square feet of the required yard area, or be located within 5 feet of any property boundary, or extend more than 12 inches above the finished grade. All vents, flues, doorways, or other openings shall be oriented away from the adjacent property boundary. Landscaping shall be provided to screen any portion of such use that extends above ground level.			
[5] A six (6)-foot high perimeter fence of brick, concrete, or a masonry material and landscaping shall be installed along the interior boundary lines of all adjoining residential, interim residential, interim estate, recreation, agricultural residential, or interim agricultural zoning districts, as required in Section 5.2.4.			
[6] This standard applies to the following abutting single family residential zoning districts: AR-1, RD-1, RD-2, RD-3, RD-4, RD-5, and RD-10, except when separated by a street. Lesser setbacks may be approved through Design Review or the issuance of a Special Development Permit.			
[7] All required planters and landscaped areas shall be provided according to the standards in Section 5.2.4. Parking lot landscaping shall be provided according to the standards in Section 5.9.			

**5.7.3.B. Performance Standards for All Mixed-Use Zoning Districts**

The standards that follow are applicable to all mixed-use zoning districts, except where otherwise noted.

**1. Permitted Uses and Limitations**

Table 3.2 provides the complete list of uses permitted, conditionally permitted, or prohibited in mixed-use zones. All permitted uses must be conducted within completely enclosed buildings, unless otherwise expressly authorized by the Planning Director. This requirement does not apply to off-street parking, loading areas, or outdoor seating or dining areas.

**2. Ground Floor Uses**

- a. Front Setbacks and Build-To-Lines.** Front setbacks shall conform to the front yard setback standards in Table 5.11 and/or determined by taking the average of the front yard setbacks of adjacent buildings on the same or adjacent blocks. Zero foot setback reductions may also be permitted in the zoning districts identified in Table 5.11 during Design Review, subject to compliance with required public utility easements.
- b.** Commercial uses in the NMC are limited to the building ground floor and shall occupy a minimum of 1,000 square feet or 25 percent of the net ground floor area (whichever is greater).

**3. Off-Street Parking**

- a.** Off street parking requirements for mixed-use developments (defined as two dissimilar uses or activities occurring within any one or two or more properties) are provided in Section 5.9, "Parking Standards."
- b.** Off street parking reductions may be granted, consistent with Section 5.9.5, "Parking Reduction Measures" and the following standards.
  - (i)** On-street parking may count toward satisfying off-street parking requirements for retail uses and visitor parking spaces at a 1:1 ratio.



- (ii) Developments that provide alternative facilities or programs which serve to reduce parking demand or trips may receive a parking reduction, consistent with the standards in Section 5.9.5 and 5.9.6.
- (iii) The residential portion of mixed-use developments, within one-quarter mile of an existing or planned transit stop, shall follow the parking requirements identified in Table 5.12A. Required covered parking may be part of the unit, provided in parking structures, or located in designated parking areas. Shared parking with adjacent uses may be permitted for uncovered parking, as described below. Refer to Section 5.9 for additional residential parking standards.
- (iv) Mixed-use developments, providing shared parking on the same site or adjoining sites, served by common parking facilities, is encouraged and qualify for a shared parking reduction during Design Review, up to the maximums indicated in the sharing factor matrix in Figure 5-9, below, and the standards for shared parking in Section 5.9.7.C. The parking reduction is calculated by adding the total number of spaces required by each use or activity and multiplying that total by the reduction factor indicated in the matrix. When three or more functions share parking, the lowest reduction factor shall be used.

SHARING FACTOR (% REDUCTION) MATRIX

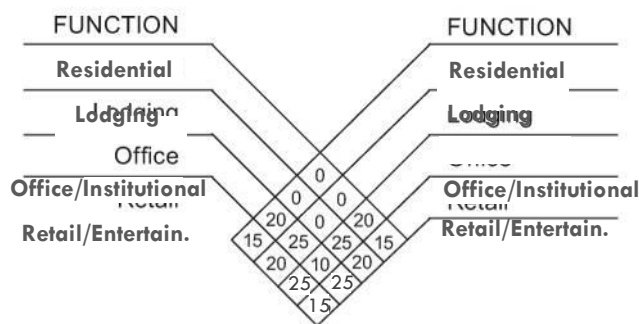


Figure 5-9: Parking Reduction Matrix

The total parking reduction for any individual use or activity resulting from the application of the shared parking credit shall not exceed 25 percent.

- c. Parking areas shall be designed so that the visual impacts of parking areas on streets and adjoining properties and conflicts between vehicular and pedestrian circulation are minimized.

**4. Streetscape Design and Character**

- a. **Sidewalks.** Sidewalks adjacent to a storefront shall be a minimum of 8 feet; a width of 12 feet or greater is encouraged when designed to also accommodate outdoor dining, street furniture and landscaping. Other standards may be approved during Design Review, with a special development permit, or other project approval process.

- (i) Where required, the sidewalk shall extend into private property to fulfill minimum sidewalk width requirements.
  - (ii) All sidewalks shall have a minimum clear area of 5 feet and a minimum height of 8 feet, that is unobstructed by permanent or nonpermanent objects for pedestrian and handicap access.
  - (iii) The sidewalk shall also provide a minimum 4-foot wide street tree/furniture zoning district, located adjacent to the curb and/or building and placed in a manner that does not obstruct the minimum pedestrian access requirement in subsection (ii), above. This area is intended for the placement of street trees and street furniture, including seating, street lights, waste and recyclable receptacles, fire hydrants, traffic signs, newspaper stands, bicycle racks, planters, public utility equipment, and other similar pedestrian amenities.
  - (iv) Outdoor dining areas may be located adjacent to the building and shall be a minimum of eight (8) feet in width and shall be required to comply with the clear area provisions, specified in subsection (ii) above.
- b. Landscaping and Street Trees.** Landscaping shall be provided and designed to comply with landscaping standards in Section 5.2.4, and the following standards:
- (i) In residential areas, projects shall comply with the street tree standards for multifamily residential development in Section 5.2.4.B.6.
  - (ii) In commercial or mixed-use areas, large canopy street trees shall be required for sidewalks and spaced on average of 30 foot on center and coordinated with the bay spacing and storefront design of the project.
  - (iii) Consultation with the County Tree Coordinator on tree species is recommended to achieve the best health and environmental benefits of tree planting.

#### **5. Neighborhood Compatibility for Mixed-Use Centers (NMC and CMC)**

- a.** Transitions between mixed-use centers and adjacent development shall be provided by utilizing a combination of the following techniques, as applicable:
  - (i) Incorporating lower-intensity housing types (i.e. attached or detached townhomes, rowhomes, and duplexes, etc.) along a shared street frontage.
  - (ii) Aligning roof top or first-story cornices to generally match those of adjacent buildings, when applicable.
  - (iii) Providing required ground floor uses (including occupancy, build-to-lines, and glazing) that address the street.
  - (iv) Providing an interconnected system of roads, pedestrian walks or sidewalks that is coordinated and integrated with the surrounding neighborhood area to the greatest extent practicable.
  - (v) Providing building and landscaped setbacks as necessary, especially along busy thoroughfare roadways to comply with noise standards in subsection 9, below, and designed to reinforce design concepts along the corridor.

- b.** Development located adjacent to a single family residential neighborhood shall be designed to minimize impacts on adjacent homes by utilizing the following techniques, as applicable.
  - (i)** Providing building height transitions or step downs. Height – maximum height; compatibility.
  - (ii)** Limiting exterior lighting to full cut off shielded fixtures and directing lights away from adjacent properties.
  - (iii)** Limiting sources of audible noise (i.e. heating and air conditioning units) from building facades that face lower-intensity uses.
  - (iv)** Arranging windows on new development so as to maintain privacy by avoiding direct lines of sight into adjacent homes.
  - (v)** Locating off-street parking, loading, and service areas away from the shared property line and screening them from adjacent residences; visual screening requirements and other conditions, deemed necessary to prevent adverse impacts, may also be authorized by the Planning Director.
  - (vi)** Limit and screen outdoor activity areas adjacent to single family homes, particularly in proximity to quiet areas of the home such as bedrooms.

#### **6. Neighborhood Compatibility for Corridor Mixed-Use Zoning Districts**

- a.** Development in the CMZ zoning district shall be designed to minimize impacts on surrounding neighborhood uses by utilizing the following techniques, as applicable.
  - (i)** Clustering similar commercial and other non-residential uses at intersections or adjacent to existing commercial uses, when possible, with corner and mid-block buildings (for long corridor stretches, 500 feet or greater) oriented to and providing transparency and more eyes on the street.
  - (ii)** Designing medium to high density residential infill development with residential amenities that preserve the privacy of residents, while promoting walkability and connecting and contributing to the design character along the corridor.
  - (iii)** Concentrating the tallest buildings along the arterial roadways or thoroughfares of a corridor, at key intersections, and gradually decreasing building height and massing so that new structures on a shared lot line shall not be greater than two (2) stories above surrounding adjacent uses, unless appropriate building height transitions or step downs are provided.
  - (iv)** Introducing new complete streets to promote pedestrian, bike, and vehicular access and connectivity to the surrounding centers and neighborhoods.
  - (v)** Providing an interconnected system of roads, pedestrian walks and sidewalks that is coordinated and integrated with the surrounding neighborhood area to the greatest extent practicable.
  - (vi)** Providing building and landscaped setbacks as necessary, especially along busy thoroughfare roadways to comply with noise standards in subsection 7, below, and designed to reinforce design concepts along the corridor.

- b.** Development located adjacent to a single family residential neighborhood shall be designed to minimize impacts on adjacent homes by utilizing the following techniques, as applicable.
  - (i)** Providing building height transitions or step downs
  - (ii)** Limiting exterior lighting to full cut off shielded fixtures and directing lights away from adjacent properties
  - (iii)** Limiting sources of audible noise (i.e. heating and air conditioning units) from building facades that face lower-intensity uses
  - (iv)** Arranging windows on new development so as to maintain privacy by avoiding direct lines of site into adjacent homes
  - (v)** Locating off-street parking, loading, and service areas away from the shared property line and screening them from adjacent residences. Visual screening requirements and other conditions if deemed necessary to prevent adverse impacts may also be authorized by the Planning Director
  - (vi)** Limit and screen outdoor activity areas adjacent to single family homes, particularly in proximity to quiet areas of the home such as bedrooms

## **7. Noise Standards**

All mixed-use buildings shall meet County standards contained for noise reduction, including standards for wall penetrations and air spaces between uses, roofs and roof penetrations, windows, sliding glass doors, HVAC systems and ventilation, and other noise reduction measures to achieve an interior noise level of 45 dB L<sub>dn</sub> or less. Projects that include the construction of residential units within 25 feet of an arterial or thoroughfare (based on roadway classifications defined by the General Plan) right-of-way, shall at the time of Design Review, submit an acoustical analysis demonstrating façade construction will be such that interior noise levels will not exceed 45 dB L<sub>dn</sub> under future (cumulative case) traffic conditions.

## **8. Lighting**

Site and street lighting shall comply with Section 5, “Street Light Design” of the Sacramento County Improvement Standards and enhance safety for employees, the public and pedestrians.

## **9. Signage**

Signage design standards for mixed-use development shall comply with Section 5.10, “Sign Regulations” and the following design standards.

- a.** Placement and maintenance of project identity signage must be coordinated with the Sacramento County Division of Building Permits and Inspections, comply with ADA requirements, and the signage standards in Section 5.10.
- b.** Project identity, wayfinding for autos and pedestrians, and multi-tenant building signage shall be designed and located as part of an overall district signage plan, where required. These signs should reflect the center’s image and design themes; support the graphic identity objectives for the center and adjacent neighborhoods; and the merchandising needs of tenants.

## **10. Services and Utilities**

**a. Trash and Recycling Enclosures.**

(i) All trash and recycling containers and enclosures shall be located within an enclosed masonry area with a surrounding wall at least six (6) feet high and no taller than eight feet in height, with an appropriate solid gate.

(ii) **Trash and recycling enclosure areas shall be designed to the County's latest stormwater quality source control design standards.**

(iii) **There shall be adequate area provided for recycling containers and enclosures. Recycling enclosures shall be located for functional use by occupants and by the disposal and hauling companies, providing collection services. The appropriate authority can allow flexibility on the above requirements to facilitate the siting and provision of adequate space allocation for recycling collection and storage areas.**

**b. Compliance with County Noise Ordinance. All commercial activities, including truck loading, operation of machinery, and human activity areas, located within proximity of a residential or agricultural-residential zone shall comply with the County Noise Ordinance. If complaints are received and non-compliance verified by the Environmental Management Department, then the Planning Director may require the property owner to submit an acoustical study prepared by a qualified acoustical engineer. Said study shall provide recommended physical and operational measures to bring the property into compliance. The Planning Director may require compliance with such measures as a condition of the business license as provided for in County Code Section 4.06.090. This requirement shall be applicable to existing and new commercial uses.**

**c. Shopping Carts. All businesses shall comply with Chapter 9.76 of the Sacramento County Code relating to Unauthorized Use of Shopping Carts.**

**5.7.4. Project Review and Required Findings**

All mixed-use development projects shall be subject to Design Review, in accordance with Section 6.3.2 and the standards that follow.

**5.7.4.A. Mixed-Use Development Application**

Applicants for a mixed-use project are encouraged to consult with the County in the early design stages of the project. Pre-application meetings are required for all discretionary Design Review projects, prior to submitting an application that may require one or more entitlements such as a Conditional Use Permit, Variance, or a Special Development Permit. Concept design plans or development plans are encouraged to be shared at the pre-application meeting that describe and illustrate the location and quantity of proposed uses; sustainable features, the incorporation of Active Designs as defined in the County's Design Guidelines, and the layout of pedestrian, vehicular circulation systems, transit facilities, and areas devoted to open space, landscaping, parking, and on-site amenities; and the relationship of the proposed uses to the surrounding areas.

Plans submitted for Design Review shall be in sufficient detail to allow the Design Review Administrator and/or Design Review Advisory Committee to determine the exact nature and extent of the project and its consistency with the Design Guidelines. In approving any new Design Review application, project modification, or extension, the DRA/DRAC

may impose conditions as reasonably necessary to carry out the intent and purpose of this Section. In addition to the review criteria for Design Review projects in Section 6.3.2, prior to approval of development plans in the mixed-use zoning district, the DRA/DRAC or other approval body shall make all of the following findings:

1. The proposed development is consistent with the General Plan, applicable Community Plans, and the intent and purpose of the mixed use zoning districts in this Section.
2. The proposed development, as conditioned, will not have a substantial adverse effect on the surrounding property or uses and is compatible with the existing and planned land use character of the surrounding area.
3. The proposed development is harmonious with the surrounding environment and meets the County's Design Guidelines. Buildings within a mixed-use development project must be compatible with each other and shall be designed as an integrated, unified project.

#### **5.7.4.B. Phasing**

For any mixed-use development that is proposed to be constructed in phases, the applicant shall submit a development phasing plan to be reviewed in conjunction with site development plans to be submitted during Design Review. The Site Development Plan shall specify the chronology of development, including structures, public facilities, and infrastructure. The project shall be phased so the supporting public facilities and infrastructure are provided concurrent with their needs and are completed before the occupancy of structures. If the initial phase of development does not include a mix of uses, conditions may be applied to the development plan to ensure that a mix of uses is provided upon ultimate completion of all phases of the project. These conditions may include:

1. Consistency with the standards of this Section;
2. Agreements on time limitations for subsequent development phases;
3. The mix and/or development intensity of uses;
4. Traffic conditions analyzed as part of the development plan; and
5. Noise, safety, or other environmental conditions, or special circumstances of the project.

#### **5.7.4.C. Development Plan Amendments**

Revisions to an approved development plan will be subject to the project conditions of the approved project and findings in subsection A, above. Subsequent development plan review will be required, consistent with the procedures for minor and major amendments and the following criteria:

1. The Planning Director shall determine whether the proposed change to an approved plan is a major or minor amendment.
  - a. Minor amendments may be approved by the Planning Director, without a public hearing. When granting a minor amendment, the Planning Director may impose conditions as required to mitigate any negative effects of the change.



## **5.8. INSTITUTIONAL USES**

### **5.8.1. Introduction**

The Section provides overall development standards for institutional uses in any zoning district. Refer to Section 3.6 for special or specific institutional use standards.

### **5.8.2. Development Standards for Institutional Uses**

No building or structure may be erected or enlarged for any of the uses specified in Section 3.6, unless the following development requirements are provided and maintained in connection with such buildings or uses.

#### **5.8.2.A. Yard Setback Requirements**

1. Any building or structure used for any of the uses specified in Section 3.2, located in any commercial or industrial zoning district shall conform to the setback requirements specified in that zoning district.
2. Uses specified in Section 3.6, when located in zoning districts other than commercial and industrial, shall conform to the following setbacks:
  - a. **Front and Side Street Yard.** There shall be a front and side street yard of not less than 25 feet adjacent to all public and private streets without a PUPF and 31 feet adjacent to all public and private streets with a PUPF.
  - b. **Interior Side Yard.** There shall be an interior side yard of not less than six (6) feet.
  - c. **Rear Yard.** There shall be a rear yard of not less than 25 feet.

#### **5.8.2.B. Landscaping**

Landscaping shall be provided, cared for, maintained, and permits acquired as specified in Section 5.2.4, "Landscape Standards."

#### **5.8.2.C. Setback for Trash and Recycling Container Enclosures**

1. All trash and recycling containers and enclosures shall be located within an enclosed masonry area with a surrounding wall at least six (6) feet high and no taller than eight feet in height, with an appropriate solid gate. The enclosure shall be consistent in architecture with the project in which it is located. Enclosures for trash and recycling containers shall be located at least 31 feet from any public street, 15 feet from the edge of pavement of a private street, and 25 feet from any residentially zoned property, or property used for residential purposes. Adequate access for refuse pick-up shall be provided.
2. Trash and recycling enclosure areas shall be designed to the County's latest stormwater quality source control design standards.
3. **There shall be adequate area provided for recycling containers and enclosures. Recycling enclosures shall be located for functional use by occupants and by the disposal and hauling companies, providing collection services. The appropriate authority can allow flexibility on the above requirements to facilitate the siting and provision of adequate space allocation for recycling collection and storage areas.**

#### **5.8.2.D. Compliance with Noise Ordinance (County Code Section 6.68)**



**All activities, including truck loading, operation of machinery, and human activity areas, located within proximity of a residential or agricultural-residential zone shall comply with the County Noise Ordinance. If complaints are received and non-compliance verified by the Environmental Management Department, then the Planning Director may require the property owner to submit an acoustical study prepared by a qualified acoustical engineer. Said study shall provide recommended physical and operational measures to bring the property into compliance. The Planning Director may require compliance with such measures as a condition of the business license as provided for in County Code Section 4.06.090. This requirement shall be applicable to existing and new uses.**

**5.8.2.E. Shopping Carts**

**All businesses shall comply with Chapter 9.76 of the Sacramento County Code relating to Unauthorized Use of Shopping Carts.**

## **5.9. OFF-STREET PARKING**

### **5.9.1. General Provisions**

#### **5.9.1.A. Purpose**

The purpose of this Chapter is to require off-street parking and loading spaces for all land uses in the unincorporated area of Sacramento County, sufficient in number to accommodate all vehicles which will be congregated at a given location at any given point in time by drivers and passengers who use or occupy the facility. Specifically, the off-street parking standards are provided to:

1. Ensure off-street parking and loading facilities adequately serve a majority of the traffic generated by development or land uses on site over time;
2. Maintain efficient use of land by avoiding excessive amounts of parking;
3. Provide adequate off-street parking, circulation, and access to support the viability of businesses in Sacramento County and preserve surrounding neighborhood property values;
4. Allow parking alternatives, including shared parking and reductions to off-street parking requirements for sites in close proximity to transit, providing good connectivity to the surrounding area and bicycle and pedestrian facilities, and/or other transportation demand management measures, as appropriate; and
5. Ensure off-street parking and loading facilities are designed in a manner that promotes the general welfare of the community, protects public safety, and minimizes adverse impacts to adjacent land uses.

#### **5.9.1.B. Applicability**

The standards of this Chapter shall be applied to new construction, establishment, change, or expansion of any land use or building in the County, including increases in floor area, seating capacity, dwelling units, occupants, employees, and other units of measurement used to generate the vehicular requirements in this Chapter. Operations associated with a land use shall not commence, nor a building occupied, unless off-street parking and loading facilities conform to the requirements of this Chapter. Exceptions to the standards in this Chapter are permitted when:

1. An adopted Specific Plan, Special Planning Area, Special Planning or Overlay District supersedes the provisions of this Chapter; or
2. A deviation has been granted through a Conditional Use Permit or Special Development Permit, in accordance with the provisions in Chapter 6.

#### **5.9.1.C. General Standards**

Accessible off-street parking areas shall be provided and maintained as set forth in this Chapter. The parking access area shall provide parking and maneuvering room for motor vehicles and for pedestrian safety and walkability based on the anticipated occupancy of a given building, structure, or area of land or water. In addition, every use shall provide at least the minimum number of vehicular off-street parking spaces required by Section 5.9.2; motorcycle parking spaces required by Section 5.9.8; and bicycle parking spaces required by Section 5.9.9, in accordance with the following methods.

1. Parking requirements for uses not specifically listed in the tables will be determined by the Planning Director, based on comparable uses in the table or through a parking analysis of similar facilities in the region.
2. Where there is a combination of principal uses in any one facility, the sum of the parking requirements of these uses shall be provided unless otherwise indicated or a reduction of parking is permitted.
3. **Calculations**
  - a. **Rounding.** If the calculation of parking needs results in the requirement for a fraction of a parking space, such a parking space need not be provided unless the fraction exceeds 50 percent.
  - b. **Gross Floor Area.** Where the standards for parking set forth in this Chapter are based upon gross floor area, gross floor area shall be defined by the area within the surrounding exterior walls of a building (or portion thereof) including shared bathroom spaces, storage areas, and circulation areas, but exclusive of courts, vent shafts, and parking areas.
  - c. **Seating Capacity.** Where the standards for parking set forth in this Chapter are based upon seating capacity, the capacity shall be determined by reference to the building occupancy permitted or actual seating capacity of an area based upon the number of seats or one (1) seat per 18 inches of bench or pew length and one (1) seat per 24 inches of booth length for dining, but in no case shall seating be less than determined, as required by the Uniform Building Code, Section 3301. For other areas where seats are not fixed, the seating capacity shall be determined as indicated by the Uniform Building Code.

#### 5.9.1.D. Building Permit for New Construction

Plans submitted for a building permit to construct a building which has parking areas shall include the design of the required parking area drawn to scale. Such plans shall include all parking spaces and maneuvering areas, curb cuts, landscaping and other improvements. The building permit shall not be issued until such parking plans have been approved by the Planning Director or his or her designee, and no final completion inspection approved until the parking spaces and required landscaping are installed. No business license shall be approved until final completion inspection is obtained, except that a business license may be issued providing a cash bond is posted by the property owner to assure completion.

#### 5.9.1.E. Change of Occupancy or Use

For a change of occupancy where the parking demand is increased and where no new construction requiring a building permit is anticipated, but a new business license is required, the Planning Director or his or her designee shall review the parking requirements of the proposed use. No new business license shall be issued until the Director or designee has approved the parking plan. Two copies of such plan drawn to scale shall be submitted for approval. The plan shall show the whole property in question and shall show the means of ingress and egress, location of the building, parking spaces, landscaping, pedestrian paths of travel, pedestrian access and connections from the public street through parking lot to building entry, barrier curbs, irrigation system, lights and any other proposed facilities. If the plan conforms to the intent and provisions of this Section,

the Director or designee shall approve both copies, keeping one (1) copy on file and returning the other copy to the Tax Collector for issuance of any business license.

#### **5.9.1.F. Nonconforming Use of Existing Facilities**

Any building or use for which parking facilities become substandard by the adoption of this Chapter shall be considered a nonconforming use. Such nonconforming use may continue, but no enlargement or expansion shall be made in such use or building, unless the required number of parking spaces or parking area as designated by this Code are provided. Any change of occupancy or use in an existing building or lot which requires more parking spaces shall provide the additional parking areas required in this Code.

#### **5.9.1.G. Parking of Inoperable or Unregistered Vehicles**

1. Except as set forth in Section 3.8.4.D of this Code and Section 5.9.1.G.2, it shall be unlawful for any person to park or store, or permit others to park or store, any automotive vehicle or any trailer without current registration from the Department of Motor Vehicles on any lot in a residential, interim residential, interim estate, recreation, agricultural, interim agricultural, or agricultural residential zoning district.
2. Notwithstanding the prohibitions set forth in subsection 1, above, an automotive vehicle or a trailer without current registration from the Department of Motor Vehicles may be parked or stored in a fully enclosed building.
3. Except as set forth in Section 3.8.4.D of this Code and Section 5.9.1.G.4, it shall be unlawful for any person to park or store, or permit others to park or store, any automotive vehicle or any trailer in an inoperable condition, on any lot in any residential, interim residential, interim estate, recreation, agricultural, interim agricultural, or agricultural residential zoning district.
4. Notwithstanding the prohibitions set forth in Section 5.9.1.G.3, an automotive vehicle or a trailer in an inoperable condition may be parked or stored in a fully enclosed building.

#### **5.9.1.H. Change of Parking Requirements**

When parking requirements as set forth in this Chapter are amended, such amendment shall not invalidate a previously approved development plan, Conditional Use Permit, or building permit.

#### **5.9.2. Vehicle Parking Requirements**

Parking requirements shall be applied uniformly in accordance with the general provisions, based on land uses, regardless of the zoning district in which a land use is to be located; unless otherwise specified in this Code. Additionally, on-street parking may count toward satisfying off-street parking requirements for commercial service and retail uses and visitor parking at a 1:1 ratio. Motorcycle and bicycle parking spaces shall also be required and provided in accordance with Sections 5.9.8 and 5.9.9, respectively.

#### **5.9.2.A. Residential Uses**

Vehicular parking requirements for residential uses are provided in Tables 5.12 and 5.12A, below.

**TABLE 5.12: VEHICLE PARKING REQUIREMENTS FOR RESIDENTIAL USES**

Residential Uses	Minimum Parking Requirements	
1. Household Living	<b>Multifamily Residential Types</b>	
	a. Apartment, Multiple Family Rental Dwelling	See Table 5.12A, below, for parking requirements.
	b. Condominiums	
	c. Townhomes, Rowhomes, Cluster Development, Small Lot Housing	
	d. Elderly or Senior Citizen Housing	0.5 spaces per dwelling unit (fully improved); 0.5 spaces per unit overflow or future parking reserve [1]
	<b>Single Family Residential Types</b>	
	a. Dwelling, Duplex or Halfplex	2 spaces per dwelling unit (minimum 9' wide x 19' long) [2] within the buildable lot area or property driveway of the front yard
	b. Dwelling, Single Family, not otherwise listed	
	c. Mobilehomes on Individual Lots	Standard is same as 1e-f above
	d. Family Day Care Homes, Foster Homes	Standard is same as 1e-f above, plus 1 additional space for every 10 or more persons receiving care in the home
e. Mobile Home Park	2 spaces for each travel trailer and mobile-home space, plus 1 additional guest space for each 8 mobilehome spaces within the park	
2. Group Living Facilities	a. Boarding Houses	1 space for every 2 occupants based on the maximum occupant load of the sleeping or dining area, whichever is greater, as determined from the Uniform Building Code (UBC), except that fraternity or sorority houses and dormitories located within one-half mile of the property line of the institution they use shall provide at least 1 parking space for every 4 occupants based on the maximum occupant load of the sleeping or dining area, whichever is greater, as determined from the UBC
	b. Fraternity or Sorority Houses	
	c. Dormitories or Other Group Care	
	d. Residential Care Home	Standard is same as 1e-f above, plus 1.5 additional spaces for every 6 adults receiving care in the home
<p>[1] Overflow parking shall be used for additional parking for peak demand periods, i.e., Christmas, Easter, Mother's Day, while maintaining a landscaped atmosphere with usable open space. Overflow parking shall be designed to support passenger vehicles, may be sodded or surfaced with permeable paving, and properly</p>		

**TABLE 5.12: VEHICLE PARKING REQUIREMENTS FOR RESIDENTIAL USES**

Residential Uses	Minimum Parking Requirements
signed. The Director, based on valid complaints by neighbors, Fire or Sheriff personnel, or other agencies concerned with health and welfare issues may, at any time, request that future parking areas be fully improved for use by project residents and visitors.	
[2] When a carport or garage opens onto a side street yard, the driveway length shall be a minimum of 20 feet.	

### 1. Additional Multifamily Residential Parking Requirements

- a. The minimum parking requirements for multifamily residential development are provided in Table 5.12A below. Refer to the requirements in the appropriate multifamily residential category.

**TABLE 5.12A: PARKING REQUIREMENTS FOR MULTIFAMILY RESIDENTIAL DEVELOPMENT**

UNIT TYPE	PARKING REQUIREMENT		
	RD-10, RD-15	RD-20, RD-25	RD-30, RD-40
<b>Project Requirements</b>			
Studio	1	1	1
One Bedroom	1.5	1.5	1
Two-Three Bedrooms	2	1.5	1.5
Four + Bedrooms	2	2	2
Visitor [3]	0.6	0.5	0.5
<b>Project Requirements within 1/4 mile of Transit Stop [2]</b>			
Studio	1	1	1
One Bedroom	1	1	1
Two-Three Bedrooms	1.5	1.5	1
Four + Bedrooms	1.5	1.5	1.5
Visitor [3]	0.25	0.25	0.25
[1] Parking may be reduced as a condition of Design Review, per the requirements in Section 5.9.5.			
[2] Transit stop refers to stops along a light rail line, bus rapid transit line, or other trunk line providing high frequency bus service with 20 minute or better headways, which is in existing service, under construction, or planned for service in Regional Transit's <i>Short-Range Transit Plan Ten Year Capital Program of Projects</i> .			
<b>[3] Visitor parking is in addition to the required parking if all the spaces are assigned. Visitor parking may be included within the required parking requirement if one or none of the spaces are assigned.</b>			

- b. One parking space per unit shall be covered (carport or garage). As part of the Design Review, exceptions may be approved for affordable housing projects.
- c. Condominiums, townhouses, or similarly owned units where certain parking spaces are deeded, granted by easement, or otherwise permanent assigned spaces shall be located to be visible from a window(s) of the unit to which it is assigned, whenever possible, unless such spaces are contained within a garage. The location and regulation of unassigned spaces shall be placed under the control of the project homeowners' association.

- d. Permanent, assigned, covered or uncovered spaces must be standard spaces, a minimum of nine (9) foot wide by 19 foot long. For projects with assigned spaces for each unit, up to 50 percent of the unassigned spaces may be compact spaces, and for projects with no assigned spaces, up to 30 percent of the spaces may be compact spaces. Unassigned standard and compact spaces shall be evenly distributed throughout the project.
- e. **Visitor parking may be satisfied with on-street parking spaces on the property or on adjacent street frontages, at a 1:1 ratio. Visitor parking need not be in addition to required parking, where one or none of the parking spaces are not assigned. For townhomes and small lot development, street parking and private driveways may be counted toward visitor parking.**
- f. The American with Disabilities Act (ADA) requirements and standards shall be met.
- g. Parking and paving directly touching against residential buildings shall be avoided. Paved surface parking areas shall be separated from the primary residential building by a minimum four (4) foot wide walkway and/or a minimum seven (7) foot wide landscape strip.
- h. Tuck under and subterranean parking may be permitted for projects in the RD-20 or higher density zoning districts.

#### 5.9.2.B. Public, Civic, and Institutional Uses

Vehicular parking requirements for public, civic, and institutional uses are provided in Table 5.13.

<b>Public, Civic, and Institutional Uses</b>		<b>Minimum Parking Requirements</b>
Assembly Uses	a. Church or other Religious Institution	1 space per 4 fixed seats within the main assembly room or 1 space per 50 square feet of seating area used for assembly
	b. Social Club, Fraternal Hall/Lodge	10 spaces per 1,000 square feet of seating area used for assembly
Education Uses	a. Business, Trade, or Vocational School	1 space per 3 persons (using maximum building occupancy)
	b. College, University	1 space for every 3 employees, plus 1 space for every 3 students
	c. School, K-12, Public or Private	Elementary and Junior High Schools: 1 space per employee, plus 1 space for every 10 seats in the auditorium or multi-purpose room whichever is greater, plus loading space for two buses.  High Schools: 1 space per employee, plus 1 space for every 5 students
Parks and Open	a. Cemeteries, Crematorium,	1 space for every 5 seats in the main

<b>TABLE 5.13: VEHICLE PARKING REQUIREMENTS FOR PUBLIC, CIVIC, AND INSTITUTIONAL USES</b>		
<b>Public, Civic, and Institutional Uses</b>		<b>Minimum Parking Requirements</b>
Space	Mausoleums, Columbariums, and Funeral Establishments	assembly room or 28 spaces per 1,000 square feet of seating area if there are no fixed seats, plus 1 space for each regular employee, plus 1 space for each vehicle operated on the grounds by the institution
	b. Public Park and Ancillary Uses	At least 5% of the total area of public parks over 10 acres
Social Care Uses	a. Convalescent Hospitals, Nursing Homes, Sanitariums, and Congregate Care Facilities	1 space for every 3 beds licensed by the County or State, plus 1 space for every 3 employees
	b. Adult Day Health Center/Child Day Care Center	1 space per employee, plus 1 parking space for every 8 children enrolled or adults cared for; parking requirements may be increased or decreased on a project by project basis, based on the decision of the hearing body.
	c. Hospital	2 parking spaces for each bed licensed by the State, plus 1 space for every 3 employees; outpatient facilities shall provide additional parking as required for a medical office
Utility, Public Service Facility	a. Major	1 space for every 2 employees on the premises at any one time including overlaps in shifts
	b. Minor	
Other Institutional Use Not Specified Above		1 space for every 3 occupants based upon the maximum occupant load of the institution at any one time, as determined by the UBC

**5.9.2.C. Commercial Uses**

Vehicular parking requirements for commercial uses are provided Table 5.14, below.

<b>TABLE 5.14: VEHICLE PARKING REQUIREMENTS FOR COMMERCIAL USES</b>		
<b>Commercial Uses</b>		<b>Minimum Parking Requirements</b>
<b>A. Commercial Service</b>		
Animal and Pet Services	a. Boarding and Riding Stables, Riding Academy	1 parking space per 1 employee, plus 1 space per 5 stalls
	b. Veterinarian, Animal Hospital	4.5 spaces per 1,000 square feet of gross floor area
Business Services	a. Banks, Savings and Loans, and Credit Unions	3 spaces for every 1,000 square feet of gross floor area; or for spaces located in a commercial or mixed-use center, parking equal to the number of spaces required for each use in the center,



**TABLE 5.14: VEHICLE PARKING REQUIREMENTS FOR COMMERCIAL USES**

Commercial Uses		Minimum Parking Requirements
		unless mutual parking agreements allow a shared parking reduction [1]
Personal Services	a. Physical Fitness Centers, Health Studios, and Similar Uses	6 spaces per 1,000 square feet of gross floor area or 1 space per 1.5 occupants (the lesser of)
	b. Beauty/ Barber Shop and Similar Uses	1 parking space for every 250 square feet of gross floor area; or for spaces located in a commercial or mixed-use center, parking equal to the number of spaces required for each use in the center, unless mutual parking agreements allow a shared parking reduction.
<b>B. Eating/Drinking Uses</b>		
Bar	Restaurant, Sit-down	1 parking space per 3 seats, based on the capacity of fixed and movable seating, as determined under the UBC, plus 1 space for every 100 square feet of outdoor dining area; or for spaces located in a commercial or mixed-use center, parking equal to the number of spaces required for each use in the center, unless mutual parking agreements allow a shared parking reduction.
Restaurant, Sit-down		
Restaurant, Carry-out/Drive-through		
<b>C. Entertainment/Recreation</b>		
Swimming Pools		1 space for every 500 square feet of pool area
Tennis and Other Court Games		2 spaces for each court
Swimming and Tennis Clubs, Cabana Clubs, Public Neighborhood Pools, and Similar Recreational Uses		The number of spaces or amount of parking area required by the use requiring the greatest parking area, plus 50% of the parking required by the sum of other uses, as specified in this Section.
Pool and Billiard Rooms		2 spaces for each table
Card Rooms		1 space per 3 seats
Bowling Centers		6 spaces for each lane, plus parking for other principal uses within the bowling center such as restaurants, pool halls, cocktail lounges and other uses; refer to applicable standards for such uses
Skating Rinks		1 space for every 100 square feet of skating area, plus for other uses within the skating center such as snack bars, seating for observation, game rooms, and other uses; refer

**TABLE 5.14: VEHICLE PARKING REQUIREMENTS FOR COMMERCIAL USES**

Commercial Uses	Minimum Parking Requirements
	to applicable standards for such uses
Dance Halls, Ballrooms, Discos, and Incidental Dancing Areas	1 space for every 100 square feet of dance floor area. Incidental dancing areas in restaurants, bars, and other recreational uses shall provide parking according to the specified area standard above, based on the area of the premises devoted to the dance floor, in addition to the parking required by the principal use of the premise.
Golf Courses	10 spaces for each hole, plus required parking for other applicable accessory uses, including driving ranges, putting greens, showers and locker rooms, and maintenance shops or buildings
Batting Cages or Driving Ranges	1-1/2 spaces for each batting stand, tee, or shooter station
Miniature Golf Courses	1-1/4 spaces for each hole
Live Theater	1 space per 3 seats
Motion Picture Theater	
Auditoriums, Exhibition Hall, Public Assembly	1 space for every 30 square feet of floor area in the assembly hall
Marina, Boat Dock or Launch, and Ancillary Facilities	1 space per 2 berths, with 1/3 of the area improved and the remainder in turf area with automatic sprinkler system, plus two 10'x20' passenger loading spaces, paved and signed, at the marina entrances. These spaces may be located on-street, if approved the Sacramento County Department of Transportation.
Stadium, Race Track	1 space per 4 seats
Travel Trailer Park, Recreation Vehicle Park	1 1/2 spaces per travel trailer and recreation vehicle site, plus 1 car parking space per site
Other Recreational Uses	1 space for every 3 patrons or occupants who would use the premises at any one time based on the maximum occupant load, as determined by the UBC
<b>D. Lodging Uses</b>	
Bed and Breakfast Inn	1 space per guest room and 2 spaces for the resident owner or manager

**TABLE 5.14: VEHICLE PARKING REQUIREMENTS FOR COMMERCIAL USES**

Commercial Uses	Minimum Parking Requirements
Hotel, Motel	1 space per sleep room, suite, or housekeeping unit. For other principal uses on the premises such as restaurants, bars and meeting rooms, refer to applicable standards for such uses. For secondary or other accessory uses, 70% of the requirement specified for the use is applicable.
Farm Stay	1 space per guest room and 2 spaces for the resident owner or manager
<b>E. Office Uses</b>	
General Office Uses	3.5 spaces for every 1,000 square feet of gross floor area (interior hallways used for access to office suites shouldn't be counted in the floor area). Medical and dental offices and complexes exceeding 10% of the gross floor area of the office complex shall comply with the parking requirements in item 2 below.
Medical and Dental Offices	4.5 spaces for every 1,000 square feet of gross floor area. For services located in a commercial or mixed-use center, parking equal to the number of spaces required for each use, unless mutual parking agreements allow a shared parking reduction.
<b>F. Retail and Wholesale Uses</b>	
Appliance Repair Shops	3 spaces for every 1,000 square feet of gross floor area, plus 1 parking space for each employee. For shops located in a commercial or mixed-use center, parking equal to the number of spaces required for each use, unless mutual parking agreements allow a shared parking reduction.
Retail Furniture, Major Appliance, Floor Covering, Piano, and Organ Retail Sales	1 space for every 1,000 square feet of gross floor area; or for shops located in a commercial or mixed-use center, parking equal to the number of spaces required for each use, unless mutual parking agreements allow a shared parking reduction.
General Retail Activities (stand-alone uses, and neighborhood/community shopping centers and other mixed-use retail developments that utilize a common parking area through mutual parking agreements)	4 spaces for every 1,000 square feet of gross floor area. Up to 10% of the required number of spaces may be contractually committed to be used for park-and-ride purposes without affecting the total parking requirement of the center.

**TABLE 5.14: VEHICLE PARKING REQUIREMENTS FOR COMMERCIAL USES**

Commercial Uses	Minimum Parking Requirements
Building Material Sales	4 spaces for every 1,000 square feet of gross floor area in the main retail building, plus parking required in the uncovered sales area not located in the main building, based on item 5 below.
Uncovered Sales Areas (automobile, boat, or trailer sales; lumber or building material yards; plant nurseries; or other similar uses)	5 customer spaces for the first 5,000 square feet of uncovered sales area and 1 customer space for each additional 1,000 square feet of uncovered sales area, up to a maximum of 20 customer spaces, plus 1 parking space for each employee
<b>G. Vehicle Related Uses</b>	
Auto Repair and Service Shops	A paved surface area shall be provided to accommodate vehicles at a ratio of at least 5 vehicles for every 1,000 square feet of gross floor area (vehicle spaces need not be striped).  For services located in a shopping center or other mixed-use retail commercial development, the appropriate shopping center requirement applies. Provided there are mutual parking agreements, the total cumulative gross floor area of the use does not exceed 10% of the gross floor area of the shopping center.
<b>H. Other Commercial Uses, Not Specified Above</b>	1 space for every 2 occupants based upon the maximum load, as determined by the UBC
[1] The greater requirement shall apply to that portion of the cumulative bank floor area exceeding 10% of the gross floor area of the shopping center.	

**5.9.2.D. Industrial Uses**

Vehicular parking requirements for industrial uses are provided in Table 5.15 below.

<b>TABLE 5.15: VEHICLE PARKING REQUIREMENTS FOR INDUSTRIAL USES</b>	
<b>Industrial Uses</b>	<b>Minimum Parking Requirements</b>
<b>A. Manufacturing and Processing Uses</b>	
Assembly, Manufacturing, and Processing-Light	1 space for each employee, plus 1 space for each company operated vehicle; or 1 space for every 2,000 square feet of gross floor area, whichever is greater
Assembly, Manufacturing, and Processing-Heavy	
Assembly, Manufacturing, and Processing-Outdoor	
Manufacturing or Repair Plants with Multiple Shifts	2 spaces for every 3 employees on each of the larger shifts, plus 1 space for each company operated vehicle
<b>B. Storage Uses</b>	
Warehousing	1 space for each employee, plus 1 space for each company operated vehicle; or 1 space for every 2,000 square feet of gross floor area, whichever is greater
<b>C. Office Parks</b>	
Industrial Office Park	Sum of parking required for the various uses. For uses or tenant not known at the time of development, 3 spaces for every 1,000 square feet of gross floor area. [1]
[1] Calculation of required parking may be based upon net floor area, which excludes hallways, bathrooms, and mechanical rooms at such time as tenant improvements are authorized. The appropriate authority may permit the reservation of a portion of the required parking area, with installation deferred until tenant improvements are authorized. The reserved area shall be landscaped and maintained until such time as it is otherwise developed.	

**5.9.3. Parking Size, Location, and Configuration**

Every use shall provide the required off-street parking spaces in accordance with the dimensional and location requirements in this Section.

**5.9.3.A. Off-Street Parking Space and Driveway Sizes****1. Parking Dimensions.**

- a. Tables 5.16 and 5.17 regulate the dimensions and drive aisle requirements for various angles of parking and one-way and two-way aisles, except for residential garages.
- b. Vertical clearance of all enclosed parking spaces shall be a minimum of 7 feet.

<b>TABLE 5.16: ANGLE PARKING</b>				
<b>Angle</b>	<b>Stall Width a</b>	<b>Stall to Curb b</b>	<b>Aisle c</b>	<b>Two Rows + Aisle d</b>
90°	9'-0"	19'-0"	25'-0"***	63'-0"
	9'-6"	19'-0"	24'-8"***	62'-6"
	10'-0"	19'-0"	24'-0"***	62'-0"
60°	9'-0"	21'-0"	20'-0"***	62'-0"
	9'-0"	21'-0"	19'-0"*	61'-0"
	9'-6"	21'-3"	18'-6"*	61'-0"
	10'-0"	21'-6"	18'-0"*	61'-0"
45°	9'-0"	19'-10"	20'-0"***	59'-8"
	9'-0"	19'-10"	16'-4"*	56'-0"
	9'-6"	20'-2"	15'-2"*	55'-6"
	10'-0"	20'-6"	14'-0"*	55'-0"

\*\*Two way aisle  
 \* One way aisle

**Key Diagram:**

The key diagram illustrates two parking aisle configurations. On the left, the 'One-Way Aisle' shows two rows of angled stalls. Dimension 'a' is the width of a stall, 'b' is the distance from the stall to the curb, 'c' is the aisle width between the two rows, and 'd' is the total width of the parking area. On the right, the 'Two-Way Aisle' shows two rows of angled stalls with a central aisle. Dimension 'a' is the stall width, 'b' is the stall-to-curb distance, 'c' is the aisle width between rows, and 'd' is the total width of the parking area.

<b>TABLE 5.17: PARALLEL PARKING</b>			
<b>Stall Width</b>	<b>Stall Length</b>	<b>Aisle</b>	<b>Two Rows + Aisle</b>
<b>a</b>	<b>b</b>	<b>c</b>	<b>d</b>
9'-0"	20'-0"	12'-0"*	30'
Key Diagram:			

2. **Special Provision for 90 Degree Single loaded Parking Aisles.** Parking lot aisles which serve as access to parking spaces on one side only may be reduced to a width of 20 feet provided either a landscaped planter or pedestrian sidewalk at least five (5) feet in width is installed adjacent to said aisle.
3. **Residential Garages and Accessory Dwellings.** Parking, within enclosed garages or carports or outdoor spaces shall be required as provided in Table 5.12. Garages within residential and the residential portion of mixed-use zoning districts shall also conform to the standards, below, in Table 5.18.

<b>TABLE 5.18: GARAGE PARKING</b>			
<b>Unit Type</b>	<b>Garage/Space Type</b>	<b>Minimum Dimension Requirements</b>	<b>Additional Regulations</b>
Single Family or Multifamily	Attached or Detached Two Car	20' x 20' (400 sf) minimum interior, 18' driveway	Constructed of the same materials as the principal dwelling
Single Family	Attached or Detached Three Car	20' depth; 640 sf minimum interior	Third space may be tandem
Multifamily Rental	Single Unit-Assigned Parking	9' x 19'	Space shall be covered and assigned
Multifamily Ownership	Single Enclosed Garage	12' x 20'; 10' driveway	Automatic garage door required

4. **Shared Driveways.** Shared driveway access with adjacent lots is encouraged, subject to compliance with the following requirements:
  - a. The driveway is directly adjacent to a shared property line;
  - b. An easement for the use of the driveway is obtained; and

- c. The driveway width is adequate to serve the additional number of vehicles to be served.
5. **Compact Car Spaces.** Up to 50 percent (50%) of the required number of parking spaces may be sized for compact cars. Compact car parking spaces shall be at least 8 feet in width and 16 feet in length, and shall be clearly marked, "COMPACT". Compact parking spaces shall be distributed throughout the parking lot. Where an entire section of the parking lot is restricted to compact car parking with an angle of 90 degrees (90°), the aisle width may be reduced from the standard 25 feet to 23 feet; such compact sections, if used, should be located so as to minimize the distance from the section to the appropriate building or activity.
6. **Parking Spaces for the Handicapped.** Parking spaces shall be provided for the handicapped in accordance with the Uniform Building Code and American with Disabilities Act and subject to approval by the Chief Building Inspector. Designated spaces are to be incorporated into the overall parking requirement for the project.
7. **Employee Parking.** Parking spaces for all commercial business and industrial uses designated for employees, where employee parking is required, shall be identified by the employer as "employee parking."
8. **Electric/Alternative Fuel Vehicle Parking.** Parking spaces providing electric vehicle charging stations shall be designed to comply with the California Building Standards Code and other federal and state regulations. Electric or alternative fuel vehicle charging station may qualify for parking reductions, as addressed in Section 5.9.5.C.1.g.

#### 5.9.3.B. Vehicular Maneuvering Area, Access, and Circulation

All parking areas shall be designed so that the parking spaces have suitable maneuvering space and access to and from a public street or alley.

1. **Access to Parking Areas.** Access to parking areas and curb cuts for driveways shall be approved by the Sacramento County Engineering Division to insure an efficient and safe traffic flow into the parking areas and along the public streets.
  - a. Where two way access driveways are used, the design shall include either:
    - (a) a planter with lawn or other low groundcover separating the entrance and exit lanes, including small signs denoting "enter only" and "exit only" appropriately placed, when approved by the Engineering Division; or
    - (b) a painted line separating entrance and exit lanes, with stenciled enter/exit markings appropriately painted on the pavement. Provide well-marked pedestrian paths of travel to entry/exit points and at potential conflict points.
2. **Back out Parking.** Parking areas for commercial, industrial, and multiple family residential uses, not including duplexes and single family residences, shall be designed so that vehicles are not permitted to back out of the parking area onto a public street, enter and exit a facility or lot without reentering a public right-of-way, or make other hazardous turning movements.
3. If the circulation described in subsection 2, above, is not possible, a turnaround area shall be provided, subject to compliance with the requirements of the Sacramento County Engineering Division.



4. **Deadend Aisles.** Deadend aisles are discouraged. When used, 90 degree (90°) angle stalls are required.

#### 5.9.3.C. Parking Location

Off-street parking shall be located in a parking area or building, as follows:

1. **Residential Development.** All off-street parking for residential uses such as a single-family detached dwelling, duplex, halfplex, or mobilehome shall be located on the same parcel as the development they are intended to serve, but shall not be located within a required corner setback area, except as otherwise provided in this Chapter.
  - a. **No more than 40 percent of the land area between the front lot line and the front wall of the primary dwelling that is furthest from the front lot line, or the area leading directly to a carport or enclosed garage, whichever is greater, may be paved or used for vehicle parking, except each parcel must provide a driveway or area of at least nine (9) feet in width and 19 feet in length for the off-street parking of each vehicle, and must provide a parking area for at least two vehicles. Use of permeable paving is encouraged for vehicular areas on lots that exceed 15,000 square feet. On lots of 15,000 square feet or less, impervious surfacing is required for vehicle parking. A Minor Use Permit may be issued for alternatives to these requirements.**
2. **Multifamily Residential or Mixed-Use Development.** At least one (1) space for each residential unit shall be located on-site; other required parking spaces may be located off-site, subject to standards for off-site parking in Section 5.9.7 and the following standards.
  - a. Residential parking garages shall be located adjacent and behind the building elevation.
  - b. Surface parking for commercial uses shall be located to the side or behind buildings, when feasible, and is discouraged at street corners, and in the front setback, but may be permitted subject to approval by the County at the time of Design Review.
3. **Non-Residential Development.** Parking required to serve non-residential uses may be located on the same or different site as the uses served, subject to complying with the standards for off-site parking in Section 5.9.7. The owners of adjoining buildings or lots may provide parking space in common if the total parking space provided is equal to the sum of the individual parking needs or a shared parking reduction is granted.
  - a. Surface parking areas may be permitted in the front, side, or rear setback areas, but discouraged at street corners and shall be subject to approval by the County at the time of Design Review. All parking areas shall be screened from public view.
4. **Places of Public Assembly.** The parking for places of public assembly requiring more than 50 parking spaces may be located on the premises, within 600 feet of the premises, or a combination of both.

#### 5.9.3.D. Parking Configurations

- 1. Tandem Parking.** Tandem parking shall be permitted for multifamily housing, the residential components of mixed-use projects, day care homes, and non-residential uses, subject to the following conditions.
  - a.** For day-care homes and non-residential uses, a full-time parking attendant shall be on duty at all times when the parking facility is available for use.
  - b.** For multifamily housing and the residential components of mixed-use projects:
    - (i)** Tandem spaces are required to be assigned for the same dwelling unit.
    - (ii)** Up to 10 percent of the total off-street parking spaces provided may be tandem parking.
    - (iii)** The minimum dimension for two parking spaces in tandem shall be nine (9) feet in width by 34 feet in length.
- 2. Tuck Under Parking.** Tuck under parking, parking below the unit and accessible from outside the unit, shall be permitted, subject to the following standards.
  - a.** Parking access is restricted to an alley, the rear 40 percent of the site, or designed such that parking areas shall not to be visible from the street or from an adjacent property.
- 3. Parking Structures.** Parking structures, buildings or structures use for motor vehicle parking, shall be permitted, subject to the following standards.
  - a.** Parking structures shall not exceed the height of the main structure on the same property, if applicable, unless approved during Design Review.
  - b.** In addition to the standards below, parking structures shall be subject to applicable regulations, including setback requirements, of the base zoning district, overlay zoning district, or special planning district.
  - c.** All setback areas not occupied by the parking structure shall be fully and permanently landscaped and lit for security.
  - d.** Parking structures, with at grade parking shall be screened by the architecture of the building and/or landscaping at the street level, or other standard establish during Design Review, unless the parking structure contains ground floor commercial uses adjoining the street.
- 4. Valet Parking.** Valet parking may be authorized through a special development permit as a mean of satisfying applicable off-street parking requirements, subject to satisfying the criteria for off-site parking in Section 5.9.7.

#### **5.9.4. Improvement Requirements for Parking and Loading Areas**

##### **5.9.4.A. Drainage and Stormwater Quality Facilities**

Drainage facilities shall be provided in all parking areas adequate to handle the drainage requirements of the subject property in accordance with the County Improvement Standards, to alleviate the creation of flooding and drainage problems for the subject property or any surrounding properties. Stormwater quality control facilities in parking areas must satisfy the County's stormwater management requirements and shall be designed in accordance with the current edition of the *Stormwater Quality Design Manual for the Sacramento and South Placer Region*.

1. All surface water runoff shall be conveyed into a public right-of-way or storm drain, directed into planting areas, and/or a stormwater quality source control or treatment facility, as addressed in the standards that follow.
  - a. Drainage Systems shall be provided in accordance with Section 9 of the County's Improvement Standards.
  - b. Runoff shall be treated per the requirements of the latest National Pollutant Discharge Elimination System (NPDES) permit prior to entering the public right-of-way or storm drain, and shall comply with the source control measures in the Stormwater Quality Design Manual for:
    - (i) Loading and unloading areas: to minimize the chance of spills and leaks of pollutants that may include toxic compounds, oils and greases, nutrients, suspended solids, fluid from delivery vehicles, and other contaminants, into the storm drain system;
    - (ii) Wash areas in parking lot for vehicles and equipment: to minimize the chance of wash water that may contain oils and greases, metals, suspended solids, soluble organics, food waste, and/or detergents, from entering the storm drain system; and
    - (iii) Waste and recycling storage areas in parking areas: to keep rain, run-off, and other site water from leaching pollutants into the storm drain system.

#### **5.9.4.B. Surfacing Requirements**

Surfacing shall be provided for all parking and loading areas, aisles, and driveways, in accordance with specifications of the Sacramento County Engineering Division to eliminate dust and maintain a passable surface, strong enough to bear vehicle loads at all times. Alternative paving materials, such as pervious or porous pavements and light-colored or high-albedo surfaces are encouraged, per the requirements of the Stormwater Quality Design Manual and must be approved by the Planning Director and/or Engineering Division. The Engineering Division may specify an appropriate surface where a paved surface is not required.

1. Parking areas using porous pavements, excluding single family dwellings or duplexes, shall be identified on parking area plans and provide documentation that the paving surface has been designed to support anticipated vehicle weights and traffic volumes that may result in maintenance issues such as surface cracking, crumbling, and erosion.

#### **5.9.4.C. Marking of Parking Spaces**

Parking spaces shall be marked or maintained on the pavement in a visible manner; and when required, aisles, loading zones, pedestrian walks, crossings, fire lanes, and any other directional markings or signs shall be installed as permitted or required by the Sacramento County Engineering Division to ensure the proper utilization of space, adequate traffic flow, and general safety.

#### **5.9.4.D. Bumper Curbs, Wheel Stops**

To ensure the proper maintenance and utilization of these facilities, parking areas shall be designed so that a parked vehicle does not overhang required sidewalks, planters or landscaped areas. A permanent curb, bumper, wheel stop, or similar device shall be installed which shall be adequate to protect the required sidewalks, planters, and

landscaped areas from vehicular overhang and to protect any structure from vehicular damage. If such protection is provided by means of a method designed to stop the wheel, rather than the bumper of the vehicle, the stopping edge shall be placed no closer than two (2) feet from the edges of the required sidewalks, planter or landscaped areas and from any building, as illustrated in Figure 5-10, below. The Sacramento County Engineering Division may require other barrier curbs or wheel stops as deemed necessary to protect areas within or adjacent to the parking area from vehicular encroachment.

The innermost two (2) feet of each parking space (between the curb and any planter or sidewalk or bumper or wheel stop) may remain unpaved, and may be planted with low ground cover, and added to any required or proposed landscaping to allow for bumper overhang and reduce impervious surfaces. This additional planting area is considered to be part of the parking space and may not count toward satisfying any landscaping requirement.

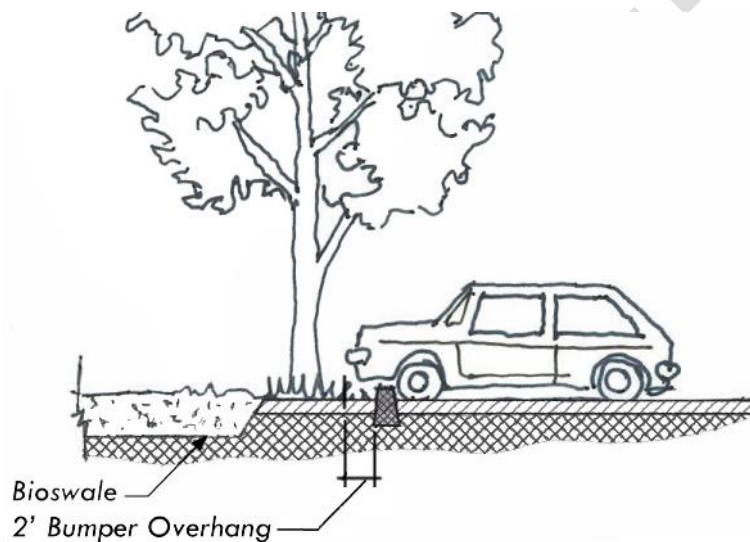


Figure 5-10: Example of Bumper Overhang

**5.9.4.E. Additional Standards for Multifamily Residential and Mixed-Use Developments**

Parking improvements in multifamily residential and residential portions of mixed-use developments shall comply with the following standards:

1. The design and materials used for covered parking structures shall be compatible with the design of the main structure on the property.
2. Metal carports with decking for roofs shall be prohibited. Metal posts painted to match the color scheme of the project may be acceptable, but shall not intrude in the minimum required designated area for the parking space. Trees, lattice/trellis structures, and/or decorative masonry walls shall be incorporated as part of carports to minimize visual impact.
3. Rows of parking stalls, either open or covered, shall be broken up by a tree planting approximately every seven (7) spaces.
4. Units and parking/driveway areas shall have a minimum five (5) foot landscaped separation, but in general are encouraged to be located as far apart as possible.

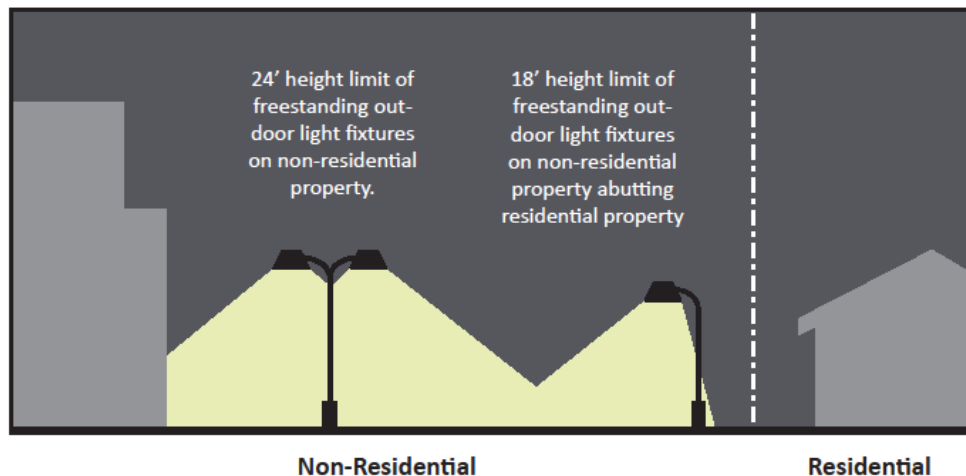
**5.9.4.F. Parking Area Screening**

1. Parking lots and loading areas shall be screened from major public streets and adjacent residential uses with plants, trees, low walls, fences, berms, or grade changes that are a minimum of 30 inches tall. On that portion of any parking area located between the building line and the street where such a fence would interfere with visibility, the fence shall conform to the visibility requirements of the County's Improvement Standards.
2. A six (6) foot high wall and landscaping shall be provided adjacent to properties zoned for residential, interim residential, agricultural residential, interim estate, or agricultural uses, as identified in Section 5.2.4. The height of the fence shall be measured from the paved surface of the parking lot and may be modified with approval of a special development plan, where the appropriate authority finds that due to a significant difference in elevation between parcels, different screening requirements are necessary.

**5.9.4.G. Parking Area Lighting**

1. **Lighting shall be constructed with full shielding and/or recessed to reduce light trespass to adjoining properties. Each fixture shall be directed downward and away from adjoining properties and public right-of-way, so that no light fixture directly illuminates an area outside of the site, and the light source is not visible from residential properties. New light fixtures, serving uncovered parking lots shall be full cut-off fixtures as defined by the Illuminating Engineering Society of North America. New light fixtures, installed for parking area canopies or similar structures, shall be recessed or flush-mounted, using flat lenses. This standard shall apply to existing businesses.**

## Shielding Provisions for Outdoor Lighting



\*Outdoor lighting shall be constructed with full shielding and/or recessed to reduce light trespass to adjoining

2. The minimum lighting level shall be one (1) foot candle of maintained illumination on the parking surface during the hours of use between one half (1/2) hour before dusk and one half (1/2) hour after dawn.
3. **Light Pole Locations.** Light poles shall be located as follows:
  - a. So as not to interfere with motor vehicle door opening, vehicular movements, or pedestrian travel paths;
  - b. Away from trees that may obstruct the lighting; and
  - c. In perimeter planters and landscape islands between rows of parking, but discouraged within end row planters, planting islands parallel to parking spaces, tree wells, and in the required clear path of pedestrian walkways.
4. **Trash and Recyclable Receptacles.** One (1) trash and one (1) recyclable receptacle shall be provided in parking areas with 40 vehicular parking spaces or more. An additional set of receptacles shall be required for 100 vehicular parking spaces or more.

### 5.9.4.H. Alternative Energy Systems

Alternative energy systems (solar and wind), including provision of solar panels on parking lot shade-structures or carports and solar lighting fixtures or parking meters are permitted as an accessory use in all non-residential, multifamily residential, and mixed-use parking areas, subject to Design Review approval.

### 5.9.5. Parking Reductions

This Section provides the criteria, measures, and requirements for the reduction of off-street parking. Automatic parking reductions and those reductions approved through

Design Review, either individually or on a cumulative basis, shall not exceed twenty five percent of the required parking for the development. Greater overall parking reductions may be approved by a Special Development Permit.

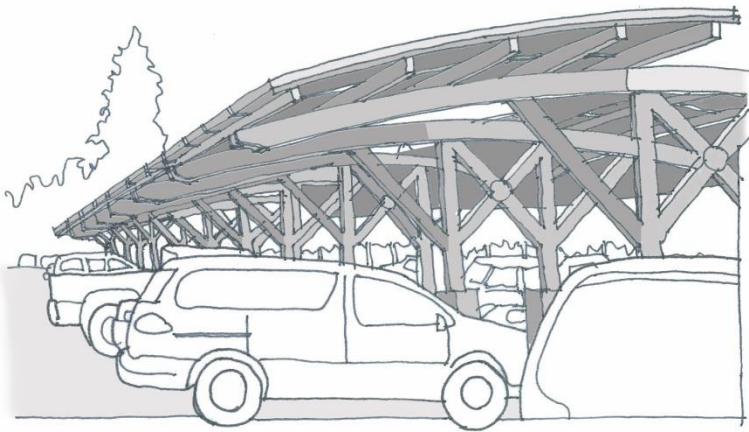


Figure 5-12: Solar Roof Example

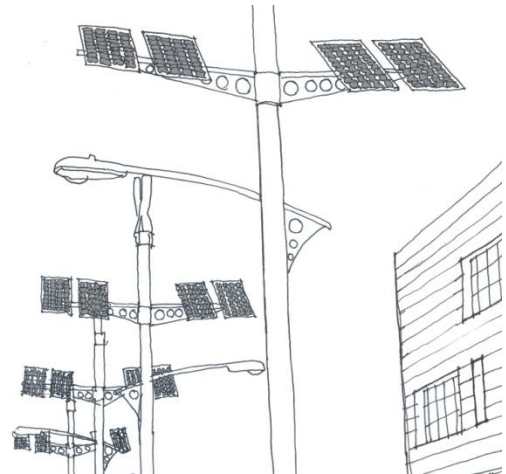


Figure 5-13: Solar and Wind-Powered Lights

#### 5.9.5.A. Criteria

Required parking may be reduced through the Design Review process, subject to complying with the following requirements:

1. Project conditions such as, proximity to frequent transit service; special characteristics of the population residing, working, or visiting the facility; or parking reduction measures in Section C, below, justify the reductions.
2. Parking demand generated by the project satisfies the requirements for the uses served and does not result in a negative impact on the supply of off-street parking in the surrounding area.
3. **Parking Management Plan.** A parking management plan may be required as evidence or documentation necessary to demonstrate the conditions that warrant a parking reduction and should include:
  - a. Parking demand information that documents the need for fewer spaces (e.g. sales receipts, records of customer visits, information on parking use for similar facilities in the region, etc.);
  - b. Floor plans indicating the typical uses of the buildings; and
  - c. Programs that may be implemented that would reduce parking demand.

#### 5.9.5.B. Review of Parking

In addition to the allowed parking reduction measures, below, parking may also be reduced upon request during Design Review, provided the project proponent can demonstrate the parking demands would be less, or agreements with owners of adjacent property for shared parking are obtained.

1. The project proponent shall submit with the request documentation to demonstrate that unusual conditions warrant a parking reduction, such as:

- a. Number of bedrooms per unit, considering rooms that could logically be converted to bedrooms.
  - b. Whether the parking for individual units is in open parking spaces in lieu of providing parking in garages or spaces restricted for the use of tenants only.
  - c. That the reduction would preserve existing landscaping and open space that would otherwise have to be removed to provide additional parking.
  - d. Multiple use of a parking area by uses having peak parking demands which occur at different times.
  - e. Floor plans which indicate that the floor area devoted to customer or employee use is less than typical for the size building proposed.
  - f. Other programs that will be implemented by the developer or tenant(s) which will result in a demand for parking at the site which is less than would otherwise occur, such as the provision of monetary incentives to employees who regularly utilize public transit or participate in a carpool or vanpool.
2. Parking reductions exceeding the maximums specified in this Section, or modifications of improvement requirements, may also be granted by the County Planning Commission, the Board of Supervisors, or the Zoning Administrator whenever such reduction or modification is considered in conjunction with a special development permit, or is heard in conjunction with a Rezoning, Conditional Use Permit, or Variance by the appropriate authority.
  3. The appropriate authority may require as a condition of approval of the parking reduction the recordation of agreements or covenants, prior to issuance of a building permit, which assure that appropriate programs are implemented for the duration of the parking reduction.

#### 5.9.5.C. Parking Reduction Measures

The number of off-street parking spaces may be reduced, subject to meeting the criteria in Section A and the following provisions.

##### 1. Multifamily, Mixed-Use, and Non-Residential Projects

- a. **Shared Parking.** Where two or more uses on the same site are able to share the same parking spaces, because their parking demand occurs at different times, a parking reduction may be granted, subject to approval of a parking demand study, using the Urban Land Institute's accepted ratios and/or other appropriate source, approved by the Planning Director. The Planning Director may require a parking management plan, conducted by a licensed traffic engineer or other traffic professional. Off-site parking may also be considered for shared parking as described in Section 5.9.7.C.
- b. **Transit Accessibility.** For development proposed within a one-quarter (1/4) mile of a station or stop for enhanced transit service as defined in Section 5.2.3.C, the following parking reductions may be granted:
  - (i) For all projects within a one-quarter mile (1,320 linear feet) of a transit station or stop, a maximum 25 percent reduction in parking requirements may be granted when the reviewing authority determines that the parking



management plan submitted by the applicant, justifies the parking reduction.

- (ii) For mixed-use or non-residential development, adjacent to a transit station, a project proponent may request that some or all of the required off-street parking spaces be provided at the adjacent station, or that in-lieu fees or facilities be provided for use at the station. The request may be granted, subject to submittal of a parking management plan and the finding from the approval authority that the substitution will be an incentive to, and a benefit for, the project; and will facilitate access to the development by patrons of the adjacent transit services.
- c. Transit-Supportive Plazas.** On sites where at least 20 parking spaces are provided and a transit shelter is required on-site, transit supportive plazas may substitute for up to 10 percent (10%) of the required parking spaces on the site, subject to the following standards:
- (i) The plaza must be at least 300 square feet in area and shaped so that a 10-foot by 10-foot square will fit entirely in the plaza;
  - (ii) The plaza must include a lighted, transparent, and weather-protection shelter approved by Regional Transit, and a bench or other sitting area with at least 5 linear feet of seating;
  - (iii) The plaza must include landscaping on at least 10 percent (10%), but no more than 25 percent (25%) of the transit-supportive plaza. This landscaping is in addition to any other required landscaping or screening for parking areas in the Zoning Code; and
  - (iv) The owner of the plaza must record a public access easement that allows public access to the plaza.
- d. Tree Preservation.** Minimum parking may be reduced by one (1) parking space for each tree 12 inches in diameter and larger that is preserved. A maximum of two (2) parking spaces or 10 percent (10%) of the total required parking may be reduced, whichever is greater. However, required parking may not be reduced below six (6) spaces under this provision.
- e. Provision of Bicycle Parking.** Bicycle parking may substitute for up to 10 percent (10%) of required parking. For every three (3) non-required bicycle parking spaces that meet the short or long-term bicycle parking requirements, the motor vehicle parking requirement is reduced by one (1) space. Existing parking may be converted to take advantage of this provision.
- f. Provision of Electric/Alternative Fuel Vehicle Parking.** Each electric/alternative vehicle space shall be permitted to substitute for two (2) vehicular parking spaces.
- g. Provision of Renewable Energy Facilities.** Applicants may substitute a requirement for grid-intertie photovoltaic systems, small wind turbine system, or an active solar thermal system for up to 50% of the parking requirement when these systems are tied to an electric charging station, for up to a maximum of 5 spaces. For each parking space for which a solar or wind energy substitution is made, an applicant must provide:

- (i) A small wind turbine or photovoltaic system (with 90% unobstructed solar access) with at least one (1) kilowatt (KW) of capacity; or
- (ii) An active solar thermal system with at least 64 square feet of solar collector (with 90% unobstructed solar access) and sufficient summer load to utilize collector output.

## **2. Multifamily Residential and Mixed-Use Housing**

- a. Parking reductions for multifamily residential and the residential portion of mixed-use projects within one-quarter (1/4) mile of transit shall be permitted, as provided in Table 5.12A, "Parking Requirements for Multifamily Residential."
- b. For affordable multifamily housing projects and senior housing projects, parking requirements may be reduced, subject to demonstration that on-site management can accommodate the parking needs of persons or families occupying individual units.

## **3. Trip Reductions for Large Non-Residential or Employment Centers.** Some trip reduction requirements, described in Section 5.9.6, qualify for a reduction in parking requirements, subject to the criteria and minimum requirements for trip reduction measures that follow.

### **5.9.6. Trip Reduction Requirements**

Trip reduction requirements ensure large non-residential development projects provide adequate alternative transportation facilities or programs which serve to reduce trips and parking demand. In return, some trip reduction measures may qualify for a reduction in vehicle parking requirements, according to the provisions in subsection D, below.

#### **5.9.6.A. Applicability**

The provisions of this Section shall apply to all major development projects defined as follows:

1. Any commercial, industrial, institutional, or other use which is expected to employ 200 or more persons, as determined by either actual employee projections or equivalent development size, pursuant to Section 5.9.6.C, and
2. Any existing facility or development which increases its gross floor area and, after such increase, exceeds the minimum equivalent development size described in Section 5.9.6.C.
3. The Planning Director may, if projected traffic conditions warrant, apply the provisions of this Section to developments smaller than those specified in Section 5.9.6.C.

#### **5.9.6.B. Exempt Projects**

Notwithstanding any other provisions of this Code, the following uses and activities shall be specifically exempt from the provisions of this Section.

1. Development projects expected to employ fewer than 200 persons.
2. Temporary construction activities on any affected project, including activities performed by engineers, architects, contractors, subcontractors, and construction workers.

#### **5.9.6.C. Equivalent Development Size**

For the purpose of this Section, the following minimum development sizes shall be considered equivalent to the 200 employee threshold described in subsection A. Minimum development size shall be based on the size of the overall development, not a particular phase or building within the development when determining if Sections 5.9.6.D through 5.9.6.H apply.

<b>Type of Use</b>	<b>Minimum Development Size (in square feet) Equivalent to 200 Employees</b>
Office (excluding medical)	50,000
Industrial Office Park (MP)	60,000
Hospital and Medical Offices	80,000
Commercial	100,000
Light Industrial (M-1)	95,000
Heavy Industrial (M-2)	130,000
Mixed or Multiple Uses	To be calculated based on the employee equivalent of the square footage or areas devoted to each use

#### **5.9.6.D. Trip Reduction Measures**

- 1. Passenger Loading Areas.** Public parking areas for major development projects, as defined in Section 5.9.6.A, shall designate a passenger loading area or areas for embarking and disembarking passengers from ridesharing vehicles.
  - a.** Such passenger loading areas shall be located at the point(s) of pedestrian access from the parking area to the adjacent building, or buildings, and shall be designed in such a manner that vehicles waiting in the loading areas do not impede vehicular circulation in the parking area or pedestrian access to the building entry.
  - b.** The passenger loading areas shall be designed as a turn out as indicated by Figure 5-14, below, and shall be large enough to accommodate the number of waiting vehicles equivalent to one-half percent of the required parking for the project or building that it serves.
  - c.** Passenger loading areas may be designed with porous pavements, in accordance with the surfacing requirements in Section 5.9.4.B.

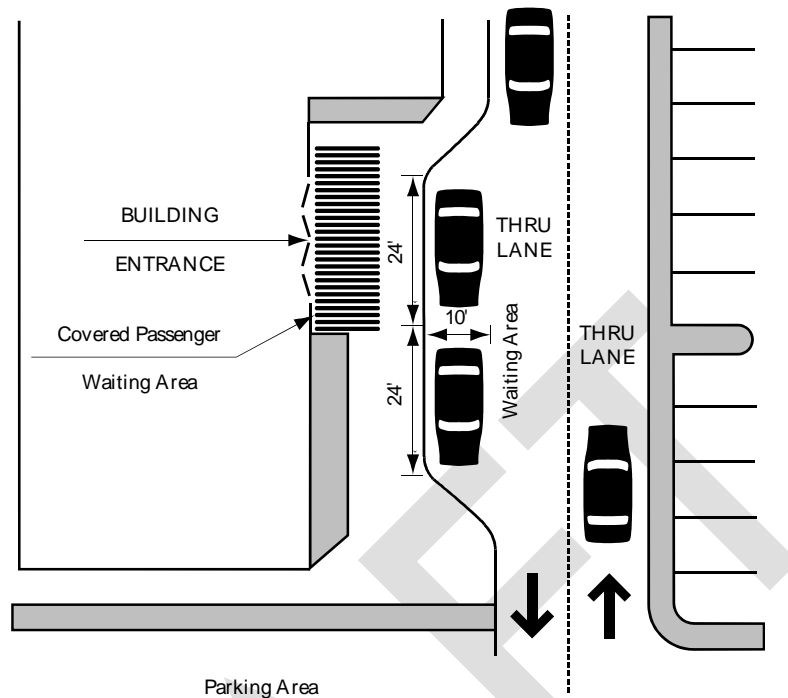


Figure 5-14: Passenger Loading Area Design

**2. Preferential Parking Spaces for Carpool and Vanpool Vehicles.** All major development projects, as defined in Section 5.9.6.A, shall reserve and designate at least ten percent (10%) of the employee parking spaces for the project for ridesharing vehicles by marking such spaces "Carpool/Vanpool Only." The number of preferential parking spaces must be increased above ten percent (10%) of the employee parking as necessary to accommodate all legitimate carpools and vanpools.

- a. Such spaces shall be clustered near the building entrance(s), covered, shaded, or in some other obvious way, be demarcated as preferential.
- b. For purposes of this Section, the factors listed below shall be used to determine the number of employee parking spaces.

TABLE 5.20: EMPLOYEE PARKING FACTOR	
Type of Use	Percent of Total Parking Devoted to Employee Parking

**TABLE 5.20: EMPLOYEE PARKING FACTOR**

Type of Use	Percent of Total Parking Devoted to Employee Parking
Office (excluding medical)	70%
Industrial Office Park (MP)	70%
Hospital and Medical Offices	50%
Commercial	30%

- c. Parking Reduction Measure.** Office, institutional, mixed-use, or industrial developments which guarantee preferred parking spaces (e.g., covered, shaded, or near building entrance) to employees who participate regularly in a carpool or vanpool may reduce their parking requirement by one (1) vehicle space for every one (1) space which is marked and reserved for carpools/vanpools at a preferred location. Maximum reduction is five percent (5%) of required parking or up to 5 spaces.
- 3. Shower and Locker Facilities.** All development projects above the minimum development size thresholds identified in this Section shall provide shower and locker facilities for use by employees or tenants who commute to the site by bicycle or walking. Such facilities shall be clearly indicated on all development/improvement plans.
- a.** The use of such facilities shall be provided at no cost to the user, except that at any development where a fee is charged for employee parking, the use of shower and locker facilities may be assessed at a charge not to exceed one half (1/2) the charge for employee parking.
- b.** One (1) shower and eight (8) lockers with minimum dimensions of 12 inches X 18 inches X 36 inches shall be provided for each 200 employees or fraction thereof, based on the equivalent development size data in Section 5.9.6.C.
- c.** The design and/or management of the shower and locker facilities shall provide for access by both male and female employees (i.e., there is not a requirement for separate facilities).
- d.** The shower and locker facilities must be located convenient to one another and should be located near the employee bicycle parking facilities whenever possible.
- e. Parking Reduction Measure.** Developments with 100 or more employees may reduce their parking requirement by providing shower and clothing locker facilities for use by employees or tenants who commute by bicycle or walking, in accordance with the above requirements.
- f. Transit Waiting Shelters.** Prior to the issuance of any building permit or approval of any improvement plans for any major development project, the property owner or project proponent shall sign and record an agreement with the County of Sacramento to provide for any easement(s) and/or construct a

concrete foundation, and provide an electrical connection necessary to accommodate placement of a transit waiting shelter, when required. The determination as to whether a transit waiting shelter(s) easement and/or concrete foundation, and electrical connection is needed shall be made by the Planning Director after direct consultation with the public agency which provides, or is authorized by law, to provide transit services to the general public in the project area. This Section shall not be interpreted to require the provision of an easement and/or concrete foundation, or electrical connection, at a distance of more than 100 feet from the perimeter of the project site.

- g. Parking Reduction Measure.** Refer to parking reductions for related transit-supportive plazas, in Section 5.9.5.B.

#### **5.9.6.E. Electric/Alternative Fuel Vehicle Parking**

If provided, parking spaces for electric/alternative fuel vehicle parking with electrical vehicle charging stations may count for up to 2 required parking spaces.

1. Parking spaces providing electric vehicle charging stations shall be designed to comply with the California Building Standards Code and other federal and state regulations.

#### **5.9.6.F. Requirement for Transportation System Management Plan**

In addition to the other requirements of this Section, the Director shall be authorized to require the applicant, developer, or property owner of a development project to prepare a comprehensive Transportation System Management Plan, pursuant to Section 5.9.6.H, in conjunction with any application for a Rezone, Conditional Use Permit, Special Development Permit, Development Plan Approval, Development Agreement, or Variance, or a request for a building permit if the Director finds:

1. That the proposed project has the potential to increase local and/or area wide traffic congestion with an accompanying deterioration in air quality on a project specific or cumulative basis; or
2. That due to the proposed project's location and/or operational characteristics, development and implementation of a Transportation Systems Management Plan would have the potential for significantly reducing peak hour commute trips.

Similarly, for any development project which is expected to employ 500 or more persons, as determined by Section 5.9.6.C, the Director shall require the applicant to prepare a Transportation System Management Plan, pursuant to Section 5.9.6.I, in conjunction with any application for a Rezone, Conditional Use Permit, Special Development Permit, Development Plan Approval, Development Agreement, Variance, or a request for a building permit.

#### **5.9.6.G. Contents of Transportation System Management Plan**

A Transportation System Management Plan, as required by Section 5.9.6.H, is intended to describe the full set of facilities and services to be provided by a development project which is proposed to reduce the number of employee commute trips to the site. The plan shall include an exhibit indicating the location of trip reduction facilities and a written description of all trip reduction facilities and services. Facilities and services contained in the plan shall include those described in Sections 5.9.6.D through 5.9.6.E, above, plus any other facilities, amenities, or services intended

to encourage carpool, vanpool, transit, bicycle, or pedestrian commuting. Such additional facilities and services may include, but are not limited to:

1. Bikeway linkages to establish bicycle routes, transit routes, or adjacent residential and commercial areas.
2. Walkways and other pedestrian linkages to nearby transit stops.
3. Transit stations, timed transfer stops, transit shelters, on site sale of transit passes/tickets and possible transit subsidies.
4. Community park and ride lots.
5. Provision of an employee transportation coordinator.
  - a. on site at 1,000 or more employees
  - b. full time at 2,000 or more employees
6. Preferential parking program.
7. Alternative commute mode information services.
8. Work schedule management program.
9. Commuter matching services.
10. Bicycle facilities including storage, showers and lockers.
11. Provision of an owners/tenants association with responsibility for ongoing implementation of the plan including any necessary funding.

#### **5.9.6.H. Review of Transportation System Management Plan**

For any development project which is required to prepare a Transportation System Management Plan pursuant to Section 5.9.6.F, the appropriate authority shall consider the plan during its review and consideration of the application and may require the construction of any or all facilities contained in the plan as a condition of approval of the project.

#### **5.9.6.I. Binding Agreements**

The owners/tenants association, or the property owner(s) on behalf of a future owners/tenants association, shall sign and record an agreement with the County of Sacramento obligating the association to implement all the requirements of the Transportation Systems Management Plan and to provide any necessary funding to carry out the provisions of the plan.

#### **5.9.7. Off-Site Parking Requirements**

Where use of off-site parking is authorized to satisfy the parking requirements of this Chapter, parking may be provided by one or more alternatives in this Section.

#### **5.9.7.A. Off-Site Parking Criteria**

Off-site parking alternatives may be permitted, subject to approval during the Design Review process and compliance with the following criteria.

1. **Parking Distance.** Off-site parking spaces must be located no further than 1,200 feet from the primary entrance to a site and must provide a well-marked, safe, traversable pedestrian route, over and along publicly accessible streets or

walkways, between the parking site and the buildings or structures they serve. The reviewing authority may waive this distance limitation for valet services, employee parking, or assurances that van or shuttle service will be in operation between off-site parking areas and their principal uses.

- 2. Parking Requirements.** All off-site parking spaces shall be subject to the same standards for access, configuration, location, dimensions, etc. as is required for off-street parking in this Chapter. In addition, the following standards also apply.
  - a.** Wayfinding signs clearly directing visitors and employees to off-site parking areas shall be placed and maintained by the property owner at the principal site location. Signs at off-site parking locations should specify which uses or tenants the parking area serves and any parking restrictions applicable to the land use.
- 3. Off-Site Parking Agreement.** An agreement providing for the use of the off-site parking area, executed by the owner/tenants or other parties involved must be approved and guarantee the long term availability of the parking, commensurate with the uses they serve. Off-site parking privileges will continue for as long as this binding agreement remains in force.
- 4. On-street Parking.** Additionally, on-street parking may count toward satisfying off-street parking requirements for commercial service and retail uses and visitor parking at a 1:1 ratio.

#### **5.9.7.B. Collective Provision of Parking**

Collective provision of parking may be approved where appropriate locations are identified for non-residential and mixed-use districts serving two (2) or more buildings or uses, in accordance with the following requirements.

- 1.** Total parking spaces provided shall not be less than the sum of the requirements for the individual uses served, as identified in this Chapter, unless an exception is granted through a Special Development Permit.
- 2.** Parking facilities on adjoining lots may share access and driveways, subject to a recorded covenant for the properties on which the facilities are located.
- 3.** A covenant or agreement establishing the long-term availability, maintenance, and use of the collective parking area(s) shall be executed by all parties involved and approved by the County. Collective parking privileges will continue in effect for as long as the parking agreement remains in force. If the collective parking agreement lapses or is no longer valid, then parking must be provided for each use on-site, as required by this Chapter.
- 4.** Where collective parking areas are located off-site from the served land use, the criteria in subsection A, above shall apply.

#### **5.9.7.C. Shared Parking**

Shared parking allows reduction of parking spaces for any site development or adjacent parcel proposing two (2) or more land uses where the hours of operation for the uses allows shared use of parking spaces to occur without conflict. Parking reductions are permitted, subject to the following standards.

- 1.** A shared parking study is provided, using Urban Land Institute (ULI) accepted ratios or an equivalent source to be approved by the Planning Director as part of



the Design Review application. The application shall clearly define and achieve project shared parking, accompanied by the following findings:

- a. Land uses / buildings participating in the shared parking program demonstrate different parking demands;
  - b. Parking spaces designated for shared parking are not otherwise committed to satisfying parking requirements for some other use at similar times;
  - c. Spaces comply with the distance and other criteria, identified for off-site parking in subsection A.
2. The parking study shall use the following methodology:
    - a. Base parking requirements shall be calculated as the sum of the requirements for each land use, per the requirements of this Chapter;
    - b. When different land uses utilize a common parking area, the total number of spaces required to support the collective uses will be determined by parking profiles using ULI accepted practices or an equivalent source approved by the Planning Director, rather than by peak ratios for each land use;
    - c. Review and approval of the parking studies shall be at the discretion of the approval authority.
  3. A shared parking agreement establishing the long-term availability, maintenance, and spaces required, commensurate with the use of the facility, shall be approved and recorded by the County. Shared parking privileges will continue in effect for as long as the agreement remains binding on all parties. If a shared parking agreement lapses or is no longer valid, then parking must be sufficiently provided for each use, as required by this Chapter.

#### **5.9.7.D. "Park Once" Program**

Establishment and participation in a "Park Once" program may be used to comply with off-street parking requirements in accordance with the following standards.

1. A "park once" parking strategy may be established for mixed-use or non-residential sites in a County-owned parking lot, parking assessment district, or other areas where opportunities exist to provide a centralized parking area, within walkable distance of adjoining businesses and uses that encourages patrons to park once and walk to their destinations.
2. A parking management plan shall be required to define the parking needs of participating sites or areas, proposed uses and/or programs, site or parking characteristics, including walkability, transit opportunities, and other factors that support the development of the program.
3. A covenant or agreement establishing the long-term availability, maintenance, and use of the collective parking area(s) shall be executed by all parties involved and approved by the County. Collective parking privileges will continue in effect for as long as the parking agreement remains in force. If the collective parking agreement lapses or is no longer valid, then parking must be provided for each use on-site, as required by this Chapter.

#### **5.9.8. Motorcycle Parking Requirements**

As defined in this Code, motorcycle parking includes parking for all two-wheeled motorized vehicles, including scooters, mopeds, and similar vehicles.

#### 5.9.8.A. Motorcycle Parking Requirements

Parking areas with 40 or more automobile parking spaces must provide motorcycle parking according to the following standards.

1. One (1) motorcycle space must be provided for each 40 automobile parking spaces. For each one (1) required motorcycle space provided, the number of required vehicle spaces is reduced by one (1).
2. Motorcycle parking spaces shall be a minimum dimension of four (4) feet by seven (7) feet, with up to four (4) motorcycle spaces permitted for each vehicular space.

#### 5.9.9. Bicycle Parking Requirements

##### 5.9.9.A. Bicycle Parking Facility Classifications

Bicycle parking facilities and terms used in this Section are defined as follows:

1. **Class I Bicycle Facility.** Includes the following: a) an enclosed box with a lockable storage compartment, or bicycle locker, accessible only to the bicycle owner/operator; or b) a locked room in a structure designated for storing and securing bicycles.
2. **Class II Bicycle Facility.** A stationary bicycle rack designed to secure the frame and both wheels of the bicycle, where the bicyclist supplies only the locking device.
3. **Class III Bicycle Facility.** A stationary bicycle rack, typically with a cement slab and vertical metal bar, where the bicyclist supplies a padlock and chain or cable to secure the bicycle to the stationary object.
4. **Short-Term Parking.** Easily accessible bicycle spaces provided for the convenience of shoppers, customers, and other visitors, visiting for a short duration of less than two (2) hours. Short-term bicycle parking should be in proximity to the main entrance of a building, within 100 feet and visible to pedestrian and bicyclists; or located in a common bicycle parking facility along a pedestrian access route.
5. **Long Term Parking.** Bicycle parking in a secure and weather-protected place to serve employees, students, residents, commuters, and others who generally stay on the site for several hours. Long-term parking does not have to be provided on-site, but should be within a reasonable distance, no greater than 400 feet from the site, to encourage bicycle use. Bicycle parking must be provided in racks or lockers.

##### 5.9.9.B. Minimum Bicycle Parking Requirements

Bicycle parking spaces shall be provided in compliance with the minimum requirements in Table 5.21 and the standards that follow.

Use	Bicycle Spaces		Bicycle Parking Facility Class	
	Long-Term	Short-Term	Long-Term	Short-Term
All commercial, mixed-use, and	1 bicycle space for every 30 vehicle	1 bicycle space for every 30 vehicle	Class I lockers, or Class II racks in an enclosed	Class II or Class III racks

**TABLE 5.21: BICYCLE PARKING FACILITY REQUIREMENTS [1]**

service uses not otherwise listed	spaces required or 2 spaces, whichever is greater	spaces required or 2 spaces, whichever is greater	lockable area	
Dinner restaurants, cocktail lounges	1 bicycle space for every 50 vehicle spaces required or 2 spaces, whichever is greater	1 bicycle space for every 30 vehicle spaces required or 2 spaces, whichever is greater	Class I lockers, or Class II racks in an enclosed lockable area	Class II or Class III racks
Industrial	1 bicycle space for every 50 vehicle spaces required or 2 spaces	0	Class I lockers, or Class II racks in an enclosed lockable area	N/A
Office and institutional uses within commercial and industrial zoning districts	1 bicycle space for every 30 vehicle spaces required or 2 spaces, whichever is greater	1 bicycle space for every 60 vehicle spaces required or 2 spaces, whichever is greater	Class I lockers, or Class II racks in an enclosed lockable area	Class II or Class III racks
Institutional uses in other zoning districts	Bicycle parking shall be determined at the time of issuance of a Conditional Use Permit.			
Multiple Family	For multifamily housing, a minimum of one bicycle parking space per unit shall be provided on-site, with guest bicycle parking spaces provided at one space per 10 units on-site.		Class I lockers or Class II racks shall be located close to and with direct access to multifamily buildings entries. Bicycle parking for guests shall be clustered in common areas for easy convenience.	
[1] Where the application of the above table results in the requirement for a fraction of a bicycle parking space, such a space need not be provided unless the fraction exceeds fifty (50) percent.				

**5.9.9.C. Design Standards**

Bicycle parking facilities shall be installed in a manner which allows adequate spacing for access to the bicycle and the locking device when the facilities are occupied. Each bicycle parking space shall be at least two (2) foot wide by six (6) foot long, with a five (5) foot maneuvering space behind the bicycle. The facilities shall be located on a hard, dust free surface, preferably asphalt or concrete slab and/or may also be mounted on a flat wall surface, with appropriate maneuvering space behind the bicycle.

**5.9.10. Truck Loading and Unloading Areas****5.9.10.A. Quantity Receivers, Shippers**

All retail and wholesale stores, warehouses, supply houses, buildings devoted to manufacturing trade, hotels, hospitals or other buildings where large amounts of goods are received or shipped shall provide loading and unloading space adequate to handle the volume and frequency of truck traffic to the building or shopping center. The minimum number of spaces shall be determined in accordance with the estimated volume of truck traffic and loading requirements. Each required loading space shall be not less than 10 feet wide, 35 feet long, and 14 feet high, exclusive of driveways.

**5.10. SIGN REGULATIONS****5.10.1. General Provisions****5.10.1.A. Real Estate Signs**

Real estate signs advertising the particular property on which the sign is located are authorized in all zones provided the following standards are met.

- 1. Number of On-Site Signs.** Not more than one (1) for lease or one (1) for sale sign is to be placed on the property (one Assessor's parcel), except that property bound by more than one (1) street shall be allowed one (1) for sale sign or one (1) for lease sign facing each street, to a maximum of no more than two (2) signs per property.
- 2. Size and Location.** The size and location shall be determined according to Tables 5.22 and 5.23 below.

<b>Zoning Districts</b>	<b>Maximum Sign Area (square feet)</b>	<b>Required Setback from Dedicated Public Street Right-of-way (feet)</b>	<b>Required Setback from Dedicated Public Street Right-of-way with PUPFs (feet)</b>
M-1, M-2, MP, BP, SC, LC, GC, AC, TC, C-O, CC, C-1, C-2, NMC, CMC, CMZ	32	10	16
AG-160, AG-80, AG-40, AG-20, UR, IR, RR, A-80, A-20	24	25	31
AR-10, AR-5, AR-2, AR-1, A-10, A-5, A-2, A-2-B, A-1-A, A-1-B, O	16	20	24
RD-1, RD-2, RD-3, RD-4, RD-5, RD-7, RD-10, RD-20, RD-30, RD-40, MHP, RM-2, Interim Estate Zones, Interim Residential Zones	5	10	14
SPA, DW	Area and setback requirements in special zoning districts shall be determined by the type of use allowed and shall be consistent with the above standards.		
Undeveloped/Unimproved Property in any Zone	24	25	31

- 3. Illumination.** Signs shall not be illuminated.
- 4. Sign Attachment.** Signs shall be permanently attached as follows:
  - a.** Permanently attached to structures.
  - b.** Permanently attached to ground except that signs on skids are allowed in developed parking areas and sites under construction. All skids and framing for sign shall be painted either white or earth tone colors.

5. **Height.** If attached to buildings, the sign shall not exceed the roof line or parapet wall of the building. If freestanding, the maximum height is six (6) feet except when the site grade is lower than the grade at the right-of-way line, sign height may be increased so the bottom of the sign panel is equal to the elevation of the grade at the right-of-way line. In no case shall a sign exceed a total height of 10 feet.
6. **Portable Off-site Directional Signs.** Notwithstanding the prohibition of Section 5.10.1.I, portable off-site directional signs may be utilized in conjunction with open house real estate sales activity provided that the directional portable signs do not exceed an overall size of nine (9) square feet including support, do not exceed a height of two and one-half (2-1/2) feet, and are not located within the street right-of-way. Signs may be on display only during those hours when the dwelling is open for public inspection.
7. **Time Limitation.** Real estate signs shall be removed within 30 days after sale of the property or immediately upon being leased.
8. Portable off-site directional signs located within County right-of-way are prohibited and may be removed/disposed of by County personnel without notice.
9. Any sign in violation of any provision herein may be removed by County personnel without notice.

#### 5.10.1.B. Temporary Construction Signs

Where a building is under construction, temporary signs are authorized in all zones identifying the project architect, landscape architect, contractor, builder, proposed business, or lender, provided:

1. There is no more than one (1) such on-site sign.
2. The sign shall not exceed 32 square feet in area.
3. The sign is not illuminated.
4. The sign is set back from each street right-of-way not less than 10 feet (If PUPF easement: 14 feet in residential and agricultural-residential zoning districts, and 16 feet in all other zoning districts) from the street right-of-way.
5. If attached to the building, the sign shall not exceed the roof line or parapet wall of the building. If freestanding, the maximum height is 10 feet.
6. The sign is stationary.
7. The sign is removed at the time of final inspection of the job.

#### 5.10.1.C. Political, Religious and Civic Campaign Signs

Such signs are authorized in any zone for a period not to exceed 90 days provided:

1. Such signs are removed within 10 days following the conclusion of the campaign.
2. Said signs shall not be displayed in the Scenic Corridors as specified in this Chapter. Otherwise, signs shall not be within five (5) feet of the side property lines and shall be set back from the street right-of-way lines at least 10 feet (If PUPF easement: 14 feet in residential and agricultural-residential zoning districts, and 16 feet in all other zoning districts).

3. Regulations. The Planning Director may adopt rules and regulations to regulate such signs.

#### 5.10.1.D. Subdivision Signs

Signs for residential, commercial or industrial subdivisions are permitted as follows:

1. **Permanent Subdivision Identification Signs.** A permanent subdivision identification sign is permitted in any zone subject to the approval of the Planning Director provided that:
  - a. The sign shall be appropriate for the structure and landscaping design.
  - b. The sign shall be limited to a sign attached to an entrance fence or structure or a monument sign, not to exceed six (6) feet in height, not to exceed 24 square feet in size, be located in a maintained landscaped area, be located on a parcel within the subdivision and at a primary entrance; setback shall be 10 feet (If PUPF easement: 14 feet in residential and agricultural-residential zoning districts, and 16 feet in all other zoning districts) from street right-of-way.
  - c. Sign shall be non-luminous except for low silhouette spotlight not creating a glare to adjoining property.
  - d. **Computation of Sign.** When the sign is composed of letters placed flat against a fence or structure with no distinguishable background, and that the fence or structure is painted in natural tones, the area of the sign may be measured by the height of the letters multiplied by the length of each line of letters, and may be computed at 75 percent of that total area; otherwise, the area of the sign shall be measured to the outside perimeter of the sign, including the area of any voids within a simple bounding perimeter.
  - e. **Alternative Size and Location Consideration.** In lieu of subsection a. through d., above, a permanent subdivision sign located within the public street right-of-way is permitted in any zone, subject to the issuance of a Conditional Use Permit by the Planning Commission when the Commission finds that the proposed sign meets the following:
    - (i) The surface area of the sign (one side) is no more than 24 square feet.
    - (ii) The edges of the sign are no closer than three (3) feet from the side edge of the median and at least 12 feet from both ends of the median.
    - (iii) The nearest edge of the sign is no closer than 20 feet (If PUPF easement: 26 feet) from the extension of the entering street's right-of-way line. A greater distance is required if horizontal curvature is involved.
    - (iv) The sign shall be no higher than six (6) feet above the nearest roadway surface.
    - (v) The sign shall not weigh more than 200 pounds.
    - (vi) The sign shall be of a breakaway type, be mounted on a breakaway base, or be mounted on breakaway wooden posts no more than four (4) inches by four (4) inches in diameter of redwood, or Douglas fir.

- (vii) The sign may be placed only on streets with design speeds of 35 miles per hour, or less.
  - (viii) Signs shall not be illuminated.
  - (ix) Maintenance shall be the responsibility of sign owner.
- 2. Directional Subdivision Signs.** Temporary directional subdivision signs are permitted in any zone, except MP, BP, C-O, and Special Sign Corridors, subject to the approval of a Temporary Use Permit by the Zoning Administrator and the maintenance of the following:
- a. The signs shall be located at primary streets providing directions to the subdivision.
  - b. The signs shall be limited to a monument type sign, not to exceed 10 feet in height and 32 square feet in area, and shall be set back a minimum of 10 feet (If PUPF easement: 14 feet in residential and agricultural-residential zoning districts, and 16 feet in all other zoning districts) from the street right-of-way line. If the grade at the location of the sign is below the grade at street right-of-way, then the sign height may be increased to a maximum of 12 feet in height upon the approval of the Zoning Administrator.
  - c. The total number of off-site signs, including regional subdivision signs, shall not exceed six (6) signs for each final subdivision map.
  - d. A minimum distance of 75 feet shall be maintained between a directional subdivision sign and any other sign.
  - e. The permit for the directional subdivision signs shall be valid for five (5) years from the approval date.
  - f. Approved signs shall have a legible, all-weather metal tag or plate affixed to the sign in an exposed location indicating the Temporary Use Permit Control Number, date of approval, date of expiration, and the name and address of the permittee.
- 3. Subdivision Signs.** Subdivision signs are permitted in any zone, subject to the approval of Temporary Use Permit by the Zoning Administrator and the maintenance of the following:
- a. The signs shall be located at the primary entrance to a subdivision in which a subdivision sales program is active, or at the model homes.
  - b. The signs shall be limited to a monument sign not exceeding 10 feet in height and 32 square feet in area, and shall be set back a minimum of 10 feet (If PUPF easement: 16 feet) from the street right-of-way.
  - c. Notwithstanding the prohibition of Section 5.10.1.J.8 and 5.10.1.J.12, flags, other than flags of the United States of America and the State of California, and pennant flags attached to the ground may be used for advertising devices for special promotion of subdivision sales, subject to the approval of a Temporary Use Permit by the Zoning Administrator. The number and location of the signs and the length of time display shall be specifically designated.

- d. The permit for the subdivision sign shall be valid for five (5) years from the date of approval or to the termination of the subdivision sales program, whichever is first. Said permit may be renewed as necessary.
  - e. Approved signs shall have a legible, all-weather metal tag or plate affixed to the sign in an exposed location indicating the Temporary Sign Use Permit Control Number, date of approval, date of expiration, and the name and address of the permittee.
- 4. Regional Directional Subdivision Signs.** Temporary multi-sectioned directional subdivision off-site signs are permitted in the Agricultural Residential, Residential, M-1, and M-2 zoning districts, but are not permitted in the Special Sign Corridors, subject to the approval of a Temporary Use Permit by the Zoning Administrator and the maintenance of the following standards.
- a. Each sign shall meet the following location criteria:
    - (i) The sign shall only be located adjacent to streets with future rights-of-way of 80 feet or wider, providing directions to the subdivision. Each sign shall be located at least 300 feet from any existing off-site sign, including regional subdivision signs and 75 feet from any other freestanding sign. All sign separation measurements are to be measured radially.
    - (ii) The sign shall not require the removal or severe trimming of existing landscaping from planter areas required by the Sacramento County Zoning Code.
    - (iii) The sign shall not reduce parking availability as required by Section 5.9 of this Code.
    - (iv) The sign shall not be a visibility hazard to traffic on adjacent streets or parking areas.
    - (v) The sign shall be placed within the buildable area of the lot as defined in Chapter 5 of this Zoning Code.
  - b. Multi-sectioned regional subdivision signs shall be limited to pole signs not to exceed 14 feet in height and shall contain no more than four sections, each 4 feet by 8 feet (32 square feet) in area. Sign area shall not exceed 128 square feet per side.
  - c. Double-faced signs must have panels which are no further apart than 24 inches.
  - d. The total number of off-site signs for any single subdivision shall not exceed six (6) signs of any type.
  - e. The issuance of a Temporary Use Permit pursuant to this Section shall not be subject to issuance of a Variance from the above standards, pursuant to Section 6.6.1 of this Code.
  - f. Regional boards shall be designed to have four directional subdivision advertising sections per panel side.
  - g. All parts of the supporting structure and all exposed surfaces of each regional subdivision sign shall be kept painted or covered with a durable material at all times.



- h. No type of advertising is permitted on the regional subdivision sign other than directions to residential subdivisions located within Sacramento County.
- i. The permit for the regional directional subdivision sign shall be valid for five (5) years from the date of approval.

#### **5.10.1.E. Home Occupation Signs**

Home occupation signs are authorized in any zoning district in which a home occupation use is permitted, provided:

1. No more than one (1) sign is authorized, regardless of the number of permitted home occupations.
2. Said sign shall not be illuminated or spotlighted.
3. Said sign shall be attached flat against the main building or in the window on the front of the dwelling providing primary access to the public or private street.
4. The area of the sign shall not exceed four (4) square feet.

#### **5.10.1.F. Agricultural Signs**

Signs for permitted on-site agricultural uses shall be authorized in all agricultural zoning districts, agricultural-residential zoning districts, or interim agricultural zoning districts provided:

1. There shall not be more than one (1) such sign.
2. The sign is not over 16 square feet in area for parcels less than five (5) acres and 24 square feet when exceeding five (5) acres.
3. The sign is not more than six (6) feet in height.
4. The sign is set back at least 10 feet (If PUPF easement: 14 feet) from the street right-of-way.
5. The sign is not illuminated.
6. The sign shall be stationary.

#### **5.10.1.G. Church Signs**

Identification signs for churches in commercial zoning districts shall be regulated by the development standards for signs in the commercial zoning district in which it is located. Identification signs for churches in all other zoning districts are permitted provided:

1. There are not more than two (2) on-site signs, one of which may be a freestanding sign. This limitation shall apply irrespective of the number of uses on the property.
2. The total area of both signs shall not exceed a total of 36 square feet with the freestanding sign not exceeding 24 square feet.
3. The illumination of the sign, if any, shall be indirect and nonflashing.
4. The sign is located on the lot on which the church building is located and shall be set back not less than 10 feet (If PUPF easement: 14 feet) from the street right-of-way.

5. The height of the sign shall not exceed six (6) feet above the ground if freestanding. If attached to a building, the height of the sign shall not exceed the roof line or parapet wall of the building.
6. When the sign is composed of letters applied to the building without a distinctive background, the area of the sign may be measured by the height of the letters multiplied by the length of each line of letters, and may be computed at 75 percent (75%) of that total area; otherwise, the area of the sign shall be measured to the outside perimeter of the sign including the area of any voids within a simple bounding perimeter.
7. All signs shall be stationary.
8. Generally recognized and acceptable religious symbols that are freestanding or are attached to or part of the church (or attached to or part of a freestanding sign) may be exempt from the provision herein regarding height, area, and number of signs when approved by the Zoning Administrator.

#### **5.10.1.H. Exempt Signs**

The following signs are exempt from the provisions of this Code:

1. Approved highway directional signs;
2. Railroad signal signs;
3. Signs prohibiting trespassing and hunting;
4. Warning signs required by law or erected by public agencies;
5. Utility company signs identifying cables, conduits, danger, and so forth;
6. Public notices and announcements authorized by courts and public officials including neighborhood watch signs.
7. Signs on buses and taxis as advertising devices;
8. Signs on automobiles and trucks that are painted on or attached flat against the vehicle (e.g., magnetic signs) to identify or advertise the business, providing the primary use of the vehicle is for the business operation and the parking of the vehicle on private property is a normal function and is not parked in the required front or side street yards of the commercial zoning districts;
9. Window signs limited to painted signs on glazing, poster paper signs, and place cards attached to the inside of glazing of store fronts, providing that any single store front glazing (window) is not covered by more than fifty percent (50%);
10. Signs that are painted on or attached to the windshield of a vehicle or boat, properly located for display;
11. Public telephone identification. Signs attached to a telephone booth, projecting wall sign to identify interior or wall mounted public telephone, and signs attached to a legal freestanding sign, providing that sign surface does not exceed four (4) square feet, and when attached to freestanding signs, the sign does not increase maximum height allowed for the freestanding sign. Such signs are prohibited from being attached to nonconforming signs, illegal signs, and lighting standards;

12. Regulation type signs for automotive service stations such as those required by other agencies as provided by Section 5.10.5.A.8;
13. Signs erected inside enclosed malls;
14. Signs erected out-of-doors within courtyards and mall spaces (below the height of enclosed buildings) within the buildable portion of the lot where signs are not visible from a public street or adjacent parcel;
15. Freestanding signs which only indicate the street address of the property on which the sign is located, providing that it does not exceed an area of four (4) square feet and is located with a setback of at least five (5) feet with a height no greater than 30 inches;
16. The flag of the United States, the State of California, and the official flag of any government or nonprofit organization;
17. Signs which only display time and/or temperature;
18. Barber poles at barbershops;
19. Exit, entrance, or other on-site traffic directional signs are permitted, provided: maximum height of 30 inches in required front yard, four (4) square feet, no advertising or message other than for traffic directional, and subject to review and enforcement authority. The height may be increased to a maximum of five (5) feet if signs are located within the buildable area of the project; and
20. Special signing required for drive-in windows for drive-in restaurants, banks, or similar businesses are exempt provided the sign copy is necessary for information, instruction, or directions and specifically related to the special use, subject to review and approval of the enforcement agency, which shall use discretion in approval of such signs related to number, location, height, size, and design.

#### 5.10.1.I. Prohibited Signs

The following signs are prohibited in all zoning districts:

1. Abandoned, damaged and/or unmaintained signs;
2. Any sign that moves, fluctuates, reflects, revolves, flashes, blinks, is animated, or emits a varying intensity of light or color, except for electronic reader/video board and digital signs permitted by this Code;
3. Any living thing, including but not limited to people, dogs, etc., or any machine, statue, model, or imitation of a living thing, excluding generally recognized and acceptable religious symbols that may be approved as provided by Section 5.10.1.G.8; which is intended to communicate any numeral, letter, word, model, banner, emblem, insignia, symbol, device, light, trademark, or other representation used as, or in the nature of, an announcement, advertisement, attention-arrester, direction, warning, or designation of any person, firm, group, organization, place, commodity, product, service, business profession, enterprise, or industry;
4. Any sign displaying any obscene or untruthful matter;
5. Signs which are prohibited by the Obstruction of Corners regulations, Title 12, Chapter 12.12 of the Sacramento County Code; or located within a public right-

- of-way; or when located along a right-of-way with a PUPF easement, located within 16 feet of the public right-of-way, unless otherwise permitted by this Code;
6. Signs which include the words "Stop, Look, Listen" or any other word, phrase, symbol, lights, motion, sound, fumes, mist, or other effluent or character in such manner as to interfere with, mislead, or confuse traffic;
  7. Signs which imitate or resemble official traffic warning devices or signs, that by color, location, content, or lighting may confuse or disorient vehicular or pedestrian traffic;
  8. Inflatable or lighter-than-air devices of any kind, including but not limited to balloons, when attached or secured from the ground or to any object on the ground;
  9. Flying signs, such as blimps or kites, designed to be kept aloft by mechanical, wind, chemical, or hot air means;
  10. Signs projecting over roofs and roof signs except where specifically provided for under the provisions of signs attached to buildings;
  11. Signs projecting from buildings except where provided for in special sign district ordinance or otherwise specifically provided for;
  12. Any other advertising device attached to a building, fence, pole, or vehicle on display not specifically mentioned, unless otherwise provided for in this Code;
  13. Signs on exempt structures (Section 5.2.2.B), exceeding the height of an otherwise permitted building, except where permitted pursuant to Section 5.10.1.K.7;
  14. Any other advertising device attached, burned, cut, or otherwise marked or affixed to the ground, building(s), fence(s), pole(s), tree(s), rock(s), or other natural feature(s), or vehicle(s) on display not specifically mentioned, unless otherwise provided for in this Code;
  15. A-frames, portable reader-board advertising devices, and other similar portable signs, except for those temporary real estate signs for an open house as provided for in Section 5.10.1.A.6;
  16. Feather or wind signs; and
  17. Banners, flags other than those listed in Section 5.10.1.H.16, and pennants, except as otherwise approved on a temporary basis as provided in Section 5.10.1.J.

#### **5.10.1.J. Temporary Signs**

The County permits the use of temporary signs for special events, sales, promotions, etc. and does not allow the display of these types of signs for continuous marketing efforts. Temporary signs require the issuance of a Temporary Use Permit by the Zoning Administrator. Temporary signs 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. All temporary signs shall be professionally made

and constructed of durable materials that will withstand the elements. All temporary signs shall be maintained in a like-new condition and be set back a minimum 10 feet (If PUPF easement: 16 feet) from the street right-of-way.

In all instances, the following types of temporary signs may be considered for approval with a Temporary Use Permit by the Zoning Administrator:

#### **1. Banners**

- a. The sign shall be affixed securely to the face of a building or permanent sign. The sign shall not be suspended in the air, or affixed to poles, fences, trees, vehicles, or other devices.
- b. There shall be no more than one sign per side of a building or permanent sign, per permit, and in no event shall there be more than three (3) signs present per permit.

#### **2. Flags**

- a. The flag shall be mounted on an approved pole or standard, subordinate to the flag of the United States and State of California.
- b. No more than three (3) flags may co-exist on a flagpole.

#### **3. Pennants**

- a. There shall be no more than three (3) signs permitted per permit.
- b. The sign shall not be attached to any other sign, either directly, or indirectly, by rope, twine, string, or other appurtenance.
- c. The sign shall come no closer than eight (8) feet to the ground and shall be mounted on a permanent, un-natural fixture such as a light pole or other similar device.

#### **4. Search Lights**

- a. The sign shall be limited to one machine, located in the buildable portion of the lot and not in required landscaping or required parking.
- b. No more than four (4) lights on one (1) machine may be shown skyward at one time.
- c. Upon receiving direction from the Sheriff's department or any other law enforcement agency to cease using the search lights, the use will be discontinued and not resumed until approved by the law enforcement agency that caused the lights to be turned off.

#### **5. Co-location of Temporary Signs**

- a. The temporary signs identified herein may be used in any combination an applicant so chooses, as identified on the temporary sign permit application, except that any combination may not exceed a total of three (3) temporary signs per permit.
- b. No more than three (3) temporary sign permits shall be active and in use at the same time on the same property or in the same shopping center.

#### **5.10.1.K. Special Provisions**

1. On-site electronic reader/video boards or digital signs are permitted subject to obtaining a Conditional Use Permit from the Planning Commission, and provided that the message shall be for on-site advertising or for public information messages. A time interval of four (4) seconds minimum for changing copy or display shall be adhered to, consistent with and pursuant to standards adopted by the State of California, Department of Transportation. If the electronic reader/video board or digital sign portion of any permitted sign for on-site advertising or for public information messages is 50% or less than the total sign area, the sign is permitted and a Conditional Use Permit shall not be required.
2. Illuminated signs in store front window glazing shall be considered part of the total sign area, and regulated by the standards for the zoning district.
3. Except for general recognized and acceptable religious symbols that may be approved as provided for by Section 5.10.1.G.8, art or statuary, real or simulated, that is proposed as part of a sign design may be permitted, provided that it is computed as part of the total sign area.
4. **Sign Setback.** Except as provided herein, setback for signs shall be measured from the future right-of-way as provided by Section 5.2.1 to the closest edge of the sign. For streets which are improved to a width less than the future right-of-way, setback for signs may be measured from the existing improvements meeting current County standards, provided that a relocation agreement shall be recorded at the owner's expense which guarantees that the property owner agrees to relocate the sign at his/her own expense to the required setback from the right-of-way at such time that the County widens (or causes to be widened) the street to the future right-of-way. For parcels where improvements are not complete to meet present County standards, setback shall be measured from that point which would abut County standard improvements if they were installed. For parcels that do not have existing improvements and where other parcels within the same block have improvements, the setback may be measured from a projection of existing street improvements within the same block. In no case shall a sign be located within the dedicated right-of-way.
5. All signs projecting over walks, halls, corridors, passageways or aisles shall be installed in compliance with the Handicapped Access Regulations, California Code of Regulations, Title 24, State Building Code, Part 2, Section 2-1721, "Protruding Objects."
6. A business may be advertised on a directory pole sign that is located on a nonadjacent parcel when the project utilizes common facilities, such as driveways and parking areas.
7. Identification signs on those structures for which height exemptions are allowed (Section 5.2.2.B) are permitted in the M-2 zoning district subject to a minimum parcel size of 50 acres and provided all other development standards are met for the structures.

#### 5.10.1.L. Community Interest Group Signs

Community interest group signs identifying fraternal, benevolent, social services, and religious organizations and setting forth time, place, and location of meetings within the community are permitted in any zoning district, provided:

1. Such signs are supported on a single standard or combined into a single sign.
2. The overall area of such signs as a group does not exceed 100 square feet and the area of the sign devoted to any one of such organizations does not exceed 20 square feet.
3. No more than four (4) locations for such signs will be permitted within any town or community or unincorporated area constituting a district place with a name and common interests.
4. The minimum setback for such signs from the nearest right-of-way line of a street shall be 25 feet (If PUPF easement: 29 feet) in the interim residential zoning districts, and 20 feet (If PUPF easement: 24 feet) in the residential and agricultural-residential zoning districts. In the commercial or industrial zoning district, the street setback shall be 10 feet (If PUPF easement: 16 feet), and the separation from any other freestanding sign shall be 75 feet.
5. A Minor Use Permit by the Planning Director is required for any community interest group sign. Notwithstanding any other provisions of this Code, no fee shall be required for filing application for the use permit required by this subsection.

#### **5.10.1.M. Identification Signs**

1. Identification signs for public and private schools, colleges, universities, and parks are authorized in any zoning district, provided:
  - a. There shall be no more than one such on-site sign at each major entrance to the school or park.
  - b. Each sign shall not exceed 24 square feet in area.
  - c. Illumination of the sign, if any, shall be indirect and non-flashing.
  - d. The setback is not less than 10 feet (if PUPF easement: 14 feet in residential and agricultural-residential zoning districts, and 16 feet in all other zoning district) from the street right-of-way line.
  - e. If attached to a building, it must be flat against the building and the height of the sign shall not exceed the roof line or parapet wall of the building. If freestanding, the maximum height is six (6) feet.
  - f. The sign is stationary.
  - g. This Section shall not restrict the number or size of on-site signs erected out-of-doors within courtyard or mall spaces below the height of the enclosing buildings within the buildable area of the lot, provided the signs are not visible from a public street or adjoining property.
  - h. When the sign is composed of letters applied to the building without a distinctive background, the area of the sign may be measured by the height of the letters multiplied by the length of each line of letters, and may be computed at 75 percent of that total area; otherwise, the area of the sign shall be measured to the outside perimeter of the sign including the area of any voids within a single bounding perimeter.
  - i. Signs for schools located on the same parcel as a church shall be regulated by Section 5.10.1.H, "Church Signs."





public to locate said recreational business is permitted subject to a Conditional Use Permit by the Zoning Administrator. Sign copy shall be limited only to the names of the recreational business and directional information. The size and design must be appropriate for the area; and the Zoning Administrator is to approve same including determination of height, setback, location, and illumination limited to spotlight.

6. Except for those community identification signs that may be erected within the right-of-way by the Sacramento County Department of Transportation, identification signs for communities are permitted subject to issuance of a Minor Use Permit, and the following provisions:
  - a. There shall be no more than one such sign at each major entrance (e.g., along a thoroughfare or highway) to the community.
  - b. The sign shall not include advertisement for any businesses, services, or products available for sale within the community.
  - c. The sign shall not exceed 24 square feet in area.
  - d. The height of the sign does not exceed six (6) feet.
  - e. The sign shall be located at least 10 feet (If PUPF easement: 14 feet in residential and agricultural-residential zoning districts, and 16 feet in all other zoning districts) from any street right-of-way line.

#### **5.10.1.N. Billboard Signs**

**Billboard signs, including digital and static billboards may be located in any commercial, mixed-use or industrial zoning district located within 1,000 feet of a designated Freeway on the Sacramento County Transportation Diagram, subject to the standards below and securing a Conditional Use Permit from the Board of Supervisors, after a recommendation from the Planning Commission.**

1. **Area.** The total area of any off-site sign shall not exceed 720 square feet, nor shall the sign exceed the length of 50 feet.
2. **Location.** Except for digital billboards, each off-site sign shall be located not less than 300 feet from any other off-site sign; nor closer than 75 feet from any on-site freestanding sign. No off-site sign shall be located within 300 feet of a parcel located within any Agricultural, Agricultural Residential, or Residential zone; nor shall any such off-site sign be located more than 1,000 feet from a parcel lawfully used for commercial or industrial purposes.

Each off-site sign shall be so located that the part of the sign closest to the street right-of-way shall be not less than 50 feet from the right-of-way, except where the parcel of land has been developed under the provisions of Section 5.5.2. An off-site sign may be permitted with a setback the same as the building on the parcel with a minimum setback of 25 feet (If PUPF easement: 31 feet).

3. **Height.** The maximum height for off-site signs shall be 50 feet.
4. **Measurement.** The following methods shall be used to measure the spacing of off-site signs regulated by this Section:

- a. **When measuring the separation of signs or uses along a public street, the location of each sign shall be projected at right angles to the center line of the street and distance measured along the street center line between the two points projected thereto.**
  - b. **When measuring distance between signs located on parcels located at intersecting streets, the sign location is to be projected at right angles to the street center line and the distance is measured on the center line of the two streets between the two projected points. Only one (1) off-site sign shall be permitted per corner parcel.**
  - c. **Any measurement from a sign to another land use zone shall be by straight line measurements from the closest point of the sign to the zoning boundary.**
- 5. Aesthetics**
- a. **The sign will not require removal or substantial trimming of existing vegetation or landscaping.**
  - b. **The sign will not obstruct or obscure on-site signs on the same or adjacent properties.**
- 6. Traffic Safety**
- a. **The sign will not be a visibility hazard to traffic on adjacent streets or parking areas.**
  - b. **The sign will not reduce parking availability as required by Section 5.9 of this Code.**
  - c. **The sign will not interfere with on-site vehicular circulation.**
- 7. Compatibility.** **The sign will not have substantial detrimental effects on views from and light striking adjacent or surrounding properties.**
- 8. Digital Billboards.** **The following additional development standards shall apply to all digital billboard signs:**
- a. **Digital billboard signs may be located in any commercial, mixed-use or industrial zoning district, subject to a Conditional Use Permit, or an amendment to an existing Conditional Use Permit in the case of the conversion of a static billboard sign, from the Board of Supervisors, after a recommendation from the Planning Commission.**
  - b. **Illumination.** **Digital billboards may be internally or externally illuminated. Signs shall not operate at brightness levels of more than 0.3 foot candles above ambient light, as measured using a foot candle meter at a distance of 250 feet from the sign face. Each display must have a light sensing device that will adjust the brightness as ambient light conditions change.**
  - c. **Location.** **No digital billboard shall be located within 2,500 feet of any other digital billboard.**
  - d. **Operational Limitations.** **Digital displays shall contain static messages only, and shall not have movement, or the appearance or optical illusion of movement during the static display period, of any part of the sign structure,**

- design, or pictorial segment of the sign, including the movement or appearance of movement. Each static message shall not include flashing lighting or the varying of light intensity.
- e. **Minimum Display Time.** Each message or display on the sign must remain fixed for a minimum of eight (8) seconds, and the maximum time allowed for transitions between message displays shall be one (1) second.
  - f. **Future Technologies.** The technology currently being deployed for digital billboards is LED (light emitting diode), but there may be alternate, preferred and superior technology available in the future. Any other technology that operates under the maximum brightness stated above and does not result in a physical change in the appearance of the sign may be approved administratively by the Planning Director.
  - g. **Community Messaging.** The County shall be provided with access to a portion of the total available display time to allow for messages of community interest. This access shall also include other appropriate agencies for the purpose of displaying public safety messages such as Amber Alerts and other emergency management information.
9. **Guidelines for Off-site Signs.** The following guidelines are not mandatory, but should be considered by the hearing bodies during public hearings on any application for a Conditional Use Permit.
- a. All relocated off-site signs should be freestanding and should be built with a single supporting post, if at all possible, and should be located on no more than two (2) supporting posts.
  - b. Double paneled signs should not have an interior angle between the face of the panels greater than twenty degrees (20).
10. **Development Agreement.** The County and applicant shall enter into a Development Agreement in conjunction with the issuance of a Conditional Use Permit for a billboard sign. .
11. **Removal of Existing Billboards.** . For any billboard sign, , the applicant must propose, as part of the application for a Conditional Use Permit, the removal of a sum total of at least four (4) square feet of legally existing billboard display surface, excluding the billboard support structure and frame, for each square foot of display surface proposed. The computation of display surface for an existing back-to-back billboard sign shall be limited to one display surface, and must result in the removal of the entire advertising display, including the support structure itself. The billboard signs proposed for removal may be located along any arterial, thoroughfare, highway or freeway within the County jurisdiction. At least 25 percent of removed signage shall be from the same community. In addition, at least 25% of removed signage shall be from a site located within a Special Sign Corridor. .

#### 5.10.1.O. Mass Transit Shelter Signs

A sign shall be permitted upon a mass transit shelter in any zoning district, provided:

1. There is no more than one single faced or two-faced sign upon or within any mass transit shelter.

2. Each face of such sign does not exceed 30 square feet in area, for each basic size of a mass transit shelter, or multiple thereof, as defined in Section 5.2.1C.
3. The brightness of the light source shall not exceed the lighting criteria as set forth in Sections 21466 and 21466.5 of the Vehicle Code of the State of California or five (5) footcandles, whichever is less. Certification of the light source shall be provided from a licensed Professional Engineer prior to the issuance of any building permits.
4. Such sign does not project above the top of, nor exceed, the width of the bus shelter.
5. Such sign complies with the provisions of Section 5.10.1.J.

#### **5.10.1.P. Gateway Signs**

A gateway sign may be located along any thoroughfare, freeway, or highway at a key entrance to a major retail commercial or office district to advertise the businesses or products available within the district, subject to a Conditional Use Permit by the Board of Supervisors and the following provisions:

1. Gateway signs may be located on- or off-site and within or adjacent to the right-of-way in any commercial, industrial or mixed-use zoning district along a thoroughfare, freeway, or highway at an interchange, intersection, or key entrance to a major retail commercial or office district; including but not limited to, the Fulton Avenue auto sales district, Florin Road commercial shopping district, North Natomas business/office district, and Metro Airpark.
2. Gateway signs may be either a monument or pylon sign, and shall advertise the businesses or products available at the major retail commercial or office district for which the sign is intended, and must include a logo and identification, through text, architecture or iconic signage, for that district.
3. The maximum height allowed shall be 30 feet, and the maximum allowed area for all signage on each gateway sign shall be 400 square feet.
4. In addition to other signs as may be permitted by this Code, there shall be no more than one (1) gateway sign per major retail commercial or office district.
5. There shall be no flashing, moving, or animated illumination allowed on the sign.

#### **5.10.1.Q. Historic Signs**

Signs intended to complement and reflect the historic character of a building or district in which the use is located may vary from the standards pertaining to maximum height, area or placement on the building for the zoning district as identified by this Code, on a case-by-case basis, subject to issuance of a Special Development Permit by the Planning Commission. Signs may be replicated in original historic size, shape, like-appearing materials, and placement to identify a current use of the building. Lighting may be in accordance with historically appropriate lighting types, subject to compliance with current electrical codes. In the approval of such signs, the Planning Commission must find that the design, location and scale of the proposed signs will be in keeping with the architectural and historic character of the current use of the building.

#### **5.10.1.R. Master Sign Program**

A master sign program may be developed for shopping and commercial districts, mixed-use districts, or office and industrial complexes with multiple buildings to establish a coordinated project theme of design elements such as color, lettering style and placement that affords the project prominent identification. Signage may vary from the standards pertaining to maximum height, area, setbacks, or placement on the building as identified by this Code, on a case-by-case basis, subject to issuance of a Special Development Permit by the Planning Commission. The master sign program may include, but is not limited to the following types of signs: gateway signs, roof signs, directional signs, directory/community boards, public murals and art used for sponsorship and advertising purposes, and projecting signs extending out from the building facade, subject to the following provisions:

1. Signs should be proportional to the scale of the building and their affixed surface, and visually balance with the building mass and height. Small storefronts should have smaller signs than larger storefronts.
2. Materials for signage should related to and reflect the architecture and quality of materials used throughout the development.
3. Wall signs should be placed to establish facade rhythm, scale and proportion, and should be designed to create a clearly defined edge, provide shadow relief, and a substantial appearance.
4. Public mural and art pieces may be used for sponsorship and advertising purposes and should be of significant size to assist in breaking down the scale of large blank walls. Materials used shall be either paint or large scale digital printing with external illumination.
5. Projecting signs, including, but not limited to, blade signs, bracket signs, and marquee sign shall be at least eight (8) feet above the sidewalk or grade, and may not be located within or above the right-of-way or designated emergency vehicle/fire access lane, unless an Encroachment Permit is issued for this purpose.
6. Projecting signs should be oriented toward pedestrians on the sidewalk, and should include shapes or symbols uniquely suited to the business. Creative shapes and three-dimensional signs are encouraged. Mounting hardware should be an attractive and integral part of the sign design.
7. Wayfaring signage should be easily and comfortably read from the sidewalk.
8. A-frames, portable reader-board advertising devices, and other similar portable signs are prohibited.

## **5.10.2. Signs – Business and Professional Office Zoning Districts**

### **5.10.2.A. On-site Signs**

Except as otherwise provided in this Code, on-site signs and permitted advertising devices may be erected subject to the following provisions:

#### **1. Signs Attached to the Building**

- a. **Area.** The total area of all signs attached to a building shall not exceed the maximum area determined by any of the following:
  - (i) One (1) square foot of sign area is allowed per foot of building/tenant frontage.

- (ii) Buildings with tenants having primary frontage to a courtyard or the side of a building rather than a public street may have one (1) square foot per foot of tenant building frontage facing the courtyard rather than based on building frontage facing a public street.
  - (iii) Where a tenant has building frontage to a public street and a courtyard or the side of a building which is not a courtyard, the area will be limited to the tenant frontage by designed frontage of the tenant's portion of the building. A tenant cannot use both frontages. Illumination of signs is limited to eight (8) feet in height within the courtyard or side of the building when on a wall and, where otherwise attached to a building as per Section 5.10.2.A.1.c is limited to 10 feet in height when the courtyard is less than 50 feet, and 12 feet in height when the courtyard is 50 feet or more.
- b. When the sign is composed of letters applied to the building without a distinctive background, the area of the sign may be measured by the height of the letters multiplied by the length of each line of letters, and may be computed at 75 percent of that total area; otherwise, the area of the sign shall be measured to the outside perimeter of the sign, including the area of any voids within a simple bounding perimeter.
  - (i) Sign copy which is applied to an awning or canopy shall be computed at one hundred percent of the area within a line enveloping the sign copy.
- c. **Location.** All on-site signs or advertising devices advertising an individual use, business, or building shall be located flat against the building except as herein provided.
  - (i) Business identification Signs may be mounted to a beam or suspended from a canopy or porch providing that they do not project above the roof surface and do not exceed 30 inches in height and, when over an exterior corridor or exit court, minimum clearance of seven (7) feet is provided.
  - (ii) Signs may be mounted below the soffit of a porch, canopy, or overhang and perpendicular to the building not exceeding 12 inches below beam or soffit line providing clearance below the sign over exterior corridor or exit court is seven (7) feet minimum.
- d. **Height.** No sign or advertising device shall project above the roof except that a sign oriented in the same direction as the wall on which it is applied may project four (4) feet above the finish ceiling of the topmost story, but in no case can it project above the wall on which it is located.
- e. **Illumination.** Lighting of signs shall be arranged so as not to produce a glare on other properties in the vicinity and the source of light shall not be visible from adjacent property or a public street. Backlighting of awnings, canopies, and similar structures shall be based on the following:
  - (i) If the lighting system is fluorescent, the fixtures shall be UL rated for protected outdoor use, with cool white tubes not to exceed 800 milliamps and not to exceed two tubes per fixture. Fixtures shall be no closer than 12 inches from the fabric and the distance between fixtures shall be such that

an average of 12 inches per tube between the outermost tubes is not exceeded.

- (ii) If the lighting system consists of (or includes) other than fluorescent tubes, the luminance level produced by such system shall not exceed the luminance level produced by a fluorescence system using the above criteria. Conformance shall be confirmed by calculations that compare the allowable fluorescent luminance with the proposed alternate luminance based upon a report from a qualified electrical engineer and approved by the Planning Director.

- f. Special Provisions for Tenants without Building Frontage.** Tenants with primary frontage to an enclosed mall or interior hallway of a building are allowed to attach a sign to the exterior of the building, as described in Sections 5.10.2.A.1.b through 5.10.2.A.1.d, above, upon issuance of a Minor Use Permit by the appropriate authority. The appropriate authority shall determine that the sign or signs:

- (i) Are proportional and in scale with the building.
- (ii) Are compatible in design, color, and material with the building and surrounding area.
- (iii) Do not result in the total area of all signs attached to the building exceeding the area allowed for the building by Section 5.10.2.A.1.
- (iv) Make reasonable provisions for all tenant space with primary frontage to the enclosed mall or interior hallway.
- (v) Are in all other respects, consistent with the intent of the sign regulation.

## 2. Freestanding Signs

- a.** A freestanding sign is permitted provided it is a monument sign and subject to the following provisions:
  - (i) **Area.** Maximum area is twenty-four (24) square feet.
  - (ii) **Setback.** Setback shall be 10 feet (If PUPF easement: 16 feet) from existing street improvements or right-of-way line as provided in Section 5.10.1.K.4. Measurement shall be from right-of-way or street improvements to closest edge of sign or support structures.
  - (iii) **Location.** Sign shall be located in a planter. Not less than three (3) feet of landscaping all around the base of the sign is required for existing developments not meeting present development standards.
  - (iv) **Height.** Maximum height of the monument sign is six (6) feet.
  - (v) **Spacing.** Spacing of freestanding signs shall be a minimum of 50 feet from adjacent freestanding signs on adjacent parcels.
- b.** The provisions of this Section shall not restrict signs erected out-of-doors within courtyard and mall spaces (below the height of the enclosing building) within the buildable portion of the lot where the signs are not visible from a public street.

- c. The provisions of this Section shall not restrict signs erected inside enclosed malls.
- d. Parcels that have no public street frontage shall be allowed to advertise on an existing legal freestanding sign located on a contiguous commercial parcel which fronts on a public street. Such signs shall be limited to a maximum size of 12 square feet in area and shall be in addition to the sign area allowed for the parcel having public street frontage.

### 5.10.3. Signs – Commercial and Industrial Zoning Districts

#### 5.10.3.A. On-site Signs

Except as otherwise provided in this Code, signs and permitted advertising devices may be erected for permitted uses, subject to the following provisions:

##### 1. Signs Attached To Buildings

- a. **Area.** The total area of all signs attached to a building shall not exceed the maximum area determined by any of the following:
  - (i) **Building Frontage.** The total area of all signs attached to a building with less than 50-foot (If PUPF easement: 56-foot) setback from the street right-of-way line shall not exceed two (2) square feet per foot of building frontage. For buildings with 50 feet (If PUPF easement: fifty-six (56) feet) or greater setback from the street right-of-way line, the total area of all signs shall not exceed three (3) square feet per foot of building frontage. For parcels fronting on more than one public street, sign area entitlement may be based on any one of the street frontages, not the total frontage; however, once the allotted sign area has been computed, it may be distributed over both faces of the building fronting on the public streets.
  - (ii) **Tenant Design Frontage.** Buildings which are designed such that the primary entrance to tenant space is from a courtyard or a side of the building rather than a public street may have two (2) square feet per foot of tenant building frontage facing the courtyard or side of the building rather than being based on building frontage facing a public street. Where a tenant has design frontage, including public entrances, facing a public street and either a courtyard or side of the building, sign area entitlement may be based on the design frontage facing either the public street or courtyard or side of building, but not the total frontage; however, once the allotted sign area has been computed, it may be distributed over both faces of the design frontage provided the maximum sign area on the building facing the public street shall not exceed three (3) square feet per foot of building frontage.
  - (iii) **Exception Adjacent to Residential Zoning Districts.** Exception to the provisions of (ii), above, is where the courtyard or side of the building is immediately adjacent to a residential zoning district. In that instance, the sign area is limited to one (1) square foot per foot of tenant design frontage facing the courtyard or side of the building. Illumination of signs is limited to eight (8) feet of height within the courtyard on side of the building when on a wall, and where otherwise attached to a building as per three as follows, is limited to 10 feet in height when the courtyard or



side of the building is less than 50 feet and 12 feet in height when 50 or more feet.

- b. When the sign is composed of letters applied to the building without a distinctive background, the area of the sign may be measured by the height of the letters multiplied by the length of each line of letters, and may be computed at 75 percent of that total area; otherwise, the area of the sign shall be measured to the outside perimeter of the sign, including the area of any voids within a simple bounding perimeter.
- (i) Sign copy which is applied to an awning or canopy shall be computed at one hundred percent of the area within a line enveloping the sign copy.
- c. **Location.** All signs attached to a building shall be attached flat against the building and parallel thereto, and said sign shall not extend more than 18 inches from the wall of the building. For the purpose of this Section, a wall is a surface not less than 60 degrees from the horizontal. Exceptions to this provision are as follows:
- (i) Signs may be attached to the fascia of the building providing that they do not exceed four (4) feet in height and that the sign does not project above the peak of the roof of the building as visual from eye level at the street right-of-way line.
- (ii) Signs may be mounted to the beam or rigidly suspended from the beam of a porch or canopy and may project below the beam provided that the sign does not exceed 30 inches in height. When the sign is over an exterior corridor or exit court, the minimum clearance to the bottom of the sign is seven (7) feet and the sign may not project above the roof of the porch or canopy.
- (iii) Signs may be mounted on the roof of the building, porch, or canopy at the exterior wall or supporting beam and posts or any area between the fascia and said exterior wall or supporting beam and post providing that they do not extend more than four (4) feet in height above the ceiling, soffit, or horizontal line from the top of the beam to the building for a sloped roof, and the sign does not project above the peak of the roof of the building as visual from eye level at the street right-of-way line. In no case can the sign pursuant to this Section be greater than four (4) feet in height.
- (iv) Business identification signs may be mounted below the soffit of a canopy, overhang, or porch and may be perpendicular to the building providing that they do not exceed 12 inches below the soffit or beam and maintain a minimum of seven (7) feet below the sign over exterior corridors or exit courts.
- (v) Signs mounted on a flat vertical surface architecturally designed as part of the building within the roof slope, but not projecting above the highest portion of the roof, will be considered as flat against the building. Signs are not to project above the provided surface.

(vi) A sign attached to a wall and oriented in the same direction as the wall on which it is applied may project four (4) feet above the finish ceiling at the sign location.

- d. **Height of Signs Attached to Buildings.** No sign or advertising device attached to a building shall project above the roof of a building except as provided in Section 5.10.3.A.1.c.(i) through 5.10.3.A.1.c.(vi), “Location of Signs Attached to Buildings.”
- e. **Special Provisions for Tenants without Building Frontage.** Tenants with primary frontage to an enclosed mall or interior hallway of a building are allowed to attach a sign to the exterior of the building as described in 5.10.3.A.1.b through 5.10.3.A.1.d, upon issuance of a Minor Use Permit by the appropriate authority. The appropriate authority shall determine that the sign or signs:
- (i) Are proportional and in scale with the building.
  - (ii) Are compatible in design, color, and material with the building and surrounding area.
  - (iii) Do not result in the total area of all signs attached to the building exceeding the area allowed for the building by Section 5.10.3.A.1.c.a.
  - (iv) Make reasonable provisions for all tenant space with primary frontage to the enclosed mall or interior hallway.
  - (v) Are in all other respects consistent with the intent of the sign regulations.

## 2. Nondirectory Signs

- a. **Area.** Nondirectory signs shall be allowed an area of one (1) square foot per foot of the public street frontage with a maximum area of 200 square feet.
- b. **Computation of Area.** Freestanding signs are to be computed as total height by the total length of the sign or signs for one side for double faced signs, excluding framework of separate single wood post or masonry column and single wood or masonry beam. The base of a monument sign is not part of the sign when of wood or masonry. Freestanding signs that are spread with two faces shall be computed by the greater of either the area of one side or the projected area of two sides.

Freestanding signs that are spread with three faces shall be computed by the greater of either the area of one side, or the projected area of two or three sides.

Freestanding signs that are four sided shall be computed by the greater of either the area of two sides or the projected area of two sides.

- c. **Location.** Nondirectory pole signs shall be located so that the part of the sign located closest to the street right-of-way line, including support structure, shall be set back not less than 10 feet (If PUPF easement: 16 feet) from existing public street improvements or right-of-way line as provided in Section 5.10.1.K.4.
- d. **Height.** The maximum height of a nondirectory freestanding sign with a 10 foot (If PUPF easement: 16-foot) setback from the street right-of-way line

shall be 10 feet. The height of the sign may be increased one (1) foot for each foot the setback of the sign is increased, provided, however, the maximum height of the sign shall not exceed 25 feet in any case.

- e. Commercial or industrial parcels that have no public street frontage shall be allowed to advertise on an existing legal freestanding sign located on a contiguous commercial or industrial parcel which fronts on a public street. Such signs shall be limited to a maximum size of 12 square feet in area and shall be in addition to the sign area allowed for the parcel having public street frontage.

### 3. Directory Signs

- a. **Area.** The maximum area of a directory sign shall not exceed 200 square feet.
- b. **Computation of Area.** Freestanding signs are to be computed as total height by the total length of the sign or signs for one side for double faced signs, excluding framework of separate single wood post or masonry column and single wood or masonry beam. The base of a monument sign is not part of the sign when of wood or masonry.
- c. Freestanding signs that are spread with three faces shall be computed by the greater of either the area of one side, or the projected area of two or three sides.
- d. Freestanding signs that are four sided shall be computed by the greater of either the area of two sides or the projected area of two sides.
- e. **Location.** Directory pole/monument signs shall be located so that the part of the sign located closest to the street right-of-way line, including supporting structure, shall be set back not less than 10 feet (If PUPF easement: 16 feet) from existing public street improvements or right-of-way line as provided in section 5.10.1.K.4.
- f. **Height.** The maximum height of a directory freestanding sign shall be 25 feet.

- 4. **Spacing of Directory and Nondirectory Signs.** One (1) freestanding sign, whether directory or nondirectory, shall be allowed per 75 feet of public street frontage, limited to one (1) such freestanding sign per parcel except as provided herein. For the purposes of this Section, parcel shall mean: A unit of property with public street frontage of not less than 50 feet shown on the latest equalized assessment roll of the County of Sacramento.

#### Exceptions:

- a. Where a parcel has in excess of 300 feet of public street frontage, one (1) additional freestanding sign may be erected for each additional 300 feet of public street frontage of a developed parcel and limited to one (1) directory sign for the purpose of Sections 5.10.3.A.a and 5.10.3.A.a.f.
- b. Where a parcel fronts on more than one (1) public street and there is in excess of 300 feet of combined public street frontage, one (1) additional freestanding sign may be erected for each additional 300 feet of public street frontage of a developed parcel and limited to one (1) directory sign for the purpose of Sections 5.10.3.A.a and 5.10.3.A.f where the secondary public street frontage is less than 200 feet of public street frontage.

- c. Where a parcel fronts on more than one (1) public street with an adjacent parcel at the corner between two (2) public street frontages, one (1) additional freestanding sign may be erected when secondary public street frontage equals 50 feet or more with size being determined by each public street frontage and is not transferable, and limited to one (1) directory sign for the purpose of Sections 5.10.3.A.a and 5.10.3.A.f when the secondary public street frontage is less than 200 feet of public street frontage.
  - d. Where a parcel has public street frontage of 50 feet but not exceeding 100 feet, a nondirectory sign may be spaced 50 feet from adjacent freestanding sign on adjacent parcel.
- 5. Illumination.** Lighting shall be arranged so as not to produce a glare on other properties in the vicinity and the source of light shall not be visible from adjacent property or public street. For purposes of this Section, no exposed incandescent bulb rated at greater than 11 watts and no exposed neon tube larger than eleven 11 millimeters in diameter shall be permitted. Spacing between incandescent bulbs shall be a minimum of six (6) inches on center. See Section 5.10.1.I for prohibited signs. Backlighting of awnings, canopies and similar structures shall be based on the following:
- a. If the lighting system is fluorescent, the fixtures shall be UL rated for protected outdoor use with cool white tubes not to exceed 800 milliamps and not to exceed two (2) tubes per fixture. Fixtures shall be no closer than 12 inches from the fabric, and the distance between fixtures shall be such that an average of 12 inches per tube between the outermost tubes is not exceeded.
  - b. If the lighting system consists of (or includes) other than fluorescent tubes, the luminance level produced by such system shall not exceed the luminance level produced by the fluorescent tubes using the above criteria. Conformance shall be confirmed by calculations that compare the allowable fluorescent luminance with the proposed alternate luminance, based upon a report from a qualified electrical engineer and approved by the Planning Director.
- 6. Courtyards.** This subitem shall not restrict the amount of signing erected out-of-doors within courtyard and mall spaces (below the height of the enclosing building) within the buildable portion of the lot where the signs are not visible from a Residential, Interim Residential, Agricultural Residential, or Interim Estate zoning district or from a public street.
- 7. Malls.** This Section shall not restrict the amount of signs erected within an enclosed mall.

#### **5.10.3.B. Off-site Signs**

Where permitted by Chapter 3, and except as provided herein for directory signs and subdivision signs, all off-site signs are subject to the provisions of Section 5.10.1.O. All signs to be relocated are subject to the provisions of Section 5.10.1.P.

#### **5.10.4. Signs – Industrial Office Park Zoning District**

##### **5.10.4.A. On-site Signs**

1. Except as otherwise provided in this Code, on-site signs and permitted advertising devices may be erected subject to the following provisions:

2. **Signs.** One (1) monument sign is permitted on each parcel set back at least 10 feet (If PUPF easement: 16 feet) from existing public street improvements or right-of-way line as provided in Section 5.10.1.F, limited to not more than 40 square feet on one side and five (5) feet in height. In addition to the above, one (1) directory sign (monument type) is permitted at the entrance to a development containing multiple uses. Each business may have sign(s) attached flat against the wall of the building in which that business is located, such that the total area of all signs attached to any one building does not exceed five percent (5%) of the area of the wall upon which those signs are attached. Signs utilizing individual letters may be computed for area at 75 percent (75%) of the circumscribed sign area.

## 5.10.5. On-Site Signs – Primary Automotive Service Stations

### 5.10.5.A. On-site Signs, Primary Automotive Service Stations

Except as otherwise provided in this Code, signs and permitted advertising devices may be erected subject to the following provisions:

1. **Signs, Total Area.** The total area of all signs on an automobile service station site including, but not limited to, all freestanding signs as provided by Section 5.10.5.A.3 and signs attached to buildings as provided by Section 5.10.5.A.2, except for signs exempted by Section 5.10.5.A.8 herein, shall not exceed 125 square feet.
2. **Signs Attached To Buildings**
  - a. **Location.** All on-site signs or approved advertising devices shall be attached flat against the building and parallel thereto, and shall not extend more than 18 inches from the wall of the building. For the purpose of this Section, a wall is a surface not less than 60 degrees (60°) from the horizontal. Exceptions to this provision are as follows:
    - (i) Signs may be attached to the fascia of a building or canopy, not projecting above or below said fascia.
    - (ii) Signs may be attached to the fascia of a building or canopy or mounted on the roof of the building or canopy providing that they do not exceed four (4) feet above the ceiling, soffit, or horizontal line from the top of the beam to the building for a sloped roof and that the sign does not project above the peak of the roof of the building as visual from eye level at the street right-of-way line.
    - (iii) Signs may be attached to the fascia of a building or canopy and may extend above the roof surface provided it is flush to the soffit of the overhang or canopy and the sign does not exceed 30 inches in height.
    - (iv) Signs mounted on a flat vertical surface architecturally designed as a part of the building within the roof slope, but not projecting above the highest portion of the roof, will be considered as flat against the building. Signs are not to project above the provided surface.
    - (v) Signs may be mounted parallel to the beam or rigidly suspended from the beam of a porch or canopy and may project below the beam provided that the sign does not exceed 30 inches. When over a public walkway, the sign shall have a minimum of seven (7) feet clearance, and when over a

vehicle service area, the sign shall not project below the beam unless an approved vertical height of 14 feet, 6 inches is maintained.

(vi) Signs may be mounted in any position within the raised pump island area supported from the column or rigidly suspended from the canopy provided that the signs are within total allowable area, do not project beyond the raised pump island, and there is a minimum of seven (7) feet in height above the raised pump island when accessible by the public. Signs within the raised pump island area are limited to the regulation signs as exempted from area by Section 5.10.5.A.8 herein, and to signs related to service stations such as price signs, special announcements, full- or self-service signs, oil price, service available, and gas pump identification. Signs related to food stores as ancillary to a service station or incidental related products shall be specifically prohibited.

- b. **Computation of Area.** Sign copy which is applied on the building in such a manner that no background is distinguishable from the overall architectural motif of the building may be counted at 75 percent of the area within straight lines enclosing the copy. All other signs shall be counted at one hundred percent.
- c. **Height of Signs Attached to Buildings.** No sign or advertising device attached to a building shall project above the roof of a building except as provided in Sections 5.10.5.A.2.(i) through (vi), "Location of Signs Attached to Buildings."

### 3. Nondirectory Pole Signs

- a. Freestanding signs are permitted provided there shall not be more than one pole sign on each automobile service station site, nor more than two monument signs. Freestanding signs shall not exceed 16 feet in height. The total area of all freestanding signs shall not exceed 36 square feet, except that where price signs are included on the freestanding signs, the total area shall not exceed 52 square feet. The total area of freestanding signs is inclusive of total area of all signs as provided by Section 5.10.5.A.1. The base of a monument sign is not included in allowable area.
- b. **Computation of Area.** Freestanding signs are to be computed as total height by the total length of the sign or signs for one side for double faced signs, excluding framework of separate single wood post or masonry column and single wood or masonry beam. The base of a monument sign is not part of the sign when of wood or masonry. Freestanding signs that are spread with two faces shall be computed by the greater of either the area of one side or the projected area of two sides.
- c. Freestanding signs that are spread with three faces shall be computed by the greater of either area of the sum of one long side and one short side, or the projected area of two or three sides. Freestanding signs that are four sided shall be computed by the greater of the area of one side or the projected area of two sides.
- d. **Location.** Nondirectory pole signs shall be located so that the part of the sign located closest to the street right-of-way line, including support structure, shall be set back not less than 10 feet (If PUPF easement: 16 feet) from existing

- public street improvements or right-of-way line as provided in Section 5.10.1.K.4.
- e. **Height.** The maximum height of a nondirectory pole sign with a 10 foot setback from the street right-of-way line shall be 10 feet (If PUPF easement: 16 feet). The height of the sign may be increased one (1) foot for each foot the setback of the sign is increased, provided, however, that the maximum height of the sign shall not exceed 16 feet in any case.
  - f. **Spacing of Nondirectory Pole Signs.** One pole sign, whether directory or nondirectory, shall be allowed per 75 feet of public street frontage, limited to one such pole sign per parcel except as provided by 5.10.5.A.3.a. For the purposes of this Section, parcel shall mean: A unit of property with public street frontage of not less than 50 feet shown on the latest equalized assessment roll of the County of Sacramento.
  - g. **Illumination.** Lighting shall be so arranged so as not to produce a glare on other properties in the vicinity and the source of light shall not be visible from adjacent property or public street. See Section 5.10.1.I, “Prohibited Signs.”
4. **Directory Pole Signs.** Directory pole signs are prohibited on parcels where an automobile service station is located, and advertising of an automobile service station on a directory sign on adjacent parcel is prohibited.
  5. **Sign Design on Automotive Service Stations.** The design of signs on an automobile service station site shall be compatible with the character of the surrounding neighborhood whenever the hearing authority determines that a dominant character of the neighborhood surrounding the automobile service station site has been established and that such dominant character of the neighborhood is beneficial to the community.
  6. **Nonconforming Signs.** Signs existing on any automobile service station site as of the effective date of this Chapter shall be replaced, restored, or added to only if such replacement, restoration, or addition is in compliance with the requirement for signs set forth herein. The provisions of this Section shall not apply to normal maintenance done to existing signs such as repainting, minor alterations, and replacement of existing parts. Nonconforming signs shall be abated pursuant to the provisions of Section 1.10.5; the replacement thereof shall be in conformity with the requirements of this Section.
  7. **Signs for Food Market Ancillary to Service Station.** Signs for a food market ancillary to a service station shall be included within the total area provided by Section 5.10.5.A.1.
  8. **Exception to Sign Area.** Signs of instructive nature, information or otherwise required by other enforcement agencies that are determined as not being a sign by definition herein shall be exempt from the area provision. The following are specifically exempted, but not necessarily limited to: telephone booth, gas pump use instructions, instructions for recreational vehicle dump station, brake and smog certification, restroom identification, no smoking, propane tank identification, gas pump identification, air and water, drive to forward pump, cashier, odd-even sign, hours of operation, required gallon to liter conversion, approved flag identification system, full- and self-service signs at each island not exceeding four (4) square

feet, and traffic directory signs as approved by enforcement agencies for necessary traffic control and direction provided that they do not exceed four (4) square feet each and do not exceed 30 inches in height in front or side street yard and no symbol, name, or other message is on said signs.

9. Other complimentary uses sometimes referred to a “co-branding” such as fast-food restaurants shall be permitted additional signage based on one (1) square foot of area per foot of building frontage. The signage for these complimentary uses shall be in addition to the total sign area allowed by Section 5.10.5.A.1, and shall be attached to the building as described by Section 5.10.5.A, subsection 2.

#### 10. Special Provisions

- a. **Price Signs.** Price signs as required by state law shall be located as provided for other signs with minimum required price signs exempt from the total area for all signs as determined by Section 5.10.5.A, subsection 1.
- b. **Full- or Self-Service Signs.** Full- or self-service signs shall be provided at each pump island. Area in excess of four (4) square feet per each pump island shall be inclusive of the total sign area as determined by Section 5.10.5.A.1.
- c. **Flag System.** State recognized and approved flag identification system for service available may be provided.
- d. **Smog Inspection.** Smog inspection signs as required by state law shall be located as provided for other signs with minimum required smog signs exempt from the total area for all signs as determined by Section 5.10.5.A.1.

### 5.10.6. Signs – Secondary Automotive Service Station

#### 5.10.6.A. Signs, Secondary Automotive Service Station

1. The total permitted signs on a parcel that includes a secondary automotive service station shall be based on the primary use of the property and the application of Section 5.10.2.A. The portion of that total signage that may identify the type of gas, price signs and other signs relating to the station is as follows:
  - a. The total square footage of service station signs is 72 square feet.
  - b. The signs may be located on a freestanding sign, on the building or at the pump island. Signs at the pump island are regulated as follows:
    - (i) Signs on a canopy at the pump island shall be located as set forth in Section 5.10.5.A.2.a.(i), Section 5.10.5.A.2.a.(iii), Section 5.10.5.A.2.a.(v), and Section 5.10.5.A.2.a.(vi).
    - (ii) If there is no canopy over the pump island, Section 5.10.5.A.2.a.(vi) is applicable. A pole or poles may be installed within the raised pump island to mount signs as provided herein including exempt signs of Section 5.10.5.A.8. The maximum height of said pole or poles and signs is 10 feet and shall comply with Section 5.10.5.A.2.a.(vi).
  - c. **Signs at Raised Pump Island**
    - (i) **Canopy over pump island.** Same as 5.10.5.A.2.a.(i), Section 5.10.5.A.2.a.(iii), Section 5.10.5.A.2.a.(v), and Section 5.10.5.A.2.a.(vi).



(ii) **No canopy over pump island.** Same as 5.10.5.A, subsection 2.a.(vi). A pole or poles may be installed within raised pump island to mount signs as provided herein including exempt signs of Section 5.10.1.A.8. The maximum height of said pole or poles and signs is 10 feet and shall comply with Section 5.10.5.A.2.a.(vi).

(iii) Exemption to Sign Area and Special Requirements. Same as Section 5.10.1.A.8.

#### **5.10.6.B. Signs, Nonconforming**

Signs existing on any incidental automobile service station site as of the effective date of this Chapter shall be replaced, restored, or added to only if such replacement, restoration, or addition is in compliance with the requirement for signs set forth herein. The provisions of this Section shall not apply to normal maintenance done to existing signs such as repainting, minor alterations, and replacement of existing parts. Nonconforming signs shall be abated pursuant to the provisions of Section 1.10.5; the replacement thereof shall be in conformity with the requirements of this Section.

#### **5.10.7. Special Sign Corridors**

##### **5.10.7.A. Purpose**

The Special Sign Corridors are designated along state highways, county roads, and rivers which accommodate the traveling public. These types of corridors have traditionally attracted large, bright, gaudy signs in an effort to attract the attention of the traveler to a business or a product which may or may not be related to the travel way or the needs of the traveler. The purpose of the regulations in this Section is to make provisions for signs that identify the name and type of business in an aesthetic manner that compliments the architecture of the building and serves the needs of the traveling public.

##### **5.10.7.B. Permitted Signs**

- 1. Identification Signs.** Identification signs attached to a building and which are visible from the freeways, County roads, and County routes designated in section 5.10.7.G, and all freestanding signs are subject to the provisions of section 5.10.2.A.
  - a.** Identification signs attached to a building and which are not visible from the freeways, roads and routes designated in Section 5.10.7.G are subject to the provisions of the Zoning Code relating to signs in the BP zoning district (Section 5.10.2.A) or the commercial and industrial zoning districts (Section 5.10.3.A) as applicable.
- 2. Driveway and Parking Lot Directional Signs.** Private directional signs indicating ingress and egress shall be permitted at each entry and exit provided the sign does not exceed four (4) square feet.
- 3. Off-site Directory Sign.** Parcels with no public street frontage and being served by access easement, mutual parking agreement, or a private road may have one (1) monument sign at the point of access to a public street or private street provided:
  - a.** Maximum area is 24 square feet for a monument sign.
  - b.** Maximum height is six (6) feet.

- c. Minimum setback is 10 feet (If PUPF easement: 16 feet) from existing public street improvements or right-of-way line as provided in Section 5.10.1.K.4, or as otherwise determined by enforcement agency, when other than a public street.
- d. Spacing shall be 50 feet from any other freestanding sign and shall be located within a landscaped area with a minimum of three (3) feet in all directions.

#### 5.10.7.C. Prohibited Signs

1. Pole/monument signs which are not designed as an integral architectural element of the principal structure.
2. Off-site signs, except: (1) directory monument signs, as provided by Section 5.10.7.B.3; (2) gateway signs as provided by Section 5.10.1.Q; and (3) relocated billboard signs as described by Section 5.10.1.O.
3. Signs prohibited by general provisions in Section 5.10.1.I.
4. Signs which are designed for advertising of products or services.

#### 5.10.7.D. Signs Requiring a Conditional Use Permit

Signs requiring a Conditional Use Permit to be heard by the appropriate authority.

1. Pole/monument signs when designed to be architecturally compatible with and using the same building materials as the principal structure.
2. Where the building and facilities are of size, shape, height, of multiple uses, or of such geographical conditions or location that the sign provisions of the BP zoning district are not appropriate, an individual sign or the complete sign program for said parcel or facility may be considered by Conditional Use Permit when the granting authority finds that the proposed sign or signs:
  - a. Are proportional and in scale with the buildings.
  - b. Are compatible in design, color, and material with the building and surrounding area.
  - c. Do not constitute a special privilege over **ADJOINING USES**.
  - d. Do not block from view existing buildings and existing signs.
  - e. Are unobtrusive.
  - f. Are in keeping with the intent of the sign regulations.
  - g. Do not exceed the height and size entitlement for signs located on parcels in the same zoning district which are not within the Special Sign Corridor.

#### 3. Community Interest Group Signs

- a. The Planning Commission shall designate the locations for off-site directional sign groups required to inform the public of commercial, industrial, recreational, and other facilities provided such sign groups shall not interfere with official traffic signs or unduly detract from the natural scenic beauty.
- b. The granting authority shall specify the size, placement, design and landscaping requirements for the group. No sign shall exceed 32 square feet

of area, 20 feet of height, or devote more than 20 percent (20%) of the sign area to brand name advertising.

#### **5.10.7.E. Exceptions to Special Sign Corridor Provisions**

The following specific signs are exempt from the Special Sign Corridor provisions and are regulated by the general provisions and the specific provisions as referenced below:

1. Automotive service station of Section 5.10.5.A.
2. Secondary automotive service station of Section 5.10.6.A.
3. Real estate signs of Section 5.10.1.A.
4. Temporary construction signs of Section 5.10.1.B.
5. Recreational group signs of Section 5.10.1.M.5.
6. Exempt signs of Section 5.10.1.I.
7. Relocated billboard signs of Section 5.10.1.O.
8. Bus shelter signs of Section 5.10.1.P.
9. Gateway signs of Section 5.10.1.Q.
10. Industrial office park signs of Section 5.10.4.A.

#### **5.10.7.F. Boundaries of Special Sign Corridors**

The locations and boundaries of the Special Sign Corridors shall be as shown on the Comprehensive Zoning Plan which is part of this Code.

#### **5.10.7.G. Freeways, County Roads and County Routes Designated as Special Sign Corridors**

The provisions of this Section shall apply to the following:

1. Interstate Freeway Route 80;
2. South Sacramento Freeway, Route U.S. 99 and 50;
3. El Dorado Freeway, Route U.S. 50;
4. Interstate Freeway Business Route 80;
5. Interstate Freeway Route I-5;
6. State Sign Route 160;
7. Garden Highway;
8. Isleton Road;
9. River Road;
10. Greenback Lane extension freeway;
11. Watt Avenue Freeway from Folsom Boulevard on the south to 870 feet south to Fair Oaks Boulevard on the north;
12. Scott Road from White Rock Road south to Latrobe Road;
13. Latrobe Road;
14. Michigan Bar Road;

15. Twin Cities Road from Highway 160 east to Highway 99;
16. Sunrise Boulevard (American River to Kiefer Boulevard);
17. (Bradshaw Road (Old Placerville Road to Jackson Road);
18. Manlove Road (Folsom Boulevard to Jackson Road);
19. Sacramento River;
20. American River;
21. Streams, sloughs, and channels in the Delta area; and
22. Alta Arden Expressway from the centerline of Ethan Way on the west to the centerline of Watt Avenue on the east.

### 5.10.8. Special Sign District

#### 5.10.8.A. Purpose

The purpose of this Section is to regulate directory and nondirectory advertising structures in various places throughout the County so as to create a more attractive appearance in major shopping and business centers. The implementation of the regulations herein will enhance and protect the physical values of the community and at the same time reduce the distraction to motorists caused by numerous sign structures of various size and type of construction.

#### 5.10.8.B. Boundaries

The boundaries of the Special Sign Districts are shown in the exhibits identified as follows and made part of this Code:

1. Arden Arcade community, as shown on map labeled Figure 5-15.
2. Sunrise/Greenback/Madison area, as shown on map labeled Figure 5-16.
3. Antelope community, as shown on map labeled Figure 5-17.
4. Laguna Franklin community, as shown on map labeled Figure 5-18.

#### 5.10.8.C. Definitions

For the purposes of this Section certain words and phrases are defined as follows:

1. **Special Sign District.** An area as shown on the Comprehensive Zoning Plan.
2. **Monument Sign.** An on-site sign, which may be either a directory monument or nondirectory monument sign, subject to the requirements of this Section and structural requirements of Title 18 of the Sacramento County Code.

#### 5.10.8.D. Regulations

For property subject to this Section, the provisions relating to monument signs supersede and replace the provisions elsewhere in this Code which relate to and regulate directory and nondirectory signs.

1. **Sign Area.** Monument signs shall be allowed an area of one (1) square foot per one (1) foot of the public street frontage with a maximum area of 100 square feet.

2. **Location.** Monument signs shall be located so that the part of the sign located closest to the street right-of-way line shall be set back not less than 10 feet (If PUPF easement: 16 feet) from existing public street improvements or right-of-way line as provided in Section 5.10.1.K.4. Similarly, signs shall be located so that the part of the sign located closest to any other property line shall be set back as follows:
  - a. Two (2) feet adjoining any property zoned for any Commercial or Industrial zoning district, or
  - b. Ten feet adjoining any property zoned for any Agricultural, Agricultural Residential, Residential, Recreation, Interim General and Limited Agricultural, Interim Residential, or Open Space zoning district.
3. **Height.** The maximum height of a monument sign, with a 10 foot (If PUPF easement: 16 foot) setback is 10 feet, and may be increased one (1) foot for each foot of increased setback of the sign, providing, however, that the maximum height shall not exceed 12 feet.
4. **Sign Support.** Width of the monument sign support must be at least one-half (1/2) of the width of the sign face. For the purposes of this Section, the width requirements shall be applied to all project elevations of the monument sign.
5. **Landscaping.** Two (2) feet of landscaping is required in every direction from the exterior portions of any part of the monument sign.
6. **Orientation.** Signs are not allowed in controlled areas of visibility as determined by Sacramento County Code, Sections 12.12.010 and 12.12.020.
7. **Illumination.** Illumination shall be interior lights or spotlighted. Lighting filaments or gas tubes shall not be visible from adjacent property or public streets.
8. **Spacing of Directory and Nondirectory Signs.** Spacing of directory and nondirectory signs shall be as provided in Section 5.10.2.A.4.

#### 5.10.8.E. Interpretation

This Section shall not be construed to limit the erection and maintenance of signs except as provided herein.

#### 5.10.8.F. Added Sign District Conditions

In addition to this specific "Special Sign District," additional conditions of SPA, NPA, Rezone, and a Conditional Use Permit may be more restrictive than general provisions or development standards (sign regulations) for the zone classification.

#### 5.10.8.G. Exceptions to the Special Sign District Provisions

The following specific signs are exempt from the Special Sign District provisions and are regulated by the general provisions and the specific provisions as referenced below:

1. Automotive service station of Section 5.10.5.A.
2. Secondary automotive service station of section 5.10.6.A.
3. Real estate signs of Section 5.10.1.A.
4. Temporary construction signs of Section 5.10.1.B.

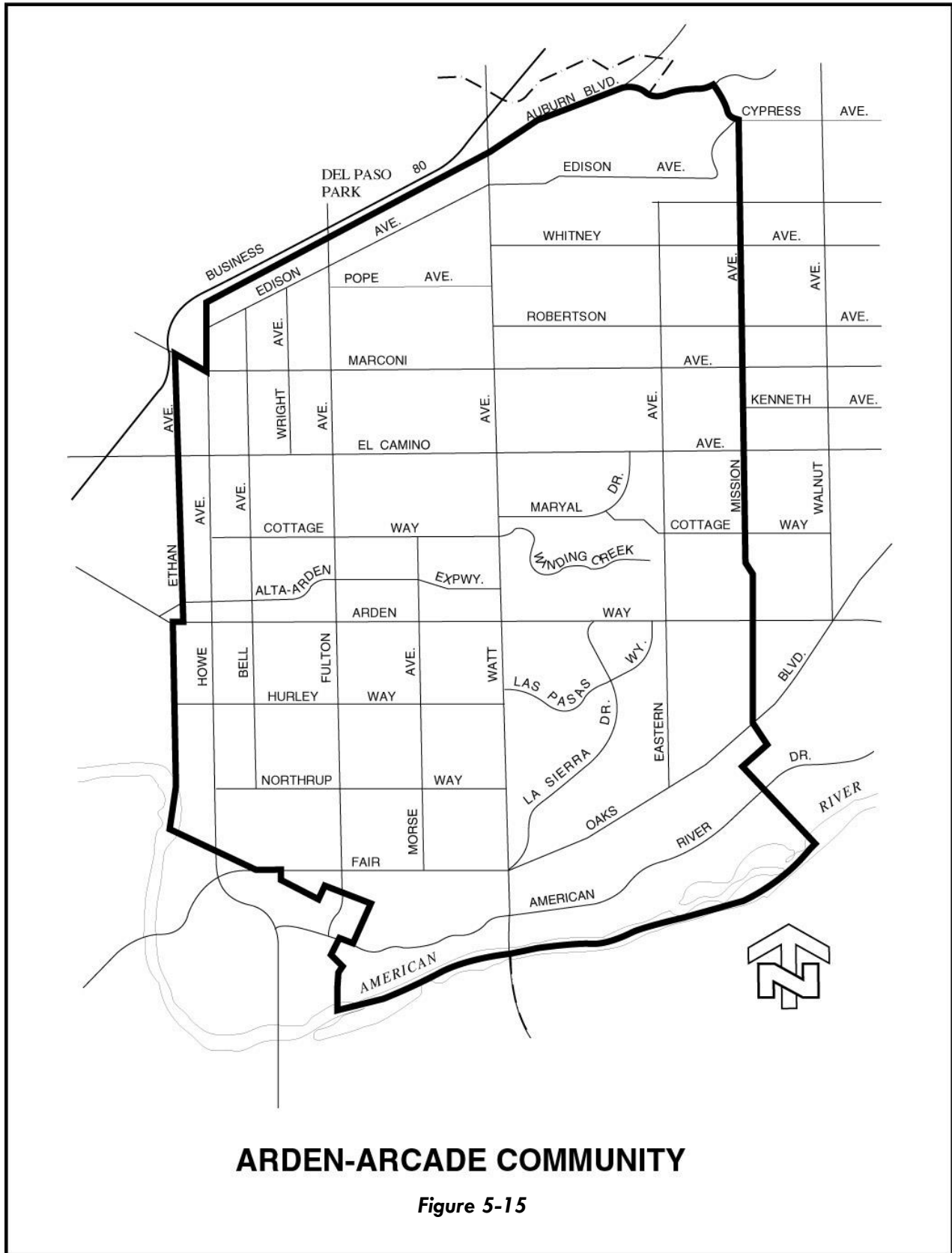
5. Recreational group signs of Section 5.10.1.M.5.
6. Exempt signs of Section 5.10.1.I.
7. Bus shelter signs of Section 5.10.1.P.
8. Industrial office park signs of Section 5.10.4.A.

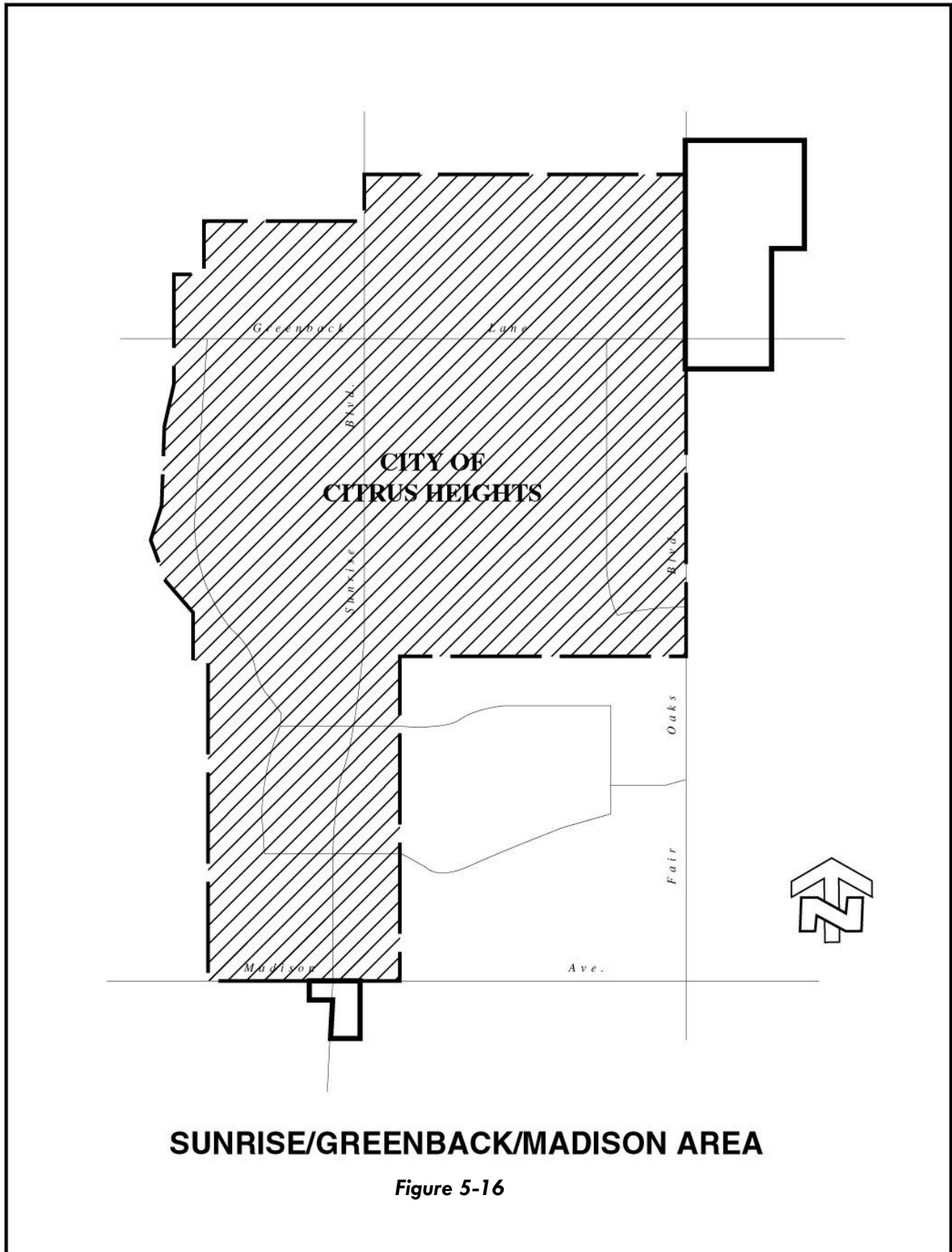
#### **5.10.9. Signs – Interim Zoning Districts**

##### **5.10.9.A. Signs, Interim Zoning Districts**

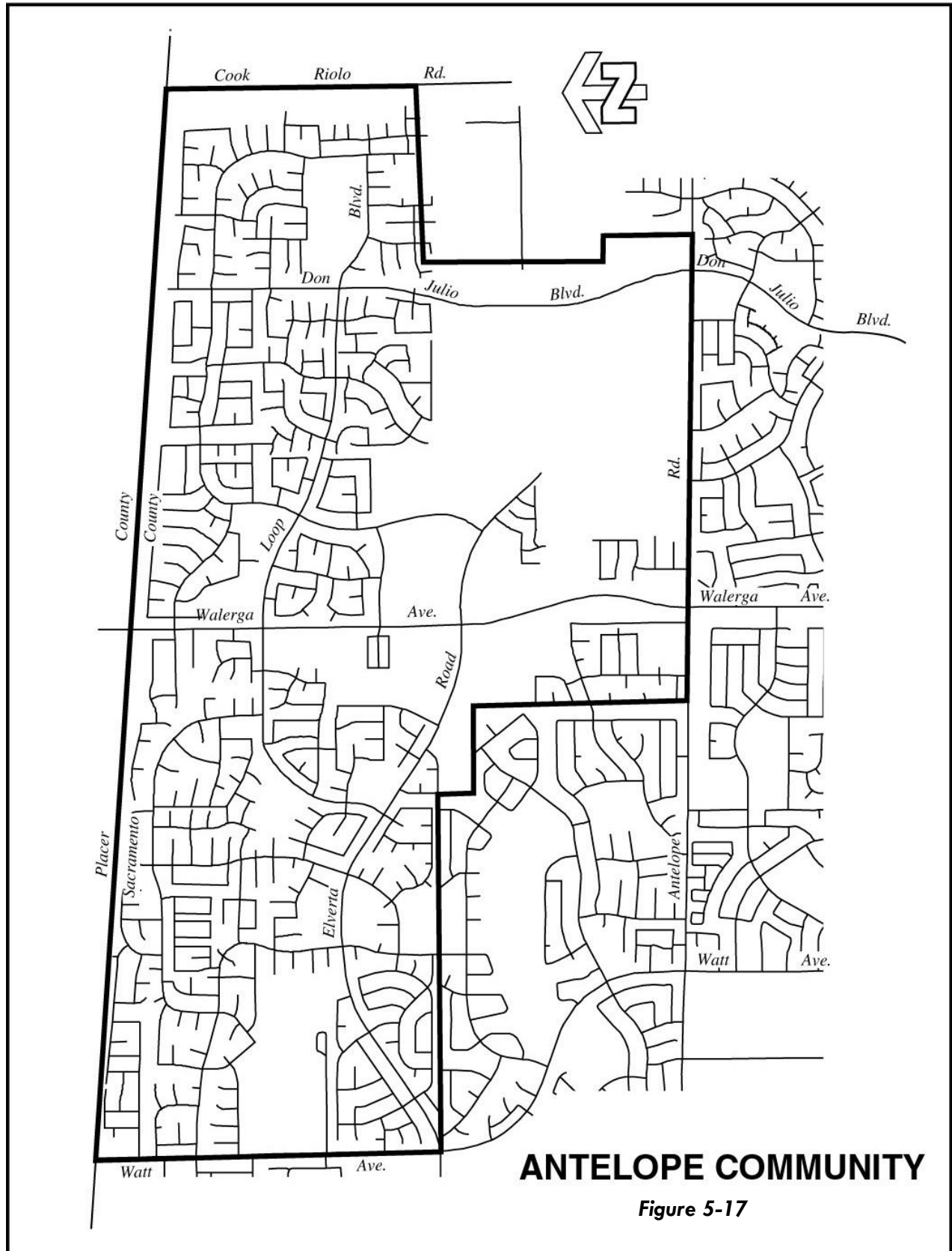
Signs are permitted in the interim zones as provided for within each of the interim zones subject to the development standards of Section 5.10.1 for general provisions and Sections 5.10.2 through 5.10.6 for specific provisions.

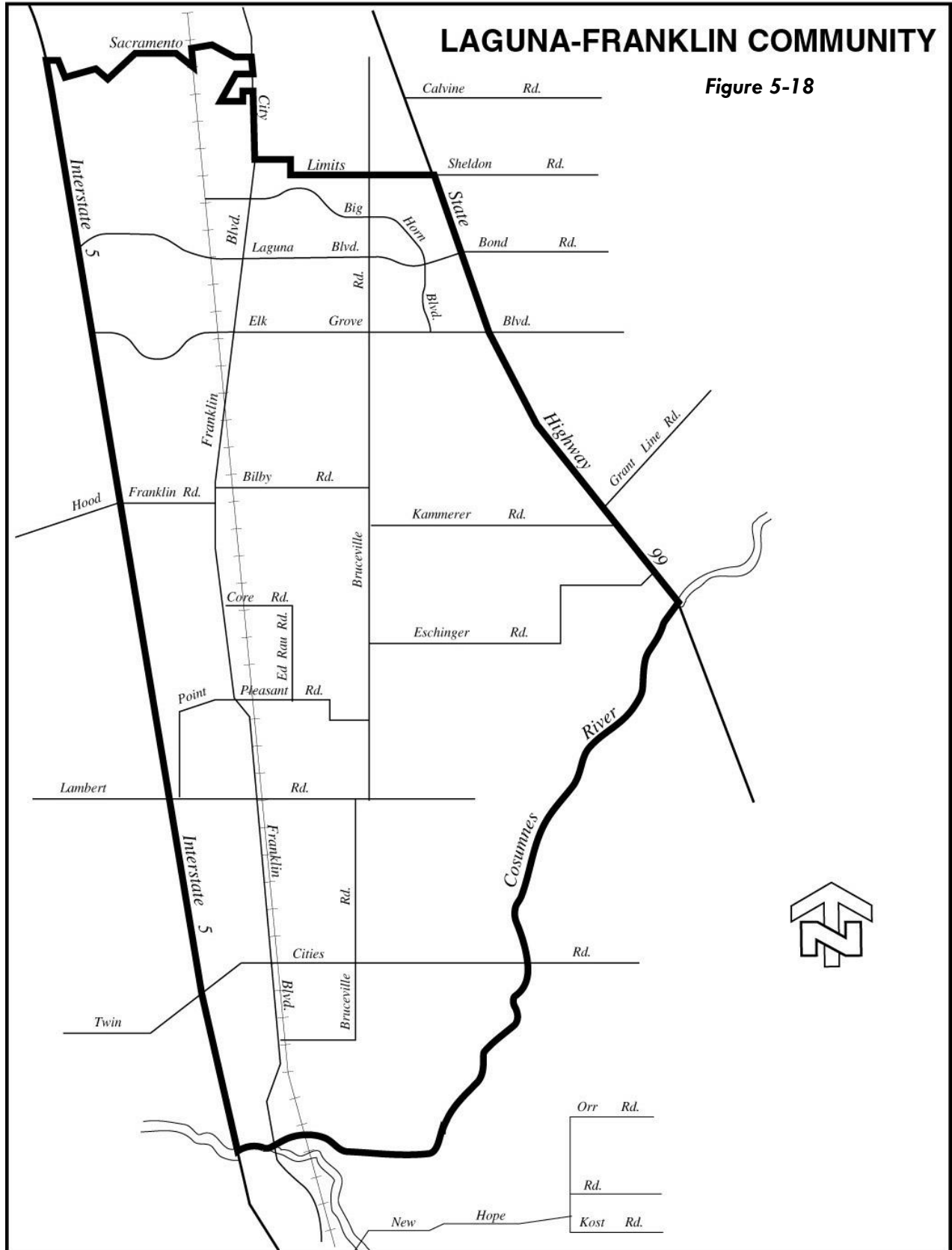
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## CHAPTER 6: ADMINISTRATION

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### 6.1. GENERAL PROVISIONS

#### 6.1.1. Purpose and Overview

This Chapter describes the review and enforcement of the Code and its regulations and the administration and regulation of different types of applications for development in Sacramento County, organized by the following Sections:

- **Section 6.2 Zoning and Plan Amendments**
- **Section 6.3 Site Development Plans**
- **Section 6.4 Special Permits**
- **Section 6.5 Other Applications**
- **Section 6.6 Enforcement**
- **Section 6.7 Fair Oaks Boulevard Corridor Plan**

Sections 6.2-6.5 shall be referenced in conjunction with the *Zoning Code User Guide* (User Guide), which has been prepared to facilitate navigation of this Code and the County's Design Guidelines and to clarify the processes for obtaining planning entitlements and approval for development activity in Sacramento County.

#### 6.1.2. Advisory, Decision, and Appeal Bodies

Advisory, Decision, and Appeal Bodies are referenced throughout this Code. In addition to this Section and other Sections of this Code, Title 2 of the Sacramento County Code provides information on the composition, responsibilities, and rules of conduct for planning decision bodies and Title 22 provides additional information on subdivisions. A table summary of the major review and decision-making responsibility bodies for planning entitlement applications is provided for reference in the User Guide.

#### 6.1.3. Appeals

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

##### 6.1.3.A. Notice of Appeal

Appeals of determination or actions of the officers or agencies mentioned in this Section may be taken by filing written notice thereof with the Secretary of the Planning Commission not later than 10 calendar days after the day on which the act or

determination appealed from was made. A filing fee set by resolution of the Board of Supervisors shall accompany the Notice of Appeal. In computing the time within which the Notice of Appeal shall be filed, the day on which the act of determination was made shall include the next working day. The 10-day period for filing the notice of appeal shall not be waived.

**No filing fee shall be required if the appeal is filed by a Community Planning Advisory Council (CPAC), and if there is a community-wide interest in the appeal. The appeal shall be filed within the timeframe specified by this Chapter, and any CPAC vote to appeal an action shall be made after the action by the hearing body was taken. The appeal form must specify the community-wide interest.**

#### **6.1.3.B. Effect of Filing Notice**

The filing of the notice of appeal shall have the effect of staying the issuance of any permit, Variance, or mobile home certificate of compatibility until such time as the matter is disposed of on appeal, and all records relating to the decision or act appealed shall be transmitted to the Secretary of the Planning Commission.

#### **6.1.3.C. Contents of Notice**

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

#### **6.1.3.D. Board of Zoning Appeals**

- 1. Jurisdiction.** The Board of Zoning Appeals shall hear and decide all appeals from the actions of the Zoning Administrator, Chief Building Inspector, Planning Director, or Secretary of the Planning Commission relating to the provisions of this Code. However, the appeal shall be heard by the Board of Supervisors if it is filed on the basis of any of the following:
  - a.** The action appealed may have a significant effect upon the environment, or
  - b.** An Environmental Impact Report has not been prepared or is deficient in any manner; or
  - c.** A decision of the decision-makers named in this Section relates in any manner to an adult bookstore, adult motion picture theater, adult live theater, or an adult video tape store.
- 2. Hearings.** Upon receipt of a Notice of Appeal of a decision or act to be heard by the Board of Zoning Appeals, the Secretary of the Planning Commission shall set the same for hearing not later than the next regularly scheduled meeting following 30 days after the date the Notice of Appeal was received.
- 3. Action.** The Board of Zoning Appeals may review the entire proceeding or proceedings relating to the act or decision being appealed, and in the process of such review may rehear the matter de novo and make any order it deems just and equitable, including the granting of any permit. Notwithstanding any provisions to the contrary in this Code, if a vote of the members of the Board of Zoning Appeals results in a 2-2 tie vote, the matter is denied. All actions of the Board of Zoning Appeals shall be final for all purposes.

### **6.1.3.E. Planning Commission Appeals**

The Planning Commission shall hear and decide all appeals from the actions of the Subdivision Review Committee and Design Review Administrator relating to the provisions of this Code. Notwithstanding any provisions to the contrary in this Code, if a vote of the members of the Planning Commission results in a 2-2 tie vote, the matter shall be referred to the Board of Supervisors, without a recommendation, for public hearing.

### **6.1.3.F. Board of Supervisors**

- 1. Appeals.** The Board of Supervisors shall hear all appeals from the actions of the Planning Commission. Upon receipt of a notice of appeal of a decision of either Planning Commission, the Secretary shall transmit to the Clerk of the Board of Supervisors all records relating to the appeal. The Clerk of the Board of Supervisors shall set a date for a public hearing before the Board of Supervisors, not later than 30 days following the date the Notice of Appeal was received.

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

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

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

- 2. Action.** The Board of Supervisors shall review the entire proceeding held before the Planning Commission and may make any order it deems just and equitable, including the grant of any permit.

### **6.1.3.G. Limitation of Actions**

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

## **6.1.4. Fees**

### **6.1.4.A. Purpose**

For the purpose of defraying the expense involved with the filing of any application or petition, the Board of Supervisors shall establish by resolution a schedule of fees, charges, and expenses and a collection procedure for Amendments to this Code, Variances, conditional use and other permits, Exceptions, Appeals, requests for hearings, notices, and other matters relating to this Code. The schedule may be amended by subsequent resolution.

No fee shall be charged for a hearing of a decision of the Planning Commission if the vote of the Commissioners results in a tie (2-2) vote; nor shall any fee be charged persons whose properties are included in Resolutions of Intention adopted by the Planning Commission or the Board of Supervisors initiating a procedure to amend this Code.

**6.1.4.B. Payment**

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

**6.1.4.C. Refund**

Fees are not refundable, except when all of the following conditions exist:

1. Expenditures have not been made by the County with regard to the petition.
2. Investigation has not been made as a result of the application or petition.
3. The application or petition has not been set for public hearing.

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

**6.1.4.D. Waiver of Fees**

The Chief Deputy County Executive Officer is authorized to approve a waiver of any fee, charge or expense to any applicant for a permit or entitlement pursuant to this Code, if written findings are made establishing that an error was made by a Sacramento County employee that caused the need for the application to be filed. If such findings cannot be made, the request for a fee waiver shall be forwarded to the Board of Supervisors for consideration.

**6.1.4.E. Determination of Land Use Type Table for Fees**

1. The land use zoning districts listed in Table 6.1 shall be included within the corresponding land use type listed in the Table and such land use types shall be used for all purposes, specified pursuant to Chapter 16.87 of the Sacramento County Code, including establishing, paying, and collecting roadway fees and transit fees.

Special Planning Area Land Use Zone (SPA) and Combining Land Use Zoning Districts shall be included within the land use types in this Section as designated by the Planning Director, who shall determine which land use zoning district or zoning districts authorize the uses and densities which correspond most directly to the uses and densities allowed in the areas within the SPA or Combining Zoning Districts.

<b>TABLE 6.1: LAND USE TYPES CORRESPONDING TO ZONING DISTRICTS</b>	
<b>Land Use Type</b>	<b>Zoning Districts</b>
Single-family Residential	AR-10 through RD-7 and RM-2
Multiple Family Residential	RD-10 through RD-40
Commercial and Mixed-Use	GC-General Commercial; LC-Limited Commercial; AC-Auto Commercial; TC-Highway Travel Commercial; SC-Shopping Center; CO-Commercial Recreation; NMC-Neighborhood Mixed-Use Center; CMC-Community-Regional Mixed-Use Center; CMZ-

6.1.5.A. Notwithstanding any other provision of this Code, an entitlement, permit or approval issued pursuant to this Chapter if not used for the purpose for which it was granted shall lapse and become void three years following the date on which the permit became

**TABLE 6.1: LAND USE TYPES CORRESPONDING TO ZONING DISTRICTS**

Land Use Type	Zoning Districts
	Corridor Mixed-Use Zone
Business and Professional Office	BP-Business and Professional
Industrial	M-1-Light Industrial; M-2-Heavy Industrial
Industrial/Office Park	MP-Industrial-Office Park

Uses allowed by Conditional Use Permit in any of the zoning districts described in this subdivision shall be included within the land use types in Table 6.1 as designated by the Planning Director, instead of being included on the basis of the underlying land use zoning district in effect on the parcel of property. The Planning Director shall determine which land use zoning district or zoning districts authorize the uses and densities which correspond most directly to the uses and densities allowed by the Conditional Use Permit.

2. In any land use zoning district specified in subdivision (a), no building permit shall be issued (and no improvement plans for a mobile home park shall be approved) until the roadway fees and transit fees are paid as required by Chapter 16.87 of the Sacramento County Code.

#### **6.1.5. Lapse of Permits Generally**

**6.1.5.A. Notwithstanding any other provision of this Code, an entitlement, permit or approval issued pursuant to this Chapter if not used for the purpose for which it was granted shall lapse and become void three years following the date on which the permit became effective, unless by conditions of the approval, a greater time is allowed, or upon the expiration date of a valid building permit application made after granting of the Conditional Use Permit, provided the Planning Director has authorized issuance of that building permit; whichever date is last to occur.**

**6.1.5.B.** Notwithstanding any other provision of this Code, any entitlement or other approval which would expire pursuant to this Code shall be extended as follows:

1. Any entitlement or other approval which was approved concurrently with and pertains to any approved tentative subdivision or parcel map the expiration date of which was automatically extended by the provisions of the Government Code Sections 66452.21-66452.24, or by the provisions of any other similar Section that may from time to time be added to the Government Code, shall be extended automatically for the same period as that provided by said Section for the approved tentative subdivision or parcel map to which it pertains.

**6.1.5.C.** Any entitlement or other approval which would otherwise expire between March 9, 2011 and December 30, 2015, shall automatically be extended to December 31, 2015.

## **6.2. ZONING AMENDMENTS**

### **6.2.1. Zoning Amendments**

This Section addresses Zoning Code text amendments and rezoning of the Comprehensive Land Use Plan.

#### **6.2.1.A. Purpose and Applicability**

- 1. Code Text Amendment.** The Board of Supervisors may amend the text of this Code, including the adoption, modification, or replacement of appendices to the Code such as Community Zoning Plans, pursuant to this Section. The purpose of text amendments is to address changed conditions or changes in public policy, and to advance the general welfare of the County.
- 2. Rezoning.** The boundaries of any zoning district may be changed, or the zoning classification of any parcel of land may be changed, pursuant to this Section. The purpose is not to relieve particular hardships, nor to confer special privileges or rights on any person, but only to make adjustments to the Official Zoning Map that are necessary in light of changed conditions or changes in public policy, or that are necessary to advance the general welfare of the County.

#### **6.2.1.B. Initiation**

Zoning Code Amendments and Rezoning may be initiated by any of the following processes:

1. The petition of one or more owners, or their authorized agents, of property which is the subject of the proposed amendment;
2. Resolution of Intention by the Board of Supervisors or by the Planning Commission;
3. The petition of any person, group, or agency, when authorized by the Planning Commission to file the petition. Authorization to file shall be considered in a public hearing. Authorization shall not be deemed to be an approval, favorable recommendation, or predisposition of the proposed amendment. Upon approval of authorization to file, the secretary may accept the petition, provided that it is complete according to the required form and content as stated in the User's Guide and that it complies with the requirements of this Chapter.

#### **6.2.1.C. Application Procedures**

Detailed procedures for the application, review, and decisions on Code Text Amendments and Rezoning of the Comprehensive Land Use Plan, including public hearing and noticing requirements are addressed in the User Guide.

#### **6.2.1.D. Decision Authority and Approval Criteria for Code Text Amendments**

The Planning Commission shall hold a public hearing on any proposed amendment or rezoning and make a recommendation for approval, approval with conditions, or denial of an application. The Board of Supervisors shall hold a public hearing to approve, approve with conditions, or deny applications for a Code Text Amendment. Recommendations and decisions on Code Text Amendments shall be based on whether the proposed amendment meets all of the following criteria:



1. The proposed amendment will promote the public health, safety, and general welfare;
2. The proposed amendment is consistent with the General Plan and the stated purposes of this Code; and
3. The proposed amendment is necessary or desirable because of changing conditions, new planning concepts, or other social or economic conditions.

#### **6.2.1.E. Decision Authority and Approval Criteria for Rezonings**

If the Planning Commission recommends denial of the application, the Rezoning application shall be denied without further hearing. If the Planning Commission recommends approval, with or without conditions or modifications, then the Board of Supervisor shall hear and decide the application for Rezoning, according to the procedures in the User Guide and the criteria that follows.

Recommendations and decisions on Rezonings shall be based on whether the proposed rezoning meets all of the following criteria:

1. The proposed zoning designation is consistent with the intent of land use designations and policy statements in the General Plan;
2. Uses allowed under the proposed zoning designation are compatible with adjacent uses;
3. The rezoning is consistent with the stated purpose of the proposed zoning district;
4. Facilities and service (including roads and transportation, water, gas, electricity, sheriff and fire protection, and sewage and waste disposal, as applicable) will be available to serve the subject property while maintaining adequate levels of service to existing development;
5. The rezoning is not likely to result in significant adverse impacts upon the natural environment, or such impacts will be substantially mitigated; and
6. The rezoning is not likely to result in significant adverse impacts upon the other property in the vicinity of the subject tract.

#### **6.2.1.F. Effective Date of Decision**

Action by the Board of Supervisor on a Rezoning shall become effective 30 days from the date that the Chair of the Board of Supervisors signs the approval document, unless a court review is commenced with the 30-day period.

#### **6.2.1.G. Conditions for Rezonings**

Conditions imposed shall run with the land and shall not be removed by a change in ownership nor automatically removed by a subsequent rezoning of the property. Conditions may be removed only by the Board of Supervisors after recommendation by the Planning Commission.

#### **6.2.1.H. Abandonment of Proceeding**

The Planning Commission may decide to abandon any proceeding which the Commission has initiated.

**6.2.1.I. Withdrawal of Petition**

The Planning Commission or the Board of Supervisors may prior to action by the Planning Commission or Board of Supervisors permit the withdrawal of any petition or part thereof, filed pursuant to this Code.

**6.2.1.J. Renewal of Petition for Rezone**

If a rezoning application is denied, another petition for the same zoning district classification shall not be accepted by the Planning Director within one (1) year of the denial, unless specific approval for such filing is given by the Planning Commission or the Board of Supervisors.

**6.2.2. Development Agreement****6.2.2.A. Applicability**

The Board of Supervisors may enter into a Development Agreement, pursuant to the authority of Government Code Sections 65864 through 65869.5 and this Section. The provisions of this Section govern the rules relating to Development Agreements.

**6.2.2.B. Initiation**

A Development Agreement may be initiated by any of the following processes:

1. An application by one or more qualified applicants;
  - a. A qualified applicant is a person who has legal or equitable interest in the real property, including authorized agent, which is the subject of the Development Agreement. The Secretary of the Planning Commission or the Planning Director may require an applicant to submit proof of interest in the real property and of the authority of the agent to act for the applicant. The Planning Director or the Secretary may obtain the opinion of the County Counsel as to the sufficiency of the applicant's interest in the real property to enter into the agreement. The County Counsel may require an applicant or agent to submit a title report or other evidence to verify the applicant's legal or equitable interest in the subject property.
2. Resolution of Intention by the Board of Supervisors;
3. Resolution of Intention by the Planning Commission when adopted contemporaneously with a Resolution of Intention to adopt or amend a General Plan or Community Plan as provided in Title 21 of the Sacramento County Code.

**6.2.2.C. Form of Agreement**

1. An applicant may submit a proposed form of agreement.
2. The County Counsel shall approve the proposed form of Development Agreement which may be adopted by resolution of the Board of Supervisors. The proposed agreement shall contain all of the elements required by Government Code Section 65865.2, and may include any other provisions permitted by law.

**6.2.2.D. Application Procedures**

Detailed procedures for the application, review, and approval of Development Agreements, including public hearing and noticing requirements are outlined in *Requirements for the preparation of Public Facilities Financing Plans, Fiscal Impact*

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*Analysis, Urban Services Plans, and Development Agreements* prepared by the Sacramento County Community Development Department.

#### **6.2.2.E. Review of Application**

1. The Planning Director shall review the application and shall accept it for filing if it is complete and accurate.
2. The Planning Director shall forward a copy of an agreement form proposed by an applicant to the County Counsel for review.
3. A Development Agreement, if it qualifies as a project under the California Environmental Quality Act and implementing regulations, shall be subject to environmental review.
4. The Director shall transmit the application for a public hearing when all of the necessary reports and recommendations are complete.

#### **6.2.2.F. Decision Authority and Approval Criteria for Development Agreements**

If the Board approves the Development Agreement, it shall adopt an amendment to the Zoning Code and direct the Chair of the Board to execute the Agreement after the effective date of the amendment. The Development Agreement shall be identified as a separate Section of this Code and included with the list of such Sections in Appendix A of this Code.

Recommendations and decisions on a Development Agreement shall be based on whether the proposed amendment meets all of the following criteria:

1. Is consistent with the objectives, policies, general land use, and programs specified in the General Plan and any applicable Specific Plan;
2. Is consistent with the goals and objectives of general land uses specified in any applicable community plan;
3. In conformity with public convenience, general welfare, and good land use practices;
4. Will not be detrimental to the health, safety, and general welfare of persons residing in the immediate area nor be detrimental or injurious to property or persons in the general neighborhood or to the general welfare of residents of the County as a whole;
5. Will not adversely affect the orderly development of property or the preservation of property values; and
6. Is consistent with the provision of Government Code Sections 65864 through 65869.5.

#### **6.2.2.G. Conditions**

In addition to any generally applicable conditions, the Development Agreement shall provide that the rules, regulations, and official policies governing the permitted uses of land, density, design, improvement, construction standards and specifications, improvement and construction standards, or any one of these, shall be those rules, regulations and official policies in force at the date of execution of the agreement.

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**6.2.2.H. Amendment or Cancellation**

1. Either party may propose an amendment to or cancelation in whole or in part of any Development Agreement. Any amendment or cancellation shall be by mutual consent of the parties.
2. Except as otherwise provided in this Section, the procedure proposing and adopting an amendment to or the canceling in whole or in part of the Development Agreement shall be the same as the procedure for entering into an agreement in the first instance. However, if the County initiates a proposed amendment to or a cancellation in whole or in part of the agreement, County shall first give written notice to the party executing the agreement of its intention to initiate such proceedings not less than 30 days in advance of the giving of public notice of the hearing to consider an amendment or cancellation.
3. Any amendment to the Development Agreement which does not relate to the duration of the agreement, permitted uses of the property, density or intensity of use, height or size of proposed buildings, provisions for reservation or dedication of land, or to any conditions, terms, restrictions and requirements relating to subsequent discretionary actions related to design, improvement, construction standards and specifications, improvement and construction standards or any other condition or covenant relating to the use of the property shall not require a noticed public hearing before the parties may execute an amendment to the agreement.

**6.2.2.I. Recordation and Filing**

Within 10 days after the effective date of a Development Agreement, or any modification or the cancellation thereof, the Clerk of the Board shall have the agreement, the modification, or cancellation notice recorded with the County Recorder. The Clerk of the Board shall be the official custodian of the agreement file. The file shall include an executed copy of the agreement and the originals of all exhibits, reports of periodic review, amendments, and cancellations to the agreement.

**6.2.2.J. Periodic Review**

The Clerk of the Board of Supervisors shall schedule a periodic review of the Development Agreement in accordance with the term of the agreement. This review shall occur at least once every 12 months from the effective date the agreement. Alternatively, the Board may refer the matter of the periodic review to the Planning Commission.

1. The Board, or person charged in the agreement, shall conduct a public review hearing at which time the property owner must demonstrate good faith compliance with the terms of the agreement. The burden of proof on this issue is upon the property owner.
2. The Board, or any person charged with review, shall determine, upon the basis of substantial evidence, whether or not the property owner has, for the period under review, complied in good faith with the terms and conditions of the agreement.
3. If the Board, or person charged with review, finds and determines, on the basis of substantial evidence, that the property owner has complied in good faith with the terms and conditions of the agreement during the period under review, no further action is required.

4. If the Board, or person charged with the review, determines, on the basis of substantial evidence, that the property owner has not complied in good faith with the terms and conditions of the agreement during the period under review, the Board, on its own motion, or upon the application of the party charged with the review, may initiate proceedings to modify or terminate the agreement.
5. The procedure herein for periodic review is an administrative hearing and shall be conducted according to the procedures in the User Guide.

#### **6.2.2.K. Modification or Termination**

1. If, upon a finding pursuant to Section 6.2.2.J.4, the Board of Supervisors determines that modification of the agreement is appropriate or that the agreement should be terminated, the Board shall give notice to the other party of its intention to do so. Such notice shall provide:
  - a. The time and place of the public hearing;
  - b. A statement as to whether the Board proposes to terminate or to modify the agreement;
  - c. Such other information which the Board considers appropriate to inform the other party of the nature of the proceeding.
2. A public hearing for termination or for modification shall be conducted on the proposed modification or termination. At the conclusion of the hearing, the Board may refer the matter to the Planning Commission which heard the application for further proceedings or for a report and recommendation. Upon receipt of any such report or recommendation, the Board will take final action on the modification or termination. As part of that final determination, the Board may impose conditions which it considers necessary and appropriate to protect the interest of the County. The decision of the Board shall be final and any court action or proceeding to attack, review, set aside, void or annul any decision of the determination by the Board shall be commenced within 30 days as set forth in Section 6.1.3.F.

## **6.3. DESIGN AND SITE PLAN REVIEW**

### **6.3.1. Development Plan Review**

#### **6.3.1.A. General**

Where a Development Plan Review is required by provisions of this Code or by the action of the Board of Supervisors, Planning Commission, Zoning Administrator, Planning Director, or Board of Zoning Appeals, the procedures in this Section shall apply. The review shall not be used to change existing Code regulations or conditions of approval by granting authorities, nor may the reviewing authority impose conditions of approval unrelated to elements reviewed pursuant to this Section.

#### **6.3.1.B. Department Regulations**

The Planning Director is authorized to issue regulations to implement the requirements of this Section. Copies of the regulations shall be made available to the public for a reasonable charge. Copies shall also be available at the Planning Department Office and the Office of the Secretary of the Planning Commission.

#### **6.3.1.C. Waiver**

The Planning Director may waive the requirement for Development Plan Review, and instead require Design Review, as provided in Section 6.3.2 of this Code, subject to approval by the same hearing authority required by other provisions of this Code or by the action of the Board of Supervisors, County Community Development Commission, Zoning Administrator, Planning Director, or Board of Zoning Appeals.

#### **6.3.1.D. Revisions**

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

### **6.3.2. Design Review**

#### **6.3.2.A. General**

Compliance with the County's Design Guidelines is required for any commercial, industrial, residential, mixed-use, institutional, or public works project that meets Section 6.3.2.A.1 and either 6.3.2.A.2 or 6.3.2.A.3.

1. Located in any one of the following existing or proposed land use zoning districts:
  - a. Commercial Zoning Districts: BP, LC, GC, SC, AC, TC, CO.
  - b. Mixed-Use Zoning Districts: NMC, CMC, CMZ.
  - c. Industrial Zoning Districts: MP, M-1, M-2.
  - d. Special Zoning Districts: SPA.
  - e. Nonresidential development in any residential zoning district.
  - f. Residential development in any zoning district as provided for in the Single Family Design Guidelines.
2. Requires any one or more of the following discretionary entitlements or approvals:
  - a. General Plan Amendment.
  - b. Community Plan Amendment.

- c. Rezone.
  - d. Conditional Use Permit.
  - e. Variance.
  - f. Development Plan Review.
  - g. Special Development Permit.
  - h. Tentative Parcel/Subdivision Map.
  - i. County facility or public works projects not already subject to the Pedestrian Master Plan.
3. Requires any one or more of the following nondiscretionary approvals:
- a. Building Permits **and Sign Permits** (permits for interior remodels are exempt).
  - b. Development Plan Approvals—staff level and others that are designated as nondiscretionary.
  - c. Improvement Plans involving the reconstruction of parking lots and **new use of land for commercial and industrial purposes.**

#### 6.3.2.B. Purpose

The purpose of Design Review is to:

1. Create a sense of place in Sacramento County's new growth areas, mixed-use, commercial, business, multifamily, and single-family residential districts;
2. Create a mix of uses and activities that create a healthy, social, livable, sustainable and economic environment for the diverse communities and commercial corridors in Sacramento County.
3. Create mixed-use, commercial, business, multifamily, and single-family residential districts that are designed to promote the health, safety and convenience of the pedestrian and provide active design and transportation choices that include multiple modes (walking, bicycling and transit);
4. Support the goals of the General Plan;
5. Preserve and enhance environmental quality;
6. Promote high quality design and active communities; and
7. Promote compatibility and increased connectivity between new development and surrounding development.

#### 6.3.2.C. Appropriate Authority to Conduct Design Review

##### 1. Design Review Administrator

For discretionary projects, the Design Review Administrator (DRA) shall conduct Design Review and make findings and recommendations to the appropriate hearing body regarding compliance with the County's Design Guidelines. For nondiscretionary projects, the DRA shall conduct Design Review and make findings and recommendations to the Planning Director regarding compliance with these Guidelines.

##### 2. Design Review Advisory Committee

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

### **3. Project Review Committee**

The Project Review Committee (PRC) shall conduct an initial review for all nondiscretionary projects, permitted by right in the zoning district, that meet the thresholds in Sections 6.3.2.C.3.a through 6.3.2.C.3.c and make findings and recommendations regarding compliance with the County's Design Guidelines. The PRC shall serve in an advisory and technical guidance capacity to the DRA and Planning Director.

- a. Nondiscretionary commercial projects greater than 15,000 square feet
- b. Nondiscretionary industrial projects greater than 30,000 square feet
- c. Nondiscretionary mixed-use projects greater than 20,000 square feet

### **6.3.2.D. Findings and Recommendations**

The appropriate hearing body for approval of discretionary projects or the Planning Director for issuance of nondiscretionary permits shall find that the project:

1. Substantially complies with the Community Design Guidelines, Multi-Family Design Guidelines, and Single-Family Design Guidelines (henceforth, County Design Guidelines) as proposed or modified;
2. Would substantially comply with the County Design Guidelines if modified with recommended modifications; or
3. Does not comply with the County Design Guidelines and should, as consequence, not be approved.

### **6.3.2.E. Conflicts with Other Provisions of the Zoning Code or County Code**

To the extent that any other provision of the Zoning Code or Sacramento County Code conflicts with any provision of this Section or the County Design Guidelines, the provisions of this Section or the County Design Guidelines shall prevail. No separate entitlement shall be required for any aspect of the project which is not consistent with the Zoning Code or Sacramento County Code but is consistent with this Section, or the County Design Guidelines. In the case of a single-family project that is consistent with provisions of this Section or the Design Guidelines, a Special Development Permit may be requested to provide greater flexibility from and alternatives to other provisions of the Zoning Code or Sacramento County Code.



**6.3.2.F. Signs**

Any new freestanding or tenant sign permitted by the provisions of this Code shall be considered a nondiscretionary project, and shall be subject to design review by the Planning Director. Modifications to existing signs are permitted without design review, provided that the sign conforms to current standards for the zoning district in which it is located.

**6.3.2.G. Appeals**

- 1. Nondiscretionary Projects.** Any appeal of the Planning Director for which design review was conducted pursuant to this Section shall be heard by the County Planning Commission, notwithstanding Section 6.1.3 of this Code.
- 2. Discretionary Projects.** Appeals shall be pursuant to Section 6.1.3 of this Code.

**6.3.2.H. Tentative Subdivision Maps and Parcel Maps**

**The DRA shall conduct a discretionary design review and make findings and recommendations to the appropriate hearing body for all tentative maps as provided for in the Single Family Design Guidelines.**

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## **6.4. SPECIAL PERMITS**

### **6.4.1. Special Permits Generally**

#### **6.4.1.A. Application and Procedures**

Application for special permits such as a Conditional Use Permit or Special Development Permit shall be made by the property owner or his agent or lessee to the Department of Community Development on a form prescribed by the Planning Director or his/her agent. The application shall follow the requirements and procedures set forth in the User Guide.

#### **6.4.1.B. Hearing and Notice**

1. Public hearing and noticing requirements before the Zoning Administrator, County Planning Commission, Board of Zoning Appeals, and Board of Supervisors shall follow the procedures outlined in the User Guide for the following types of requests:
  - a. Conditional Use Permits.
  - b. Special Development Permits.
  - c. Appeals of actions on any special permit filed, pursuant to this Section.
  - d. Revocation of any special permit filed, pursuant to this Section.
2. When an application is for a Conditional Use Permit for a condominium conversion and the subject property is occupied by residential units, the occupants or tenants of such units shall be included in the list of property owners furnished by the applicant.

#### **6.4.1.C. Board of Supervisors and Planning Commission Hearing Authority**

Whenever there is an application that will be heard by the Board of Supervisors or the Planning Commission, that hearing authority shall have the ability to consider all aspects of the application, including, but not limited to, the granting of Variances, Conditional Use Permits, tentative maps, setback reductions, or other types of administrative hearing matters.

#### **6.4.1.D. Notice of Grant**

Upon the grant of a Variance, Conditional Use Permit, or Special Development Permit the Secretary of the Planning Commission shall prepare and deliver to the applicant a written statement thereof stating the fact of the grant and any conditions attached thereto. A copy shall be delivered also to the Chief Building Inspector and the other concerned County officials. No decision of the appropriate authority shall become final upon such grant, nor shall a permit or license of any kind be issued by any County office, until the time in which an appeal may be filed has elapsed without an appeal having been filed.

#### **6.4.1.E. Withdrawal of Application**

The appropriate authority may permit the withdrawal of an application for a special permit filed pursuant to this Section.

**6.4.1.F. New Applications**

The Planning Director, except upon the approval of the County Planning Commission or the Board of Supervisors, shall not accept any application for a Variance, Conditional Use Permit, or Special Development Permit for a period of one year following the denial or revocation of any such permit for the same premises.

**6.4.1.G. Revocation and Modification**

- 1. Initiation and Proceedings.** The Planning Commission on its own motion may, and if directed by the Board of Supervisors shall hold a public hearing for modifying or revoking any Variance, Special Development Permit, certificate of nonconforming use, Conditional Use Permit, or any other special permit which has been granted pursuant to the provisions of this Section or any ordinance superseded by this Section.
- 2. Decision of Commission.** After a public hearing, the Commission may revoke or modify a Variance, Special Development Permit, Certificate of Nonconforming Use, Conditional Use Permit, or any other special permit which has been granted pursuant to the provisions of this Section or any ordinance superseded by this Section on one or more of the following grounds:
  - a.** That such approval was obtained by fraud or misrepresentation; or
  - b.** That any person making use of or relying upon the special permit is violating or has violated any conditions thereof, or that the use for which the special permit was granted is being, or has been exercised contrary to the terms or conditions of such approval, or that the use for which the approval was granted is so exercised as to be detrimental to the public health, safety, or general welfare so as to be a nuisance.

**6.4.1.H. Issuance of Building Permits in Emergencies**

Notwithstanding any provision to the contrary in this Code, the Sacramento County Division of Building Permits and Inspections may issue a building permit, an electrical permit, or other form of construction permit, prior to the grant of a Conditional Use Permit, Variance, or Special Development Permit, subject to all of the following conditions and criteria:

- 1.** The applicant for the building permit, electrical permit, or other form of construction permit shall have completed an application for a Conditional Use Permit, Variance, or Special Development Permit.
- 2.** The application for the Conditional Use Permit, Variance, or Special Development Permit is to replace, rebuild, or reconstruct a structure or facility destroyed or made inoperable or unusable due to a natural disaster such as a flood, earthquake, or other soil or geologic movement; fire; or the occurrence of a riot, accident, or sabotage.
- 3.** There is a demonstrated urgency to replace, rebuild, or reconstruct the structure or facility involving one or more of the following:
  - a.** A clear and imminent danger demanding immediate action to prevent or mitigate loss or damage to life, health, or property; or
  - b.** The threat of loss of services for which there is an overriding public concern.

4. The completed application filed for the Conditional Use Permit, the Variance, or Special Development Permit qualifies as an emergency or categorical exemption as defined and regulated pursuant to the State Guidelines promulgated in Title 14, California Administrative Code, Section 15000 et seq., implementing the provisions of the California Environmental Quality Act.
5. The applicant files with the Department of Community Development a letter, executed before a notary public, indicating that the applicant understands that:
  - a. The structure or facility shall be removed by the applicant in the event the Conditional Use Permit, Variance, or Special Development Permit, is not granted;
  - b. The issuance of a building permit, electrical permit, or other construction permit in advance of the grant of the Conditional Use Permit, Variance, or Special Development Permit does not vest in the applicant or successor to the applicant, any right to continue construction or use of the structure or facility, if the Conditional Use Permit, Variance, or Special Development Permit, is not granted by the appropriate authority;
  - c. If the County is required to remove the structure or facility due to the applicant's refusal or inability to do so, the applicant shall pay reasonable attorneys' fees and administrative expenses incurred by the County in removing or contracting to remove the structure or facility; and
  - d. A cash deposit or bond shall be required, in an amount to be determined by the Director of the Department of Community Development, sufficient to pay the costs of the removal of the structure or facility, including reasonable attorneys' fees and administrative expenses; such deposit or bond to be held, or to remain in force, until released by the Department of Community Development.

## **6.4.2. Minor Use Permits**

### **6.4.2.A. Purpose and Applicability**

This Section provides a discretionary approval process for uses listed in this Code that are deemed to possess location, use, building, or traffic characteristics of such unique and special form as to make impractical or undesirable their inclusion as permitted uses; and therefore, requiring a Minor Use Permit. Minor Use Permits are subject to CEQA review.

### **6.4.2.B. Application Procedures**

The applicant shall submit an application and fees to the Department of Community Development on a form prescribed by the Planning Director or his/her agent. Detailed procedures for the application, review, and approval of Minor Use Permits are outlined in the User Guide.

### **6.4.2.C. Decision Authority and Approval Criteria**

1. Minor Use Permits do not require noticing, a public hearing or review by CPAC for the area in which the use will be located.
2. **To grant a Minor Use Permit, the Planning Director shall find that the use is not detrimental to the public health, safety, convenience and general welfare of**

persons residing or working in the neighborhood of such use, and shall find that the purposes of this Code shall be maintained with respect to location, use, building traffic or other impacts of the proposed use and its relationship to surrounding properties. In granting a Minor Use Permit for specific uses, the following findings shall be considered by the Planning Director in order to approve a Minor Use Permit:

- a. **Solid fences over three in height per Section 5.2.5. Findings shall be made that there is a preponderance of solid fencing over three feet in the neighborhood and/or the fence is located along an arterial or thoroughfare.**
  - b. **Commercial uses, including Massage, Hookah/Smoking Lounges, Pawn Shops, Tobacco Shops, On-sale Alcohol in Restaurants, Tattoo Shops, and Check Cashing Establishments. Findings shall be made that:**
    - i. **The property or business does not have a history of crime-related issues, and the property and business are kept in good repair and upkeep.**
    - ii. **Adequate measures are taken to reduce any negative impacts on residents or sensitive uses if located adjacent to a residential use or other sensitive uses, such as a day care center, school or park.**
  - c. **Industrial Uses: A finding shall be made that the proposed use does not result in detrimental impacts to surrounding industrial uses and that adequate parking and screening is provided.**
3. **In granting a Minor Use Permit, the Planning Director may impose certain conditions in order to make the findings in Section 6.4.2.C.2.a through 6.4.2.C.2.c. The conditions may relate to use, building height, yard area, open space, setbacks, parking, signs, hours of operation, time limit, and other conditions necessary to comply with the findings of this Section, and all applicable site location, operation and development standards.**
4. **Decisions of the Planning Director may be appealed to the County Board of Zoning Appeals.**

### **6.4.3. Conditional Use Permits**

#### **6.4.3.A. Purpose**

This Section provides a discretionary approval process for conditional uses, which have unique or widely varying operating characteristics or unusual site development features. The procedure encourages public review and evaluation of proposed conditional uses and is intended to ensure that such uses will not have a significant adverse impact on surrounding uses or on the community at large.

#### **6.4.3.B. Applicability**

Uses allowed by Conditional Use Permit in each zoning district are indicated in Chapter 3, "Use Regulations."

#### **6.4.3.C. Application and Procedures**

The applicant shall submit an application to the Department of Community Development on a form prescribed by the Planning Director or his/her agent. The application shall follow the requirements and procedures described in the User Guide.

#### 6.4.3.D. Decision Authority

Approval authority for review and decisions on Conditional Use Permits are as indicated in the Use Tables, Table 3.1 and are as summarized in Section 6.4.3.D.1 through 6.4.3.D.4.

1. **Zoning Administrator.** The Zoning Administrator shall decide an application for a Conditional Use Permit, pursuant to the procedures described in the User Guide, except as otherwise specified in this Section.
2. **County Planning Commission.** The County Planning Commission shall be the appropriate authority to hear and decide an application for a Conditional Use Permit whenever the application is filed contemporaneously with an application to change property from one zoning district to another, or any other permit where such application would be heard by the Planning Commission pursuant to the provisions of this Code, or for a tentative subdivision map pursuant to the provisions of Title 22 of the Sacramento County Code.
3. **Board of Supervisors.** The Board of Supervisors shall be the appropriate authority to hear and decide an application for a Conditional Use Permit when so indicated on the Use Tables, Table 3-1 of this Code; or when an application has been filed contemporaneously with an application for any other zoning matter for which a hearing is to be held by the Board of Supervisors; or, after a recommendation by the Planning Commission, when an application is located within the area regulated by any Airport Comprehensive Land Use Plan (CLUP) and does not comply strictly with policies of the CLUP, upon making the findings by a 4/5 vote.
4. **CPAC Action.** In those cases where the CPAC recommends denial on a project involving Conditional Use Permits for nonresidential uses, except for Minor Use Permits, the Zoning Administrator shall refer the application directly to the County Planning Commission, with appeal to the Board of Supervisors.

#### 6.4.3.E. Approval Criteria

1. To grant a Conditional Use Permit, the appropriate authority shall find and record in writing that the establishment, maintenance, or operation of the use, building, or structure applied for will not under the circumstances of the project be detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing or working in the neighborhood of such proposed use or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County. Recommendations and decisions on a Conditional Use Permit application shall be based on consideration of whether:
  - a. The proposed use is consistent with the General Plan and all applicable provisions of this Code and applicable state and federal regulations;
  - b. The proposed use is consistent with the purpose and intent of the zoning district in which it is located;
  - c. The proposed use is consistent with any applicable use-specific standards, set forth in Chapter 3, "Use Regulations;"
  - d. The proposed use is compatible with adjacent uses in terms of scale, site design, and operating characteristics (hours of operation, traffic generation, lighting, noise, odor, dust, and other external impacts);

- e. Any significant adverse impacts anticipated to result from the use will be mitigated or offset to the maximum extent practicable;
  - f. Facilities and services (including sewage and waste disposal, water, gas, electricity, sheriff and fire protection, and roads and transportation, as applicable) will be available to serve the subject property while maintaining adequate levels of service for existing development;
  - g. Adequate assurances of continued maintenance have been provided; and
  - h. Any significant adverse impacts on the natural environment will be mitigated pursuant to CEQA unless overridden.
- 2. Findings for Nonresidential Uses.** In addition to the findings in Section 6.4.3.E.1, the following findings shall be considered in order to approve a Conditional Use Permit for the indicated use:
- a. Office uses permitted pursuant to Chapter 2, subject to findings that the proposed use will be:
    - (i) Compatible in design and size with the surrounding residential area; and
    - (ii) Complies with the use and development standard requirements in Chapters 2 and 3 of this Code.
  - b. Convenience centers permitted pursuant to Chapter 2, subject to findings that the proposed use:
    - (i) Serve only the needs of the surrounding residents in terms of area, design, and location of the project;
    - (ii) Will be compatible in design and size with the surrounding residential area; and
    - (iii) Complies with the use and development standard requirements in Chapters 2 and 3 of this Code.
  - c. Agricultural supplies and services, subject to findings that the proposed use:
    - (i) Serve only the needs of the surrounding agricultural uses in terms of the area, design, and location of the project; and
    - (ii) Will be compatible in design and size with the surrounding residential area.

**3. Conditions of Approval.**

The appropriate authority may designate such conditions in connection with Conditional Use Permits as it deems necessary to protect the purposes of this Code. Such conditions may include, but are not limited to:

- a. Dedications of rights-of-way.
- b. Improvements of vehicle access to the subject property to County standards.
- c. Regulation of the placement of the use or building on the subject property.
- d. Regulation of height, number of stories.
- e. Regulation of the nature, hours of operation, extent of use.

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

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

#### **6.4.4. Conditional Use Permits for Condominium Conversions**

##### **6.4.4.A. Application**

The provisions of this Section shall apply to the development of all residential condominiums and stock cooperatives including the conversion of existing dwelling units to condominiums, row houses, town houses, and stock cooperatives.

##### **6.4.4.B. Application Content**

Recognizing that the conversion of existing structures which have been previously occupied and constructed as rental units presents unique problems to present tenants and future buyers, the application for a Conditional Use Permit for a condominium conversion project shall include the following information:

1. The proposed organizational documents, including the Covenants, Conditions and Restrictions to be recorded pursuant to Section 1350 et seq. of the Civil Code. The organizational documents shall provide for the following:
  - a. Transfer of title to each unit;
  - b. Assignment of parking for each owner, and provisions for parking of recreational vehicles;
  - c. The management of common areas within the project, and the complex generally;
  - d. The anti-discrimination provisions set forth in this Section.
  - e. Maintenance program and proposed budget.
2. A property report prepared by an engineer shall describe the condition and estimate the remaining useful life of each of the following elements of each structure situated within the project proposed for conversion: roofs, foundations, exterior paint, insulation, paved surfaces, mechanical systems, electrical systems, plumbing systems, sewage systems, sprinkler systems for landscaping, utility delivery systems, central or community heating and air conditioning systems, fire protection systems including any automatic sprinkler systems, alarm systems, or standpipe systems, structural elements, and drainage systems.

The property report shall state what the Sound Transmission Class and Sound Impact Class of the existing floor-to-ceiling and wall-to-wall assemblies of sample units are. The report shall also explain, in nontechnical terms, what the class ratings mean and state what measure, if any, the applicant will take to improve sound attenuation between units. Projects constructed after July 1, 1978, which were in total compliance with the Building Code at the time of construction, shall be exempt from the property report requirement.

The property report shall list each fixed appliance to be contained in each or any unit offered for sale and shall state whether the appliance is or will be new or



used when the unit is first offered for sale. The report shall also state the terms and nature of the warranty offered by the applicant on each such appliance.

3. A structural pest control report.
4. A building history report identifying the date of construction of all elements of the project.
5. A report identifying all characteristics of the building not in compliance with this ordinance or applicable building or housing codes.
6. A rental history report detailing the size, in square footage, of the building or buildings and each unit; the current or last rental rate; the name and address of each present tenant; the monthly rental rate for the preceding three years for each unit; the average monthly vacancy over the preceding three years; the number of evictions over the preceding three years. In addition, evidence shall be submitted that tenants have been notified and have acknowledged the applicants intent to file a request for conversion for a period of at least 90 days prior to the initial filing of an application for a conversion use permit or tentative subdivision map.

Failure to provide any information required in this Section, shall be accompanied by an affidavit or declaration given under penalty of perjury, setting forth in detail all efforts undertaken to discover the information and all reasons why the information could not be obtained.

7. A detailed report describing the relocation and moving assistance information to be given to each tenant, and the steps the applicant will take to ensure the successful relocation of each tenant. The report should state in detail what assistance will be provided for special category tenants, including a discussion of long-term or life-term leases and provisions to allow such tenants to continue renting after conversion until comparable housing, as defined by Section 6.4.4.N.3, is located and the move can be completed.
8. A survey of all the tenants in the conversion project indicating how long each tenant had been a resident of the project, how long each tenant had planned to live in the project, whether or not each tenant would be interested in purchasing a unit, to which community area would each tenant choose to relocate if the conversion took place and the tenant did not purchase a unit, and the extent of tenant approval in principle of the conversion. Included in this survey is an estimate of the sales price for each unit, not including inflation and adjustments that would take place during conversion.

To comply with this provision, the applicant shall provide a tenant rights handout and a questionnaire, in a form approved by the County, to each tenant with an envelope, postage prepaid, addressed to the Sacramento County Community Development Department. The questionnaire shall direct the tenant to return the completed form directly to the Community Development Department.

9. The Planning Director may require additional information necessary to assist in evaluating said conversion project in order to make proper findings in accordance with the purposes and objectives set forth in the adopted County General Plan, or any specific or community plan or element thereof in effect at the time of such application. Such information may include, but shall not be limited to:

- a. A report comparing the units in the conversion project, as both rentals and ownership units, with housing available within the community plan areas affected by the project.
- b. A report on availability of comparable rental units at similar rental rates remaining within the affected community plan areas, including vacancy rate information.
- c. A report outlining the available low and moderate income housing units (rental and sales housing) within the affected community plan areas.

#### **6.4.4.C. Ownership Association**

The developer shall submit to the Planning Commission a copy of the maintenance program and proposed budget by a homeowner's association or other enforceable means to ensure maintenance of common areas, landscaping, private streets, parking areas, and recreational facilities.

#### **6.4.4.D. Building Code Requirements**

1. A building proposed for conversion, and each unit within the building, shall comply at a minimum with all applicable Building Code standards in effect at the time of the last alteration, repair, relocation, or reconstruction of the building, necessitating compliance with the Building Code, or, if none, at the time of first construction.
2. No building shall be permitted to be converted to condominium ownership unless the building was constructed and subject to a building permit issued under the provisions of the 1952 Uniform Building Code, or subsequently adopted Uniform Building Code, unless it is found by the Appropriate Authority that the building constructed prior to 1952 is decent, safe, and sanitary based upon property report review by building inspector.
3. No building constructed after May 10, 1980 shall be permitted to be converted to condominium ownership unless the building was constructed in full compliance with all applicable building codes and the development standards applicable to new condominium construction, in effect at the time of the last alteration, repair, relocation, or reconstruction of the building, or, if none, at the time of first construction.

#### **6.4.4.E. Building Inspection**

After reviewing the property report required pursuant to Section, and after inspecting the structures within the project when deemed necessary, the Chief of the Sacramento County Divisions of Building Permits and Inspections shall identify and make available to the Planning Commission all items evidenced by such reports or inspection to be in noncompliance with applicable building and housing codes or to be hazardous to the life, health or safety of any occupant of the units within the project or the general public. All such items shall be corrected to the satisfaction of the Chief of the Sacramento County Divisions of Building Permits. An appropriate fee to cover the cost of the Division's review and inspection may be collected.

#### **6.4.4.F. Performance Bond**

If the proposed project does not comply with the provisions relating to utilities, personal safety and Building Code compliance, or if the Chief of the Sacramento County Divisions of Building Permits identifies any items to be corrected, any

Conditional Use Permit issued pursuant to this part shall require the developer to furnish a performance bond or other means of security approved by the County Counsel in an amount to be determined by the Chief of the Sacramento County Divisions of Building Permits to be the reasonable estimated cost to bring the project into compliance with said codes and to make all necessary repairs. The bond shall run in favor of individual purchasers and the Association, and the bond shall provide for reasonable attorney's fees in the event of default by the principal.

#### **6.4.4.G. Consumer Protection Provisions**

In addition to the tenant protection provisions set forth in the Subdivision Map Act, the applicant shall comply with all relocation assistance and other provisions of this Section, as conditions of any Conditional Use Permit for a condominium conversion project approved pursuant to this Code.

#### **6.4.4.H. Sales and Lease Termination**

The tenants of the project on the date of application shall be offered the first right of refusal to purchase units. The offer shall run for 90 days from the date of issuance of subdivision public report by the State Department of Real Estate unless the tenant gives prior written notice of intention not to exercise the right. A tenant of any project proposed for conversion on the date of application for each conversion may terminate any lease after giving 30 days notice. The required relocation assistance shall be applicable to all units from the date of final approval of the use permit to the closing of escrow for the final unit in the project.

#### **6.4.4.I. Relocation Assistance**

The applicant shall offer to each eligible tenant a plan for relocation to comparable housing, as approved by the Board. The relocation plan shall provide, at a minimum, for the following:

1. Assistance to each eligible tenant in locating comparable housing, including but not limited to providing availability reports and transportation, where necessary.
2. Payment of a relocation fee to each tenant who does not choose to stay. The payment shall be a cash payment of at least \$300 if the tenant is relocating from an unfurnished apartment, or \$200 if the tenant is relocating from a furnished apartment. A tenant is not entitled to a relocation fee pursuant to this Section if the tenant has been evicted for just cause. Cash payment minimums will be adjusted annually. In addition, up to \$50 cash payment shall be made for utility deposits and hook-up costs.
3. In the case of eligible tenants who are elderly, handicapped, low-income, or single heads of households living with one or more minor children, the following additional provisions must be made:
  - a. Payment of the first month's rent in the new complex, if required upon moving in; and the transfer to the new complex of all key, utility, and pet deposits to which the tenant is entitled upon vacating the unit. Cleaning and security deposits, minus damages, shall be refunded to the tenant upon vacating the unit.
  - b. In lieu of the transfer of deposits to the new complex, the tenant may, at his or her option, elect to be refunded all deposits to which he or she is entitled.

- c. If the amount of deposits and other fees required upon moving into the new complex exceed the amounts refunded to the tenant and transferred to the new complex, plus damages, the applicant shall pay the difference.
    - d. If amount of damage to any unit exceeds the deposit, the excess may be subtracted from the relocation assistance payment.
  4. In the case of eligible special category tenants, the following additional provisions must be made:
    - a. **Subsidy.** Where the rent for the comparable unit into which the tenant moves is higher than the rent for the unit the tenant occupied in the conversion project the applicant shall pay the difference for a period of one year from the date of relocation.
    - b. **Evictions.** Until each tenant is successfully relocated, the tenant shall not be unjustly evicted from the unit presently occupied in the conversion project.
    - c. **Reports.** The applicant shall provide each tenant with a copy of the reports required by this Section detailing all relocation and moving assistance information to be provided by the applicant.
    - d. **Life-Term And Long-Term Leases.** The applicant shall offer eligible tenants leases for a term of:
      - (i) Fifty-nine (59) years when the tenant is elderly or handicapped and who also qualifies as low income. Such leases shall provide that annual rent increase shall not exceed the percent of change in HUD'S defined fair market rent.
      - (ii) Fifty-nine (59) years when the tenant is elderly or handicapped with a moderate income or greater. Rents may be increased at the prevailing market rate.
      - (iii) An annually renewable lease for a term not to exceed five (5) years for low-income households when The appropriate authority finds that comparable units are not available for the relocation of low income persons. Such agreements shall be certified for tenant eligibility each calendar year. Qualification for the Federal Section 8 program or its successor shall constitute certification.
  5. The offer to each eligible tenant of a plan for relocation shall be free of any coercion, intimidation, inducement or promise not herein specified and shall not cause the tenant to vacate in advance of, or prior to, a timetable or schedule for relocation as approved in its application for approval of conversion.

#### 6.4.4.J. Anti-discrimination

The applicant or owner of any condominium unit within a project shall not discriminate in the sale, or in the terms and conditions of sale, of any dwelling unit against any person who is or was a lessee or tenant of any such dwelling unit because such person opposed, in any manner, the conversion of such building into a condominium. In a like manner, the applicant or owner shall not discriminate in the sale, or in the terms and conditions of sale, of any dwelling unit against any person or family based upon age or family size, when family size does not exceed HUD's standard for overcrowding of

1.25 persons per room. This anti-discrimination Section shall be included in the conditions, covenants, and restrictions for the project.

#### **6.4.4.K. Preconversion Protection**

From the date of application for a permit to convert, or until relocation takes place or the application is denied or withdrawn, but in no event for more than two (2) years, no tenant shall be unjustly evicted and no tenant's rent shall be increased: 1) more frequently than once every six (6) months; nor 2) in an amount greater than the annual increase in utility costs and insurance costs, plus increased operating costs not to exceed two (2) percent per year. This limitation shall not apply if rent increases are expressly provided for in leases or contracts in existence prior to the filing date of the Conditional Use Permit.

#### **6.4.4.L. Appliance Warranties**

The applicant shall provide free of charge to the first individual purchaser of each unit a one-year warranty on each fixed appliance contained in the unit, whether new or used.

#### **6.4.4.M. Utilities**

- 1. Gas.** Each condominium unit shall have a separate gas service where gas is a necessary utility. If this provision places unreasonable economic burden on the applicant, the appropriate authority may approve an alternative.
- 2. Electricity.** Each condominium unit shall have a separate electrical service, with separate meters and disconnects, and ground fault interrupters where ground fault interrupters are required by present building codes.
- 3. Telephone Company Access.** The Telephone Company serving the location under conversion shall have the right to construct and maintain (place, operate, inspect, repair, replace and remove) communication facilities as it may from time-to-time require (including access) in or upon any portion of the common area, including the interior and exterior of the buildings as necessary to maintain communication service within the project. This provision may not be amended or terminated without the consent of the serving Telephone Company.

#### **6.4.4.N. Findings Required for Approval**

The Planning Commission shall not approve a Conditional Use Permit for a condominium conversion, unless it finds:

1. That the proposed conversion is consistent with the General Plan and applicable community and specific plans in effect at the time of the Conditional Use Permit application, especially with the objectives, policies, and programs of the Housing Element of the General Plan designed to provide affordable housing to all economic segments of the population.
2. That the average rental vacancy rate in multiple family units of similar size in the community plan areas and adjacent community plan areas affected by the proposed conversion during the 12 months preceding the filing of the application is greater than five percent; provided, that a Conditional Use Permit may be approved where the vacancy rate is equal to or less than five percent if the applicant has proposed measures which the Commission finds would effectively mitigate the displacement of tenants and any adverse effects upon the housing

stock in the affected community plan areas which would be caused by the proposed conversion.

In evaluating the average rental vacancy rate in the affected community plan areas and in the building proposed for conversion, the Planning Commission shall consider the rental history of the building, including the number of evictions and increases in rent over the preceding three (3) years. In addition, the following sources of vacancy rates statistics may be used: 1) Department of Finance (State of California), 2) Postal Service, and 3) HUD vacancy rates. Notwithstanding any other provision of this Section, the Planning Commission may deny a Conditional Use Permit if it finds that vacancies in the building have been created by unjust evictions and unreasonable rent increases in order to qualify a project for conversion under this Section.

3. That the applicant unconditionally offered to each eligible tenant an adequate plan for relocation to comparable housing. In determining whether the housing to which the applicant proposes relocation is "comparable" the Planning Commission must find that the housing is decent, safe, and sanitary, and in compliance with all local and state housing codes; and, that the housing is open to all persons regardless of race, creed, national origin, ancestry, religion, marital status, or gender. In addition, the Planning Commission shall consider the following factors in determining whether the relocation housing is comparable:
  - a. Whether the housing is provided with facilities equivalent to that provided by the landlord in the dwelling unit in which the tenant then resides in regard to each of the following: a) apartment size including number of rooms; b) rent range; c) major kitchen and bathroom facilities; d) special facilities for the handicapped, infirmed or senior citizens; e) willingness to accept families with children;
  - b. Whether the housing is located in an area not less desirable than the area in which the tenant then resides in regard to a) accessibility to the tenant's place of employment; b) accessibility to community and commercial facilities; c) accessibility to schools; and d) accessibility to public transportation. A unit is not comparable if it is located in a building for which a notice of intent to convert has been given, except where the rental units of the building will not be offered for sale as condominium units within two years.

#### **6.4.4.O. Lapse of Conditional Use Permit for Condominium Conversions**

Pursuant to this Code, an approved Conditional Use Permit, if not used for the purpose for which it was granted, shall lapse three years following the date on which the permit became effective. However, since the regulations related to condominium conversions are unique in that measures come into place with the filing of the application for the Conditional Use Permit in terms of the financial obligations related to eligible tenants and rental limitations, a Conditional Use Permit shall be deemed to be still in effect if, within three years from the date of approval, one of the following occurs:

1. A final subdivision map is recorded for all or a portion of the property involved in the Conditional Use Permit, or

2. Pursuant to the approved Relocation Assistance Plan, written evidence has been filed with the Planning and Community Development Department that more than 10 percent of eligible tenants have been relocated.

Notwithstanding the provisions in this Section, a Conditional Use Permit that would otherwise expire pursuant to this Code may be subject to an automatic extension as described in Section 6.4.1.I.

#### **6.4.4.P. Right to Terminate Conversion**

Within three (3) years of the approval of a Conditional Use Permit for a condominium conversion or pursuant to Section 6.4.4.O, after the Conditional Use Permit is in effect, the applicant may elect not to pursue the completion of all or part of the approved conversion. Upon the acceptance of a notice of termination by the approving authority, along with evidence that all remaining eligible tenants have been notified in writing, the Conditional Use Permit shall be deemed lapsed and void. Acceptance of the notice of termination shall be an administrative authority of the Planning Director. Such acceptance shall be by a written notice of acceptance which may be withheld to such time as the Director is assured that any required tenant obligations incurred during the preconversion process have been satisfied.

#### **6.4.5. Conditional Use Permits for Uses Not Otherwise Provided in the Code**

##### **6.4.5.A. Finding For Uses Not Listed**

It is recognized that from time to time persons in possession of property desire to use property for purposes which are not specifically provided for in this Code. In order to carry out the intent of this ordinance and to promote the general welfare of the community, the Board of Supervisors authorizes the Planning Director to determine the appropriate requirements for uses which are not provided for in the Zoning Code, subject to the following:

1. Determination by the Planning Director that the use is substantially similar in characteristics, intensity, and compatibility to a use or uses within the zoning classification applicable to the property.
2. Determination by the Planning Director that the use would be appropriate in the zoning classification applicable to the property as a permitted or conditional use. Each such use shall conform to all the regulations and conditions of approval applicable to similar described use specified in the provisions of the applicable zoning district as well as the standards and provisions applicable to the similar described use in Chapter 3 of this Code.
3. If the Planning Director determines that the use would be appropriate in the zoning classification applicable to the property as a conditional use, a Conditional Use Permit shall be heard by the appropriate hearing body for the similar use.
4. The use shall then be processed in a similar manner, as determined by the Planning Director, until the Zoning Code can be amended to add the use to the tables.

#### **6.4.6. Special Development Permits**

##### **6.4.6.A. General**

A Special Development Permit may be granted by the appropriate authority to provide greater flexibility from and alternatives to development standards, minimum

lot area and lot width, and minimum public street frontage in any zoning district, when necessary to carry out the purposes of this Section. In addition, a Special Development Permit may also be granted to provide greater flexibility from and alternatives to the road improvement standards of this Code to permit a single-family dwelling or mobile home and accessory buildings to be erected and used in the specified zoning districts.

#### **6.4.6.B. Purpose**

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

#### **6.4.6.C. Application Procedures**

Detailed procedures for the application, review, and approval of Special Development Permits, including public hearing and noticing requirements are outlined in the User Guide.

#### **6.4.6.D. Decision Authority and Approval Criteria**

1. To grant a Special Development Permit, the appropriate authority shall find and record in writing that the establishment, maintenance, or operation of the use, building, or structure applied for will not under the circumstances of the project be detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing or working in the neighborhood of such proposed use or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County. Approval authority for review and decisions on Special Development Permits is as summarized in Sections 6.4.6.D.1.a through 6.4.6.D.1.d.
  - a. **Zoning Administrator.** The Zoning Administrator shall be the appropriate authority to hear and decide applications for a Special Development Permit, except as otherwise specified in this Code.
  - b. **County Planning Commission.** The County Planning Commission shall be the appropriate authority to hear and decide all applications for a Special Development Permit whenever said application has been filed contemporaneously with an application for any other zoning matter for which a hearing is to be held by the Planning Commission; or for a tentative subdivision map, pursuant to the provisions of Title 22 of the Sacramento County Code.
  - c. **Board of Supervisors.** The Board of Supervisors shall be the appropriate authority to hear and decide an application for a Special Development Permit when so indicated on the Use Tables, Table 3-1 of this Code; or when an application has been filed contemporaneously with an application for any other zoning matter for which a hearing is to be held by the Board of



Supervisors; or, after a recommendation by the Planning Commission, when an application is located within the area regulated by any Airport Comprehensive Land Use Plan (CLUP) and does not comply strictly with policies of the CLUP, upon making the findings by a 4/5 vote.

- d. **CPAC Action.** In those cases where the CPAC recommends denial on projects involving Special Development Permits for nonresidential uses, the Zoning Administrator shall refer applications directly to the County Planning Commission, with appeal to the Board of Supervisors.

#### **6.4.6.E. Effect of Permit**

Upon the issuance of the Special Development Permit, the property may be developed either pursuant to the development standards set forth in Chapter 3 of this Code or in the alternative, pursuant to the development standards set forth in the Special Development Permit and the requirements set forth in this Section; provided, however, that upon the issuance of any building permit for the construction of buildings, or the commencement of construction of streets, utilities, and other facilities, pursuant to the development standards set forth in the Special Development Permit, the standards set forth in the Special Development Permit shall regulate the property, and the Special Development Permit shall remain in full force and effect until revoked pursuant to the provisions of this Code. A condition of rezone may require that property be developed only if in compliance with an approved Special Development Permit.

#### **6.4.6.F. Clustering to Provide Open Space Resource Protection**

In those cases where environmentally sensitive or significant physical features exist on the proposed site that are worthy of preservation (e.g., woodlands, wetlands, steep slopes or urban stream corridors), or where an open space buffer would help protect intensive farming or ranching activities, the County Planning Commission may permit residential lots to be clustered and minimum lot area and lot width requirements to be reduced in order to provide appropriate open space resource protection. Development rights for areas designated for open space protection shall be permanently dedicated via conservation easements and appropriate long-term management provided for by either a public agency or other appropriate entity.

#### **6.4.6.G. Limitations**

1. **Use Limitations.** No uses may be authorized by the permit which are not authorized in the zoning district or permitted in the zoning district with a use permit.
2. **Land Use Density Limitations.** Development shall not exceed a land use density, which conforms to the requirements of the land use zoning district in which the project is located, except that the appropriate authority may permit increased densities over the maximum permitted by the land use zoning district, as listed in Sections 6.4.6.G.a through 6.4.6.G.d.
  - a. **Density Increase for Preservation of Environmentally Sensitive or Significant Physical Features.** Density increase up to 50 percent of permitted density if the appropriate authority finds:
    - (i) That certain environmentally sensitive or significant physical features exist on the proposed site worthy of preservation; and in order to preserve and

protect these features, careful planning in the design of the development and in measures of treating the land is necessary.

- (ii) The aforementioned features are not otherwise required to be preserved through the normal land use entitlement and CEQA evaluation process.
  - (iii) Preservation of the aforementioned features cannot be reasonably accomplished through development clustering.
  - (iv) A rezone to enable development under the desired density is not feasible under the circumstances.
  - (v) That the design of the project, including the proposed grading, construction techniques and practices will preserve the aforementioned features.
  - (vi) Development rights for areas designated for open space protection will be permanently dedicated via conservation easements and appropriate long-term management provided for by either a public agency or other appropriate entity.
- b. Density Increase for Energy Conservation Design.** Density increases up to 25 percent of permitted density if the appropriate authority finds:
- (i) That the project will result in energy savings beyond those obtained with conventional design and construction techniques; or
  - (ii) The project provides on-site Accessory I or II solar energy or small wind turbine-generated energy, consistent with Section 3.6.6.C, “Solar Energy Facilities” and Section 3.6.6.D, “Wind Turbine Facilities;” and
  - (iii) That the amount of the increase density is proportionate to the amount of increased energy conservation achieved which exceeds adopted regulations.
- c. Density Increase for Proximity to Transit or in Housing Category III projects.** Additional density increases may be permitted beyond the district allowances in all multifamily residential developments, regardless of the zoning district; in the LC and GC zoning districts; and in all mixed-use zoning districts for projects located within a one-quarter mile of a transit station or stop along a light rail line, bus rapid transit line, or other trunk line providing high frequency bus service with 20 minute or better headways, which is either in existing service, under construction, or planned for service as identified in Regional Transit’s *Short-Range Transit Plan Ten Year Capital Program of Projects*, or **in Housing Category III projects as defined by the Multi-Family Design Guidelines.**
- d.** In addition to 6.4.6.G.a, b, or c the appropriate authority must find that the project will not constitute a nuisance or hazard to the community; or establish a use or development inconsistent with the goals, objectives, and policies of the General Plan; and will not result in significant damage to environmentally sensitive or significant physical features that may exist on the site.

**6.4.6.H. Types of Findings**

- 1. General Findings for All Special Development Permits.** The appropriate authority shall not issue the Special Development Permit, unless it makes the following general findings:
  - a. That the proposed development will carry out the intent of the General Plan and any applicable community plan;
  - b. That the proposed development is of sufficient size and is designed so as to provide a desirable environment within its own boundaries;
  - c. That the proposed development is compatible with existing and proposed land uses in the surrounding area;
  - d. The proposed development is justified by the project design or by the substantial energy savings proposed pursuant to this Section. In the case of a residential area, the rearrangement of dwellings and the mixing of dwelling types shall be justified by larger and more usable open spaces;
  - e. That there is adequate assurance that all necessary infrastructure will be installed at the scheduled times;
  - f. That the existing or proposed utility services are adequate for the uses and population densities proposed; and
  - g. That the proposed development will not be materially detrimental to the environment or to the health, safety, or general welfare of the residents of the development and the County.
- 2. Reduction in the Minimum Lot Area or Width Standards in Residential Zoning Districts for Lots Created by a Tentative Parcel Map.** In addition to the general findings in Section 6.4.6.H.1, the appropriate authority shall not issue a Special Development Permit to provide greater flexibility from and alternatives to the minimum lot area or minimum lot width requirements of this Code for residential zoning districts, unless it makes one or more of the following findings:
  - a. Dedication for public streets or other facilities is required that is in excess of dedication normally required, pursuant to the adopted County Transportation Plan or otherwise required by a public agency.
  - b. The location of natural features or existing site improvements will cause odd or irregular lot shapes if strict adherence to lot area and/or width standards is required.
  - c. An existing nonresidential use, or a nonresidential use proposed concurrently with another entitlement, does not require the minimum parcel size required by the zoning district. Such nonresidential uses may include institutional uses such as day care centers, churches, private schools, hospitals, fraternal lodges, and public buildings. Conveyance of residential development rights may be required as a condition of the lot size reduction.
  - d. The proposed lot area or configuration is sufficient to provide usable yard areas and a desirable residential environment, based on the proposed development as approved by the Design Review Administrator.

- e. Two-thirds or more of the legally created lots existing within 500 feet of the proposed parcel map are of similar size or shape in the same zoning district.
  - f. The project consists of a remainder lot created prior to May 1983 as a result of a gift deed conveyance to a nonprofit charitable organization or to a college or university level education facility.
  - g. The project is located within a Neighborhood Preservation Area (NPA) and maintenance of the existing zoning is an integral part of the NPA. The proposed lot exception would be consistent with the intent of the NPA, policies of the Community Plan and General Plan, and compatible with the existing lotting pattern in the immediate vicinity.
- 3. Reduction in the Minimum Public Street Frontage Standards.** In addition to the general findings in Section 6.4.6.H.1, the appropriate authority shall not issue a Special Development Permit to provide greater flexibility from and alternatives to the minimum public street frontage requirements or the road improvement standards of this Code to permit the construction and use of a single-family dwelling, mobile home, or accessory building, unless it makes all of the following findings:
- a. Adequate provisions are made for the prevention of dust or other nuisances or hazards to surrounding properties resulting from the use of public streets and drives.
  - b. Adequate provision can be made for future street right-of-way and improvements.
  - c. Adequate provisions are made for emergency and service provider vehicles.

#### **6.4.6.I. Other Conditions and Findings**

- 1. Lot Reductions in Agricultural Zoning Districts.** The appropriate authority may grant a Special Development Permit to provide greater flexibility from and alternatives to the minimum lot area or minimum lot width requirements of this Code for any agricultural zoning district for the purpose of providing greater options for finance and residential construction in conjunction with farming or ranching operations in agricultural zoning districts. The appropriate authority shall require the following conditions in the approval of any lot reduction in an agricultural zoning district:
- a. That the applicant submits a parcel map showing the lots approved by the appropriate authority. The appropriate authority shall specify the minimum area and width of the proposed lot, provided that the lot shall not have an area of less than one (1) acre, nor a width of less than 150 feet.
  - b. That the owner or owners of the property convey to the County the right to develop or construct additional principal residences on a sufficient portion of the remainder of the property to guarantee that the reduction in the lot area will not result in an increase in the density of residential uses than otherwise permitted in the zoning district in which the property is located. Such conveyance may be terminated upon the rezoning of the property or upon the merger of the parcels into lots of sufficient area and width to comply with the lot requirements of the zoning district.
  - c. That the lot for which the lot reduction permit is requested will be used only for residential purposes.

2. **Regulation of Common Open Space.** The appropriate authority may, by provisions of the Special Development Permit, regulate the amount, use, and location of open space on the proposed site. The appropriate authority may require the dedication of development rights or scenic easements to assure that open space will be maintained or may require that instruments of conveyance or covenants or deed restrictions provide adequate means to assure the commonly owned open space is maintained in a condition consistent with the approved development plan.

#### **6.4.6.J. Issuance of Permit**

The Special Development Permit, when approved by the appropriate authority, shall incorporate the approved plans and detailed regulations setting forth the requirements for development of the site. The permit may, in addition, specify the authority to review and approve details of the development plan, provided that standards for such review are set forth in the permit. The appropriate authority may also designate conditions of approval for a Special Development Permit to satisfy the requirements of this Section. Such conditions may include, but are not limited to, right-of-way dedication and regulations on building height, landscaping and fencing, **and shall be related to the nature of the Special Development Permit.**

#### **6.4.7. Temporary Use Permits**

##### **6.4.7.A. Purpose**

This Section describes the administration of Temporary Use Permits. Every use that is classified as a temporary use for the zoning district in which it is to be located, as identified in Section 3.10, shall be placed or established on the property only after first receiving a Temporary Use Permit by the Zoning Administrator, pursuant to the provisions of this Section and in accordance with the procedures described in the User Guide.

##### **6.4.7.B. Application Procedures**

Detailed procedures for the application, review, and approval of Temporary Use Permits, including public hearing and noticing requirements are outlined in the User Guide.

##### **6.4.7.C. Decision Authority**

The Zoning Administrator shall decide an application for a Temporary Use Permit, pursuant to the procedures described in the User Guide. Upon the grant of a Temporary Use Permit, the Zoning Administrator shall prepare and deliver to the applicant a written statement describing the grant and any applicable conditions.

## **6.5. OTHER APPLICATIONS**

### **6.5.1. Variance**

#### **6.5.1.A. Purpose**

The Variance process is intended to provide limited relief from the requirements of this Code in those cases where strict application of a particular requirement will create a practical difficulty or unnecessary hardship, prohibiting the use of land in a manner otherwise allowed under this Code.

It is not intended that a Variance be granted to (1) allow a use in a zoning district where it is not permitted by this Code; or (2) merely remove an inconvenience or financial burden that the requirements of this Code may impose on property owners in general. Rather, a Variance approval is intended to provide limited relief where the requirements of this Code render the land difficult or impossible to use because of some unique physical attribute of the property itself or some other factor unique to the property for which the Variance is requested. State and/or federal laws or requirements may not be varied by the County.

#### **6.5.1.B. Applicability**

Variances may be granted as authorized in Planned Developments, Special Planning Areas, and Neighborhood Planning Areas when the appropriate authority, as provided by this Section, finds that:

1. The applicant has shown that because of special circumstances peculiar to the subject property, including size, shape, topography, location, or surroundings; or because of the location of Heritage or Landmark Trees as defined and regulated by Chapter 19.4 of the Sacramento County Code, the strict application of the requirements of this Code would deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zoning district classifications.
2. The grant of the Variance would not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zoning district in which the subject property is situated.
3. The requirements of this Section shall be strictly interpreted and enforced for all open space zoning district to protect the interest of the public in the orderly growth and development of cities and counties and in the preservation and conservation of open space lands.

In all other cases, a Special Development Permit may be granted by the appropriate authority to provide greater flexibility from and alternatives to development standards, minimum lot area and lot width, and minimum public street frontage in any zoning district, subject to the provisions of Section 6.4.6. The provisions of this Section shall not be applicable to a planned development processed and approved pursuant to the provisions of this Code unless authorized in the ordinance adopting the planned development.

#### **6.5.1.C. Application Procedures**

Detailed procedures for the application, review, and approval of Variances, including public hearing and noticing requirements are outlined in the User Guide.

**6.5.1.D. Decision Authority and Approval Criteria**

1. Approval authority for review and decisions on Variances is as indicated in the Use Tables, Table 3.1 and are as summarized in Sections 6.5.1.D.1.a through 6.5.1.D.1.c.
  - a. **Zoning Administrator.** The Zoning Administrator shall be the appropriate authority to hear and decide applications for Variances, except as otherwise specified in this Code.
  - b. **County Planning Commission.** The County Planning Commission shall be the appropriate authority to hear and decide all applications for Variances when an application has been filed contemporaneously with an application for any other zoning matter for which a hearing is to be held by the Planning Commission.
  - c. **Board of Supervisors.** The Board of Supervisors shall be the appropriate authority to hear and decide an application for a Variance when so indicated on the Use Tables, Table 3-1 of this Code; or when an application has been filed contemporaneously with an application for any other zoning matter for which a hearing is to be held by the Board of Supervisors; or, after a recommendation by the Planning Commission, when an application is located within the area regulated by any Airport Comprehensive Land Use Plan (CLUP) and does not comply strictly with policies of the CLUP, upon making the findings by a 4/5 vote.

**2. Conditions**

The appropriate authority may designate such conditions in connection with Variances as it deems necessary to protect the purposes of this Code. Such conditions may include, but are not limited to:

- a. Dedications of rights-of-way
- b. Improvements of vehicle access to the subject property to County standards
- c. Regulation of the placement of the use or building on the subject property
- d. Regulation of height, number of stories
- e. Regulation of the nature, hours of operation, extent of use
- f. Regulation of landscaping for the protection of adjoining and nearby properties
- g. Term of the Variance

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

**6.5.2. Certificate of Nonconforming Use****6.5.2.A. Purpose and Applicability**

A Certificate of Nonconforming Use may be issued to allow continuation of a nonconforming use of land or buildings, described and subject to the standards in Section 1.9, "Nonconformance," beyond five years from the date the use became

nonconforming. A Certificate of Nonconforming Use may be granted by the appropriate authority in any zoning district.

#### **6.5.2.B. Application Procedures**

Detailed procedures for the application, review, and approval of a Certificate of Nonconforming Use, including public hearing and noticing requirements, are outlined in the User Guide.

#### **6.5.2.C. Decision Authority and Approval Criteria**

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

#### **6.5.2.D. Terms and Conditions**

A Certificate may be issued subject to conditions reasonably related to making the current use conform to reasonable standards in the current zoning district. Conditions may include:

1. A term of expiration where deemed appropriate by the granting authority.
2. The use permitted by the certificate is subject to restrictions on expansion, extension, change, and discontinuance in accordance with the procedures of the User Guide.
3. A certificate may be revoked in the same manner and for the same reasons as provided in Section 6.4.1.G.

#### **6.5.2.E. Appeal**

Any person may appeal the approval or denial of the certificate within 15 days of the date on the notice of action. Said appeal shall be heard by the Board of Zoning Appeal in accordance with the procedures of the User Guide.

#### **6.5.2.F. Termination of Approval**

If a nonconforming use is discontinued for 90 days, the Certificate of Nonconforming Use shall lapse.

### **6.5.3. Interpretation**

#### **6.5.3.A. Purpose**

This Section establishes a procedure whereby Code users may seek an interpretation of any of this Code's provisions, including an interpretation of whether a specific proposed use is determined to be within a use classification permitted in a particular zoning district.

#### **6.5.3.B. Application Procedures**

The applicant shall submit a Request for Interpretation. Detailed procedures for the review and approval of an Interpretation are outlined in the User Guide.

#### **6.5.3.C. Decision Authority and Approval Criteria**

The County Planning Commission shall hear and decide on applications for an Interpretation, in accordance with the procedures described in the User Guide. The Commission may seek the advice of any County Department or office before deciding on any question or interpretation.



**6.5.3.D. Appeal**

The applicant may appeal the decision of the Planning Commission to the Board of Supervisors, in accordance with the procedures described in the User Guide.

**6.5.4. Density Bonuses for Affordable Housing and Child Care Facilities****6.5.4.A. Purpose and Intent**

This Section is intended to provide incentives for the production of housing for very low, low, and moderate income, senior households, and child care facilities in accordance with Government Code Sections 65915 and 65917. In enacting this Section, it is the intent of the Board of Supervisors to facilitate the development of affordable housing and to implement the goals, objectives, and policies of the County's Housing Element, specifically Policy HE 5.2.7 of the 2013 Housing Element.

**6.5.4.B. Definitions**

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

1. "Affordable Rent" means monthly housing expenses, including a reasonable allowance for utilities, for rental target units reserved for Very Low or Low Income Households, not exceeding the following calculations:
  - a. Very low income: 50 percent of the area median income for Sacramento County, adjusted for household size, multiplied by 30 percent and divided by 12.
  - b. Low income: 80 percent of the area median income for Sacramento County, adjusted for household size, multiplied by 30 percent and divided by 12.
2. "Affordable Sales Price" means a sales price at which Moderate, Low or Very Low Income Households can qualify for the purchase of target units, calculated on the basis of underwriting standards of mortgage financing available for the development.
3. "Child care facility" means a child day care facility other than a family day care home, including, but not limited to, infant centers, preschools, extended day care facilities, and school age child care centers.
4. "Common Interest Development" is defined in Civil Code Section 1351. In order to qualify for a density bonus, all units in the development must be offered to the public for purchase.
5. "Density Bonus" means a minimum density increase of at least 20 percent over the otherwise Maximum Residential Density.
6. "Density Bonus Housing Agreement" means a legally binding agreement between a developer and the County to ensure that the requirements of this Section are satisfied.
7. "Density Bonus Units" means those residential units granted pursuant to the provisions of this Section which exceed the otherwise Maximum Residential Density for the development site.
8. "Housing Cost" means the sum of actual or projected monthly payments for all of the following associated with for-sale target units: principal and interest on a

- mortgage loan, including any loan insurance fees, property taxes and assessments, fire and casualty insurance, property maintenance and repairs, homeowner association fees, and a reasonable allowance for utilities. Adjustments should be made as necessary for down payment assistance.
9. "Housing Development" means construction projects consisting of five or more residential units, including single-family, multifamily, and mobile homes for sale or rent, pursuant to this Section.
10. "Incentive" means such regulatory concessions as specified in subdivision (l) of Government Code Section 65915 which include, but are not limited to, the following:
- a. Reduced minimum lot sizes and/or dimensions.
  - b. Reduced minimum lot setbacks.
  - c. Reduced minimum outdoor and/or private outdoor living area.
  - d. Increased maximum lot coverage.
  - e. Increased maximum building height and/or stories.
  - f. Reduced on-site parking standards, including the number or size of spaces and garage requirements.
  - g. Reduced minimum building separation requirements.
  - h. Reduced street standards, e.g., minimum street widths.
  - i. A reduction of site development standards or a modification of Zoning Code or architectural design requirements.
  - j. Allowing the Housing Development to include nonresidential uses and/or allowing the Housing Development within a commercial zoning district (e.g., allowing multifamily projects in excess of 150 units in the LC and SC zoning districts) as otherwise allowed by the Board.
  - k. Approval of mixed use zoning.
  - l. Other regulatory incentives or concessions which result in identifiable cost reductions or avoidance.
  - m. Other specifically requirements of multifamily development proceeding by right in this Zoning Code.
11. "Low Income Household" means households whose income does not exceed the lower income limits applicable to Sacramento County, as published and periodically updated by the State Department of Community Development pursuant to Health and Safety Code Section 50079.5.
12. "Maximum Residential Density" means the density allowed under the Zoning Ordinance at the time of application. If the housing development is within a planned development overlay zoning district, the maximum residential density shall be determined on the basis of the general plan and the maximum density of the underlying zoning district.
13. "Moderate Income" means households whose income does not exceed the moderate income limits applicable to Sacramento County, as published and

periodically updated by the State Department of Community Development pursuant to Health and Safety Code Section 50093.

14. "Nonrestricted Unit" means all units within a Housing Development excluding the target units.
15. "Planned Development" is defined in Civil Code Section 1351(k).
16. "Qualifying Housing Development" is a Housing Development where the applicant or developer of the Housing Development agrees to provide one of the following:
  - a. At least 10 percent of the total units of the Housing Development as target units affordable to Low Income Households;
  - b. At least five (5) percent of the total units of the Housing Development as target units affordable to Very Low Income Households;
  - c. Senior Citizen Housing; or
  - d. At least 10 percent of the total units in a Common Interest Development affordable to Moderate Income Households.
17. "Qualifying Resident" means senior citizens or other persons eligible to reside in Senior Citizen Housing.
18. "Senior Citizen Housing" means a housing development as defined in Civil Code Sections 51.3 and 51.12 or mobile home park that limits residency based on age requirements for housing for older persons pursuant to Civil Code Section 798.76 or 799.5.
19. "Target Unit" means a dwelling unit within a Housing Development which will be reserved for sale or rent to, and affordable to Very Low, Low or Moderate Income Households, or Qualifying Residents.
20. "Very Low Income Household" means households whose income does not exceed the very low income limits applicable to Sacramento County, as published and periodically updated by the State Department of Community Development pursuant to Section 50105 of the California Health and Safety Code.

#### 6.5.4.C. Density Bonus Criteria and Number of Incentives

1. A developer seeking approval of a density bonus and one or more incentives shall file an application with the Department of Planning and Community Development which shall process such application concurrently with any other application(s) required for the Housing Development. Such application shall include such information as may be specified by the Planning Director. The Board of Supervisors may establish an application fee for such applications.
2. The amount of density bonus to which the applicant is entitled shall be calculated as follows:

Percentage Low-Income Units	Percentage Density Bonus
10%	20%
11%	21.5%
12%	23%
13%	24.5%

Percentage Low-Income Units	Percentage Density Bonus
14%	26%
15%	27.5%
17%	30.5%
18%	32%
19%	33.5%
20%	35%

Percentage Very Low-Income Units	Percentage Density Bonus
5%	20%
6%	22.5%
7%	25%
8%	27.5%
9%	30%
10%	32.5%
11%	35%

Percentage Moderate-Income Units	Percentage Density Bonus
10%	5%
11%	6%
12%	7%
13%	8%
14%	9%
15%	10%
16%	11%
17%	12%
18%	13%
19%	14%
20%	15%
21%	16%
22%	17%
23%	18%
24%	19%
25%	20%
26%	21%
27%	22%
28%	23%

Percentage Moderate-Income Units	Percentage Density Bonus
29%	24%
30%	25%
31%	26%
32%	27%
33%	28%
34%	29%
35%	30%
36%	31%
37%	32%
38%	33%
39%	34%
40%	35%

3. For Senior Citizen Housing Developments, the density bonus shall be 20 percent.
4. The applicant shall receive the following number of incentives:
  - a. One incentive for projects that include at least 10 percent of the total units for lower income households, at least five percent for very low income households, or at least 10 percent for moderate income households in a condominium or planned development.
  - b. Two incentives for projects that include at least 20 percent of the total units for lower income households, at least 10 percent for very low income households, or at least 20 percent for moderate income households in a condominium or planned development.
  - c. Three incentives for projects that include at least 30 percent of the total units for lower income households, at least 15 percent for very low income households, or at least 30 percent for moderate income households in a condominium or planned development.
5. The application shall be heard by the appropriate authority as determined by this Code. The hearing body shall approve the density bonus and requested incentive(s) for Qualified Housing Developments unless it makes a written finding of either of the following:
  - a. The incentive is not required in order to provide for affordable housing costs as defined in Health and Safety Code Section 50052.5 or for rents for Targeted Units to be set as specified in Government Code Section 65915(c); or
  - b. The incentive would have a specific adverse impact, as defined in Government Code Section 65589.5(d)(2), upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources, and for which there is not feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low and moderate income households.

6. When calculating the number of permitted density bonus units, any fractions of units shall be rounded up to the next whole number.
7. In determining the number of target units to be provided pursuant to this Section, the maximum residential density shall be multiplied by 0.5 where Very Low Income Households are targeted or by 0.10 where Lower Income Households are targeted. The density bonus units shall not be included when determining the total number of target units in the Housing Development. When calculating the required number of target units, any resulting decimal fraction shall be rounded to the next whole number.
8. The hearing body, as part of its review of an application for a density bonus and an incentive, may waive or modify applicable development and zoning standards which would otherwise inhibit the utilization of the density bonus on the site which is the subject of the application pursuant to the provisions of this Code. Applicants seeking a waiver or modification of development or zoning standards shall show that such waivers or modifications contribute significantly to making the Housing Development economically feasible.

#### 6.5.4.D. Land Dedication

1. When an applicant for a tentative subdivision map, parcel map, or other residential development approval donates land to a city, county, or city and county as provided for in this subdivision, the applicant shall be entitled to a 15 percent increase above the otherwise maximum allowable residential density under the applicable zoning ordinance and land use element of the general plan for the entire development, as follows:

Percentage Very Low Income Units	Percentage Density Bonus
10%	15%
11%	16%
12%	17%
13%	18%
14%	19%
15%	20%
16%	21%
17%	22%
18%	23%
19%	24%
20%	25%
21%	26%
22%	27%
23%	28%
24%	29%
25%	30%
26%	31%

Percentage Very Low Income Units	Percentage Density Bonus
27%	32%
28%	33%
29%	34%
30%	35%

2. This increase shall be in addition to any increase in density mandated by Section 6.5.4.C.2, up to a maximum combined mandated density increase of 35 percent if an applicant seeks both the increase required pursuant to this Section and Section 6.5.4.C.2. All density calculations resulting in fractional units shall be rounded up to the next whole number. An applicant shall be eligible for the increased density bonus described in this Section if all of the following conditions are met:
- a. The applicant donates and transfers the land no later than the date of approval of the final subdivision map, parcel map, or residential development application.
  - b. The developable acreage and zoning classification of the land being transferred are sufficient to permit construction of units affordable to very low income households in an amount not less than 10 percent of the number of residential units of the proposed development.
  - c. The transferred land is at least one (1) acre in size or of sufficient size to permit development of at least 40 units, has the appropriate general plan designation, is appropriately zoned for development as affordable housing, and is or will be served by adequate public facilities and infrastructure. The land shall have appropriate zoning and development standards to make the development of the affordable units feasible. No later than the date of approval of the final subdivision map, parcel map, or of the residential development, the transferred land shall have all of the permits and approvals, other than building permits, necessary for the development of the very low income housing units on the transferred land, except that the County may subject the proposed development to subsequent design review to the extent authorized by Government Code Section 65583.2(i) if the design is not reviewed by the County prior to the time of transfer.
  - d. The transferred land and the affordable units shall be subject to a deed restriction ensuring continued affordability of the units consistent with Section 6.5.4.F.2, which shall be recorded on the property at the time of dedication.
  - e. The land is transferred to the County or the Sacramento Housing and Redevelopment Agency or to a housing developer approved by the local agency. The County may require the applicant to identify and transfer the land to the developer.
  - f. The transferred land shall be within the boundary of the proposed development or, if the County agrees, within one-quarter mile of the boundary of the proposed development.

**6.5.4.E. Child Care Facilities**

1. When an applicant proposes to construct a housing development that conforms to the requirements of Section 6.5.4.B.1.9 and includes a child care facility that will be located on the premises of, as part of, or adjacent to, the project, the applicant shall receive either of the following:
  - a. An additional density bonus that is an amount of square feet of residential space that is equal to or greater than the amount of square feet in the child care facility.
  - b. An additional incentive that contributes significantly to the economic feasibility of the construction of the child care facility.
2. As a condition of approving the housing development, the following shall occur:
  - a. The child care facility shall remain in operation for a period of time that is as long as or longer than the period of time during which the density bonus units are required to remain affordable.
  - b. Of the children who attend the child care facility, the children of very low income households, low income households, or moderate income households shall equal a percentage that is equal to or greater than the percentage of dwelling units that are required for very low income households, low income households, or families of moderate income pursuant to Section 6.5.4.B.1.9.
3. A density bonus or incentive is not required for a child care facility if the approving body finds, based upon substantial evidence that the community has adequate child care facilities.

**6.5.4.F. Development Standards**

1. Target units must be constructed concurrently with nonrestricted units unless both the County and the applicant agree within the Density Bonus Housing Agreement to an alternative schedule for development.
2. Target units shall remain restricted and affordable to the designated group for a period of not less than 30 years or a longer period of time if required by the construction or mortgage financing assistance program, mortgage insurance program, or rental subsidy program.
3. Target units must be built on-site wherever possible and, when practical, be dispersed within the Housing Development. Where feasible, the number of bedrooms of the target units should be equivalent to the bedroom mix of the nontarget units of the Housing Development; except that the Developer may include a higher proportion of target units with more bedrooms. The design and appearance of the target units shall be compatible with the design of the total standards, except those which may be modified as provided by this Section.
4. Circumstances may arise in which the public interest would be served by allowing some or all of the target units associated with one Housing Development to be produced and operated at an alternative development site. Where the developer and the County form such an agreement, the resulting linked developments shall be considered a single Housing Development for purposes of this Section. Under these circumstances, the developer shall be subject to the same requirements of this Section for the target units to be provided on the alternative site.



5. A Density Bonus Housing Agreement shall be made a condition of any density bonus, approved pursuant to this Section. The Agreement shall be recorded as a restriction on the parcel or parcels on which the target units will be constructed. The Agreement shall be consistent with Section 6.5.4.G.

#### **6.5.4.G. Density Bonus Housing Agreement**

1. As a condition to approval of any density bonus pursuant to this Section, the applicant shall agree to enter into a Density Bonus Housing Agreement with the County or the Sacramento Housing and Redevelopment Agency.
2. The executed Density Bonus Housing Agreement shall be recorded on the parcel or parcels designed for the construction of target units. The approval and recordation shall take place prior to final map approval, or, where a map is not being processed, prior to issuance of building permits for such parcels or units. The Density Bonus Housing Agreement shall be binding on all future owners and successors in interest.
3. The Density Bonus Housing Agreement shall include the following provisions:
  - a. The total number of units approved for the Housing Development, including the number of target units;
  - b. A description of the household income group to be accommodated by the Housing Development, as set forth in Section 6.5.4.C, and the standards for determining the corresponding Affordable Rent or Affordable Sales Price and Housing Cost;
  - c. The location, unit sizes (square feet), and number of bedrooms of target units;
  - d. Tenure of use restrictions for target units as set forth in Section 6.5.4.E;
  - e. A schedule for completion and occupancy of the target units;
  - f. A description of the specific density bonus and of the additional incentives or equivalent financial incentives being provided by the County;
  - g. A description of remedies for breach of the agreement by either party, including the provision that tenants and/or qualified purchasers are third party beneficiaries under the agreement; and
  - h. Any other provisions appropriate to ensure implementation and compliance with this Section.
4. In the case of for-sale housing developments, the agreement shall provide for the following conditions governing the initial sale and use of target units during the applicable use restriction period:
  - a. A requirement that affordable for-sale units shall, upon initial sale, be sold to eligible Moderate Income Households at an Affordable Sales Price and Affordable Housing Cost, as defined in this Section.
  - b. A requirement for initial occupancy by eligible Owner-Occupant, Moderate Income Households, as defined in this Section; and
  - c. The terms for future sales and recapture of any equity in order to insure continued affordability for the requisite time period, including the following unless in conflict with the requirements of another public funding source or law:

- (i) Upon resale, the seller of the unit shall retain the value of any improvements, the down payment, and the seller's proportionate share of appreciation, which shall then be used within three (3) years for any of the purposes described in Health and Safety Code Section 33334.2(e);
  - (ii) The County's initial subsidy shall be equal to the fair market value of the home at the time of initial sale minus the initial sales price to the Moderate Income Household, plus the amount of any downpayment assistance or mortgage assistance. If upon resale the market value is lower than the initial market value, then the value at the time of resale shall be used as the initial market value;
  - (iii) The County's proportionate share of appreciation shall be equal to the ratio of the initial subsidy to the fair market value of the home at the time of initial sale.
5. In the case of rental housing developments, the Agreement shall provide for the following conditions governing the use of target units during the use restriction period:
- a. The rules and procedures for qualifying tenants, establishing Affordable Rent, filling vacancies, and maintaining target units for qualified tenants;
  - b. Provisions requiring owners to verify tenants' incomes and maintain books and records to demonstrate compliance with this Section; and
  - c. Provisions requiring owners to submit an annual report to the County, which includes the address, unit number, and income of each household occupying the target units, and which identifies the bedroom size and monthly rent or cost of each Target Unit.

#### **6.5.4.H. Parking Standards**

Upon the request of the applicant, the vehicular parking ratio, inclusive of handicapped and guest parking, of a development meeting the criteria of Section 6.5.4.B.19, shall not exceed the following ratio:

1. Zero to one bedroom: one and one-half on-site parking space.
2. Two to three bedrooms: two on-site parking spaces.
3. Four or more bedrooms: two on-site parking spaces.

If the total number of parking spaces required is other than a whole number, the number shall be rounded up to a whole number. On-site parking may be provided through tandem parking or uncovered parking, but not through on-street parking.

An applicant may request additional parking reductions as an incentive pursuant to Section 6.5.4.B.13 and Section 6.5.4.C.4.

#### **6.5.5. Housing Incentive Program (HIP)**

##### **6.5.5.A. Purpose of Section**

This Section establishes procedures to implement the County of Sacramento Housing Incentive Program (HIP). In enacting this Section, it is the intent of the Board of Supervisors of the County of Sacramento to facilitate and encourage the development of housing for individuals with special needs, as defined in California Government

Code Section 65583(a)(7), and to implement the goals, objectives, and policies of the County's Housing Element, specifically Program HE-E4 of the 2013 Housing Element.

#### **6.5.5.B. Applicability**

The provisions of this Section apply to all residential and mixed-use development projects of five units or more, proposed for properties within the unincorporated area of Sacramento County that are zoned RD-20 or greater. In addition, the provisions of this Section apply to residential and mixed-use development projects of five units or more located on properties governed by Special Planning Area (SPA) ordinances or within commercial zoning districts that allow densities of twenty units to the acre or greater.

#### **6.5.5.C. Definitions**

##### **1. Accessible Units**

Units that have the following minimum features that enhance functionality for those with restricted mobility:

- a. Accessible path of travel to dwelling
- b. Interior doors in excess of 32 inches in width
- c. Switches and outlets at 15 inches to 48 inches above the floor
- d. Hallways and routes throughout in excess of 36 inches in width
- e. At least one bathroom or powder room on the primary entry level
- f. 30 inches by 48 inches of clear space at kitchen and bathroom fixtures
- g. Accessible bathtub or roll-in shower
- h. Corresponding number of accessible parking spaces adjacent to accessible path of travel to dwelling. The necessary number of accessible parking spaces cannot not be reduced under a request for development standards waiver.

Refer to the current version of the California Building Code, Chapter 11A, for accessibility design standards.

##### **2. Planned Amenities**

Amenities that are part of an approved Specific or Master Plan or in the Building Permit stage of review

##### **3. Special Housing Needs**

As defined in California Government Code Section 65583(a)(7)

##### **4. Specific Adverse Impact**

A significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.

#### **6.5.5.D. Coordination with State Density Bonus Law**

Nothing in this Section shall be construed to usurp or deny application of State Density Bonus Law as set forth in Government Code Section 65915. The density increases and development standard waivers allowed under the HIP shall work in coordination with

Density Bonuses and Concessions and Incentives allowed by State Density Bonus Law and with Section 6.5.4. Units provided to obtain increases and bonuses under the HIP and the State Density Bonus Law program must be counted separately. See illustrative example in Section 6.5.5.E.

#### **6.5.5.E. Density Increase Allowance**

For residential or mixed-use projects that include five or more units, applicants may request a 10 percent density increase over the base project on properties zoned RD-20 or within a commercial zoning district, and a 10 percent density increase over the base project on properties zoned RD-25, RD-30, and RD-40 when at least 10 percent, but no less than one, of the base project units are developed to provide housing opportunities for individuals with special needs as defined in California Government Code Section 65583(a)(7). The units allowed by this Section above the standard density allowances are not required to be income restricted or designed for individuals with special needs.

The additional units referenced in this Section (i.e., at least 10 percent of units, but not less than a single unit) shall include one or more of the following features in order to provide a full range of appropriate housing opportunities for individuals with special needs consistent with the intent of the California Government Code:

1. Three or more bedrooms.
2. Accessible units as defined in Section 6.5.5.C.1.
3. Studio for-rent apartment with a maximum size of 400 square feet.
4. Age-restricted senior housing, separate from any income restricted units provided under State Density Bonus Law as outlined in Section 6.5.5.D.
5. Income-restricted housing, separate from any income restricted units provided under State Density Bonus Law as outlined in Section 6.5.5.D.
6. Housing restricted to military veterans under a recognized program reviewed and approved by the Planning Director.
7. Transit accessibility; all project units within one-quarter mile of a transit stop on the Trunk or Feeder Line Network.
8. Amenities within walking distance; all project units located within one-half mile of at least three of the following existing or planned amenity categories:
  - a. Public elementary, middle, or high school.
  - b. Park or recreational facility.
  - c. Grocery store, drug store or commercial center.
  - d. Office or industrial employment center.
  - e. Civic use (e.g. library, post office, community garden, urban farm).
  - f. Preschool, childcare or senior care facility.
  - g. Medical offices or facilities.

Density increases shall be allowed through the review process described in Section 6.5.5.G. In no case shall an increase in density above 15 percent be allowed in an RD-20 zoning district or a commercial zoning district, or 10 percent in all other zoning

districts. However, density increases obtained through this Section can be combined with density bonuses and increases allowed through Section 6.5.4, “Density Bonuses for Affordable Housing and Child Care Facilities” and Section 6.4.6.G, “Limitations,” to result in a total density increase greater than 10 percent or 15 percent.

**Illustrative example** of project utilizing both the HIP and the State Density Bonus Law for an 80 unit RD-20 complex on four (4) acres:

Ten percent of units (eight units) developed as accessible to people with disabilities results in a 15 percent bonus (12 additional units) under the HIP. Additional 10 percent of units (eight units) restricted to Low Income Households under the State Density Bonus Law results in an additional 20 percent bonus (16 additional units). Combination of the two programs results in a total 35 percent bonus for a total of 108 units allowed for the project, eight of which are accessible, an additional eight of which are income restricted, and 28 of which are bonus above normal zoning limitations.

#### **6.5.5.F. Waiver of Development Standards**

In conjunction with the provision of units for individuals with special needs and density increase units, the applicant may also request one waiver of County multifamily housing development standards. The requested waiver shall be described within the project application materials, with the description including a discussion of how the waiver allows increased density and how the waiver will not negatively impact adjacent properties. Waivers are not allowed for required accessible parking spaces related to units developed as accessible, as defined in Section 6.5.5.C. Waivers shall be allowed unless staff finds that the waiver would have a specific adverse impact on public health, public safety, or the physical environment, and would have an adverse impact on a property that is listed in the California Register of Historical Resources.

#### **6.5.5.G. Administrative Procedures**

An application for a density increase through the HIP shall be submitted with any other application(s) required for the proposed residential or mixed-use development. The HIP application shall describe the number and type of units providing housing opportunities for individuals with special needs as outlined in Section 6.5.5.E, the density increase proposed, and the waiver from development standards requested. Applications for density increases and/or development standard waivers that do not provide the information in this Section or that do not demonstrate that the project provides the required percentage of units providing housing opportunities for individuals with special needs will not be accepted as complete.

### **6.5.6 Room Rental and Vacation Rental Permits**

#### **6.5.6.A. Purpose**

A Room Rental Permit is required to permit owners of single-family dwellings located in residential and mixed use zoning districts to rent rooms to more than two, but not to exceed five individuals and a **Vacation Rental Permit is required to permit owners of single-family dwellings to rent their dwelling on a short term basis for vacationers.**

**The purpose of this permit is to ensure compatibility of such uses with surrounding neighborhoods and properties, and to avoid impacts associated with such uses (e.g., parking, open space, and noise).**

**6.5.6.B. Application Procedures**

The owner of a single-family dwelling shall submit a written application to the Planning Director, including the number of tenants, terms of the rental, property management details, measures to be taken to avoid nuisances, and contact information in case of emergencies or complaints.

**6.5.6.C. Decision Authority**

Upon receipt of a complete application, the Planning Director shall approve the application unless findings are made that the approval would otherwise adversely affect the residential character of the neighborhood, as noted in Section 6.5.6.D.1 through 6.5.6.D.10. The Planning Director's action does not require noticing, a public hearing, or review by the CPAC for the area in which the use will be located. The permit shall be valid for a period of one year from the date of issuance, and is required to be renewed on an annual basis thereafter.

**6.5.6.D. Findings for Approval**

The Planning Director shall not approve a Room Rental Permit, unless he/she finds that:

1. The rental of rooms will be compatible with adjacent land uses.
2. The rental of rooms shall be limited to no more than five individual renters per single-family dwelling.
3. The use will not result in harm to the health, safety or general welfare of the surrounding neighborhood or create substantial adverse impacts on adjoining properties or land uses.
4. The use will comply with the Sacramento County Noise Ordinance.
5. Tenants will be required to preserve and maintain neighborhood peace and order.
6. Property covered by the permit will be maintained in a manner compatible with adjacent properties, including, but not limited to, landscape maintenance, trash removal, parking on unimproved surfaces, and outdoor storage.

**The Planning Director shall not approve a Vacation Rental Permit, unless he/she finds that:**

- 7. No owner of a vacation home rental shall rent that unit for 30 consecutive days or less without a valid Vacation Rental Permit for that unit issued pursuant to this Section, and the transient occupancy tax (TOT) shall be paid.**
- 8. Vehicles used and traffic generated by the vacation rental shall not exceed the type of vehicles or traffic volume normally generated by a home occupied by a full-time resident in a residential neighborhood. For the purposes of this Section, "normal residential traffic volume" means up to 10 trips per day.**
- 9. Occupants and/or guests of the vacation rental shall not create unreasonable noise or disturbances, engage in disorderly conduct or violate the provisions of this Code or any state law pertaining to noise, collection and disposal of refuse, the consumption of alcohol or the use of illegal drugs.**
- 10. Overnight occupancy of vacation rentals will be limited to a specific number of occupants, and shall not exceed permitted occupancy loads. Occupancy load**

**will depend on number of bedrooms and/or beds and applicable requirements of the Fire Code.**

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## **6.6. ENFORCEMENT**

### **6.6.1. Administrative Official**

This Code shall be enforced by the Planning Director or his or her designee. The Planning Director may be provided with the assistance of such other persons as he or she may designate. If the Planning Director shall find that any provision of this Code is being violated, the Planning Director shall notify in writing the person responsible for such violation indicating the nature of the violation and ordering the action necessary to enforce it.

### **6.6.2. Compliance Required**

No person shall develop or use any land, building, or structure within the County in violation of this Code, regulations authorized under this Code, or the terms and conditions of permits issued under this Code.

### **6.6.3. Void Permits**

Any permit or license that purports to authorize an activity in conflict with the provisions of this Code, intentionally or otherwise, shall be null and void.

### **6.6.4. Building Permits**

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

### **6.6.5. Continuation of Prior Enforcement Actions**

Nothing in this Code shall prohibit the continuation of previous enforcement actions undertaken by the County pursuant to previous regulations. Enforcement actions initiated prior to \_\_\_\_\_ [effective date] may be continued to completion or settlement under the terms of the regulations in effect prior to \_\_\_\_\_ [effective date].

### **6.6.6. Responsibility for Enforcement**

The provisions of this Code shall be administered and enforced by the Planning Director.

### **6.6.7. Complaint and Inspection**

#### **6.6.7.A. Complaints Regarding Violation**

Any person may file a written complaint to the Planning Director alleging a violation of this Code and stating the basis of the complaint. The Planning Director shall record such complaint, investigate, and take such action as he or she deems appropriate and as provided by this Section.

#### **6.6.7.B. Inspection**

The Planning Director or authorized representative may enter any premises, building, or structure at any reasonable time for the purpose of investigating and inspecting the premises, building, or structure to determine compliance with the provisions of this Code. The Planning Director or representative shall identify him/herself to the occupant or owner prior to entry and shall present credentials upon request. If



admission or entry is refused, the Planning Director may apply to the County Counsel to obtain an inspection warrant.

### **6.6.8. Violations**

Each of the following activities shall constitute a violation of this Code:

#### **6.6.8.A. Activity Inconsistent with Code**

Any development, use or other activity of any building, structure, or sign, or development or subdivision of any land, in contravention of any provision of this Code or any regulation promulgated under this Code.

#### **6.6.8.B. Activity Inconsistent with Permit or Approval**

Any development, use, or other activity in any way inconsistent with the terms or conditions of any permit or approval required to engage in such activity, whether issued under or required by this Code.

#### **6.6.8.C. Illustrative Examples of Violations**

Examples of activities inconsistent with this Code or with permit or approval issued under this Code include, but are not limited to, the following:

1. Use of any land, structure, or improvement except in accordance with the requirements of this Code;
2. Increasing the density or intensity of any use of any land or structure except in accordance with the requirements of this Code;
3. Filing or recording of a subdivision plat in any public office without approval for recording pursuant to this Code;
4. Failure to remove a temporary use once authorization for the temporary use under this Code and all other applicable regulations has lapsed;
5. Failure to cease or remove a conditional use after a Conditional Use Permit has lapsed;
6. Storage or maintenance of goods, materials, products, or other items outside and in plain view including, but not limited to operable vehicles or equipment, or abandoned vehicles, except in compliance with this Code;
7. Reduction or diminishment of lot area, lot width, street frontage, setbacks, vegetation, or open space below the minimum requirements set forth in this Code or as otherwise approved;
8. Damage to or removal of vegetation inconsistent with this Code;
9. Creation, expansion, replacement, or change of a nonconformity inconsistent with this Code and all other applicable regulations;
10. Failure to remove any sign installed, created, erected, or maintained in violation of this Code, or for which a permit has lapsed;
11. Failure of a property owner to construct, improve, or maintain any amenity, landscaping, buffers, fencing, or other improvements required by the terms of any permit or approval; or
12. Failure to maintain required landscaping as set forth in this Code.

13. Failure to initiate, establish, and comply with all conditions of approval of any permit or approval prior to initiating or establishing the use, development, or activity such permit or approval allows.

#### **6.6.8.D. Notice of Violation**

1. Written notice stating that a violation shall be corrected within the time frame allotted in the notices shall be served upon the property owner, agent, applicant, or other person who commits, participates in, assists, or maintains such violation, or such notice may be posted in a prominent location at the place of violation.
2. Within the time frame allotted by the written notice of violation, if arrangements acceptable to the Planning Director have not been made, the Planning Director shall enforce the violation according to one or more of the provisions of Section 6.6.9.

#### **6.6.9. Enforcement Actions, Remedies, and Penalties**

Violation of the Code shall constitute a misdemeanor. The owner or tenant of any building, structure, premises, or part thereof, and any architect, builder, contractor, agent, or other person who commits, participates in, assists, or maintains such violation may each be found guilty of a separate offense and suffer the penalties provided in this Section. Each day that a violation occurs or remains uncorrected shall constitute a separate and distinct violation of this Code.

##### **6.6.9.A. Fines and Imprisonment**

Any person who violates any of the provisions of this Code, upon conviction, shall be fined not more than \$500 or imprisoned for not more than six (6) months in the County jail, or both.

##### **6.6.9.B. No Acceptance of Public Improvements**

No acceptance of public improvements shall be authorized until stated violations are in compliance and/or all fines for violations of this Code have been paid to the County.

##### **6.6.9.C. Withholding Issuance of Permits and Approvals**

No building permit or certificate of occupancy may be issued under this Code unless all structures and uses of land and structures permitted under the permit or certificate conform to this Code, the regulations promulgated under this Code, and the terms and conditions of any other permit issued under this Code that apply to the use or structure. A building permit or certificate of occupancy issued in violation of this Section is void.

##### **6.6.9.D. Revocation of Permits and Approvals**

Any permit, certificate of occupancy, or other approval issued pursuant to this Code may be revoked when the Planning Director determines that:

1. There is a departure from the approved plans, specifications, limitations, or conditions as required under the permit or approval;
2. The permit or approval was procured by false representation;
3. The permit or approval was issued in error; or
4. There is a violation of any provision of this Code.

An appeal to the Planning Director's determination to revoke a permit or approval shall be heard by the Planning Commission.

#### **6.6.9.E. Stop-Work Orders**

The Planning Director has the authority to issue a stop work order in the following circumstances:

1. Whenever any building or structure or site or part thereof is being demolished, constructed, reconstructed, altered, or repaired in a hazardous manner, in violation of any state or municipal building law, or in a manner that endangers life or property, the Planning Director has the authority to issue a stop-work order for the specific part of the work that is in violation or presents the hazard.
2. With or without revoking permits, the Planning Director may issue an order to stop work on any property on which there is an uncorrected violation of either a provision of this Code, or a provision of an entitlement, or other form of authorization issued under this Code.
3. The stop-work order shall be in writing directed to the person doing the work, and shall specify the provisions of this Code or other law allegedly in violation, and the conditions for resumption of work. After any such order has been served, no work shall proceed on any building, other structure, or tract of land covered by such order, except to correct such violation or comply with the order.
4. The stop-work order shall also indicate that failure to comply with the order may subject the violator to civil and/or criminal liability as penalty for the violation(s).
5. Once conditions for resumption of the work have been met, the Planning Director shall rescind the stop-work order.

#### **6.6.9.F. Abatement Procedure**

The County may abate the violations, pursuant to the procedures described in Sections 6.6.9.F.1 through 6.6.9.F.12.

1. The Planning Director shall commence actions or proceedings for the abatement and removal of the relevant violations in the manner provided by law and shall take the steps or court actions, as appropriate, to abate and remove the development, use, or other activity of any building, structure, or sign, or development or subdivision of any land in contravention of any provision of this Code or an approved permit issued under or required by this Code.
2. Alternatively, a notice of violation may include a provision that the costs of abatement may be assessed against the owner if the violation is not corrected. When such provision is included in the notice, the notice shall further state that within 15 days from the date the notice was mailed, the owner may request in writing the opportunity to contest the Planning Director's determination of abatement costs. A contest to the Planning Director's determination of abatement costs shall be heard and decided by the Board of Supervisors, and shall be subject to the same fee as charged for an appeal of the Planning Director's determination, unless a different fee is established by the Board of Supervisors.
3. When proceedings under this Section require the correction of a violation of this Code or a final judgment that a violation exists, the Planning Director shall keep an account of the cost, including incidental expenses, incurred by the County in the

abatement of any violation. The Planning Director shall forward a bill for collection to the violator or the Homeowner's Association, and to owner of record of the property specifying the nature and costs of the work performed. For purposes of this Section, the term "incidental expenses" shall include but not be limited to the actual expenses and costs to the County in inspecting property, publication, mailing and posting of notices, conducting hearings, work specifications and contracts, processing appeals and pursuing any judicial action, work inspection, and interest from the date of completion at the rate prescribed by law for delinquent real property taxes.

4. The Planning Director shall submit to the Board of Supervisors for confirmation an itemized written report showing such costs and their proposed assessment to the respective properties. The report shall be filed with the Clerk of the Board of Supervisors not later than 15 calendar days in advance of the confirmation hearing required in Section 6.6.9.F.5.
5. Upon receipt of the abatement costs report, the Clerk of the Board of Supervisors shall schedule a public hearing to receive protests and confirm the report.
6. Notice of the hearing shall be mailed not later than 15 calendar days in advance of the hearing
7. A statement of the proposed assessment and notice of the time, date and place of the hearing, together with reference to the report on file with the Clerk, shall be mailed to the owner or owners of each parcel of property proposed to be assessed shown on the last equalized assessment roll available on the date of mailing of the notice or any other address or addresses ascertained to be more accurate.
8. Notice of the time, date and place of the public hearing by the Board shall be published once in a newspaper of general circulation published with the County. With respect to each property proposed to be assessed for which the name or the owner or owners is not shown on the last equalized assessment roll or no address for an owner is shown on the last equalized assessment roll, the notice shall show the name or names of the owner or owners, if such name or names are shown on the last equalized assessment roll, the assessor's parcel number, the street address of the property, if the property has an address and the address is known to the Planning Director, the name of the street or road upon which such property abuts, if the property abuts upon a street or road, the amount of the proposed assessment and reference to the report on file with the Clerk.
9. The Board of Supervisors shall conduct the scheduled public hearing and shall receive and consider any objections from members of the general public or property owners liable to be assessed for the abatement. The Board may continue the hearing and delegate to the Planning Director or his or her designee the responsibility of hearing individual protests and submitting a recommendation with respect thereto; provided that the Board provides an opportunity for individual consideration of each project upon receipt of the recommendation by the Planning Director or his or her designee. The Board may modify the report if it is deemed necessary. The Board shall then confirm the report by motion or resolution.
10. If the costs as confirmed are not paid within thirty days of the date of notice, such costs shall be assessed against the parcel of land pursuant to Section 25845 of the

Government Code, and shall be transmitted to the tax collector for collection and shall be subject to the same penalties and the same procedures and sale in case of delinquency as provided for ad valorem taxes. The Tax Collector or his designated representative may pursue any remedy provided by law for collection of the unpaid costs.

11. Costs shall be the responsibility of the owner of record as of the date said notice of violation was placed in the United States postal system or posted on the property.
12. If an additional violation(s) occurs within a two (2) year period, a court may order the owner to pay treble the costs of abatement of the additional violation(s), pursuant to Government Code Section 25845.5.

#### 6.6.9.G. Authority to Arrest

The **Director of the Department of Community Development**, or his/her designee, shall have the authority and impunities of a public officer and employee as set forth in Penal Code Section 836.5 to make arrests without a warrant whenever the Planning Director has reasonable cause to believe that the person to be arrested has committed a violation of this Code in his presence.

#### 6.6.10. Appeal

1. **Manner of Appeal.** Any person entitled to service of a confirmed report of costs may appeal the County Hearing Officer's decision to the Board of Supervisors by filing at the office of the Clerk an appeal fee, established by resolution of the Board, and a written appeal. The appeal shall not be deemed filed until payment of the appeal fee is received by the Clerk; provided, however, that the appeal fee required may be waived on the basis of financial hardship.
2. **Form of Appeal.** The written appeal shall state:
  - a. The names of all appellants participating in the appeal.
  - b. A brief statement setting forth the legal interest of each of the appellants in the property described in the confirmed report of costs.
  - c. A brief statement in ordinary and concise language of the material facts claimed to support the contentions of the appellant(s).
  - d. A brief statement in ordinary and concise language of the relief sought and the reasons why it is claimed the confirmed report of costs should be reversed, modified or otherwise set aside.
  - e. The signature of each party named as an appellant and their official mailing address(es).
  - f. The verification (by declaration under penalty of perjury) of at least one appellant as to the truth of the matters stated in the appeal.
3. **Failure to Notice Appeal.** Failure of any person to properly appeal pursuant to this Section shall constitute a waiver of his or her right therein.
4. **Processing of Appeal.** Upon receipt of any appeal and appeal fee filed pursuant to this Section, the Clerk shall immediately transmit a copy of the written appeal to

the Planning Director. The Planning Director shall thereafter provide the Clerk a copy of the confirmed report of costs for the property indicated in the appeal.

- 5. Scheduling and Noticing Appeal for Hearing.** As soon as practicable after receiving the copy of the written appeal transmitted by the Clerk, the following shall occur:
  - a. Date.** The Clerk shall fix a date, time, and place for the Board's hearing of the appeal. Such date shall be within 15 days of the filing of the appeal and payment of the appeal fee.
  - b. Notice.** The Clerk shall give written notice of the time and place of the hearing at least five (5) days prior to the date of the hearing to each appellant and the Planning Director by causing a copy of such notice to be delivered to the appellant personally or by mailing a copy thereof, certified postage prepaid return receipt requested, addressed to each appellant at his or her address shown on the appeal. Notice shall be effective upon personal delivery or five (5) days after mailing.
- 6. Action by Board.** Following its consideration of the confirmed report of costs, the written appeal, and any objections or arguments raised at the public hearing, the Board may make such revision, correction or modification of the report as it may deem just. The report as submitted or as revised, corrected or modified shall thereafter be confirmed or rejected as set forth in this Section.
- 7. Form and Finality of Decision.** The decision of the Board shall be in writing and shall contain (i) the amount of the confirmed costs and whether such costs are assessed as a personal obligation or special assessment, (ii) a demand that the same be paid in full to the County within 30 days, (iii) a statement that failure to receive payment within the time allotted shall result in the costs either becoming a personal obligation of the owner or a special assessment lien against the subject property, and (iv) a statement that judicial review is governed by California Code of Civil Procedure Section 1094.6. A copy of the decision shall be delivered to each appellant personally or sent to him or her by certified mail, postage prepaid, return receipt requested. The decision of the Board of Supervisors on the report and on all objections or protests shall be final and conclusive when served as herein provided.

#### **6.6.11. Time for Contest of Assessment**

The validity of any cost confirmation made under the provisions of this Code shall not be contested in any action or proceeding unless the same is commenced within 30 days after the service of confirmed report of costs is effective.

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## **6.7. FAIR OAKS BOULEVARD CORRIDOR PLAN**

### **6.7.1. Purpose**

The Fair Oaks Boulevard Corridor Plan was adopted in 2011, to help guide the revitalization and enhancement of Fair Oaks Boulevard, between Oak Avenue and Marshall Avenue, and Manzanita Avenue between the Boulevard and Winding Way. This 3-mile stretch of Fair Oaks Boulevard and Manzanita Avenue is Carmichael's economic and social center. Since its early days as the main street for Carmichael Colony, the Boulevard has provided a wide range of community services, including discount retailing, auto repair, convenience commercial centers, and food. Over time, the street also became a regional road, and has several generations of older commercial development that cannot compete with large contemporary commercial centers.

The corridor planning area also includes a Special Planning Area (SPA) for the Main Street District. The following regulations are intended to supplement the SPA regulations, and implement the principles of the Fair Oaks Boulevard Corridor Plan at a district level. These regulations will help transform this Section of Fair Oaks Boulevard and Manzanita Avenue into a vibrant mixed-use commercial and residential district with a mix of commercial and residential uses.

### **6.7.2. Applicability**

The boundaries of the Fair Oaks Boulevard Corridor Planning Area are shown in Figure 6-1.

### **6.7.3. Special Provisions—Relating to East Fair Oaks Boulevard, Manzanita and South Gateway Districts of the Fair Oaks Boulevard Corridor Planning Area.**

#### **6.7.3.A. Permitted Land Uses**

Land uses permitted within the East Fair Oaks Boulevard, Manzanita and South Gateway Districts of the Fair Oaks Boulevard Corridor Planning Area shall be those uses permitted in the underlying zoning district, except as set forth in Section 6.7.3.A.1 through 6.7.3.A.10, and shall conform to the development standards as set forth in the Zoning Code. The following uses, if otherwise permitted in their respective zoning district, shall require a Conditional Use Permit from the County Planning Commission:

1. Liquor Store.
2. Check Cashing Stores.
3. Tobacco Shop.
4. Gun shop-Gunsmith.
5. Storage Building—Mini.
6. Machine Shop, Photographic Processing Plant-wholesale Facility, Building Trades Service Yard and Workshop.
7. Thrift/Second Hand Stores, excluding incidental sales of second hand items.
8. Recycling Centers.
9. Tattoo Parlors.
10. Pawn Shops.

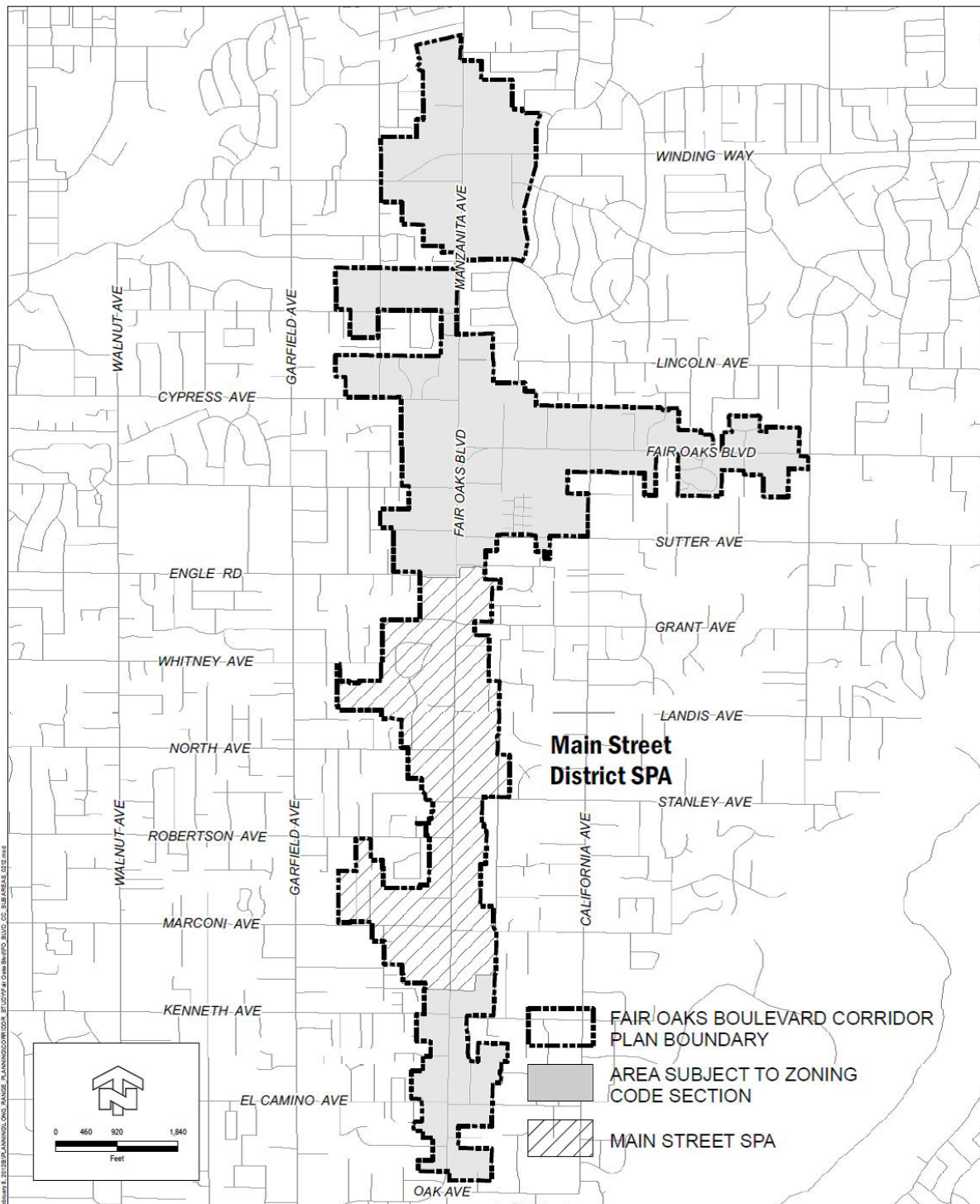
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**6.7.3.B. Development Standards**

1. All development projects, including land use entitlements and building permits for new and renovation construction, proposed within the East Fair Oaks Boulevard, Manzanita, and South Gateway districts of the *Fair Oaks Boulevard Corridor Plan* shall be subject to the County's Design Review program, per Section 6.3.2 of this Zoning Code. Although not mandatory, projects outside of the Main Street District are encouraged to, and may at applicant's option, follow any or part of the development and design standards contained in the *Fair Oaks Boulevard Corridor Plan*.
2. Development projects proposed within the East Fair Oaks Boulevard, Manzanita and South Gateway districts of the *Fair Oaks Boulevard Corridor Plan* may, at the applicant's option, utilize the alternative development and design standards, as described in the *Fair Oaks Boulevard Corridor Plan* instead of the development and design standards contained in the Zoning Code. The County DRA is authorized to approve any projects pursuant to Section 6.7.3.B.1 or pursuant to the development standards and design concepts as described in the Corridor Plan. Any projects that include residential components which exceed certain intensity requirements of the Fair Oaks Boulevard shall be forwarded to the County Planning Commission or appropriate hearing body for final review and approval, as described in the Review Process for the Main Street District SPA.
3. When major new development or major redevelopment of a site occurs, improvements in the public right-of-way and/or landscape setback areas shall conform to the streetscape design concepts and principles in Section 2.6 of the *Fair Oaks Corridor Plan*.
4. General nonconforming, remodeling and demolition of nonconforming uses within the East Fair Oaks Boulevard, Manzanita and South Gateway Districts shall be dictated by the following provisions:
  - a. Nonconforming use in an existing building (use/business previously permitted by right requires Conditional Use Permit pursuant to this ordinance). The use/business may continue to operate indefinitely, or the same type of business/use may reoccupy the premises, as long as the vacancy period does not exceed 18 months for properties located in the East Fair Oaks Boulevard, Manzanita and South Gateway Districts. Extensions of the vacancy period may be approved by the Planning Commission.



Figure 6-1: Fair Oaks Boulevard Corridor Plan



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## CHAPTER 7: DEFINITIONS

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This Section clarifies interpretation of common wording and language issues that may occur in this Code.

### **7.1. WORD USAGE AND CONSTRUCTION OF LANGUAGE**

#### **7.1.1. Meanings and Intent**

All terms, phrases, and expressions in this Code shall be construed according to the general purpose and intent set out in Section 1.3., Purpose of this Code, and the additional specific purpose statements contained throughout this Code.

#### **7.1.2. Headings, Illustrations, and Text**

In case of any difference of meaning or implication between the text of this Code and any heading, drawing, table, figure, commentary block or illustration, the text shall control.

#### **7.1.3. Lists and Examples**

Unless otherwise specifically indicated, lists of items or examples that use terms such as “including” and “such as,” or similar language, are intended to provide examples, not to be exhaustive lists of all possibilities.

#### **7.1.4. Computation of Time**

References to days are calendar days unless otherwise stated. The time in which an act is to be done shall be computed by excluding the first day and including the last day. If the last day is a Saturday, Sunday or holiday observed by the County, that day shall be excluded.

#### **7.1.5. Reference**

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

#### **7.1.6. References to Other Regulations, Publications, and Documents**

Whenever reference is made to a resolution, ordinance, statute, regulation, or document, such reference shall be construed as a reference to the most recent edition of such regulation (as amended), resolution, ordinance, statute, regulation, or document, unless otherwise specifically stated.

#### **7.1.7. Technical and Non-Technical Terms**

Words and phrases shall be construed according to the common and approved usage of the language, but technical words and phrases that may have acquired a peculiar and appropriate meaning in law shall be construed and understood according to such meaning.

**7.1.8. Public Officials and Agencies**

All public officials, bodies, and agencies to which references are made are those of Sacramento County, unless otherwise indicated.

**7.1.9. Mandatory and Discretionary Terms**

The words “shall,” “will,” and “must” are always mandatory. The words “may” and “should” are advisory and discretionary terms.

**7.1.10. Conjunctions**

Unless the context clearly suggests the contrary, conjunctions shall be interpreted as follows:

**7.1.10.A.** “And” indicates that all connected items, conditions, provisions or events apply.

**7.1.10.B.** “Or” indicates that one or more of the connected items, conditions, provisions, or events applies.

**7.1.11. Tenses and Plurals**

Words used in one tense (past, present or future) include all other tenses, unless the context clearly indicates the contrary. The singular includes the plural, and the plural includes the singular.

**7.2. INTERPRETATIONS**

The Planning Commission has the authority to determine the interpretation or usage of terms used in this Code, according to the provisions of Section 6.5.3, Interpretations.

**7.3. CODE TERMS AND USE DEFINITIONS**

This Section defines the terms used in this Code and the uses contained in Chapter 3, Use Regulations.

**Accessory Building**

A detached subordinate building located on the same premises as the main building or buildings, the use of which is customarily incidental to that of the main building or to the use of the land.

**Accessory Structure**

A subordinate structure located on the premises the use of which is incidental to the principal use of the premises.

**Accessory Use**

A use customarily incidental, related, and clearly subordinate to the main use of the lot or building that does not alter the principal use of the subject lot or adversely affect other properties in the zoning district.

## Active Design



Active Design is a way to encourage and accommodate physical activity and healthy living through the way buildings and neighborhoods are designed and built. Active Design utilizes the look, feel, and functioning of sidewalks, streets, neighborhoods, landscaping, parks, and buildings to make it safe, easy and desirable to walk or bicycle. Active Design has public health benefits. By making it safe, easy and desirable to walk or bicycle to work, school, and run errands; physical activity occurs as a natural part of our daily life. Obesity and chronic disease is reduced and individual and community health is improved. Active Design also overlaps with safety - Crime Prevention through Environmental Design (CPTED); universal design, and sustainable design because of the way it promotes accessibility and care of the environment. Active Designs are identified by the above icon, and are discussed further in the County's Design Guidelines.

## Active Transportation

Active transportation relates to physical activity undertaken as a means of transport. It includes travel by foot, bicycle and by other non-motorized vehicles. Use of public transportation is also included in the definition as it often involves some walking or bicycling to pick-up and from drop-off points. People are more active when they ride a bike, walk or take public transportation.

## Adult Day Care Center

A licensed facility that provides an organized day program of personal care, daytime supervision, and social and support activities and services but excluding health care, to persons 55 years or older or other adults.

## Adult Uses

Adult uses are sexually-oriented businesses or adult-related establishments, defined as follows.

- **Sexually-Oriented Business**  
Sexually-oriented business, include but are not limited to any of the following:
- **Adult Bookstore**  
An establishment that devotes 25 percent or more of the total floor area open to the public or 25 percent or more of the total stock on hand, to the sale or rental of books, magazines, periodicals or other printed matter, photographs, motion pictures, films, video tapes, or video disks that are distinguished or characterized by an emphasis upon the depiction or description of "Specified Anatomical Areas" or "Specified Sexual Activities" as defined in Chapter 4.34 of the County Code.
- **Adult Motion Picture Theater**  
A building, a portion of a building, or an open or enclosed area that regularly features motion pictures distinguished or characterized by an emphasis on matters depicting, describing or relating to "Specified Sexual Activities" or "Specified Anatomical Areas," as defined in Chapter 4.34 of the County Code.
- **Adult Live Theater**  
A building, a portion of a building, or an open or enclosed area that regularly features persons who appear in a state of nudity or state of semi-nudity, or live performances that are characterized by specified sexual activities. For purposes of this definition, the term "regularly features" means that the adult live theater features nudity, semi-nudity or

specified sexual activities as a permanent focus of its business and gives special prominence to such content on a permanent basis.

- **Adult-Related Establishment**

An adult-related establishment is a bathhouse, escort bureau, modeling studio, or sexual encounter center, as such terms are defined in Chapter 4.34 of the County Code. “Adult-related establishment” does not include an adult bookstore, adult video tape store, adult motion picture theater, adult live theater, adult mini-motion picture theater, adult hotel or motel, or cabaret, and does not include other adult-related establishments regulated by Chapter 4.34.

**Advisory Body**

An officer, board, or commission responsible for reviewing an application and preparing a recommendation to the decision body whether to approve, approve with conditions, or deny the application, as provided in Chapter 6, Administration of this Code.

**Agent**

A person authorized by a property owner to act on his behalf relating to matters arising out of this Code.

**Agricultural Conservation Easements**

A deed restriction landowners voluntarily place on their property to protect agricultural land. The landowner either sells or donates the development rights (some or all) of the property to a qualified conservation organization or public agency to protect the agricultural use of the land in perpetuity.

**Agricultural Equipment Repair and Maintenance**

Repair or maintenance of vehicles and equipment for agricultural uses, as defined below.

**Agricultural Supplies and Services**

Retail sales of agricultural chemicals, fertilizer, feed, grain, and farm supplies, not including trucks, tractors, combines, and similar heavy equipment; and rental and incidental storage of farming equipment, not including trucks, tractors, combines, and similar heavy equipment.

**Agricultural Uses**

The primary use of the premises for agriculture, including the cultivation of the soil for the production and harvesting of crops, the care and breeding of livestock, pastureland, horticulture, dairying, viticulture, and the storage and minor repair of agricultural vehicle and equipment used for the processing and transportation of the products grown on the premises.

**Airport, Public or Private**

An area of land or water used or intended for use for the landing and takeoff of aircraft, airport buildings, or other appurtenant facilities. Includes private landing strips, but does not include any area located in a permanent agricultural zoning district that is used exclusively as a landing or takeoff area by a crop duster or by the landowner.

**Alley**

A public thoroughfare less than 30 feet in width, which affords only a secondary means of access to an abutting property.

**Alteration**

Any change, addition, or modification in construction or occupancy.

**Animal Grooming Service, Short-term boarding**

The provision of bathing and trimming services for small animals on a commercial basis. These uses include boarding of domestic animals for a maximum period of five days.

**Apartment**

A room or suite of rooms which is occupied or which is intended or designed to be occupied by one family for living and sleeping purposes.

**Appeal Body**

A board or commission responsible for hearing an appeal to a final decision of a decision body on an application, as provided in Chapter 6, Administration of this Code.

**Applicant**

A person who submits an application for review and processing pursuant to this Code.

**Appropriate Authority**

An officer, board, or commission responsible for advisory or decision hearing, as provided in Chapter 6, Administration of this Code.

**Arcade, Electronic, Mechanical, or Video Games**

A single-use facility that provides three or more electronic, mechanical, or video game machines for use of patrons. "Electronic, mechanical, or video game machines" means any machine, apparatus, contrivance, appliance, or device that may be operated by placing or depositing a coin, check, token, slug, ball, or other article or device or by other means of payment, and involves in its use either skill or chance; including, but not limited to a tape machine, card machine, pinball machine, bowling game machine, shuffleboard machine, marble game machine, horse racing machine, basketball game machine, baseball game machine, football game machine, electronic video game, or any other similar machine or device. This does not include computer or electronic devices that are sample or "demonstrator" machines in a retail sales, rental, or service facility.

**Art Gallery, Art Studio**

Spaces used principally for art activities

**Arterial, Major**

A major arterial is a street having a right-of-way of 80 feet or more as shown on the major streets and highways plan of the circulation element of the General Plan, adopted by the Board of Supervisors.

**Assembly, Manufacturing, and Processing, Heavy**

Allows fully enclosed manufacturing that can be expected to have some off-property impacts or that may involve quantities of hazardous materials, including, but not limited to: ore reduction; metal foundries, forges, smelters, and casting; paper and pulp manufacture; manufacturing or processing of paint, varnish, adhesive, or resin; chemical, or sodium compound manufacture; newspaper printing; animal rendering or reduction; processing of odorous food products; and leather tanning or curing.

**Assembly, Manufacturing, and Processing, Light**

Allows fully enclosed manufacturing uses with limited impacts (i.e., no smoke, noxious odors, vibration, dust, electromagnetic interference, excessive noise, etc. beyond the property line or outside of daytime hours) similar to purpose statement for M-1, including but not limited to: cabinet, blacksmith, machine, or welding shop; printing plant; photographic processing plant; honey extraction; and manufacturing of ice, candy, toiletries, cosmetics, or pharmaceuticals.

**Assembly, Manufacturing, and Processing, Outdoor**

Allows manufacturing and assembly activities that are not fully enclosed or where more than 20 percent of the lot area is devoted to outdoor storage of feedstock or finished product, including but not limited to: Quarry or stone mill; lumber mill, brick yard, stockyard, or feeding pens; feed and fuel yard, and railroad repair shops; and tire reconditioning and rebuilding.

**Assembly Uses**

A location, auditorium, hall, or similar facility that is publicly or privately owned and is developed for the principal purpose of accommodating groups of persons for meetings, exhibitions, shows, and other public-interest events.

**Automobile Service Station, Primary**

A retail commercial establishment devoted primarily to the retail sales of gasoline and similar motor fuels to the public and which may also include retail sales of motor oils, lubricants, travel aides, minor automobile accessories, and minor automobile servicing, repairs, and maintenance. An automobile service station does not include any commercial, business, or governmental establishment having on the premises a gas pump or pumps from which gasoline or other motor fuels are not sold at retail to the public on a regular basis.

**Automobile Service Station, Secondary**

A retail commercial establishment where the retail sale of gasoline and similar motor fuels to the public is an incidental and secondary use to another commercial establishment such as, but not limited to, car washes and grocery stores that also sell gas from gas pumps, limited to one (1) gas pump service island, with a maximum of four fuel pumps. An automobile service station does not include any commercial, business, or governmental establishment having on the premises a gas pump or pumps from which gasoline or other motor fuels are not sold at retail to the public on a regular basis.

**Automobile Repair, Major**

Major body and engine work and repairs to automobiles, other passenger vehicles, or boats. Examples include but are not limited to: rebuilding of radiator, transmission, and other major machine shop, body rebuilding, and painting.

**Automobile Repair, Minor**

Minor adjustments, service, and repairs to automobiles or other passenger vehicles. Examples include but are not limited to: radiator, transmission, muffler, and brake repair, lubricant shops, diagnosis and tune-up, smog inspection, auto glass repair and installation, automotive seat covers and re-upholstery, tire sales and service, and car washes. Shall not include body and engine work as defined in "Auto Repair, Major."

**Automobile Wash**

A facility designed for the purpose of either self-service or automatic washing of automobiles.



**Bar**

A bar is any premises used or intended to be used for selling or serving alcoholic beverages to the public for consumption on the premises that does not qualify as or is not part of a “bona fide public eating place” as defined in Business and Professions Code Section 2303.

**Basement**

The portion of a building included between the upper surface of any floor and the upper surface of the next floor above which is partly below grade, but so located that the vertical distance from grade to the floor below is less than the vertical distance from grade to the floor above.

**Beauty/Barber Shop, Spa**

**A place of business providing hairdressing or other cosmetic treatment services, including manicures, facials and similar services. Massage and the application of permanent cosmetics are allowed as incidental uses.**

**Bed and Breakfast Inn**

A dwelling containing a single living unit that serves as the residence for the owner or manager and not more than five guest rooms that, for compensation, provide temporary night to night lodging with or without meals.

**Beekeeping**

Beekeeping (or apiculture) is the maintenance of honey bee colonies, commonly in hives. A beekeeper (or apiarist) keeps bees in order to collect honey and beeswax, for the purpose of pollinating crops, or to produce bees for sale to other beekeepers.

**Board**

The Board of Supervisors of Sacramento County.

**Board of Zoning Appeals**

The Board of Zoning Appeals of Sacramento County, established pursuant to Chapter 2.38 of the *Sacramento County Code*.

**Boarding House**

A building containing not more than five guest rooms where lodging or meals are provided for three or more guests for compensation and with the intent of the operation being a profit-making business. Shall not include a residential care facility providing care to six or fewer persons, exclusive of the operator's family or persons employed as facility staff. Further, the term does not include a residential dwelling being shared by individuals who constitute a family.

**Boat Dock, Private**

A pier or small structure at the edge of the water, where boats for personal or neighborhood use can tie up; not intended for public or commercial use.

**Borrow Mining Operations, Short-Term**

All, or any part of, the process involved in the removal of dirt, soil, sand, gravel, or other material from below grade of surrounding land for any purpose other than that necessary and incidental to site grading and building construction.

**Brew Pub**

A brew pub is an establishment that brews malt beverages on site for sale and consumption on the premises and that qualifies as a “bona fide public eating place” as defined in Business and Professions Code Section 2303. Limited in production to a maximum of 6,000 barrels of malt beverages annually. A brew pub does not include wholesale or off-site sales of alcohol unless such alcohol sales are allowed as a primary use in the underlying zoning district.

**Breweries**

An establishment where malt beverages are manufactured on the premises. Breweries are classified as any use that manufactures more than 15,000 barrels of beverage (all beverages combined) annually. A brewery may include a tap room as part of the principal use as long as the floor area utilized for the tap room is less than or equal to 25 percent of the total floor area of the facility.

**Breweries, Specialty and Craft**

A small-scale brewery that produces a maximum of 15,000 barrels of malt beverages annually. May also be known as a “micro-brewery”. The brewery may include a tap room as part of the principal use as long as the floor area utilized for the tap room is less than or equal to 25 percent of the total floor area of the facility. May include a restaurant (see definition of brew pub).

**Buildable Area**

The portion of the lot remaining after allowing for all required yard areas and required open spaces.

**Building Line**

A line located within a property at the minimum distance prescribed by this Code from any street, highway, canal, lake, river, park, stream, slough, parkway, floodplain, or portion thereof.

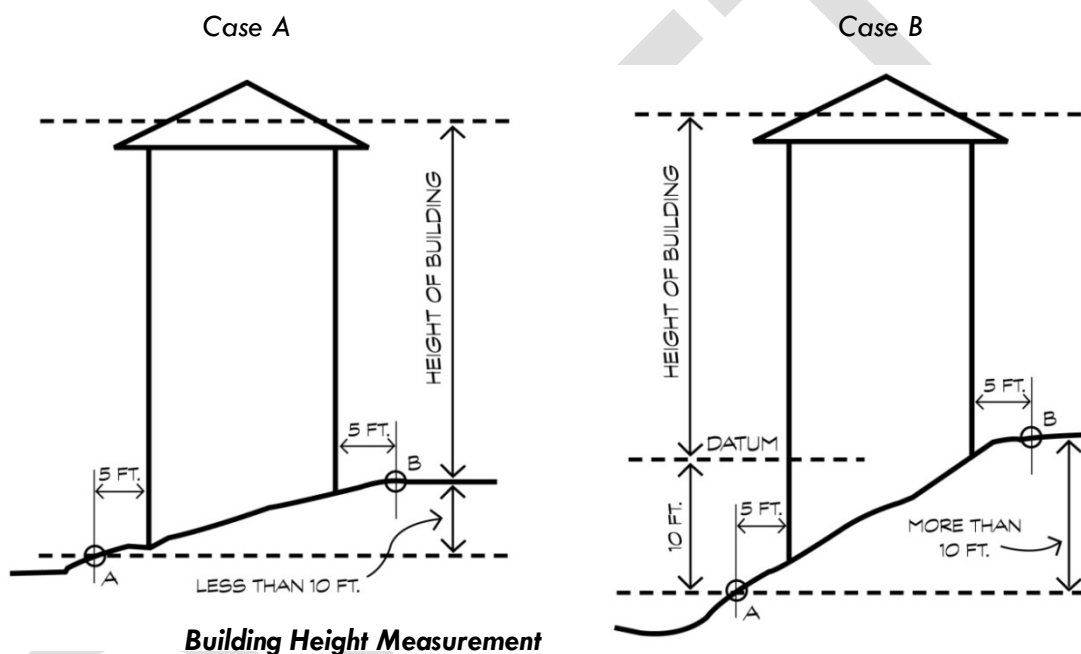
**Building Size Equivalent**

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

### Building, Height of

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

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



**Building Height Measurement**

The height of a stepped or terraced building is the maximum height of any segment of the building.

### Bus Depot

A passenger station for publicly or privately operated bus lines. A bus depot is generally a major destination point and characterized as a transfer point between local bus lines or other modes of transportation and intercity and interstate bus operations. A bus depot may or may not include indoor operational facilities. A bus stop is not a bus depot.

### Bus Shelter

A partially enclosed shelter for bus or other transit passengers located within or immediately adjacent to a public right-of-way.

**Business Services, General**

Service establishments primarily within buildings, providing other businesses with services including maintenance, repair and service, testing, rental, etc. Examples include but are not limited to addressing and mailing services; advertising business; computer programming, software, and systems; design; blueprinting-photostating service; computer sales, rental, and lease; computer service and training; data processing service; mail or delivery service pickup station; locksmith/key and lock shop; mail order business; messenger service; office machines and equipment sales and minor repair; delivery service; drafting service; furniture rental agency; photocopy service; print shop; stenographic service; radio, television, or recording studio; telegraph office; telephone answering service; equipment rental agency, office related uses only.

**Business Services, Intensive**

Service establishments primarily within buildings, providing other businesses with services that have more intense operational impacts, requiring the separation or mitigation from sensitive receptors. Examples include but are not limited to disinfecting-fumigating service; janitorial service; pest control service; alarm or warning system sales and service; upholstery/furniture cleaning, locksmith; and safe repair shop.

**Bundling**

The concurrent processing of two or more applications that pertain to the same development proposal.

**Campground**

An area or tract of land on which accommodations for temporary occupancy are located or may be placed, including cabins, tents, and major recreational equipment, and which is primarily used for recreational purposes and retains an open air or natural character.

**Canneries**

Any establishment where food is received in raw or partly processed form for the purpose of canning in hermetically sealed containers and where sterilization by heat is used, or where preservation of vegetable products is accomplished by the use of approved chemical preservatives, sugar, salt, or acidity factors introduced as ingredients or additives, or by freezing foods for sale as and for food in any other type of vessel, bottle, can, bag, container, or other type or form of package, and the products placed on the market for general consumption as food. The use shall not include the packing or preservation of products for private use or a food establishment that processes meat or poultry products under the supervision of the U.S. Department of Agriculture.

**Card Room**

Any place where gambling is conducted and to which the public is invited to participate.

**Cargo Container**

A container made of steel or other similar material which is designed for securing and protecting items for transport or temporary storage. Cargo containers include, but are not limited to: containers commonly used as shipping containers on ships and railroad, and/or tractor trailer, Portable On Demand Storage (PODS), and other similar containers.

**Carpool**

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

**Catering Service**

A place of business established to provide food service for parties, events, and institutions at off-site locations.

**Cemetery**

Land used or intended to be used for the burial of the dead and dedicated for cemetery purposes including columbaria, mausoleums, and funeral establishments when incidental to and operated in conjunction with and within the boundary of the cemetery.

**CEQA**

California Environmental Quality Act. CEQA requires environmental review prior to approval of a private or public project that may adversely affect the environment. CEQA works to ensure that governmental agencies consider possible significant impacts of proposed projects.

**Child Day Care Center**

A facility providing a program for social development, pre-academic, or group training for children under 18 years of age; a facility, other than a family day care home, providing care and supervision of children on less than a 24-hour basis, with or without compensation or on a cooperative basis. Included within the definition are the following types of facilities: day nursery, nursery schools, group day care facilities, and day center for the mentally retarded or emotionally disturbed. Such facilities shall include those child care facilities operated in conjunction with a school or church.

**Church or other Religious Institution**

A permanently located building, commonly used for religious worship and associated activities, excluding daily private schools, and includes incidental retail uses not to exceed 20 percent of the square footage devoted to the primary use.

**Clerk**

Clerk of the Sacramento County Board of Supervisors.

**Cluster Development**

A development in which dwelling units are arranged in one or more dwelling groups, separated by each other by intervening open space giving visual definition to each group. Dwelling groups shall consist of two or more buildings, each containing one or more dwelling units arranged around a court.

**Coin Operated Dispenser or Amusement**

Any machine, apparatus or device which may be operated by depositing a coin, token, or similar device, which is used for amusement purposes such as a juke box, children's rides, or other equipment, where no competition, score, skill, or chance is involved.

**College, University**

An educational institution offering advanced instruction beyond the secondary level in any academic field, but not including business, trade, or vocational schools.

**Community Garden**

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

**Community Plan**

A Community Plan reflects the goals and policies of each individual community. Community Plan policies are intended to guide the physical development of a community on a more detailed basis than the General Plan.

**Community Planning Advisory Council**

Community Planning Advisory Council, established pursuant to Chapter 2.36 of the *Sacramento County Code* to review and recommend on applications for land use or development proposed within a specific geographic area of the County. Commonly referred to as “CPAC”.

**Community Stand**

A retail stand operated by a nonprofit organization, which sells shell eggs, locally grown crops, a limited amount of non-potentially hazardous prepackaged food and food preparation related items.

**Computer Gaming Center**

Facilities where players challenge others by networked computers or on the internet. Also see the definition of Internet Café.

**Concrete Batch Plant**

A facility that combines various ingredients in order to produce concrete. The final product is transported to job sites by trucks that may or may not be part of the establishment.

**Conditional Use Permit (CUP)**

Also known as special use permit or use permit, the CUP allows specific land uses in zones not normally allowed for a particular site to ensure that the proposed use is compatible with the surrounding neighborhood.

**Condominium**

A condominium is a residential dwelling unit, the title or ownership of that consists of an undivided interest (sometimes referred to as air space) in common in a portion of a parcel of real property together with a separate interest in space in a building located on such real property.

**Condominium Conversion**

A change in ownership of a parcel or parcels of property, together with structures thereon, whereby the parcel or parcels and structures previously used as rental units are changed to ownership.

**Congregate Care Facility**

A residential facility or portion of a larger phased-living complex, offering independent living accommodations oriented to the particular needs of a segment of the population, (usually senior citizens) and including a variety of common facilities, equipment, or services available to the tenants. Also known as assisted living facilities, as a minimum requirement, a congregate care facility must maintain congregate cooking and dining programs, and may include a variety of congregate recreation, social, transportation, health maintenance, or counseling programs. If the facility offers only independent cooking facilities in private residential units or if common support services are optional, then the facility is defined as a multifamily complex. Also, if the facility offers extensive skilled nursing services, memory care, or more intensive medical care as licensed by the State Department of Public Health, then the facility is defined as a residential care home if non-institutional in character, or a convalescent hospital.

**Corridor Plan**

A land use plan for a segment of a major thoroughfare within Sacramento County.

**Cottage Food Operations**

An enterprise that produces non-potentially hazardous food products in a non-commercial kitchen within a dwelling that the operator resides. These food products may be sold directly or indirectly to consumers, restaurants or markets.

**County**

The County of Sacramento, California.

**Crematory**

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

**Crime Prevention Through Environmental Design (CPTED)**

Crime Prevention Through Environmental Design (CPTED) utilizes strategies to deter criminal behavior and increase people's sense of safety through the design of the built environment. Incorporating CPTED strategies into a project design can help to reduce crime and create safer communities.

**Crops**

Any whole edible portion of a plant in its raw and natural state and non-edible crops, such as flowers.

- **Locally Grown Crops**

Crops grown within the Sacramento, Yolo, Solano, Contra Costa, San Joaquin, Amador, El Dorado, Placer, Sutter, and Yuba Counties.

- **Non-Locally Grown Crops**

Crops grown outside of the 10 counties described above.

- **Cultivation of Miscellaneous Illegal Crops**

The cultivation of any crop that contravenes either state or federal law is prohibited.

**Crop Dusting Service**

Application of fertilizers, pesticides, and fungicides onto crops (often from a low-flying aircraft).

**Crops, Raising and Harvesting**

The commercial raising and harvesting of agricultural and horticultural uses, including but not limited to production of grains, field crops, vegetables, fruits, nut trees, herbs, flowers and seed production, nursery stock and ornamental plant production (including plants, trees, shrubs and ground covers grown in containers or green houses). Does not include the use intended for personal consumption (e.g., gardening or a community garden).

**Cumulative Impacts**

Cumulative impacts refer to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time.

**Damage Vehicle**

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

**Dance Club**

Any club or association of persons which conducts dancing for its members or bona fide guests more often than once a month, and to which the public is not admitted.

**Dance Hall**

A place where dancing is conducted, whether for profit or not for profit, and at which the public is allowed to dance, with or without charge.

**Dancing in a Bar or Restaurant, Incidental**

The gathering of persons, where dancing is permitted as a secondary use, at a bar or restaurant and that does not emphasize "Specified Sexual Activities."

**Decision Body**

An officer, board, or commission responsible for hearing and final decision on an application, as provided in Chapter 6, Administration of this Code.

**Density**

The number of dwelling units per acre.

**Design Review Administrator's Committee or DRAC**

The Design Review Administrator's Committee, established and appointed pursuant to Section 6.4.2 of the *Sacramento County Code* that recommends on conformance of development plans and permits with applicable design standards.

**Development**

Construction, erection, reconstruction, remodeling, alteration, maintenance, expansion, movement or similar.

**Development Agreement**

A development agreement shall be an agreement adopted pursuant to Government Code Section 65865.

**Dish Antennae**

A device incorporating a reflective surface in the shape of a parabolic dish, cone, horn, or cornucopia, used to transmit and/or receive television, radio, and/or microwave, or other similar signals.

**Dismantled Vehicle**

Any vehicle that lacks one or more integral or component parts.

**Distilleries**

Any establishment where spirituous liquors are manufactured. A distillery may include a tasting room as part of an accessory use as long as the floor area utilized for the tasting room is less than or equal to 25 percent of the total floor area of the facility.



**Drive-Up Window**

A portion of a building or structure from which business is transacted, or capable of being transacted, directly with the customers located in an automotive vehicle during such business transactions.

**Driveway, Private**

A private way for vehicular travel which provides access from an off-street parking area to a public or private street.

**Driving Instruction**

A place of business that provides instruction for driving an automobile.

**Dwelling, Agricultural Accessory**

Single-family detached accessory structure that provides living quarters for an on-site agricultural employee receiving a major portion of his or her income from such employment. "Major portion" shall mean, for the purposes of this definition, 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.

**Dwelling, Duplex or Halfplex**

A duplex is a building designed for occupancy by two families living independently of each other, each in a separate dwelling unit. A halfplex is a building designed for occupancy by two families living independently of each other, where each dwelling unit is located on a lot that may be separately owned or conveyed.

**Dwelling, Multiple Family**

A building, other than a townhouse, rowhouse, or cluster development, that is designed and intended for occupancy by three or more families living independently of each other, each in a separate dwelling unit, including apartments for rent and condominiums.

**Dwelling, Residential Accessory**

Single-family detached accessory structure that provides housing for one family for living or sleeping purposes, with or without indoor kitchen or cooking facilities. This use is in addition to the permitted primary residential use of the parcel.

**Dwelling, Single-Family Attached**

An attached dwelling unit, normally two (2) stories high and with an interior stairway to access the second story, such as rowhomes and townhomes. The unit must be entirely within a separate, privately owned lot located within a common lot owned by the project homeowners association. The property line describing the townhouse lot must follow the common wall of adjoining units and the outer edge of the unit's exterior walls, but may extend outward to include patios, detached garages, entry areas, parking spaces, and similar features.

**Dwelling, Single-Family Detached**

A detached building designed exclusively for occupancy by one family. Includes a residential care home or facility that serves six or fewer persons, not including the operator of the facility, members of the operator's family, or persons employed as facility staff. A single-family dwelling may be constructed as a conventional site-built product or as a factory-built (or modular home, as defined in the California Health and Safety Code, Division 13, Part 6, §19971) building.

**Dwelling Unit**

A dwelling unit shall mean one or more rooms in a dwelling, apartment house or apartment hotel designed for or occupied by one family for living or sleeping purposes and having only one kitchen and separate toilet facilities.

**Emergency Shelter**

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

**Employee Projections**

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

**Entrance, Primary**

The main entrance to a building or structure.

**Environment**

The physical conditions that exist within an area which will be affected by a proposed project including land, air, water, minerals, plants, animals, noise, and objects of historical or aesthetic significance.

**Environmental Coordinator**

The individual appointed to make environmental determinations for the Lead Agency. In Sacramento County, the County Executive appoints the Environmental Coordinator.

**Environmental Impact Report (EIR)**

A detailed review of a proposed development project pursuant to the California Environmental Quality Act; analyzing significant effects on the environment, reasonable alternatives, and mitigation measures to the project.

**Environmental Impact Statement (EIS)**

A federal agency review, pursuant to the National Environmental Policy Act, of a project that is expected to cause significant environmental damage. It is the federal equivalent of an EIR.

**Exemption**

An environmental document exempting a proposed development project from the California Environmental Quality Act based on a finding that the project does not have any significant effects on the environment.

**Family Contractor's Business**

A business operated at or from a residence that employs only members of the resident's family and that complies with the provisions of Section 3.9.3.E, Family Contractor's Business, including provisions related to incidental storage of vehicles.

**Family Day Care Home**

As defined by Health and Safety Code Section 1596.78, a home that regularly provides care, protection, and supervision for 14 or fewer children, in the provider's own home, for periods of less than 24 hours per day, while the parents or guardians are away, and is either a large family day care home or a small family day care home.

- **Large Family Day Care Home**

A home where the occupant of the residence provides family day care for 7 to 14 children, inclusive, including children under the age of 10 years who reside in the home.

- **Small Family Day Care Home**

A home where the occupant of the residence provides family day care for 8 or fewer children, including children under the age of 10 years who reside in the home.

**Farm**

A place where agricultural production is the primary use.

**Farm Stay**

A working farm on which bedrooms are made available for rent in a farm house or in a detached structure, and where lodging and overnight sleeping accommodations are provided for a stay of no more than fourteen (14) days, either with or without meals.

**Farm Worker Dwelling Unit**

Structures used or occupied by up to six agricultural (farm) employees or one agricultural (farm) employee and the worker's household. The accommodations may consist of any living quarters, dwelling, boarding house, mobile home, or manufactured home for long-term occupancy, or a mobile home for temporary occupancy (per use standards for mobile homes in Section 3.10).

**Farm Worker Housing**

Living quarters for agricultural (farm) employees and their families consisting of up to 36 beds in group quarter or up to 12 farmworker dwelling units or spaces designed for a single family or household. The units may of an alternative housing type that meets state and federal standards for livability and durability, including manufactured housing, factory-built housing, other forms of prefabricated housing, and dormitory- and barracks-style housing in which residents share common cooking and bathroom facilities. Farm worker housing does not include a hotel, motel, bed and breakfast lodging, or recreational vehicle park.

**Farmer's Market, Certified**

A public marketplace for fruits, vegetables, and other products (primarily agricultural-related products), either indoors or out-of-doors that has been issued a direct marketing certificate by the County Agricultural Commissioner indicating that the marketplace is a certified farmers' market.

**Feedlot**

"Feedlot" shall mean any premises used principally for the raising or keeping of animals in a confined feeding area. "Feedlot" is not intended to otherwise preclude the raising of animals as part of a general farming or livestock operation or as an FFA, 4-H, or other student project in an agricultural zoning district.

- **Confined Feeding Area**  
"Confined feeding area" shall mean any livestock feeding, handling, or holding operation or feed yard where animals are concentrated in an area that is not normally used for pasture or for growing crops and in which animal wastes may accumulate and where the area per animal unit is less than 600 square feet.
- **General Farming or Livestock Operation**  
"General farming or livestock operation" shall mean one in which the confined feeding of animals is an incidental part of the total livestock operation.

**Fence**

As used by this Code, a fence is a barrier made of durable material to establish a boundary, as a means of protection or to provide confinement. A fence is considered to be from 18 inches high to seven (7) feet high, as measured vertically from the established lot grade. For purposes of definition, fences over seven (7) feet in height are considered structures.

**Fence, Solid**

A barrier made of durable material such as wood or masonry which is designed to obstruct at least 50 percent of the visibility when standing perpendicular to the fence. Metal fences such as chain link or tubular steel are considered open fencing.

**Financial Institution**

A public or private institution such as a bank or savings and loan that collects funds from the public or other institutions and invests them in financial assets.

**Floor Area, Gross**

The area within surrounding walls of a building (or portion thereof) exclusive of vent shafts and courts.

**Floor Area, Net**

The gross floor area of a building less public areas such as hallways, stairs, lobbies, and storage or service areas.

**Food Processing Industry**

Any activity involving the storage, primary processing, or primary manufacturing of raw agricultural products or by products, and the secondary reprocessing, conversion, or compounding of previously processed bulk agricultural products so long as it occurs on the same site and in conjunction with an operation also involved in the primary process, except canneries, distilleries, wineries, and breweries.

**Food Production and Wholesales**

Includes the farming, production, and processing of food to sell to a retail food establishment such as a restaurant or grocery store; food manufacturers; or warehouse for food distribution. Examples include, but are not limited to, a wholesale baker or butcher.

**Fortune Teller**

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

**Foundation System**

An assembly of materials constructed below, or partially below grade, not intended to be removed from its installation site, which is designed to support the structure and engineered to resist the imposition of external natural forces, as defined by Section 18551 of the Health and Safety Code.

**Fraternity House**

A building or structure housing a group of persons associated for their common interest, including eating, sleeping, and other such facilities.

**Freeway**

A highway where the owners of abutting properties have no right or easement of access between the abutting lands and the highway or in which such owners have only limited or restricted right or easement of access to the highway. A County designated freeway is designated as such on the major streets and highway plan of the circulation element of the General Plan, adopted by the Board of Supervisors.

**Freight Depot**

See definition for “Truck, Freight, or Draying Terminal”

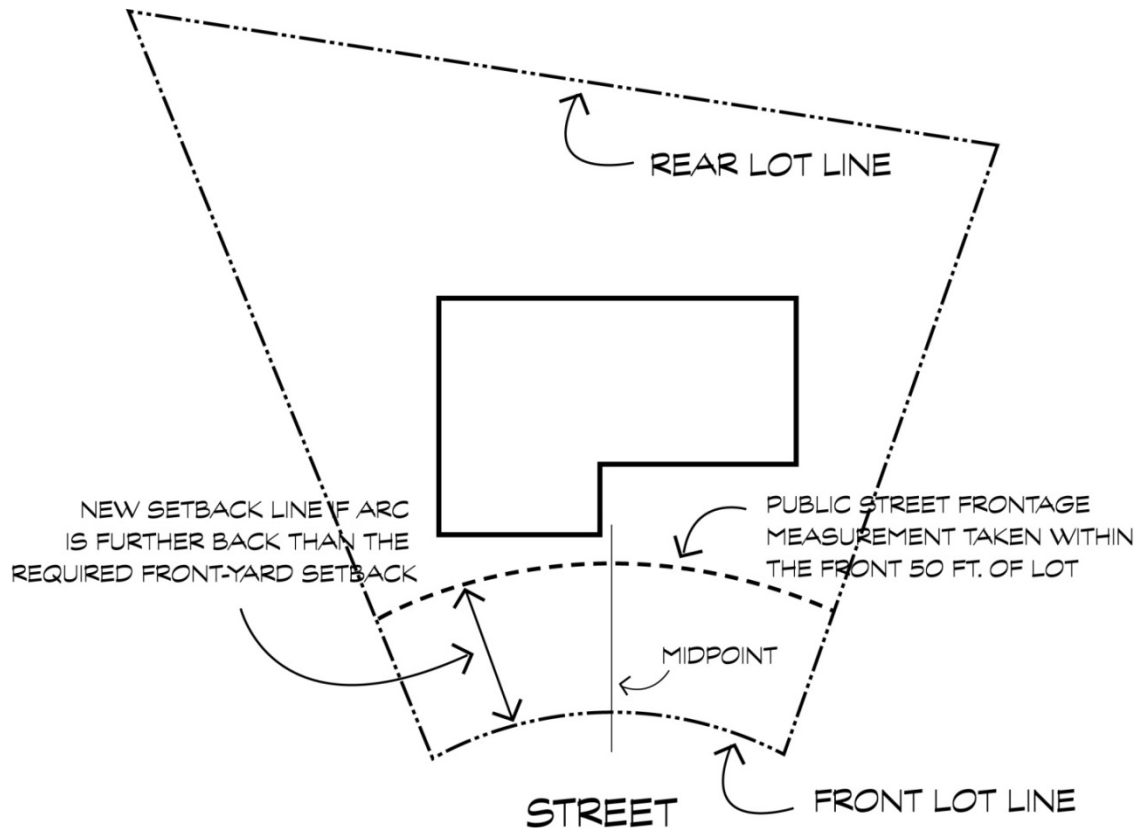
**Frontage, Block**

The portion of a property that abuts one side of a public street which allows primary access to the property.

**Frontage, Lot or Parcel**

The portion of a property that abuts one side of a public street which allows primary access to the property. The public street frontage for lots fronting on a curved street, or on the curved portion of a cul-de-sac street, shall be measured along an arc located within the front 50 feet of the lot, and based on a center point coincidental with the center point of the street curve. If such arc is further than 20 feet from the right-of-way line of the street, that arc will be considered the front yard setback line of the lot.

For Right-of-Ways with PUPFs: The portion of a property that abuts one side of a public street which allows primary access to the property. The public street frontage for lots fronting on a curved street, or on the curved portion of a cul-de-sac street, shall be measured along an arc located within the front 50 feet of the lot, and based on a center point coincidental with the center point of the street curve. If such arc is further than 24 feet (for single-family residential) or 26 feet (for non-single family residential) from the right-of-way line of the street, that arc will be considered the front yard setback line of the lot.



### ***Parcel Frontage Measurement***

#### **Funeral Establishment**

A place of business devoted exclusively to activities related to the preparation and arrangements for the funeral, transportation, burial, or other disposition of human dead bodies and including but not limited to:

- A chapel in which memorial, funeral, or religious services may be conducted.
- A preparation room equipped for the preparations and embalming of human dead bodies for burial or transportation.

A funeral establishment does not include a crematory.

#### **Garage, Private**

A detached accessory building on the same lot as a dwelling, a portion of a main building, or a carport, for the housing of noncommercial vehicles of the occupants of the dwelling.

#### **Garage, Public**

A public garage is any garage other than a private garage

#### **Garage Sales**

The temporary sale of used or unwanted household items that is held in the garage, driveway, or front yard area of a seller's home.

**General Plan**

The Sacramento County General Plan adopted by the Board of Supervisors on November 9, 2011, and all revisions and amendments thereto.

**General Retail Sales (Up to 49,999 sq. ft.)**

A large retail store or several stores, service facilities, and related uses predominantly commercial, with a maximum gross floor area not to exceed 50,000 square feet and using common facilities such as parking, landscaping, signing, and loading areas, where applicable.

**General Retail Sales (50,000 – 350,000 sq. ft.)**

A store, group of stores, service facilities, and related uses predominantly commercial possibly utilizing common facilities such as parking, landscaping, signing, and loading areas. Separate buildings and parcels of land may be considered a part of the shopping center if they are served by mutual parking agreements.

**General Retail Sales (>350,000 sq. ft.)**

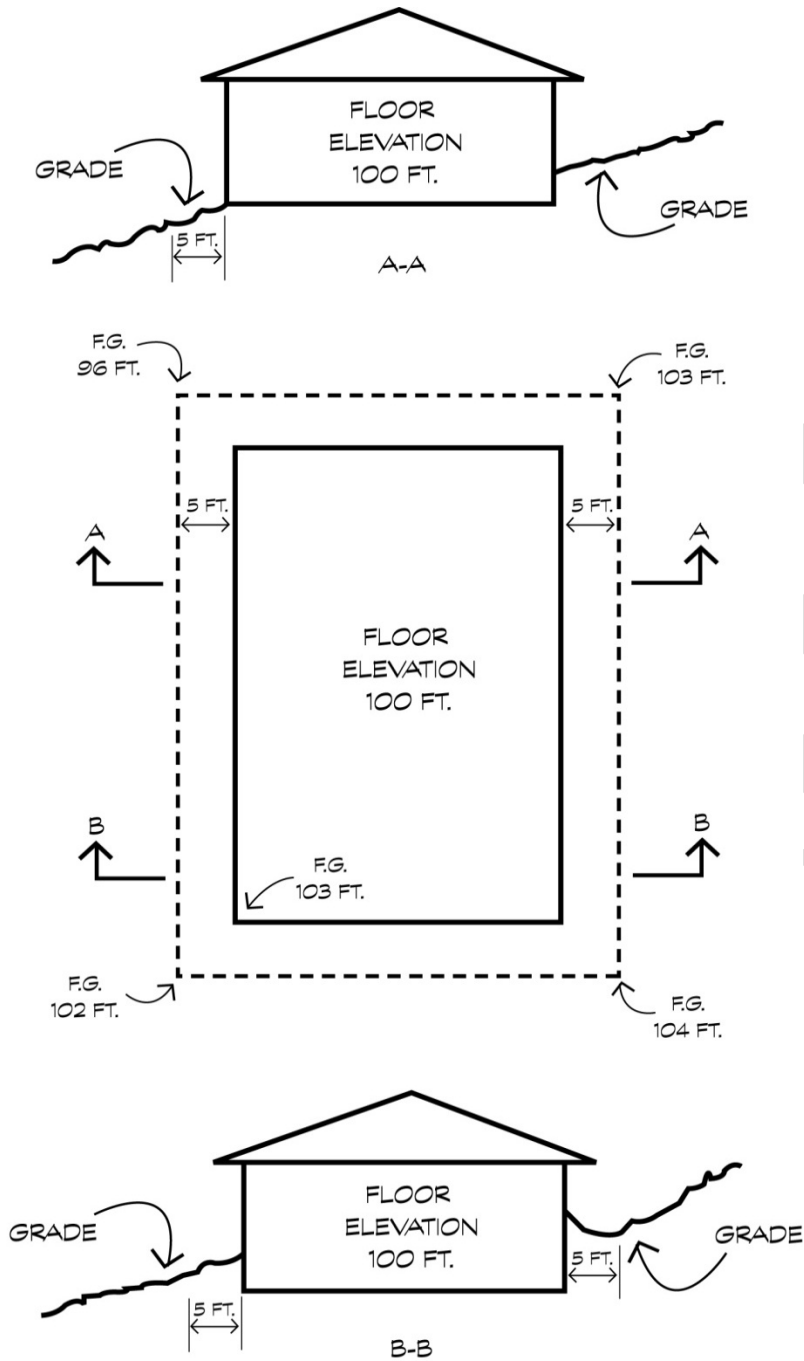
A shopping center where the gross floor area exceeds 350,000 square feet.

**Government and Local Agency Buildings and Uses**

All buildings and uses owned and operated by a public entity, including but not limited to libraries, museums, and community centers.

**Grade**

Grade (Adjacent Ground Elevations) is the lowest point of elevation of the finished surface of the ground between the exterior wall of a building and a point five (5) feet distant from said wall, or the lowest point of elevation on the finished surface of the ground between the exterior wall of a building and the property line if it is less than five (5) feet distant from said wall. In case walls are parallel to and within five (5) feet of a public sidewalk, alley or other public way, the grade shall be the elevation of the sidewalk, alley or public way. In the case of signs, grade is the lowest point of elevation of the finished surface of the ground at the base of the sign, or in the case of a double support, the lowest point of elevation of the finished surface of the ground at the supports. In the case of fences within five (5) feet of a public right-of-way or right-of-way with PUPF, grade is measured from the grade of the right-of-way or right-of-way with the PUPF. Beyond five (5) feet and for fences on interior property lines, grade is measured at the highest point on either side of the fence.



**Grade Measurement**

**Grade, Existing**

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



**Greenwaste**

Organic waste generated by landscape garden or agricultural operations consisting of lawn clippings, tree and shrub prunings, wood, and miscellaneous soil material. This is categorized as material which can be used to process into compost or wood chips for reuse.

**Greenwaste Facility**

Facility that accepts garden, wood, and other organic waste to reprocess into compost, wood chips, or other products, including the use of power-driven processing equipment. Facilities which receive greenwaste (garden, wood, or other organic waste) for shipment to another facility for reprocessing or composting are included in this type of facility. A greenwaste facility does not include the chipping and grinding of construction and demolition debris.

**Gunsmith, Gun Sales/Ammunition Sales**

A place of business that makes, sells, and repairs small firearms, and sells ammunition.

**Habitable Floor Area**

That portion of the floor area of a residential structure that is used for normal residential activities, such as living rooms, bedrooms, kitchens, bathrooms, and so on. Basements, storage rooms, and other incidental use areas are not included.

**Hazardous Material**

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

**Heavy Equipment**

Equipment normally utilized in heavy construction projects and includes, but is not limited to: earthmoving equipment, road work and paving equipment, motor graders, bulldozers, rollers, scrapers, earthmovers, cable and hydraulic shovels, trenchers, standing and truck cranes, dump trucks, large tractors, water trucks, cement trucks, front loaders, back hoes, excavators, drilling equipment, pile drivers, compactors, zoom booms, telehandlers, forklifts, platform lifts, generators, conveyors, and any other piece of equipment determined by the Planning Director as belonging to the heavy equipment category. Factors that may affect the Planning Director's determination may include, but is not limited to: equipment typically move on metal self-laying tracks, machinery primarily designed for excavation, or equipment that produces 125 decibels or more when simply operating as designed, and has an operating weight of 15,000 pounds or more.

**Hog Farm**

Any place where two or more head of swine are maintained, raised, fed, or fattened.

**Home Occupation**

A use conducted in a dwelling unit that is clearly incidental and subordinate to the use of the dwelling for residential purposes. Such use shall not be considered to be incidental and subordinate unless all of the criteria outlined in the accessory use standard of Section 3.9.3.F, Home Occupation, are met.

**Hookah/Smoking Lounge**

A place of business that offers smoking from a communal pipe device known as a "hookah" that is typically located at each table, and is used to smoke flavored tobacco or herbal products.

**Hospital**

A health facility other than a facility for the mentally retarded, having a duly constituted governing body with overall administrative and professional responsibility and having an organized medical staff that provides 24-hour inpatient care including the following basic services: medical, nursing, surgical, anesthesia, laboratory, radiology, pharmacy, dietary services, or psychiatric care and treatment. Hospital shall not include the use of land devoted exclusively to house personnel or private activities not related to hospital patients such as classrooms, or private physician's and other professional offices.

**Hospital, Convalescent**

An institution providing skilled care for the recently hospitalized patient, or a facility providing skilled nursing care to persons needing care and attention on a 24-hour basis. Included within the definition are the following types of facilities:

- Nursing or other care for non-ambulatory, mentally retarded patients requiring nursing services.
- Skilled nursing care facility.
- Nursing home.
- Convalescent home.
- Adult day health care center.
- Intermediate care facility.
- Short-term respite care facility.
- Resident schools for the mentally retarded.
- Treatment center for emotionally disturbed or mentally ill children.
- Group care facility.
- Day treatment centers for persons with mental illness or emotional disorders.

The term shall not include a family day care home or residential care facility that serves six (6) or fewer persons not including the operator or members of the operator's family or persons employed as facility staff.

**Hotel, Motel**

A building designed for occupancy as the more or less temporary place of abode for individuals who are lodged with or without meals, in which there are six or more guest rooms, and in which no provision is made for cooking in the individual rooms or suites provided that an owner or manager may reside in the hotel in an apartment or penthouse with cooking facilities. Swimming pools, fitness centers, business centers, convention facilities, and food service are allowed as ancillary uses when intended to serve guests of the hotel. When such facilities are intended for or marketed to the general public, they shall be ancillary to an allowed primary hotel use.

**Incidental Agricultural Uses**

Row crop cultivation and animal husbandry other than kennels, hog farms, feedlots, and the keeping of pets, provided the activity is conducted on a hobby-type basis for personal use or consumption and further provided that such activity is not a primary use of the premises.

Accessory structures for such uses include, but are not limited to, any stable, shed, corral, coop, hutch, pen, or similar structure that is related to the incidental agricultural use of the premises.

**Incidental Keeping of Animals**

Any animal husbandry activity conducted on a hobby-type basis for personal use or consumption other than kennels, hog farms, feedlots, and the keeping of pets; and which is not the primary use of the premises. Accessory structure to support such activities typically include, but are not limited to, a stable, shed, corral, coop, hutch, pen, or similar structure.

**Incidental Retail Sales**

The public sale of goods and services incidental to a permitted primary use. For example, in the case of a permitted industrial use, up to 25 percent of the sales and stockroom area may be devoted to parts sales to the general public.

**Incidental Use**

A use which is subordinate and of minor consequence to the primary use on the same site and occupies not more than 25 percent of the gross floor area and less than 25 percent of the outdoor storage area.

**Initial Study**

A Lead Agency's preliminary project analysis which is used to: (1) serve as an informational document to be used by the public and by decision makers when making choices about projects; (2) determine whether a project has the potential to cause significant environmental impacts; (3) decide whether an EIR is required; (4) ensure that all potential areas of environmental damage are identified; (5) identify possible appropriate mitigation measures; and (6) assist in the preparation of EIRs by identifying the potential environmental damages upon which an EIR should focus.

**Internet Café**

A place of business that offers a large number of computers with high-speed Internet access to the public, usually for a fee. The business may provide snacks and drinks, and the fee for using a computer is usually charged as a time-based rate. The business may be geared towards multi-player gaming, but generally customers use the computers for access to the Internet or email. May also be known as a "WiFi Café".

**Intersection**

An intersection is the area embraced within the prolongation of the lateral curb lines, or if no curbs, within the prolongation of the boundary lines of two (2) or more streets where any street joins another at an angle regardless of whether the streets cross one another. An intersection may be in the form of an "X", "T", "L", "Y", or in any other form produced by the joining of one street with another at an angle as set forth herein.

**Junk Tire Handling**

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

**Junk Yard, Vehicle/Equipment Wrecking Yard, Scrap or Used Materials Yard**

Any lot or portion of a lot used for the dismantling of machinery, other than motor vehicles dismantling or wrecking of automobiles or other motor vehicles, or for the storage or keeping for sale of parts and equipment resulting from such dismantling or wrecking, or for the storage or keeping of junk, including scrap metals or other scrap materials, with no burning permitted.

**Kennel, Cattery, Small Animal Boarding and Training**

Any lot, building, structure, enclosure, or premises where five or more dogs of four months of age or older are kept for more than five days per year. Any lot, building, structure, enclosure or premises where five or more cats of six months of age or older are kept for more than five days per year. The provision of shelter and care for small animals on a commercial basis including activities (e.g., feeding, exercising, grooming, and incidental medical care).

**Kill Floor**

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

**Laboratory**

A facility that provides controlled conditions in which scientific research, experiments, and measurements may be performed.

**Landscaped Area**

An area devoted to soft live landscaping such as lawn, ground cover, trees or shrubs, the area of which is at least the minimum width specified in the applicable zoning district, excluding any perimeter curbing that may be necessary or desired.

**Lead Agency**

The public agency that has the principle authority for carrying out or approving a development project.

**Liquor Store and Off-Sale of Alcoholic Beverages**

Any retail business where 50 percent or more of shelf space is dedicated to alcoholic beverages. (Dependent on pending ZC Amd)

**Live Theater/Motion Picture Theater**

An establishment primarily engaged in providing live theatrical productions or exhibiting motion picture productions that are intended for persons of all ages and that does not emphasize "Specified Sexual Activities."

**Live Work Unit**

**A residential occupancy, by a single housekeeping unit, or one or more rooms or floors in a building that includes:(1) cooking space and sanitary facilities in conformance with City building standards; and (2) adequate working space accessible from the living area, reserved for, and regularly used by, one or more persons residing therein.**

**Loading Docks**

A designated loading area with either an elevated platform or recessed driveway area for delivering or pick-up of goods.

**Local Agency**

An agency of the State for the local performance of governmental or proprietary functions within limited boundaries as defined in Section 53090 of the Government Code. In the event "Local

Agency" as defined in Section 53090 of the Government Code is changed, the definition of Local Agency as used in this Code shall be deemed changed accordingly.

**Lot**

A parcel of land shown on a subdivision map, parcel map, certificate of compliance, or a record of survey map or described by metes and bounds and recorded in the office of the County Recorder of Sacramento County, or a site in one ownership having an area for each main building or use as required in the applicable zoning district and having a frontage upon or access by adequate public easement to a public street, road, or highway.

**Lot Area, Gross**

A gross lot area is the horizontal area within the lines of a lot or parcel including streets, highways, roads, and alleys.

**Lot Area, Net**

Net lot area is the total horizontal net area within the lot lines of a lot or parcel exclusive of existing or proposed public and private streets, highways, roads and alleys, or proposed streets and highways as shown on the Circulation Plan, General Plan, or community plan.

For Right-of-Ways with PUPFs: Net lot area is the total horizontal net area within the lot lines of a lot or parcel exclusive of existing or proposed public and private streets, highways, roads and alleys, or proposed streets and highways as shown on the Circulation Plan, General Plan, or community plan. The net lot area is inclusive of the Public Utilities and Public Facilities (PUPFs) Easement, per County Improvement Standards, and would include the land area to the right-of-way.

**Lot, Corner**

A lot situated at the intersection of two or more public streets having an angle of intersection of not more than 135 degrees (135°).

**Lot Depth**

The horizontal distance between the front and rear lot lines measured on the longitudinal center line.

**Lot, Interior**

A lot other than a corner lot.

**Lot, Width**

The horizontal distance between the side lot lines, measured at right angles to the lot depth at a point midway between the front and rear lot lines.

**Lot Line, Front**

In the case of an interior lot, a line separating the lot from the street or place; in the case of a corner lot, a line separating the narrowest street frontage of the lot from the street. In the case of a square, or nearly square-shaped corner lot, the owner may choose which street to designate as the front of the lot. Once the choice of frontage has been made, it cannot be changed unless all requirements for yard space are met.

**Lot Line, Rear**

A lot line which is opposite and most distant from the front lot line and, in case of an irregular, triangular or square shaped lot, a line 10 feet in length within the lot, parallel to and at the maximum distance from the front lot line.

**Lot Line, Front**

In the case of an interior lot, a line separating the lot from the street or place; in the case of a corner lot, a line separating the narrowest street frontage of the lot from the street. In the case of a square, or nearly square-shaped corner lot, the owner may choose which street to designate as the front of the lot. Once the choice of frontage has been made, it cannot be changed unless all requirements for yard space are met.

**Lot Line, Rear**

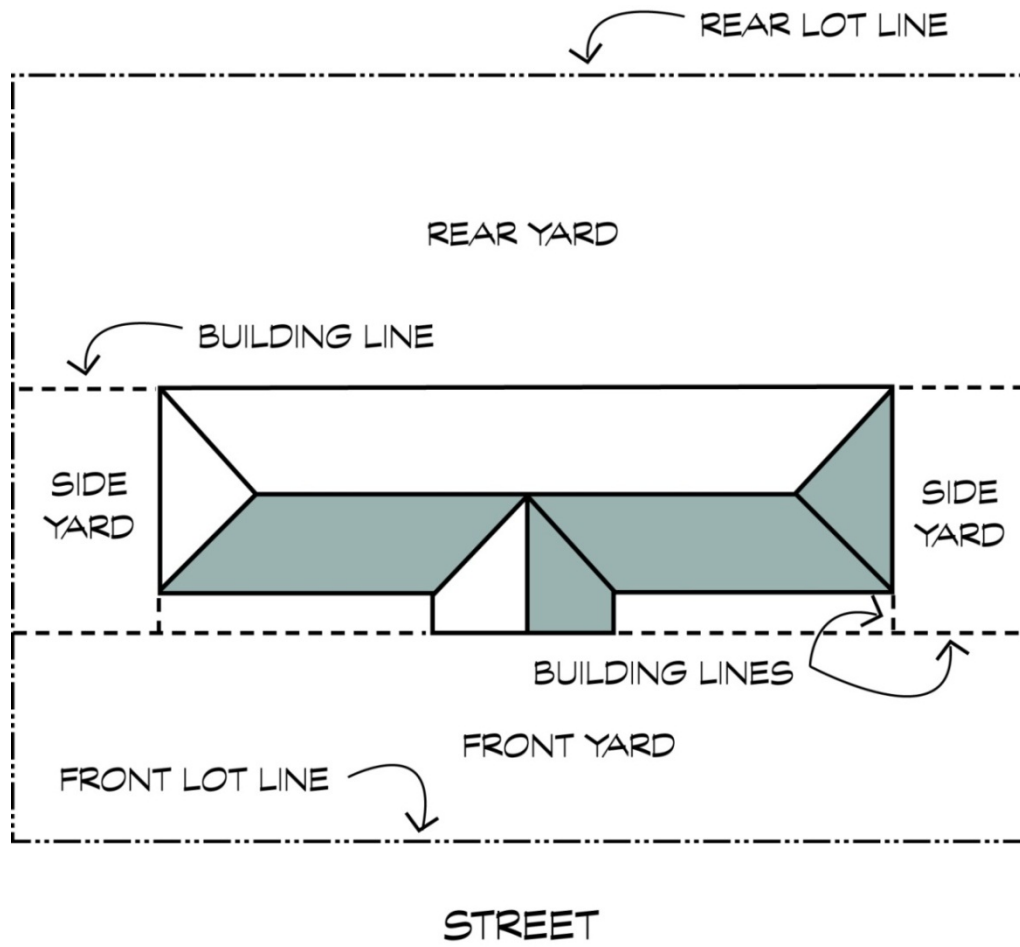
A lot line which is opposite and most distant from the front lot line and, in case of an irregular, triangular or square shaped lot, a line 10 feet in length within the lot, parallel to and at the maximum distance from the front lot line.

**Lot Line, Side**

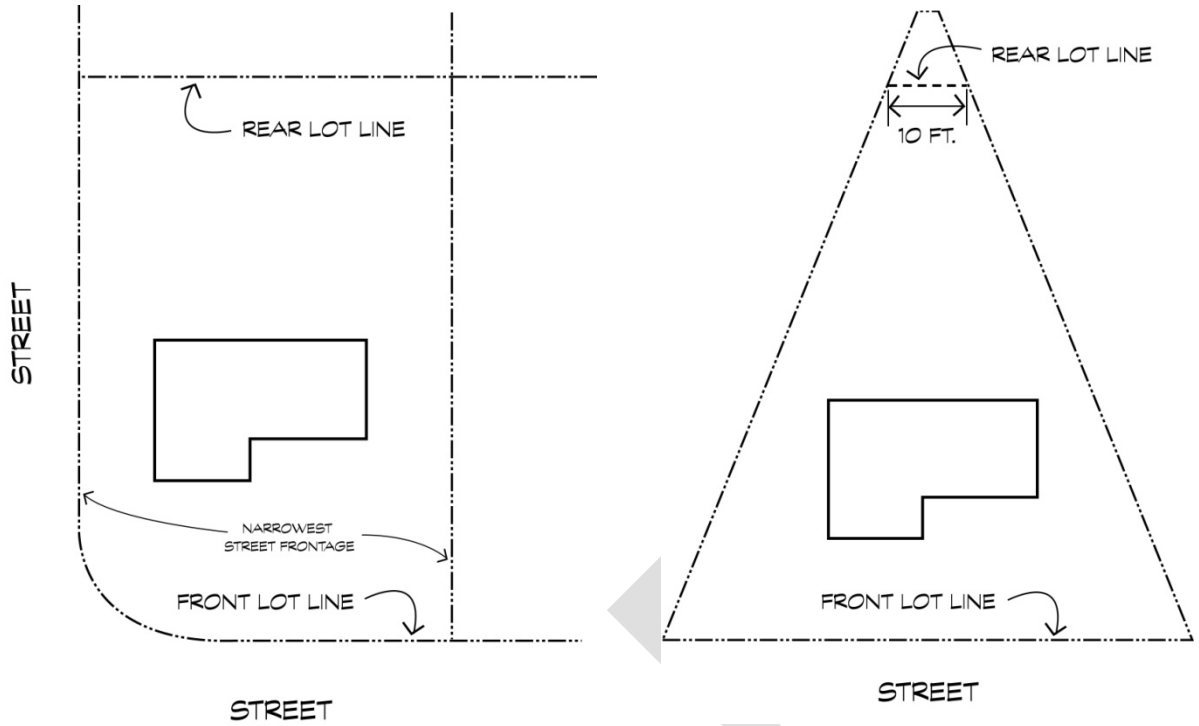
A lot line that is not a front or rear lot line.

**Lot, Through**

A lot having a frontage on two parallel or approximately parallel streets.

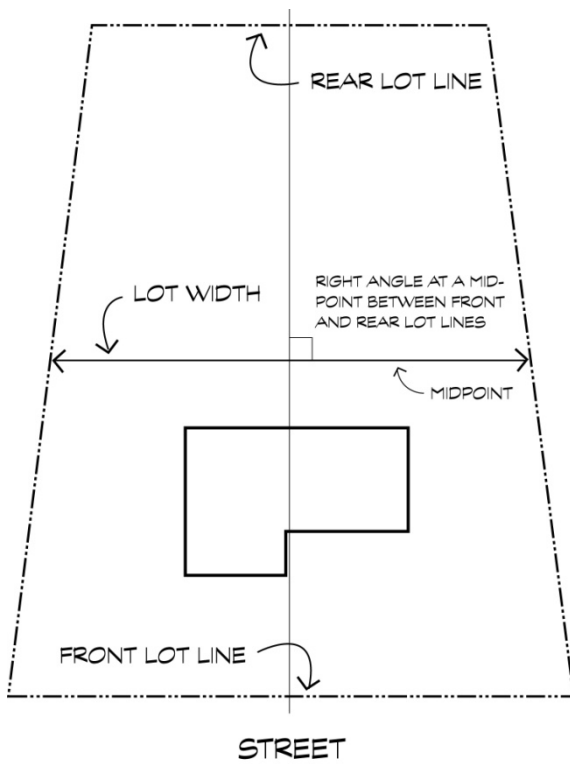


**General Yard Area Example**

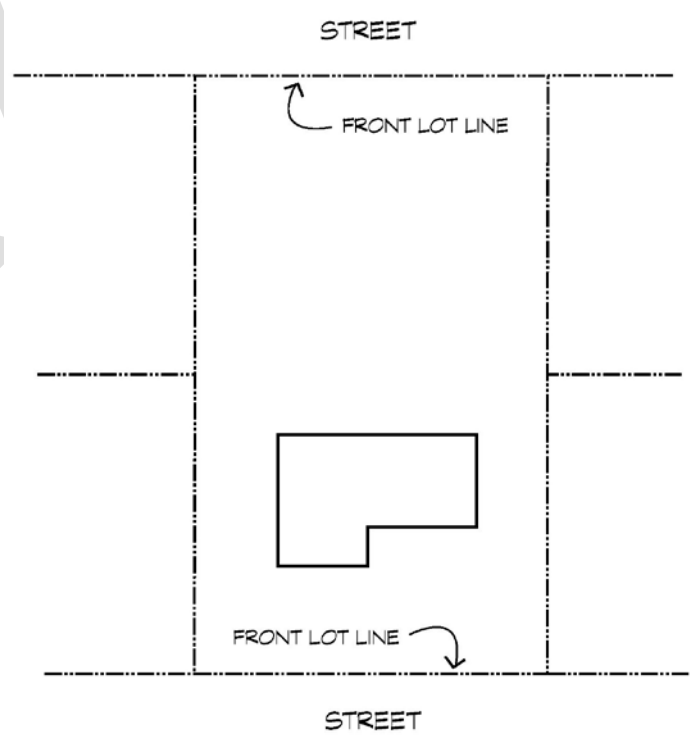


**Front Lot Line Example, Corner Lot**

**Rear Lot Line Example**



**Lot Width Example**



**Through Lot Example**



**Map, Final Subdivision**

A map prepared by a registered civil engineer or a licensed land surveyor and presented for recording, which conforms to an approved application for a tentative subdivision map and the Subdivision Map Act.

**Map, Tentative Parcel**

A map presented to the advisory agency for approval of land divisions that require a parcel map.

**Map, Tentative Subdivision**

A map presented to the advisory agency for approval of land divisions that require a final subdivision map.

**Map, Tentative Vesting**

A form of tentative map that, when approved, confers a vested right to proceed for a limited period of time, with development in substantial compliance with the ordinances, policies, and standards that were in effect at the time the application for a vesting map was determined to be complete, or at the time the application was approved.

**Marina, Boat Dock, or Launch**

A location for boats or other water vessels to be moored or launched for private, public or commercial use.

**Massage Establishment**

Any place of business that offers massage, except for home occupations.

**Ministerial Action**

Approvals which involve the use of fixed standards or objective measures without requiring the use of personal or professional judgment; e.g. issuance of building permits and licenses, approval of final subdivision or parcel maps, and individual utility service connection sign-offs.

**Minor Use Permit**

Minor use permits typically have less impact on adjacent properties than a conditional use permit, require less intensive review, and may be approved by planning staff, upon compliance with staff recommendations and conditions for approval. Unlike a conditional use permit, minor use permits do not require a public hearing.

**Mitigation Measures**

Measures included in a proposed development project's Environmental Impact Report that reduce or eliminate that project's significant environmental effects.

**Mitigation Monitoring and Reporting Program (MMRP)**

A program designed to ensure that the adopted environmental mitigation measures are actually completed.

**Mixed Use**

A variety of residential, commercial, and office uses typically associated with or along a transit corridor. Mixed-use development specifically calls for higher intensity uses along transit lines and to be consistent with Transit-Oriented Design Guidelines for Sacramento County.

**Mobile/Manufactured Home**

- A structure, constructed on or after June 15, 1976, transportable in one or more sections, that in the traveling mode is eight or more feet in body width or 40 feet in body length, or that when erected is 320 or more square feet in area and is built on a permanent chassis and is designed to be used as a dwelling with or without a foundation system when connected to the required utilities, and that contains required plumbing, heating, air conditioning, and electrical systems. This structure is known as a “Manufactured Home.”
- Structures that were built prior to June 15, 1976 that meet all other provisions listed in the first bullet are known as a “Mobilehome.” The terms “mobilehome” and “manufactured home” are synonymous as they relate to land use and differ by the year in which they were built (i.e. pre- or post-June 15, 1976) and the type of permanent HUD label (United States Department of Housing and Urban Development) required.
- A “Manufactured Home” or “Mobilehome” does not include commercial modulars, factory-built housing (or modular housing), or recreational vehicles.
- A “doublewide” mobile home is a mobile home that is built and transported in two or more sections on separate chasses and is designed to be joined together at the point of use to form a single dwelling.

**Mobile Home Park**

A subdivision of plots designed for siting of mobile homes. Plots are generally rented or leased to mobile home owners and include water hookups and sewage disposal for each home. Mobile-home parks typically contain all utilities, streets, parking and amenities such as swimming pools and clubhouses. Mobile-home parks may also be called trailer parks.

**Natural Amenities**

Naturally occurring features such as native oaks, rock outcroppings, ponds, marshes, and other riparian vegetation.

**Negative Declaration**

An environmental document that states that after an initial study, a proposed development project shows no significant environmental effects or, in light of potential substantial effects, the project has been revised to mitigate substantial affects and that the new revised project does not substantial affect the environment. A negative declaration entails that an Environmental Impact Report is not required.

**Neighborhood Convenience Store**

A market with a sales area of up to 6,000 square feet, frequently located near residential development, that offers a limited variety of food, household, and sundry items and that is operated primarily for the convenience of the walk-in shopper or someone purchasing just a few items, perhaps during the hours before or after larger facilities are open for business.

**Nightclub**

An establishment typically open late at night, offering live music, dancing, alcohol, and sometimes serving food.

**Nonconformance**

Failure of a use, structure, lot, sign, or similar, which may have conformed to existing regulations when established, created, or developed, to conform to the current provisions and regulations of the Code.

**Notice of Completion**

A notice filed with the State Office of Planning and Research which states that a Draft EIR has been issued and that copies were being distributed for public review.

**Notice of Determination (NOD)**

A notice filed with the County Clerk (and the State Clearinghouse when appropriate) which: (1) describes a project; (2) identifies expected environmental impacts, if any; (3) states the type of environmental determination which was made; (4) indicates if Department of Fish and Game fees are required ("de minimis" finding) and (5) includes copies of Findings of Fact and a Statement of Overriding Considerations where appropriate. Filing of the Notice of Determination starts a 30-day period for legal challenge.

**Notice of Exemption (NOE)**

A brief notice, filed at the County Clerk's office, which states the Lead Agency has approved or will carry out a project that is exempt from the requirements of CEQA.

**Notice of Intent (NOI)**

The method for informing the public that an agency intends to adopt a Negative Declaration or Mitigated Negative Declaration for a project, and that such Negative Declaration or Mitigated Negative Declaration is available for public review and comment.

**Notice of Preparation (NOP)**

A notice sent to public agencies and interested parties which informs them of the intent to: (1) prepare an EIR; (2) solicit comments and advice regarding what they believe the future EIR should address.

**Office Uses, General**

Includes but is not limited to such office-based business uses as accountants, bookkeepers, collection, computer programming, counseling, personnel, insurance, public relations, advertising, real estate, dating services, interior decorator, building trades contractors office, travel or ticket agency, or other business or professional offices having the same general characteristics. Also includes medical, dental, or optical offices or clinics. These are facilities under the supervision of one or more licensed medical professionals providing diagnosis and treatment of outpatients. Examples include but are not limited to: acupuncture clinic or office, orthopedic appliance sales and service, optician, corrective eyewear sales and service, hearing aids sales and service, counseling clinic, diet clinic, kidney dialysis clinic, physical therapy clinic, dental appliance laboratory, physician, dentist, orthodontist, etc.

**Outdoor Display and Storage**

An outdoor arrangement of objects, items, products or other materials, typically not in a fixed position and capable of rearrangement.

**Parcel**

An area or tract of land assigned a separate parcel number and shown as a separate unit of property on the Assessment Roll of Sacramento County.

**Parking Area, Off-Street**

An area, building, or space exclusive of street or alley rights-of-way, used for the parking of automobiles.

**Parking Area, Public**

An off-street parking area, publicly or privately owned, for public use whether free, for compensation, or as an accommodation for clients or customers.

**Parking Garage or Lot**

A building or surface area lot used to comply with minimum off-street parking requirements, including spaces, aisles, and driveways but, where automotive vehicles may be stored whether free, for compensation, or as an accommodation for clients or customers for the purposes of temporary, daily, or overnight off-street parking.

**Parking Space**

Space in the open or within a structure designed for the parking of one automobile.

**Pawn Shop**

An establishment wherein the business of a pawnbroker is conducted. A pawnbroker shall be any person who lends or advances money or other things for profit on the pledge and possession of personal property, or other valuable things, other than securities or written or printed evidences of indebtedness; or, who deals in the purchasing of personal property or other valuable things on condition of selling the same back to the seller at a stipulated price.

**Payday Loan, Check Cashing**

A place of business that offers deferred deposit transaction services (short term loans intended to cover a borrower's expenses until his or her next payday) and check cashing services that charge a percentage fee for cashing a check.

**Personal Services, General**

A place of business providing non-medical, personal care to individuals as a primary use. Examples include but are not limited to electrolysis; dressmaker; wig sales and service; laundromat, self-service; laundry or cleaning agency, retail (on-site cleaning permitted); laundry or cleaning pickup station; tailor; shoe shine parlor; photography studio, including incidental processing; picture framing shop. The use may also include accessory retail sales of products related to the services provided.

**Planning Commission**

As used in this Code, the term Planning Commission shall mean the Sacramento County Planning Commission.

**Planning Director**

Planning Director shall mean the Director of Department of Community Development of Sacramento County or his or her designee.

**Primary Processing of Agricultural Products**

The act of changing an agricultural crop, subsequent to its harvest, from its natural state to the initial stage of processing of that crop in order to prepare it for market or further processing at an off-site location. Examples of primary processing include nut hulling and shelling, bean

cleaning, corn shelling and sorting, grape sorting and crushing, primary processing of fruits to juice and initial storage of the juice without fermentation, and cleaning and packing of fruits.

**Private Social Center, Social Club, Fraternal Hall/Lodge**

Facilities used for individuals to meet and socialize for mutual aid or benefit, those individuals being members of a common social, service, or fraternal organization. Examples include but are not limited to: labor union hall, Elk's lodge, wedding chapel reception hall, and social center.

**Project Review Committee or PRC**

A committee composed of representatives of various departments and public services providers that reviews and approves development proposals, tentative parcel boundary line adjustment, and development and entitlement applications for completeness.

**Promotional Sales and Display**

The temporary display of merchandise and products, or any activity that is intended to promote the permitted primary use, including outdoor tent sales, amusement rides, street dances, concerts, and live entertainment.

**Property Owner**

A person or persons with a possessory interest in the property, other than a periodic tenancy, estate at will, or sufferance, or a person with a contractual right that will ripen into a possessory interest in the property.

**Psychiatric Facility, Social Rehabilitation Center**

An institution that provides services or training in a group setting to persons who temporarily need assistance, guidance, or counseling for physical, emotional, social, and vocational rehabilitation of handicapped persons, whether on an inpatient or outpatient basis. Included within the definition are the following types of facilities:

- Rehabilitation center for the handicapped
- Halfway house providing experience in community living
- Day training and activity center
- Workshops for the handicapped

**Public Auction, Flea Market**

A public sale in which property or items of merchandise are sold to the highest bidder; or an open air area not enclosed in a building where space is rented, leased to, or used by one or more vendors of new or used merchandise.

**Public Hearing**

A meeting called by a public body for which public notice has been given and that is held in a place at which the public may attend to hear issues and to express opinions.

**Public Utility, Public Service Facility, Major**

Generating plants, electrical substations, above ground electrical transmission lines, refuse collection or disposal facilities, water reservoirs, water or wastewater treatment plants, and similar facilities of public agencies or public utilities.

**Public Utility, Public Service Facility, Minor**

A utility facility that is necessary to support a legally established use and involves only minor structures (e.g., electrical distribution lines).

**Public Utilities and Public Facilities Easement or PUPF**

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

**Race Track**

A public or private recreation facility constructed for the racing of animals, vehicles or athletes, and which may contain grandstands, concourses or other support facilities.

**Recreation Facility, Indoor**

A facility that is open to the general public for recreation activities, including but not limited to: bingo, schools and training facilities for self-defense, judo, boxing, and swimming; soccer; laser tag; physical fitness and body reducing or building studios; dance ballrooms; studios for dance, voice, music, gymnastics, aerobics; and charm or culture schools.

**Recreation Facility, Outdoor**

A facility that is open to the general public, including groups, clubs, leagues, and organizations, that may or may not involve admission charges or compensation. The facility normally has boundaries and structures and is designed to comply with guidelines for a recreational activity. This use includes circuses, carnivals, sideshows, paint ball, golf courses, and driving ranges.

- An outdoor recreation facility includes activities that may generate excessive noise, dust, traffic, and parking not normally associated with the permitted uses in the zoning district. Included are soccer, baseball, football, and similar activities when conducted as set forth above.
- Any use of constructed facilities for private or public motorized sports, such as water-skiing, motor cross, and go carts, is considered an outdoor recreation facility. Motorized vehicles used strictly for agricultural purposes are not considered an outdoor recreation facility.
- Personal recreational uses, clearly incidental to a residential use, such as one basketball stand, one volleyball court, one tennis court, one badminton net, and similar uses are not considered outdoor recreation facilities as defined in this Section.

**Recreational Vehicle Park, Travel Trailer Park**

Any parcel, tract, or area of land that is rented, leased, or offered for rent or lease to owners or users of recreational vehicles for temporary occupancy. The presence of any one vehicle in the park shall be limited to a period not to exceed 180 days in any one-year period.

**Recycling Facility**

A business that accepts by donation or purchase, recyclable materials from the general public, other recycling facilities, local government agencies, and other business enterprises. The facility is used for the collection, sorting, short-term storage, cleansing, treating, and reconstitution of recyclable materials that would otherwise become solid waste, and returning them to the economic mainstream in the form of raw material for new, reused, or reconstituted products which meet the quality standards necessary to be used in the marketplace. A recycling facility includes "Recycling Center" activities as defined in Public Resources Code 40180 and Title 14 CCR, Article

5.9 and 6.0 that are excluded from regulation as solid waste facilities, with the exception of Construction and Demolition wood chipping and grinding operations. A recycling facility is not a greenwaste or solid waste facility and does not accept material that is not source separated and separated for reuse, or contains more than 10% residual material or 1% putrescible material.

**Recycling Facility, Convenience**

A convenience recycling facility is a recycling facility located in a convenience zone as defined and certified by the California Department of Conservation under the California Beverage Container Recycling and Litter Reduction Act (Pub. Resources Code Section 14500 et seq.). Only cans, bottles, and plastic containers and other containers and material identified or adopted under the Public Resource Code Section 14500 et seq. are accepted at a convenience recycling facility.

**Recycling Facility, Major**

A major recycling facility is a facility with an operation receiving/processing 50 tons or more of material per day; or that stores on-site stockpiled material of 5,000 tons or more; or that receives more than 50 truck trips per day; or with a site area that exceeds three (3) acres. A major facility does not include operations that are completely indoors. A major facility is not a greenwaste facility or a solid waste facility.

**Recycling Facility, Minor**

A minor recycling facility is a recycling facility that is conducted completely indoors or involving outdoor operations with materials stored in containers located in a fenced yard, and that is otherwise not a major recycling facility, is not a convenience recycling facility, a greenwaste facility, a solid waste facility or a wood chipping and grinding operation.

**Recyclable Material**

Recyclable material means reusable material, including without limitation metals, glass, plastic, paper, concrete and organic material which is intended for reuse, remanufacture, or reconstitution for the purpose of using the altered form. Recyclable material does not include refuse or hazardous material.

**Remote Teller**

A facility separated from the main structure but located on the same or a separate parcel of property, where one can conduct financial or other business transactions through the use of computer or other electronic or similar transmission means. The remote teller may be oriented for either pedestrian or auto access.

**Repair Services, General**

A place of business providing repair or maintenance services. This use does not include the maintenance and repair of vehicles.

**Residential Care Home**

A family home that is non-institutional in character and that provides 24-hour care, with or without compensation, to persons in need of personal services and training essential for the protection of the individual. Includes the following types of facilities:

- Nursing or other care of non-ambulatory, developmentally disabled individuals;
- Family home for mentally ill, emotionally disordered, or developmentally disabled individuals;

- Boarding homes for children;
- Foster home;
- Certified family care home, certified by the appropriate state or county agency;
- Transitional housing as defined by the Housing and Urban Development Department;
- Supportive housing as defined by the Housing and Urban Development Department, unless by nature of the facilities provided and as determined by the Director, such housing more closely meets the definition of a congregate care facility.

**Resort**

A place providing recreation and entertainment for vacationers.

**Responsible Agency**

A public agency which proposes to carry out or approve a project for which a Lead Agency has prepared an EIR or Negative Declaration. The term refers to any agency that has discretionary approval authority over any portion of a project not governed by the Lead Agency.

**Restaurant, Carry-out/Sit-down**

An establishment where food and drink are prepared, served, and consumed primarily within the principal building. A restaurant use may or may not have within its premises a bar for the sale of alcoholic beverages for on-site consumption. Reference “bona fide public eating place,” as defined in the Business and Professions Code 2303. Does not include industrial or wholesale food production. Types of sit-down restaurants include but are not limited to coffee shop, café, cafeteria, delicatessen, ice cream parlor, pastry shop, soda fountain. A carry-out or drive-through restaurant is any establishment where ready-to-eat food, primarily intended for immediate consumption, is available upon a short waiting time and packaged or presented so that it can be readily eaten outside or inside the premises, including but not limited to fast food restaurants and donut shops. A drive-thru window to serve customers in motor vehicles or while parked may be a part of the restaurant operation.

**Rezone**

A change of zoning.

**Riding Stable, Corral**

A building, structure, or parcel occupied or used for the keeping, training, or pasturing of six or more horses not belonging to the owner, or where six or more horses are kept for hire or sale or kept as a business with the intention of gain or profit; or a riding stable or academy.

**Right-of-Way Line**

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

**Right-of-Way, Public**

That portion of real property granted to the County to utilize said property for public street purposes. This grant includes the right for use by public utilities. The right-of-way is administered by Sacramento County Department of Transportation.



**Right-of-Way, Public with Public Utilities and Public Facilities**

A public right-of-way that includes Public Utilities and Public Facilities (PUPF). The easement for PUPF combines the landscape buffer (adjacent to curb), sidewalk, and utility easement, outside of the street right-of-way. Refer to the County Street Improvement Standards for additional criteria.

**Roadside Crop Sales**

Roadside sale of fresh vegetables, fruits, nuts, and other agricultural crops grown on the premises or off site.

- **Agricultural Market**  
A market located within a permanent building, which sells eggs, locally grown crops, a limited amount of non-potentially hazardous prepackaged food, and agricultural and food preparation related items.
- **Community Event (Field Retail Stand, Farm Stand, Produce Stand, and Agricultural Market)**  
A community event that is of a civic, political, public, or educational nature that is held on the premises of a field retail stand, farm stand, produce stand, or agricultural market and that may include additional booths.
- **Farm Stand**  
A field retail stand that sells eggs, crops grown by the producer on premises controlled by the producer, a limited amount of non-potentially hazardous prepackaged food, and food preparation related items.
- **Field Retail Stand**  
A retail stand that sells only shell eggs, crops grown by the producer on premises controlled by the producer and food preparation related items.
- **Non-Potentially Hazardous Food**  
A food that does not require time or temperature control to limit pathogenic micro-organism growth or toxin formation.
- **Prepackaged Food**  
Any properly labeled processed food, prepackaged to prevent any direct human contact with the food product under distribution from the manufacturer, food facility, or other approved source.
- **Produce Stand**  
A retail stand, located within a permanent building, which sells eggs, locally grown crops and food preparation related items.

**Sanitary Sewer Facility, Public**

A sanitary sewerage facility provided by a government agency.

**Scenic Corridor**

A strip of land on each side of a stream or roadway which is generally visible to the public traveling on such route. The scenic corridor for a freeway shall include a horizontal distance of 1,000 feet from the center of the freeway. The scenic corridor for a scenic highway or scenic

country route shall include a horizontal distance of 500 feet on each side of the center line with a minimum distance of 300 feet beyond the right-of-way or the edge of the stream. A Scenic Corridor is the same as a Special Sign Corridor.

**Scenic County Route**

A County road, State highway, or navigable river which is part of a scenic travel system within Sacramento County and so designated by the Board of Supervisors.

**Scenic Highway**

A highway so designated by the State of California, pursuant to provisions of the Streets and Highways Code.

**School, K-12, Public**

An educational institution serving the public and comprised of the following divisions:

- **Elementary School**  
A school, providing instruction for kindergarten through eighth grade.
- **Junior High School**  
Any public or private school, other than a trade school, where instruction is given in the sixth through the ninth grades, inclusive, or in any one of grades seven, eight, or nine.
- **High School**  
Any public or private school, other than a trade school, in which instruction is given in the ninth through twelfth grades, inclusive, or in any one of such grades.

**School, Private**

A privately operated educational institution for instruction of business, trade, or vocational school for adults offering instruction in business skills such as clerical, bookkeeping, stenographic, office, and data processing machine or computer skills, including a college or university offering instruction beyond the secondary level when instruction focuses on business, management, administration, and similar fields and where instruction is provided in an office like setting; or a school offering instruction in technical, commercial, or trade skills, such as electronic, automotive, and aircraft technician schools; or a school offering instruction in vocations including, but not limited to, medical, dental, and animal health technicians, barbers, and beauty operators.

**Seasonal Sales and Display**

Any temporary business of selling, displaying and/or delivering goods, merchandise, or service upon any street, sidewalk, or private ground, conducted for seasonal purposes for, or in advance of specific holidays, including the seasonal display of flowers, pumpkins, and Christmas trees at permitted primary retail uses.

**Secretary**

Secretary shall mean the Secretary of the Sacramento County Planning Commission.

**Self-Service Laundromat**

A business establishment with washing and drying machines operated by coins, where articles of clothing may be washed and dried by the customer, and which may include accessory uses by the operator.

**Separated for Reuse**

Materials including commingled recyclables that have been separated or kept separate from the solid waste stream for the purpose of additional sorting or processing those materials for recycling or reuse in order to return them to the economic mainstream in the form of raw material for new, reused, or reconstituted products which meet the quality standards necessary to be used in the marketplace, and includes materials that have been source separated.

**Service Yard, Workshop**

Any building or premises used for the office, storage yard, or maintenance shop or garage for a service use, including but not limited to, service yards for contractor or building trades, gardening or landscaping business, billboard sign agency, and similar.

**Setback, Building**

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

**Setback, Applicability**

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

**Sign**

Any structure, part thereof, or device or inscription which is located upon, attached to, or painted or represented on any land, or on the outside of any building or structure, or on an awning, canopy, marquee or similar appendage, or permanently affixed to the glass on the outside or inside of a window so as to be seen from the outside of the building, and which displays or includes any numeral, letter, word, model, banner, emblem, insignia, symbol, device, light, trademark, or other representation used as, or in the nature of, an announcement, advertisement, attention-arrester, direction, warning, or designation of any person, firm, group, organization, place, commodity, product, service, business, profession, enterprise or industry. This definition shall include empty sign frames and sign panels and exclude official notices issued by a court or public body or officer or directional, warning or information sign or structures required by or authorized by law or by Federal, State, County or City authority.

**Sign, Area of**

The area of a sign or other advertising device as determined by measurements to the outside of a simple boundary perimeter including any voids within such perimeter. Where a sign has more than one face, the area shall be calculated as equal to the maximum projected area.

**Sign, Billboard**

A sign which directs attention to a business, profession, commodity, service or entertainment conducted, sold, or offered elsewhere than upon the same lot or parcel on which said sign is located. May also include some advertisement for a business, profession, commodity, service or entertainment conducted, sold, or offered on the premises, in the case of a "Digital Billboard" or by design of the sign.

**Sign, Digital Billboard**

A Digital Billboard Sign is a billboard sign utilizing digital message technology, capable of changing the static message or copy on the sign electronically.

**Sign, Directional**

Signs informing the motoring public of the location of or direction to commercial or recreational establishments.

**Sign, Directory Pole**

An on-site or off-site sign supported by a sign structure from the ground which directs attention to three (3) or more businesses, professions, services, or entertainments located on the same or an adjacent parcel on which the sign is located, except as provided for in Section 5.10.1A, paragraph 10.

**Sign Group, Directional**

A group of directional signs placed at a location within a scenic corridor.

**Sign, Height of**

Height of a sign is the vertical distance from the "Grade" to the highest point of the structure.

**Sign, Monument**

A sign constructed upon a solid appearing base or pedestal, the total width of which is at least 50 percent of the overall width of the sign.

**Sign, Nonconforming**

A sign which was lawful when erected, but which does not conform to currently established zoning district regulations.

**Sign, Non-directory Pole**

An on-site supported sign, supported by a sign structure from the ground which directs attention to not more than two (2) businesses professions, services or entertainments located on the same parcel on which the sign is located or an adjacent parcel as provided in Section 5.10.2.A, paragraph 2d and Section 5.10.3.A, paragraph 2e.

**Sign, Off-site**

A sign which directs attention to a business, profession, commodity, service or entertainment conducted, sold, or offered elsewhere than upon the same lot or parcel on which said sign is located. This definition may include billboards, subdivision signs, identification signs, community interest group signs, mass transit signs, gateway signs, posters, panels, painted bulletins, and similar advertising displays.

**Sign, On-site**

A sign which directs attention to a business, profession, commodity, service or entertainment conducted, sold, or offered upon the lot or parcel on which the sign is placed.

**Sign, Portable**

Any on-site or off-site advertising device, as described under the definition for sign, which is not permanently attached to a building or to the ground.

**Sign, Real Estate**

A sign, advertising the property, its use, owner or tenant, the sale or lease of the property, or agents representing the owner or tenant.

**Sign, Roof**

A sign erected, constructed, painted or placed upon or over a roof or parapet wall of a building, and which is wholly or partly supported by the building or roof structure. Roof signs may include a sign support framework on top of the building.

**Sign, Subdivision**

A sign pertaining exclusively to the development and sale of land subdivisions and located within the same recorded subdivision.

**Sign, Subdivision Directional**

A sign located outside the subdivision for the purpose of providing direction to a subdivision. Signs that are off site but within 1,000 feet of the point on the property at which sales are conducted, or within 1,000 feet of the entrance to the site, are considered as on-site signs under the Outdoor Advertising Act, Section 5272 (c).

**Sign, Subdivision Permanent Identification**

A sign located at the entrance to the subdivision for the purpose of a permanent identification of the subdivision.

**Significant Environmental Effect (Impact)**

A substantial, or potentially substantial, adverse change within the area affected by a project including changes to land, air, water, minerals, plants, wildlife, ambient noise, and objects of historic or aesthetic significance. A social or economic change that causes a physical change may also be considered when determining whether the project's harmful physical changes are significant.

**Single Room Occupancy Residential Units (SRO)**

A habitable room, suitable for living space and separate from common cooking, bathroom, or other areas, that typically houses one or two individuals. SRO units may have separate bathrooms or separate kitchens, but not both.

**Solar 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 either domestic or commercial uses.

**Solar Facilities, Accessory**

Solar facilities that are designed to produce no more than what is necessary to meet on-site energy demand. There are two levels of accessory solar facilities:

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

**Solar Facilities, Commercial**

Solar facilities that produce energy for off site use. There are two levels of commercial solar facilities:

- **Commercial I**  
Photovoltaic technologies (solar panels) or solar thermal technologies producing energy for off site use, covering 10 acres or less.
- **Commercial II**  
Photovoltaic technologies (solar panels) or solar thermal technologies producing energy for off site use, covering more than 10 acres.

**Solar Facilities, Grid-Intertied**

Solar energy systems that connect to the electric company's power distribution grid.

**Solar Hot Water Systems**

Solar energy systems that circulate fluids heated by solar energy, typically for use in domestic hot water systems, swimming pool/hot tubs, space heating or a combination of these uses.

**Solar Thermal Technology Facilities**

Solar thermal facilities generate electricity by concentrating solar energy to heat a fluid that produces steam to power a generator.

**Solid Waste Facilities**

A facility that is a solid waste transfer or processing station, a disposal facility or other waste conversion facility, and also includes any solid waste operation that may be carried out pursuant to an enforcement agency notification, including a construction debris chip and grind facility that does not involve greenwaste.

**Source Separated**

Materials including commingled recyclables that have been separate or kept separate from the solid waste stream, at the point of generation, for the purpose of additional sorting or processing those materials for recycling or reuse in order to return them to the economic mainstream in the form of raw material for new, reused, or reconstituted products which meet the quality standards necessary to be used in the marketplace.

**Specific Plan**

A detailed policy plan that identifies allowable land uses and infrastructure needs for a specific geographic area. Zoning, subdivision, and public works decisions must be in compliance with specific plans.

**Stable, Commercial or Public**

A building, structure, or parcel occupied or used for the keeping, training, or pasturing of six or more horses not belonging to the owner, or where six or more horses are kept for hire or sale or kept as a business with the intention of gain or profit; or a riding stable or academy.

**Stadium**

A structure that is open or enclosed and used for games, concerts, and major events and is partly or completely surrounded by tiers of seats for spectators.

**Stock Cooperative**

A stock cooperative is a corporation owned by residents through shares, the corporation in turn owns the housing complex. The shareholder-owners have the right to exclusive long-term leases on specific individual units of the complex, instead of direct ownership of the units. The common

property adjacent to the units is also owned by the corporation, with the shareholder-owners enjoying the right to use the area.

**Storage, Mini**

A building or group of buildings consisting of individual, small, self-contained units that are leased or owned for the storage of business and household goods or contractor supplies.

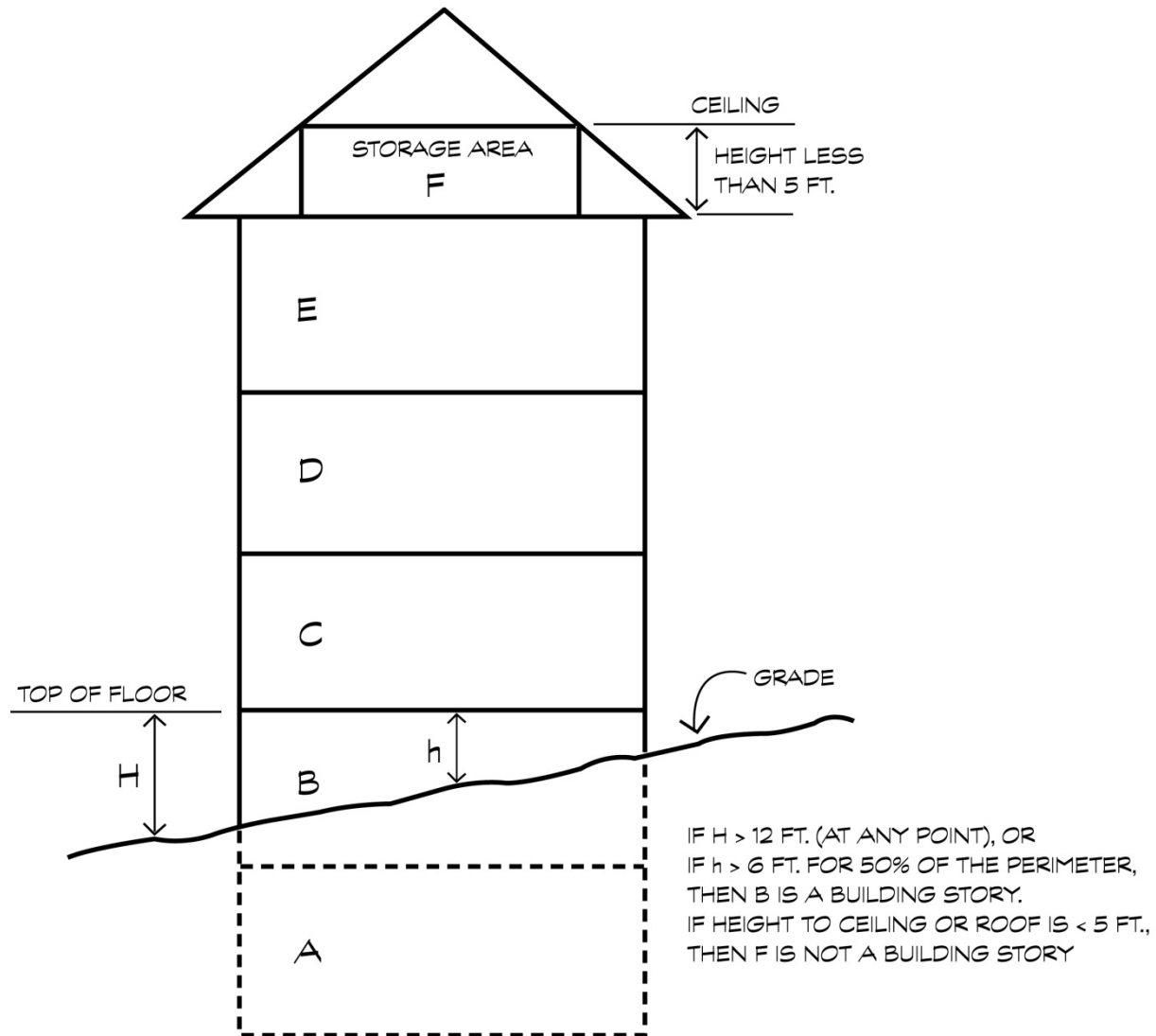
**Storage, Towed, Damaged, or Dismantled Vehicles**

An area providing storage of towed, damaged, or dismantled vehicles.

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**Story**

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



**Story Measurement**

If the finished floor level directly above a basement, cellar, or unused under-floor space is more than six (6) feet above grade, as defined herein, for more than 50 percent of the total perimeter, or is more than twelve (12) feet above grade, as defined herein, at any point, such basement, cellar, or unused under-floor space shall be considered as a story.



**Street**

A public thoroughfare including public roads or highways thirty (30) feet or more in width, which affords a principal means of access to abutting property.

**Street Frontage, Public**

The portion of a lot or parcel frontage on a public street other than a freeway or expressway, affording the principal means of access.

**Street, Private**

A street owned and maintained by the abutting property owners, or by an association of property owners, excluding off-street parking areas, driveways, and driveways to off-street parking areas.

**Street, Public**

A street or road shall not be a public street until and unless the said street or road shall have been accepted into a street or road system maintained by a city, county, or the State. Streets and roads in public parks, public airports, public schools and similar public grounds shall not be construed to be public streets for the purposes of this Code.

**Structure**

Anything constructed or erected which requires location on the ground or attached to something having location on the ground, but not including fences or walls used as fences that are seven (7) feet or less in height.

**Structure, Nonconforming**

A structure which was never lawful or was lawful when erected, but which does not conform to currently established zoning district regulations.

**Subdivision**

The division, by any subdivider, of any unit or units of improved or unimproved land, or any portion thereof, shown on the latest equalized county assessment roll as a unit or as contiguous units, for the purpose of sale, lease or financing, whether immediate or future except for leases of agricultural land for agricultural purposes. Property shall be considered as contiguous units, even if it is separated by roads, streets, utility easement or railroad rights-of-way. "Subdivision" includes a condominium project, as defined in Section 1350 of the Civil Code, a community apartment project, as defined in Section 11004 of the Business and Professions Code, or the conversion of five or more existing dwelling units to a stock cooperative, as defined in Section 11003.2 of the Business and Professions Code. Any conveyance of land to a governmental agency, public entity, public utility, or subsidiary of a public utility for conveyance to such public utility for rights-of-way, shall not be considered a division of land for purposes of computing the number of parcels.

**Subdivision Map Act**

The Subdivision Map Act of the State of California and all amendments or additions thereto (Government Code, Title 7, Division 2 Subdivisions, commencing with Section 66410).

**Subdivision Review Committee**

The Sacramento County Subdivision Review Committee appointed pursuant to the provisions of the Subdivision Ordinance (Title 22, Land Development of the *Sacramento County Code*).

**Surface Mining Operations**

All, or any part of, the process involved in the mining of minerals on mined lands by removing overburden and mining directly from the mineral deposits, open-pit mining of minerals naturally exposed, mining by the auger method, dredging and quarrying, borrow pitting, streambed skimming, segregation and stockpiling of mined materials and recovery of the same or surface work incident to an underground mine. Surface mining operations shall include, but are not limited to in-place distillation, retorting or leaching, the production and disposal of mining waste, prospecting and exploratory activities, borrow pitting, streambed skimming, and segregation and stockpiling of mined materials and recovery of same.

**Sustainability**

The U.S. Environmental Protection Agency (EPA) describes sustainability as: “A simple principle that everything we need for our survival and well-being depends, either directly or indirectly, on our natural environment”. Sustainability creates and maintains the conditions under which humans and nature can exist in productive harmony, that permit fulfilling the social, economic and other requirements of present and future generations. Sustainability is important to making sure that we have and will continue to have, the water, materials, and resources to protect human health and our environment. Use of smart growth strategies creates sustainable communities.

**Swale**

A low-lying depression that collects water and has an indistinct drainage course.

**Tattoo Shop**

A place of business whose principal activity is placing designs, letters, figures, symbols or other marks upon or under the skin of any person, using ink or other substances that result in the permanent coloration of skin by means of the use of needles or other instrument designed to contact or puncture the skin.

**Temporary Concession**

Any individual retail sales operation from a location not involving a permanent building for the purpose of housing or conducting sales using a temporary table, stand, cart, or similar equipment; but not including a mobile vending vehicle licensed and operated pursuant to the provisions of the *Sacramento County Code*. The sale of food for on-site consumption is prohibited.

**Threshold of Significance**

An identifiable quantitative, qualitative or performance level of a particular environmental effect.

**Tool Repair, Sharpening, and Reconditioning**

A place of business providing repair or maintenance services for tools including, but not limited to: appliances; electronic equipment; televisions, radios, and shoe repair. This use does not include the maintenance and repair of vehicles.

**Transient Use or Transient Occupancy**

**Occupancy of a lodging facility or residence by any person other than the primary owner by concession, permit, right of access, license, gift or other agreement for a period of thirty (30) consecutive calendar days or less, counting portions of calendar days as full days.**

**Transit-Oriented Development (TOD)**

A mixed-use community within an average one-quarter (1/4) mile walking distance of a transit stop and commercial core area. The design, configuration, and mix of uses within the TOD emphasize a

pedestrian-oriented environment and reinforce the use of public transportation. A TOD's mix of residential, retail, office, open space, and public uses are all located within comfortable walking distance, and it is convenient for residents and employees to travel by transit, bicycle or foot, as well as by car.

**Truck, Freight, or Draying Terminal**

A building or area in which freight brought by air, rail, or truck is assembled or stored for routing or refreshment; and in which semitrailers used for the business, including tractor/trailer units and other trucks, are parked or stored.

**Truck and Large Vehicle and Trailer Lease, Rent, Repair, Sales, or Service**

A retail commercial establishment selling gas and similar motor fuels to the public that is primarily oriented toward trucks rather than automobiles. A truck service station does not include any commercial, business, or governmental establishment having on the premises a gas pump or pumps from which gasoline or other motor fuels are not sold at retail to the public on a regular basis.

**Urban Policy Area**

Defines the area expected to receive urban levels of public infrastructure and services within the 20-year planning period.

**Urban Services Boundary**

The ultimate growth boundary of the urban area in unincorporated areas of the County. The boundary is based upon natural and environmental constraints and the purpose is to control urban growth while protecting the County's natural resources.

**Use**

The purpose for which land or a building is arranged, designed, or intended, or for which either land or a building is or may be occupied or maintained.

**Used for**

The phrase "used for" includes "arranged for", "designed for", "intended for", "maintained for" or "occupied for".

**Use, Nonconforming**

A use which was never lawful or was lawful when established but which does not conform to currently established zoning district regulations.

**Vacation Rentals**

**A property with a dwelling unit or guest house intended for permanent occupancy that is occupied by any person other than the primary owner for transient use; or is otherwise occupied or utilized on a transient basis. Vacation rental does not include a bed and breakfast inn, or occasional home exchanges that are not otherwise subject to Transient Occupancy Taxes.**

**Vanpool**

A group of between seven and 15 persons travelling together in a van or similar motor vehicle.

**Variance**

A grant of relief from the requirements, or a relaxation of the strict application, of the terms of this Code that permits construction in a manner that would otherwise be prohibited by this Code, as granted pursuant to Section 6.5.1.

**Vehicle Auction**

The sale of new or used vehicles offered to bidders by an auctioneer for money or other consideration. A vehicle is defined as any self-propelled or towable (trailer) unit designed primarily for transportation of persons or goods on land, water, or air.

**Veterinarian, Animal Hospital**

Establishments where small animals receive medical and surgical treatment.

**Warehousing**

A business engaged primarily in storage, wholesale, and distribution of manufactured products, supplies, and equipment.

**Water Supply, Public**

A water supply provided by a local agency, publicly owned corporation, or approved utility company.

**Water Surface Elevation**

The elevation in feet above mean sea level of the surface of a body of water or watercourse.

**Watershed**

A region or area bounded peripherally by a water parting and draining ultimately to a particular watercourse or body of water.

**Wholesale Store**

An outlet for the sale of commodities and goods for further resale, not including large retail establishments. In some cases, incidental retail sales may be permitted.

**Williamson Act Contracts**

Voluntary contracts between landowners and a city or county in which they agree to retain their lands in agriculture for a minimum of 10 years, renewable up to an additional 10 years. In return for entering into this contract, the landowners receive property tax relief on the lands under contract.

**Wind Turbine Facilities**

Wind turbine facilities convert wind energy to electricity, and include two types:

- **Small Wind Turbines**  
Wind turbines rated 20KW or less, and designed to produce no more than what is necessary to meet on-site energy demand.
- **Large Wind Turbines**  
Wind turbines not classified as small wind turbines.

**Winery**

A bonded winery facility consisting of the building or buildings used to convert fruit juices into wine, and to age, bottle, store, distribute, and sell. A winery shall include any or all of the following activities and facilities; crushing, fermenting, bottling, blending, bulk and bottle storage, aging, shipping, receiving, tasting room, laboratory equipment, maintenance facilities, conference room space, sales and administrative offices. A bonded winery is entitled to all privileges afforded to ABC Type 02 winegrowers unless specifically restricted by this ordinance.

- **Winery Tours**

Guided tours conducted by representatives of a winery to members of the public.

- **Large Winery**

A winery with more than 15,000 cases annual production

- **Small Winery**

A winery with up to 15,000 cases annual production, and a maximum size tasting room facility of 1,500 square feet.

- **Tasting Room**

A room where the general public can sample wine and where wine and grape products produced on site are for sale. A tasting room may not be used as an office or for wine production.

**Wireless Facilities**

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

**Yard**

An open space other than a court, on a lot, unoccupied and unobstructed from the ground upward, except as otherwise provided in this Code.

**Yard, Front**

A yard extending from the full width of the lot between the front of the main building and the front lot line. The depth of the required front yard shall be measured horizontally between the nearest part of the closest building and the nearest point of the front lot line.

**Yard, Rear**

A yard extended across the full width of the lot between the most rear main building and the rear lot line. The depth of the required rear yard shall be measured horizontally between the nearest part of a main building toward the nearest point of the rear lot line.

**Yard, Side**

A yard, between a building and the side lot line, extending from the front yard to the rear yard. The width of the required side yard shall be measured horizontally from the nearest point of the side lot line toward the nearest part of the closest building.

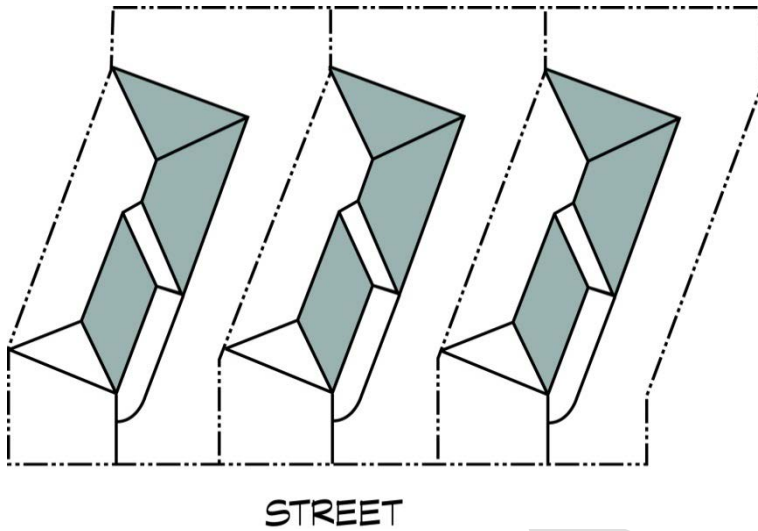
**Yard, Side Street**

A yard, between a building and the side lot line adjacent to the street right-of-way, extending from the front yard to the rear yard. The depth of the required side street yard shall be measured horizontally between the nearest part of the closest building and the nearest point of the side lot line adjacent to the street.

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**Zero Lot Line**

A design which allows a residential structure to be constructed up to one of the interior side property lines of a parcel.



*Zero Lot Line Example*

**Zoning**

Specific immediate use for land, which is adopted by ordinance and carries the weight as local law. It is the primary instrument for general plan implementation.

**Zoning District**

Any of the land use zoning districts specified in Chapter 3 of this Code.

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