
FAIR OAKS VILLAGE SPECIAL PLANNING AREA

502-10. INTENT. It is the intent of the Board of Supervisors in adopting this Special Planning Area to continue the special consideration of the Fair Oaks Village area, begun by adoption of 76-PDC-3 on July 7, 1976, a County-initiated Planned Unit Development, known as Fair Oaks Village. It is the intent of the Board of Supervisors to recognize the special qualities of the Fair Oaks Village and to allow development on vacant property, or remodeling of existing structures, and control of signs and grading in a manner which is consistent with existing development and which will improve the Village area. This Article will implement the goals of the Fair Oaks Community Plan relating to the retention of the Village area as a viable commercial center and the preservation and enhancement of its environmental and historical character.

502-11. APPLICABILITY. The provisions of this Article shall apply to those properties described in Sections 502-12.1 through 502-12.6 of Section 502-12. Unless otherwise specified in this Article, provisions of Title I, II, and III of this Code shall apply.

502-12. EXHIBITS: Sections 502-12.1 through 502-12.8, described in this section and adopted by Ordinance, are incorporated herein and made a part of this Article.

Section 502-12.1: Property regulated by this Article

Section 502-12.2: Commercial District

Section 502-12.3: Medium Density Residential District

Section 502-12.4: Low Density Residential District

Section 502-12.5: Property regulated by General Commercial underlying zone

Section 502-12.6: Property regulated by RD-30 underlying zone

Section 502-12.7: List of permitted uses on property shown on Section 502-12.2

Section 502-12.8: List of conditionally permitted uses on property shown on Section 502-12.2

502-13. EXISTING USES AND BUILDINGS. In furtherance of the intent expressed in Section 502-10, the Board declares that each principle building and each use, except advertising devices, in existence as of July 7, 1976, to be a conforming building and a conforming use. Advertising devices are regulated by the provisions of Section 502-18(f).

502-14. PERMITTED AND CONDITIONAL USES: Uses of property are permitted as specified in Title 1 of the Zoning Code, unless otherwise specified herein.

(a) Commercial Uses.

- (1) The uses listed on Section 502-12.7 are permitted on the property shown on Section 502-12.2.
- (2) The following uses are permitted on the property shown on Section 502-12.5: uses as permitted in the GC Land Use Zone, Section 225-01 through 225-14, inclusive, as regulated by Sections 225-50 through 225-54, inclusive. All signs and advertising devices shall be regulated as provided in Section 502-18(f) of this Article.
- (3) The uses listed in Section 502-12.8 are permitted on the property described on Section 502-12.2, subject to issuance of a conditional use permit by the Project Planning Commission.

(b) Medium Density Residential Uses. The following uses are permitted on the property shown in Section 502-12.3:

- (1) Residential dwellings not to exceed 20 units per acre, provided that single family detached dwellings shall be on lots of 5,200 square feet minimum and duplexes on lots of 8,500 square feet minimum
- (2) Boarding houses, lodging houses not catering to transients
- (3) Fraternity and sorority houses
- (4) Rest homes
- (5) Parks, playgrounds, community centers, swimming clubs, tennis clubs, and similar facilities owned and operated by a governmental agency
- (6) Home occupation, as defined in Section 130-91
- (7) Foster homes
- (8) Day care home, not to exceed ten (10) children
- (9) Public and private schools, kindergarten through high school, provided there shall be a net lot area of not less than 500 square feet per student
- (10) Residential care homes

The following uses are permitted on the property shown in Section 502-12.3, subject to issuance of a conditional use permit by the Project Planning Commission:

- (1) Parks, playgrounds, community centers, swimming clubs, tennis clubs and similar facilities owned and operated by a nonprofit corporation, or similar entity
- (2) Publicly owned and operated libraries, art galleries, and museums and similar government owned and operated cultural facilities
- (3) Child care center
- (4) Hospitals
- (5) Convalescent hospitals
- (6) Off-street parking facilities to serve commercially zoned property
- (7) Federal, State and County buildings
- (8) Buildings owned or operated by local agencies, except as otherwise provided in this Article
- (9) Churches, subject to standards in Title 3, Chapter 20

The following uses are permitted on the property shown in Section 502-12.6: uses as permitted in the RD-30 land use zone, Sections 201-01, 201-02, 201-03, and 201-04 of the Zoning Code, as regulated by Section 305-01 through Section 305-55, inclusive, except that all signs and advertising devices shall be regulated as provided in Section 502-18(f) of this Ordinance.

- (c) Low Density Residential Uses. The following uses are permitted on the property shown in Section 502-12.4.
- (1) Residential dwellings not to exceed seven units per acre, provided that single family detached dwellings shall be on lots of 5,200 square feet minimum and duplexes on lots of 8,500 square feet minimum
 - (2) Parks, playgrounds, community centers, swimming clubs, tennis clubs, and similar facilities owned and operated by a governmental agency
 - (3) Public and private schools, kindergarten through high school, provided there shall be a lot area of not less than 500 square feet per student
 - (4) Residential care homes

The following uses are permitted on the property shown in Section 502-12.4, permit by the Project Planning Commission:

- (1) Foster homes
- (2) Day care home not to exceed ten (10) children

502-15. **CONDITIONAL USE PERMITS.** Applications for conditional use permits for property regulated by this Ordinance shall be processed as provided in Title I, Chapter 10, Article 3 of this Code. In addition, the applicant shall submit the documents required for development plan review as provided in Section 502-17, herein.

502-16. **OTHER USES.**

- (a) Temporary uses of the property regulated herein are authorized, as provided in Title III, Chapter 1, Article 1 of this Code.
- (b) Any use, not otherwise permitted or conditionally permitted by the terms of this Article, may be authorized subject to approval of a development plan by the Project Planning Commission. The Commission may approve the use if it is compatible with neighboring uses and if any adverse aspects of the use are mitigated. A public hearing shall be held on the development plan, as provided in Section 502-17(b) of this Article and Title I, Chapter 10, Article 1 of this Code.

502-17. **DESIGN AND DEVELOPMENT PLAN REVIEW.** Any proposal to change the use, alter the external appearance of a principal building, erect a sign, or provide cooperative public parking lots on property regulated by this Article shall be subject to a development plan review as follows:

- (a) **Information and Documents.** The applicant shall file the information required by Section 110-69 of this Code and the following: proposed agreements, deed restrictions, or easements which relate to the preservation or maintenance of open space and/or off-site parking facilities.
- (b) **Planning Director Review.** Any proposal to change the use, development plans for new structures, or for extensive reconstruction or restoration where the total cost of such reconstruction or restoration exceeds 50 percent of the value of the structure (said determination to be made by the administrative official, as prescribed in Title 16 of the Sacramento County Code), shall be subject to approval by the Planning Director. Additionally, the Planning Director shall review those matters referred to it by the Fair Oaks Community Planning Advisory Council, Sacramento County Design Review Administrator and the Design Review Advisory Committee. Surrounding property owners will be notified and invited to attend the Fair Oaks Community Planning Advisory Council meeting.

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- (c) Authority of the Design Review Administrator. The Design Review Administrator shall review all plans submitted pursuant to the requirements of this Section for additions to existing structures, except those specified in Subsection (b), as prescribed by Section 110-84 of this Code.

502-18. DEVELOPMENT STANDARDS.

- (a) Design. This Article does not prescribe a specific style or scheme for development of the Village area. Rather, it attempts to encourage development which is sensitive to the terrain and will relate to the existing construction and development in the Village.

The Commission shall consider the following items when reviewing development plans:

- (1) Architectural motif and style
 - (2) Height, bulk, mass, shape and proportion of structures
 - (3) Color and building materials
 - (4) Relationship to adjacent structures and to overall community identity
 - (5) Street furniture, including benches, light fixtures, trash receptacles, newspaper dispensing stands and other furnishings customarily located between the business establishment and the street right-of-way
- (b) Location of buildings.
- (1) Setbacks for new structures shall be determined on a case-by-case basis at the time specific development plans are submitted to the Commission for approval.
 - (2) These setbacks shall be based upon existing development adjacent to and in the vicinity of the facility, and any other factors which contribute to preserving the atmosphere of the Village.
- (c) Landscaping.
- (1) The terrain in the Fair Oaks Village area is hilly and tree-covered and, in many cases, these features are utilized as landscaping for development.
 - (2) Landscaping is required in areas where on-site parking is provided and where buildings are set back from the sidewalk. Landscaping is not required if structures have no setback and no on-site parking. This landscaping requirement may be

accomplished by provision of street trees, window boxes, hanging baskets, sidewalk planters, planter strips, shrubs, or any combination of the items listed.

- (3) Areas required to be landscaped include slopes too steep for construction, backyards, or other open areas. The Commission may require planting of these areas to retard erosion or to provide further visual amenities.
- (4) If street trees are provided, they may be planted directly into the ground, or in appropriate tubs.

(d) Grading.

- (1) Grading within the area described in Sections 502-12.2, 502-12.3 and 502-12.4 shall be minimal so as to preserve the natural terrain and topographic features.
- (2) Approval by the Commission and Department of Public Works of a detailed grading plan shall be required prior to any grading on the site.
- (3) Grading operations which would significantly alter the topography of the site shall be prohibited.
- (4) Tree removal is also prohibited prior to approval by the Commission. Applicants are encouraged to design their projects so that the existing healthy trees may be preserved and utilized in the landscaping of the development.
- (5) Development proposed for a steep hillside shall use the slope as a design feature. That is, the building shall be located to enhance and preserve the slope, rather than grading the terrain to fit the building. Examples would include tier or cantilever construction, or separate small buildings pocketed in the hill and connected by open walkways.

(e) Parking.

- (1) Parking facility plans will be reviewed as part of the development plan review process. Parking may be provided at locations other than the applicant's project site. At the present state of development, on-street parking facilities are providing much of the parking space available for shoppers within the Village. The Commission encourages development of public parking areas within walking distance of the Village. Property owners and commercial uses of property described in the Exhibits are encouraged to form an association, assessment district, or community area with the purpose of acquisition, construction and maintenance of parking facilities.

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- (2) Development plans for facilities will be submitted to the Planning Department for review and approval relative to design, internal circulation, landscaping, provisions of an adequate number of space, and so forth. Innovative lot design is encouraged to avoid the typical striped asphalt stereotype. Varied surfaces such as "turf block" terrazzo, or planting areas around trees placed within the lot relieve the monotony of traditional paving and provide an attractive plaza atmosphere.
 - (3) Parking facilities for other means of transportation should also be provided. Security bike racks would be a benefit and could be placed in relatively small areas scattered throughout the business district.
 - (4) Parking facilities for multiple residential uses within the Village shall be provided on-site, based on the dwelling unit density of the project itself.
 - (5) Perimeter landscaping shall be provided, as well as landscaping within the lot to avoid the monotony of paving.
 - (6) Within the residential portions of the property regulated by this Article, facilities will be provided for parking recreational vehicles, motor homes and boats. This facility shall be screened from public view.
- (f) Signs and Advertising Devices.
- (1) Design Review. All new advertising devices, including but not limited to signs, displays, logos, lettering, insignias, or sculpture identifying the use of the property (a horseshoe outside a blacksmith shop would be considered an advertising device) shall be subject to design review, as specified in this Section. For purposes of this Article, "sign" also includes any nonexcluded information device attached to a light standard, utility pole, or other upright support.
 - (2) Nonconforming Advertising Devices. Advertising devices which did not conform to the requirements of Chapter 16 of this Code (now Title III, Chapter 35) on July 7, 1976, are not conforming advertising devices, unless they have since been modified to conform to the requirements of Ordinance 76-PDC-3 and Title III, Chapter 35 of this Code. Such nonconforming advertising devices are subject to the abatement procedures of the Sacramento County Code.
 - (3) Sign Regulations.
 - (aa) MAXIMUM AGGREGATE AREA OF ALL ADVERTISING DEVICES
 - (i) A business with 40 linear feet or less building frontage on a public way shall not exceed 20 square feet of sign area.

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- (ii) A business with building frontage greater than 40 linear feet on a public way shall not exceed 2-1/2 square feet of sign area for each ten (10) feet of additional frontage, or major fraction thereof, up to a maximum of 40 square feet of sign area. (50 linear feet building frontage - 22-1/2 square feet sign area).
 - (iii) A business with building frontage on more than one public way shall not exceed the limits of this section for each frontage on each respective building face.
- (bb) A MASTER SIGN may be used to identify multiple businesses in a single building provided that such sign does not violate other sections of this code, does not exceed 20 square feet in area, and contains only the name of the building and its address. The area of a master sign is in addition to the total sign area allotted the separate businesses on the premises.
 - (cc) WALL SIGNS shall be placed flat against the building, attached to a porch beam parallel to the building with a minimum vertical clearance of 80 inches, or projected at a right angle to the building with a minimum vertical clearance of eight (8) feet. Signs may be double-faced, in which case only one face shall be included in the total allotted to the business.
 - (dd) ON-SITE POLE OR FREESTANDING SIGNS ARE PROHIBITED, except if the front of the establishment is obscured from view for a distance of one-hundred (100) feet along the street in either direction from that point on the nearest public street which is closest to the midpoint of the building. The intent of allowing freestanding signs is identification of businesses to the public. This intent is violated if the sign gives a business greater identification than neighboring businesses without freestanding signs.
 - (i) On-site pole signs shall not exceed eight (8) feet in height, measured from the grade level at the base of the sign. The sign shall in no case exceed 12 feet in height above the grade level of the street.
 - (ii) Multiple businesses within a building and contiguous buildings developed under a comprehensive plan shall share a freestanding sign. The sign is not to exceed the limitations for maximum aggregate sign area, and its area is included in the totals allotted to the businesses on the premises. Any freestanding sign which contains only the name of the building and its address and is 20 square feet or less in area is deemed a master sign, and its area shall be in addition to the total sign area allotted to businesses on the premises.

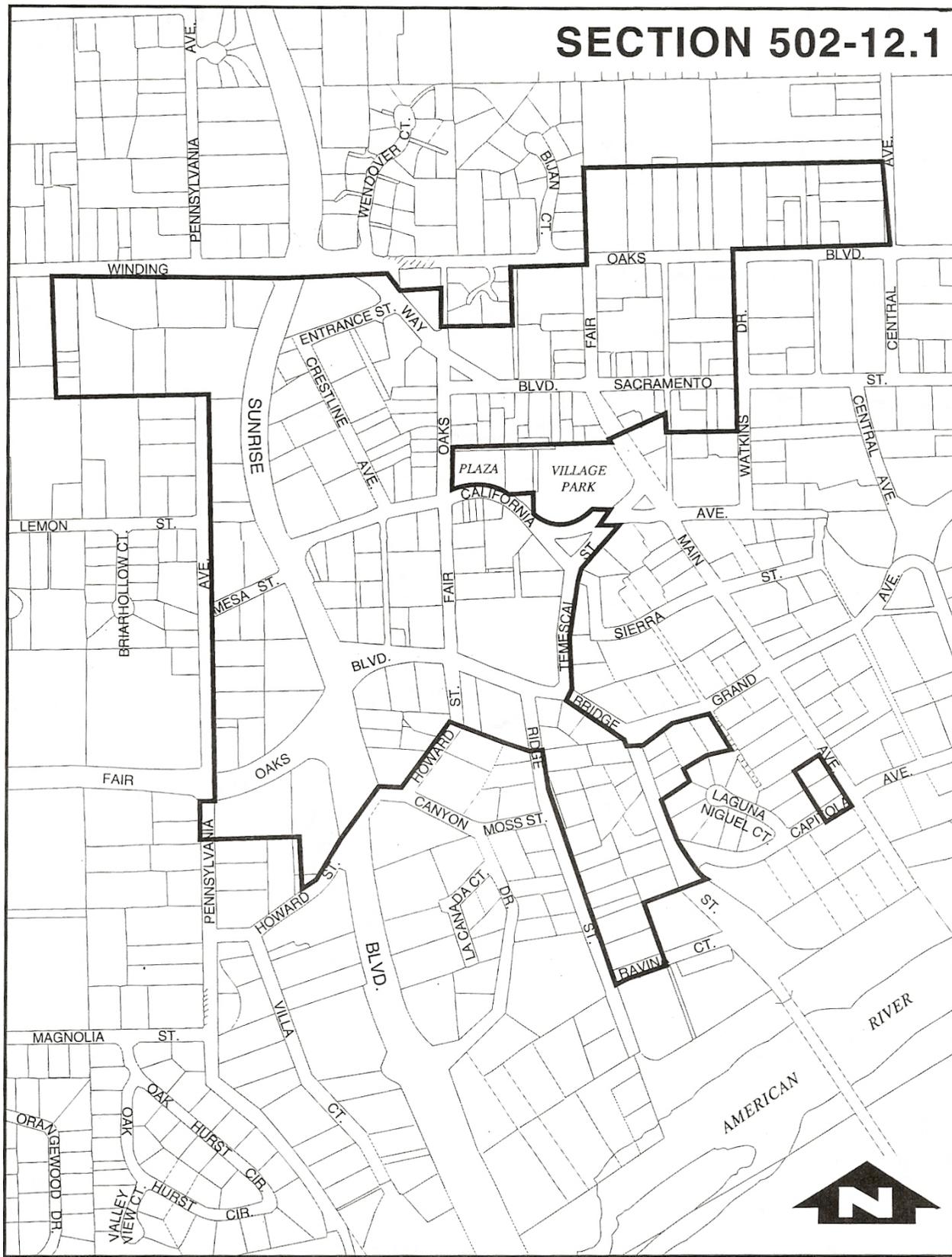
- (ee) OFF-SITE DIRECTIONAL SIGNS may be permitted subject to issuance of a use permit by the Zoning Administrator, subject to the following conditions:
 - (i) Signs shall contain no advertising and shall not provide direction to properties outside this SPA zone.
 - (ii) Signs are to be uniform in size, color and style. The pole may not exceed nine (9) feet in height. Individual signs attached to the pole will designate name of business, type of service, and direction, only. They will be detachable and will measure six (6) inches vertically and 18 inches horizontally.
 - (iii) Commercial businesses, public and quasi-public agencies, multiple businesses within the same building, and contiguous businesses developed under a comprehensive plan are each allowed one individual directional sign in the Village SPA area.
 - (iv) Signs will be located at intersections on private property. Only one (1) sign is allowed at each corner of an intersection.
 - (v) The intent of allowing off-site signs is to direct the public toward establishments located on lesser traveled streets, while preserving the distinctive character of the Village.
- (ff) There shall not be any flashing, moving or animated illumination, except barber poles. 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 way.
- (gg) Vehicles which have signs printed on or affixed to them advertising a business or products and which are parked to draw attention to a building from on or off the site shall be prohibited as movable signs.
- (hh) Signs advertising businesses no longer in operation, businesses where the names have changed, or signs not applicable to the property involved for any other reason, will be removed by the permit holder or owner of the building or premises within 30 days from the date of the action that caused the sign to be inapplicable. Establishments not open for business for a period of 90 days shall be considered no longer in operation. Such sign may be removed by the County after the 30 day period, and the permit holder or owner may be charged for the cost of removal. No new signs on the property will be approved until the existing sign is removed.

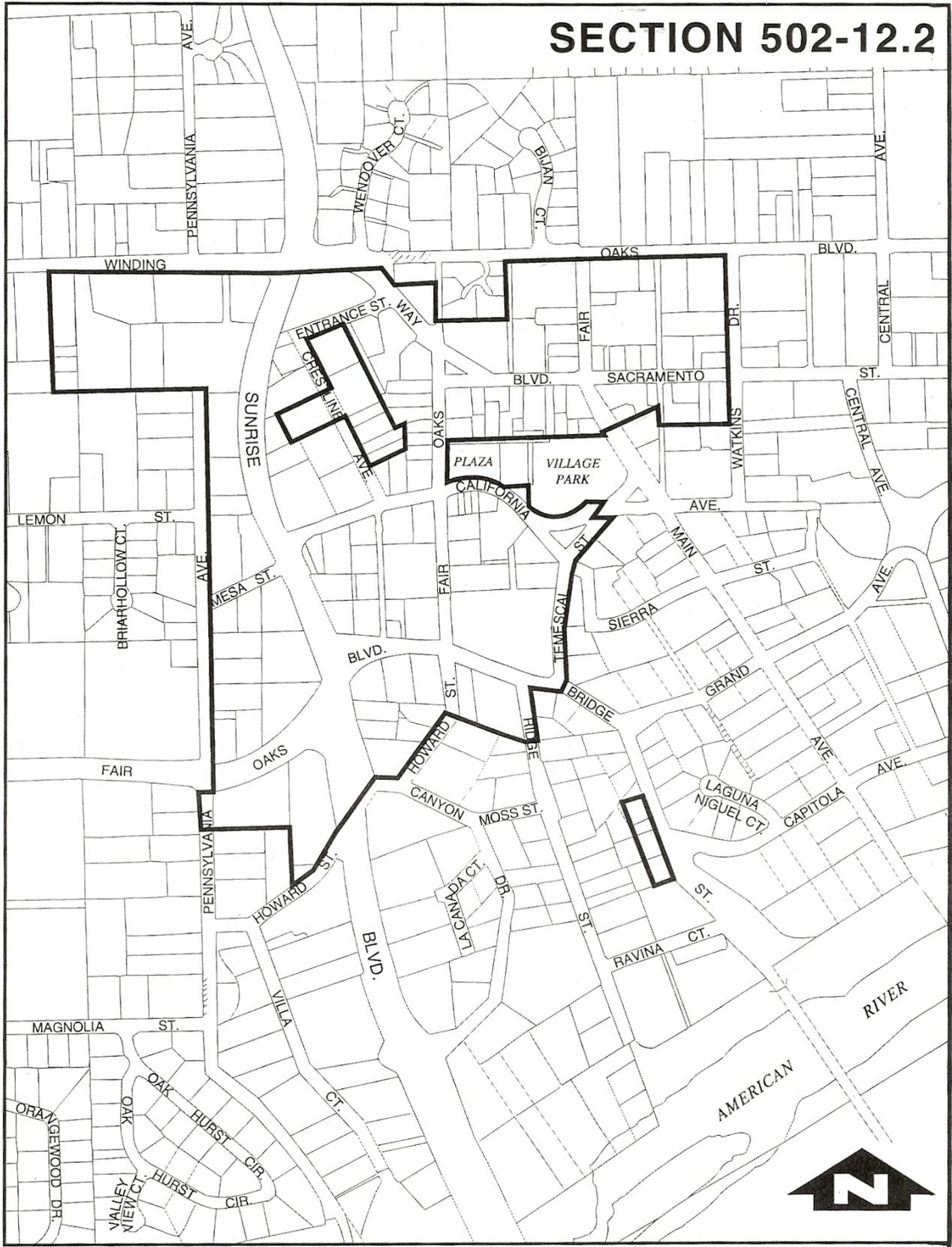
- (ii) It is recognized that special conditions may arise affecting the signing needs of a business. In the event a business owner or operator feels such special conditions exist, application may be made under the provisions of Section 502-16(b). The application will be subject to the established review and approval process including review by the Fair Oaks Community Planning Advisory Council.

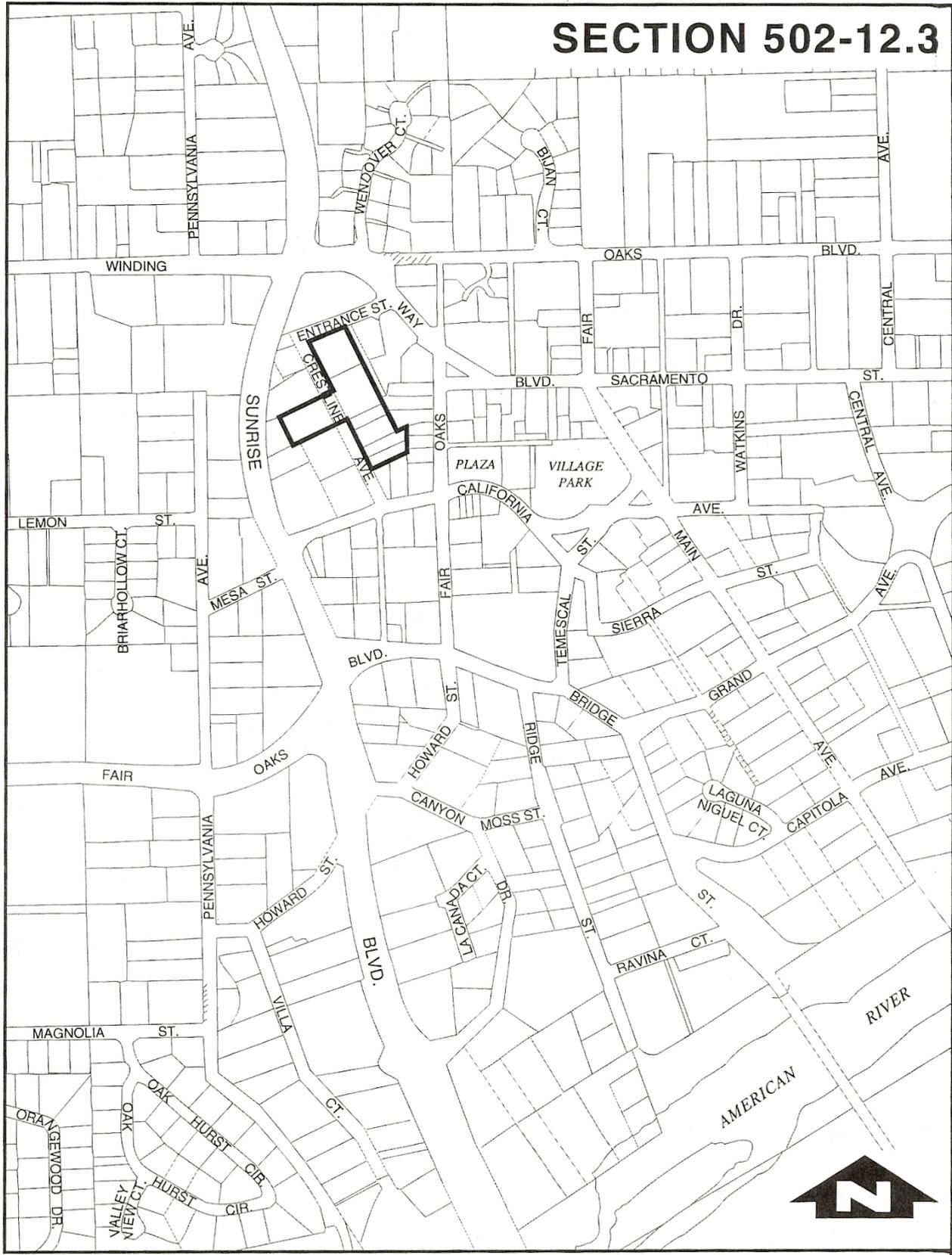
- (4) Exclusion. Signs excluded from the provisions of this Ordinance include those regulated by Section 335-08(a) through (f), Section 335-28(a) through (i), Section 335-29(a) and Section 335-29.1 of this Code.

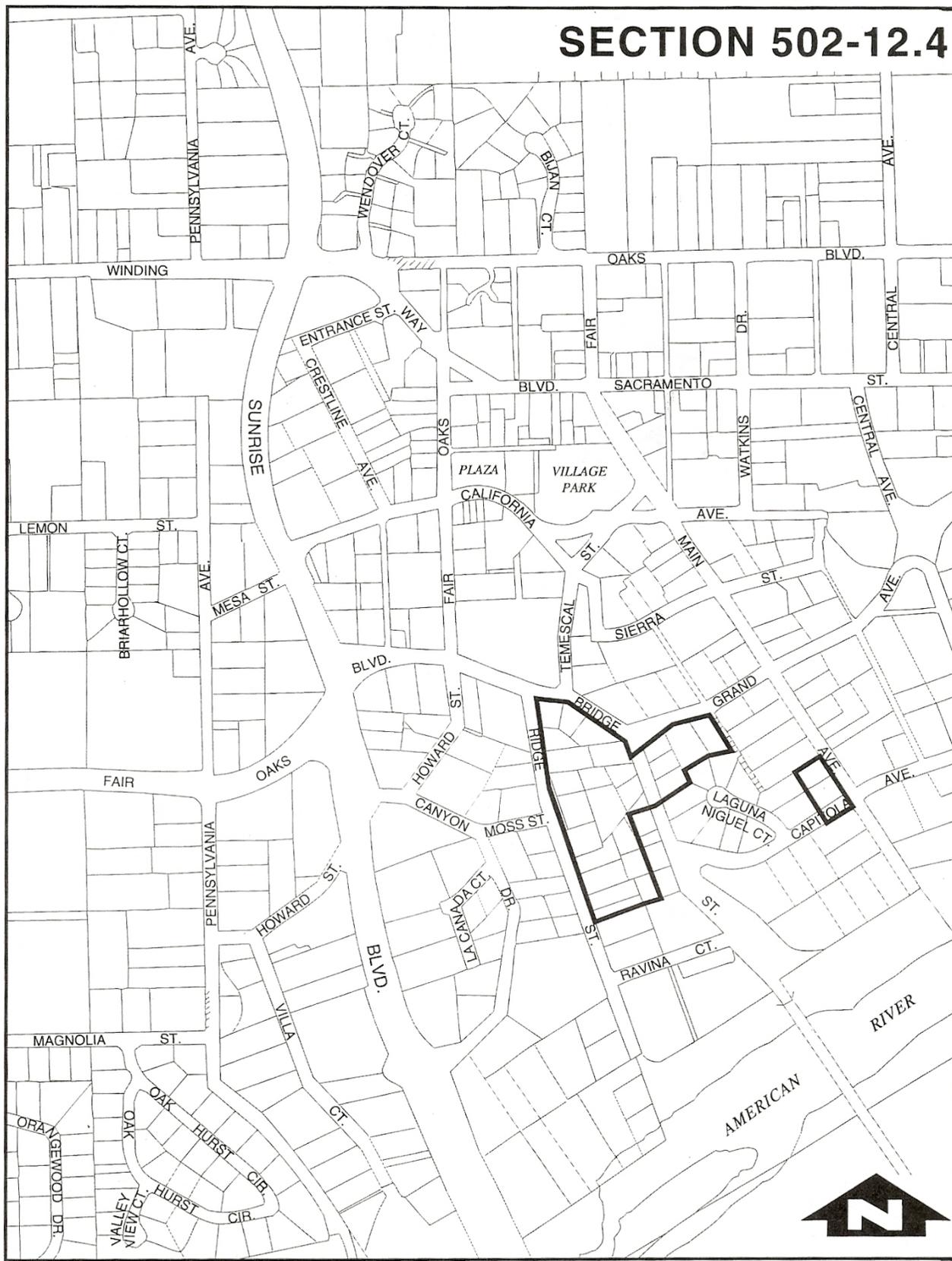
502-19. FINDINGS.

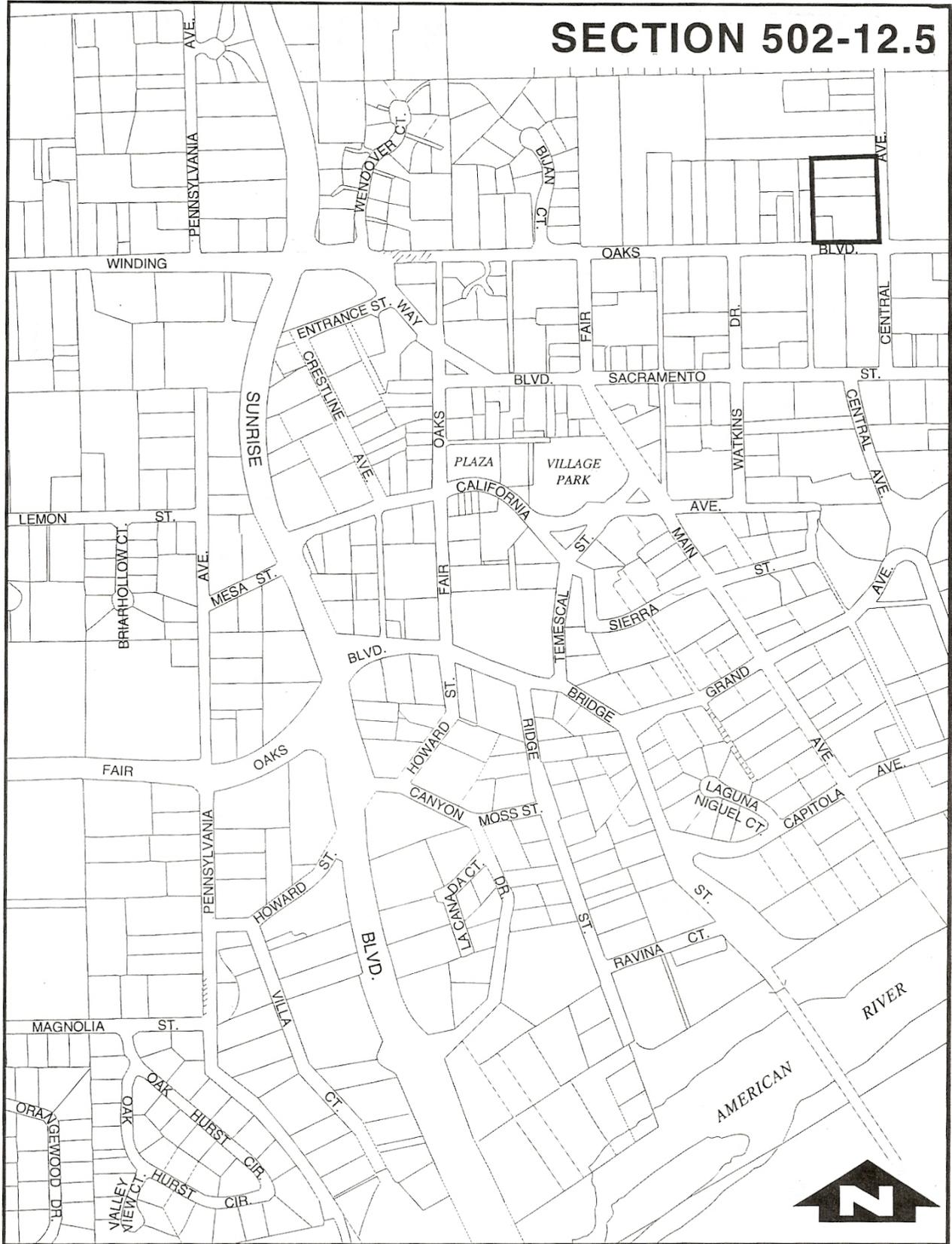
- (a) The area known as the Fair Oaks Village has a combination of environmental, historic, and architectural features which together create a unique ambience which justifies the adoption of this SPA zone.
- (b) These features cannot be adequately protected by adoption of any other zone.
- (c) This SPA zone is of sufficient size that adoption of the regulations contained herein will not constitute the granting of special privilege, nor deprivation, of property rights.
- (d) This SPA zone provides for reasonable uses of the land and will not cause undue hardships on property owners within this zone.

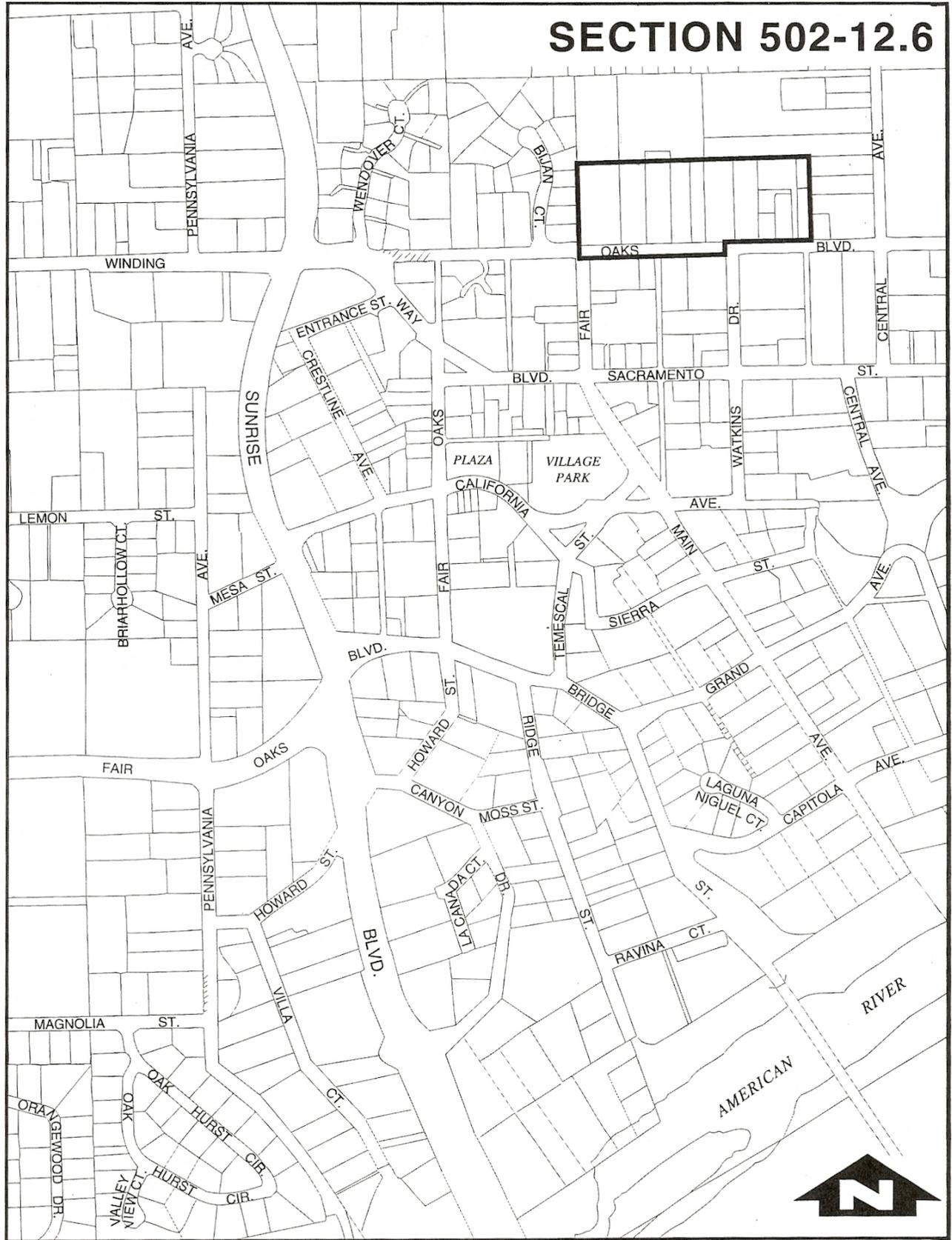












SECTION 502-12.7

1. Addressing and Mailing Service
2. Antique Store
3. Apartment Hotel
4. Apartment – Multiple Family Dwelling
5. Appliance Store
6. Appliance Repair Shop
7. Art Gallery
8. Art Studio
9. Athletic Equipment and Sporting Good Store
10. Bakery – Pastry Shop
11. Bakery, Wholesale
12. Bar – Tavern
13. Bathhouse; Sauna, Turkish, Steam
14. Barbershop
15. Beauty Shop
16. Bicycle Sale – Rent Service
17. Blueprinting – Photostatic Service
18. Building Trades, Contractors Office
19. Business College
20. Butcher and Meat Markets
21. Café – Restaurant
22. Candy Store
23. Card Room
24. Carpet Cleaning Plant
25. Circus
26. Citizens Improvement Club – Community Center
27. Clinic, Child – Family Guidance
28. Clinics, Physical Therapy
29. Clothing and Apparel Store
30. Coffee Shop
31. Coin Operated Amusement Machines
32. Coin Operated Dispenser
33. Community Center – Citizens Improvement Club
34. Costume Shop; Sale and Rent
35. Curio – Novelty Shop
36. Delicatessen
37. Drafting Service
38. Dressmaker – Tailor
39. Drug Store; Non-prescriptive Drugs and Dispensaries
40. Duplex
41. Eyeglasses and Frames, Sale and Service

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42. Floorcovering, Drapery or Upholstery Store
 43. Florist
 44. Fruit Store – Supermarket
 45. Frozen Food Locker – Cold Storage Plant
 46. Funeral Establishment
 47. Furniture Store
 48. Furniture Cleaning, Refinishing or Reupholstery Shop
 49. Furniture Rental Agency
 50. Garage Equipment and Tool Sale
 51. Gardening – Landscaping Supply Store
 52. Gift – Card Shop
 53. Grinding – Sharpening Service
 54. Gunshop – Gunsmith
 55. Hardware Store
 56. Hay, Seed and Grain Store
 57. Hearing Aides Sale and Service
 58. Hotel
 59. Hotel – Restaurant Equipment Sales
 60. Interior Decorator Service Yard and Workshop
 61. Jewelry Store
 62. Lapidary Shop
 63. Library
 64. Liquor Store
 65. Locksmith; Safe Repair Shop
 66. Locksmith; Key and Lock Shop
 67. Masseur
 68. Messenger Service
 69. Military Surplus Store
 70. Museum
 71. Music Store Including Instrument Repair
 72. Newspaper – Magazine – Book Printing Plant
 73. Newspaper – Magazine Stand
 74. Novelty – Curio Shop
 75. Nursery – Plants
 76. Office, Building Trades Contractor
 77. Office, Business and Professional
 78. Office, Finance, Loan, Credit Collection
 79. Office, Banks, Savings and Loan
 80. Office, Insurance
 81. Office, Medical or Dental
 82. Office, Real Estate
 83. Office, Accountants, Bookkeepers
 84. Office Machines and Equipment Sale

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85. Paint and Wallpaper Store
 86. Pawnshop
 87. Pest Control Service
 88. Pet Store (no kennels)
 89. Photographic Supply – Camera Store
 90. Photographic Processing Plant, Wholesale Facility
 91. Photography Studio, Including Incidental Processing
 92. Picture Framing Shop
 93. Pool Table Sale and Repair Service
 94. Portable Swimming Pools – Supply, Sale
 95. Power Tool Sales
 96. Prescription Pharmacy
 97. Printer – Lithographer
 98. Public Utility Facility, Public or Private Owned
 99. Record – Book Store
 100. Reducing, Body Building Studio
 101. Residence of a Caretaker, Proprietor or Owner of a Permitted Use
 102. Residential Facilities in Combination with Commercial Buildings
 103. Residence – Café
 104. Saddlery Shop
 105. School, Charm and Culture
 106. School, Self Defense, Judo, Boxing
 107. Shoe Repair Shop
 108. Shoeshine Parlor
 109. Shoe Store
 110. Sideshow
 111. Single Family Dwelling
 112. Soda Fountain – Ice Cream Parlor
 113. Sporting Goods and Athletic Equipment Store
 114. Stamp – Coin Store
 115. Stationary Store
 116. Stenographic Service
 117. Studio, Dance, Voice, Music
 118. Studio, Radio, Television, Recording
 119. Supermarket – Food Store
 120. Tailor – Dressmaker
 121. Taxidermist
 122. Telegraph Office
 123. Telephone Answering Service
 124. Television and Radio Sales
 125. Television and Radio Repair Shop
 126. Ticket Agency
 127. Tobacco Shop

- 128. Toy Store
- 129. Trade School
- 130. Travel Agency
- 131. Trophy – Emblem Store
- 132. Wholesale Store
- 133. Wig Sales and Service

SECTION 502-12.8

Exhibit "H-1"

1. Ambulance Service
2. Animal Hospital – Veterinarian
3. Armored Car Service
4. Auto Sales, New and Used
5. Auto Rental or Lease Agency
6. Automobile Service Stations
7. Auto, Minor Adjustment and Equipment Installation
8. Auto Repair Garage, Major Repair and Overhaul
9. Auto Rental or Lease Agency
10. Auto Seat and Upholstery Shop
11. Auto Tire Shop
12. Auto Battery and Ignition Shop
13. Auto Parts and Accessory Store
14. Auto Inspection Station
15. Auto Wash, Self Service or Automatic
16. Baggage Transfer Service
17. Beverage Bottling Works
18. Billboard Sign Agency; Service Yard and Workshop
19. Blacksmith Shop
20. Boat Sale, Rent, Minor Service
21. Boat Building and Major Repair of Boat
22. Boat Part and Accessory Stores
23. Bottled Gas Sale and Related Storage
24. Building Trades, Service Yard and Workshop
25. Building Material and Lumber sale
26. Bus Depot
27. Butcher; Wholesale Excluding Slaughter House
28. Cabinet Shop
29. Camper Body Sale, Rent and Service
30. Church – Subject to Standards in Section 23.14.019
31. Cold Storage, Frozen Food Locker
32. Dance Hall – Ballroom
33. Dancing as an Incidental Use in a Bar or Restaurant
34. Delivery Service
35. Disinfecting – Fumigating Service
36. Drive-in Café
37. Drive-in Dairy, Excluding Creamery
38. Drive-in Food Market or Stand
39. Driving School

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40. Equipment Rental Agency
 41. Firewood - Fuel Sales
 42. Gardening – Landscaping; Service Yard and Workshop
 43. Grooming Service, Such as Poodle Grooming
 44. Home for the Aged
 45. Home for Mentally Retarded
 46. Home for Physically Handicapped
 47. Hospitals
 48. Hotel
 49. Household Moving and Storage Service
 50. Ice Manufacturing Plant
 51. Janitor Service
 52. Kennel, Boarding or Training
 53. Labor Union Temple
 54. Laboratory; Medical, Dental or Optical
 55. Laboratory; Research Experimental
 56. Laboratory; Materials Testing
 57. Laundromat, Self-Service
 58. Laundry or Cleaning Agencies
 59. Laundry or Cleaning Pickup Station
 60. Laundry or Cleaning Plant, Wholesale Facility
 61. Lodge – Fraternal Hall
 62. Lumber and Building Material Sales
 63. Machine Shop
 64. Mini Storage and Caretaker's Residence
 65. Motorcycle Sales
 66. Nursery – Child Care Center
 67. Ornamental Rock and Related Storage
 68. Psychiatric Facility
 69. Public-Owned Building
 70. Recreation Facility, Outdoor and Indoor
 71. Residential Care Home
 72. Rest Home
 73. Sanitarium
 74. Special Development Permit
 75. Sport Cycle – Trail Bike Shop
 76. Taxicab Service and Storage Facility
 77. Towing Service
 78. Travel Trailer – Mobile Home Sale, Rent and Service
 79. Travel Trailer - Mobile Home Rent or Storage
 80. Tree Service
 81. Truck Sale or Rent
 82. Truck Service Station, Excluding Truck Terminals

- 83. Truck, Storage or Rental
- 84. Utility Trailer Rental Service
- 85. Utility Trailer Rent or Storage
- 86. Veterinarian – Animal Hospital
- 87. Welding Shop
- 88. Wholesale Distributors Service Facility
- 89. Winery Sale Facility – Tasting Room