

**COUNTY OF SACRAMENTO
CALIFORNIA**

For the Agenda of:
July 22, 2015
Timed: 2:00 p.m.

To: Board of Supervisors

From: Department of Community Development

Subject: PLNP2012-00092. Zoning Code Update, County-Wide Design Guidelines, And User Guide. Request To Adopt A Comprehensive Update To The Sacramento County Zoning Code, County-Wide Design Guidelines And User Guide; A General Plan Amendment To Amend The Zoning Consistency Matrix; An Amendment To Title 22 Of The County Code; An Amendment To Title IV Of The Zoning Code. Applicant: County Of Sacramento; APN: County-Wide; Environmental Document: Negative Declaration

Supervisory District(s): All

Contact: Tricia Stevens, Principal Planner, 874-2926

Overview

This hearing is intended as the final public hearing for adoption of the Development Code, including the Zoning Code, Design Guidelines, User Guide and other implementing documents. Adoption of the new Development Code represents a significant milestone for Sacramento County, as it is the first overhaul of the Zoning Code in over 30 years. The Development Code package provides a new framework that is business-friendly, achieves a high quality built environment, and promotes sustainable development practices. Staff appreciates all the efforts from the Board of Supervisors (Board), the Planning Commission, and the public to bring this package to completion.

The June 2015 drafts of these documents were released to the public on June 11, 41 days in advance of the July 22 hearing. Copies were placed in all the public libraries in the unincorporated area, and an auto-alert was sent to over 2,700 subscribers. The link to the documents was emailed to all CPAC members and other stakeholders who have been involved in the update process.

The Development Code is a living document, and updates and clarifications resulting in amendments will be needed. Separated or deferred special topics amendments, including massage establishments, alcohol sales, recycling, and water conservation, will be presented to the Board as they are completed.

All documents are available on the County website at:

<http://www.per.saccounty.net/PlansandProjectsIn-progress/Pages/DevelopmentCodeUpdate.aspx>

Recommendations:

Conduct the public hearing, and take the actions found on page 9 for final adoption. Introduce and waive reading amendments to Title 22, and continue to August 11, 2015 for second reading.

Measures/Evaluation

Approval of the Development Code package will streamline the development process by simplifying land use entitlements and reducing entitlement processing time, thereby promoting economic development. Approval will create a more user-friendly Zoning Code with clearer standards and greater flexibility, and will implement General Plan policies which promote mixed-use and sustainable development practices.




Fiscal Impact

Costs for the Zoning Code Update have been included in the Fiscal Year 2014-15 Adopted Budget and Fiscal Year 2015-16 Recommended Budget.

BACKGROUND

The Board conducted a series of workshops and public hearings on the Development Code, including the Zoning Code, Design Guidelines, and the User Guide, from October 2014 to May 2015. July 22, 2015, is targeted as the final public hearing for adoption of the package.

The June 2015 draft of the Development Code package was released on June 11, 2015. This draft shows changes from the August 2014 draft in bold and strikeout. Icons are used to explain the types of changes in the document, which fall under three categories:

-  Changes directed by the Board at various workshops and hearings and included in the Board staff reports. Attachment 1 provides a summary of changes directed by the Board.
-  Minor modifications and clarifications from the following sources:
 - Clarifications stemming from Board or public comments as found in the Master List of Comments.
 - Minor adjustments noted by staff during final review, including the addition of cross-references and deletion of redundancies or inconsistencies.
 - Addition of subsections or sentences that are included in the current Zoning Code and inadvertently left out of the new Code.
 - Clarifications from other agencies, including the Environmental Management Department.
-  Formatting changes mostly in the form of moving sections to more appropriate locations in the document. The substance of the section did not change.

List of comments since May 6, 2015, and Revision Sheet. Attachment 2 provides a list of comments since the May 6 hearing, along with staff responses, resulting in revised language (see Revision Sheet, Attachment 3) which will become part of the final action and then incorporated into the adopted version.

Planning Commission comments. The County Planning Commission requested a report back on comments made at prior workshops. A report back was provided on June 22, 2015.

Commissioner Von Ommering posed questions relating to crowing fowl and water conservation. Commissioner Reiners proposed to add a RD-6 zone, as described below.

DISCUSSION

Follow-up on Items from the May 6, 2015 Board Hearing

At the May 6, 2015, hearing, the Board gave general direction on the definition of a dwelling unit and a single household unit, and the non-conforming status of dwellings that no longer meet the definition. In addition to the language on conversion of a dwelling to more than four bedrooms, staff recommends the following provisions that address this topic. These provisions focus on the physical arrangement of the dwelling. Sober living facilities are not classified separately, and would only be affected if configured as a facility not meeting the definition of a dwelling unit. This section provides a report back on sober living facilities.

Definition of Dwelling Unit. The definition of a dwelling unit is expanded to provide more direction on what constitutes a single household unit, as follows (bold is new language):

A dwelling unit shall mean one or more rooms in a dwelling, apartment house or apartment hotel designed for or occupied by ~~one family~~ **persons residing together in a single household** for living or sleeping purposes and having only one kitchen and separate toilet facilities. **A single household means that the occupants of a dwelling unit have established ties and familiarity with each other, jointly use common areas, interact with each other, share meals, household activities, and expenses and responsibilities. Indications that a household is not operating as single household: members of the household have separate, private entrances from other members; members of the household have locks on their bedroom doors; members of the household have separate food storage facilities, such as separate refrigerators.**

Non-Conforming Dwelling Units. The Board was concerned about the status of existing dwelling units that may not meet the new definition of a dwelling unit. Staff recommends the following addition to the non-conforming language. The language below is excerpted from the draft Zoning Code with strikethroughs for recommended changes different than what is in the draft Code. When this language is in place, code enforcement staff will, after receipt of a complaint, make a determination whether a dwelling unit conforms to this definition. An application for a Certificate of Non-Conforming Use must be made if the dwelling unit does not conform to the current definition and existed prior to adoption of the Zoning Code. The Certificate process involves review by surrounding property owners and the CPAC, and any nuisances are addressed.

1.9.3.N. Non-Conforming Dwelling Units ~~Used as Boardinghouses~~

Existing structures in residential zoning districts that do not meet the current definition of a dwelling unit ~~and meet the current definition of a boardinghouse~~ are considered non-conforming uses. Within one year of the date of adoption of this Code, such use shall comply with the Zoning Code in effect or obtain a Certificate of Non-Conforming Use pursuant to Section 1.9.3.E and Section 6.5.2.

The application shall be referred to the appropriate Community Planning Advisory Council and noticed to property owners within a 500-foot radius of the property line.

Findings for Issuance of a Certificate of Non-Conforming Use. The following finding for the issuance of a Certificate of Non-Conforming Use for a non-compliant dwelling unit is added in order to insure that consideration is given to persons with disabilities.

6.5.2.C. Decision Authority and Approval Criteria

1. The planning director shall be the appropriate authority to review and decide all applications for the certificate of nonconforming use.
2. **For applications involving a non-conforming dwelling unit ~~used as a boardinghouse~~, the planning director shall consider reasonable accommodation for persons with disabilities consistent with federal and state fair housing laws. Such housing shall be used by individuals protected under federal and state fair housing laws and the accommodation is necessary to make specific housing available to protected individuals.**

Requirements for dwellings with more than four bedrooms. The conversion of homes to more than four bedrooms requires a minor use permit. For either new or converted homes with more than four bedrooms, the following standards are recommended.

5.4.2.I. Special Requirements for Dwellings with More Than Four (4) Bedrooms

For new homes or conversions of existing homes with more than four bedrooms, the following special requirements shall apply:

1. **Two additional off-street parking spaces for a total of four spaces.**
2. **Any garage conversions shall be replaced with permanent enclosed parking.**

Definition of a bedroom. Staff has identified a potential challenge with the definition of bedrooms in that it is possible to propose additions or conversions that involve rooms without closets that could later be converted to sleeping rooms, especially with many closet systems available on the market. The Building Code classifies any room with a closet as a bedroom, but a room without a closet can be labeled a den, family room, or storage. Thus, staff recommends the following definitions be added to the Zoning Code. A room designated as a den, study or family room, would have no door and one wall partially open in order to not be designated as a bedroom.

Bedroom. Any room in a dwelling unit used or intended or designed to be used for sleeping purposes with no less than 70 square feet of floor area and no dimension less than 7 feet other than bathroom(s), kitchen, living, dining, family or any other room that meets the definition of a den.

Den (or family room, sewing room, study, loft studio or similar rooms). A room which is open (has no door and has one wall that is at least 50 percent open to the interior portion of the dwelling) or at least one side, does not contain a wardrobe, closet or similar facility, and which is not designed or use for sleeping purposes.

Findings for the issuance of a minor use permit for conversions. In order to insure that conversions of homes over four bedrooms remain as a single-family dwelling, the following finding is added:

6.4.2.C.2.a. Conversions of single-family dwelling to more than four bedrooms. Findings shall be made that the floor plan is clearly not intended to maximize the potential use of the property for rental purposes in a boardinghouse configuration as opposed to floor plan layouts typical of single-family dwellings, and that the conversion would not substantially change the floor plan in a manner that consists of predominately bedrooms with minimal common usable area. Findings shall also be made that adequate parking is provided, in addition to the minimum requirements in Section 5.4.2.I.

Sober living facilities. The Board requested a report back on sober living facilities and how they relate to licensed treatment and care facilities. Sober living facilities are homes where persons recovering from alcohol or drug addictions live together as a step in their recovery. Sober living homes are not licensed by any state or local agency if they do not provide care, treatment, individual or group counseling, case management, medication management, treatment planning, or supervision of daily activities. Based on existing case law (as long as the home functions as a single household unit), a sober living home is considered a dwelling unit.

Treatment facilities include alcohol and drug treatment facilities licensed by the State Department of Alcohol and Drugs and residential care facilities licensed by the State Department of Social Services. Five alcohol and drug treatment centers are licensed in the unincorporated area (see list in Attachment 4). There are 61 licensed residential care facilities with more than six persons, including care homes for elderly, disabled, and youth. These residential care facilities may house persons recovering from alcohol and drug addictions where supervision and supportive services are necessary, but treatment is not provided. (See list in Attachment 5.) Since the State recently changed its practice of inspecting licensed facilities annually to every five years, these residential care facilities will no longer be exempt from the County's Residential Housing Inspection Program (RHIP). Any facility that is not inspected annually by another government agency will be required to register for RHIP and be subject to annual inspections, to insure compliance with housing and nuisance codes.

The California Consortium of Addiction Programs and Professions (CCAPP) provides education, training, certification and registration for individuals and organizations involved in the treatment of persons with alcohol and drug addictions. As one facet of an overall program, CCAPP has standards and voluntary registration for sober living environments, which are not otherwise licensed by the State as a treatment facility. The registration is typically mandatory for any state or local facility that receives grant funding, but is voluntary if no government funds are received. The standards cover management, record keeping, house rules and residency requirements. Five homes are registered with CCAPP in the unincorporated area, including some (not all) homes operated by the "Clean and Sober Transitional Living" organization. Information is not available on the number of unregistered sober living homes.

At CPAC, Planning Commission and Board meetings on the Zoning Code update, several individuals have testified expressing concerns about sober living homes in their neighborhoods,

in particular the homes on Marwick Way in Carmichael and Shawnee Avenue in Fair Oaks. The Marwick Way home is operated by “Clean and Sober Transitional Living” and it is not known whether if it is registered by CCAPP. The home on Shawnee Avenue is operated by “Steps to Freedom” and houses 22-29 persons, and is not on the registration list.

Nuisances reported by neighbors on Marwick Way include: loitering in the front yard, increased vehicle and pedestrian traffic of unknown persons associated with the home, increase in the amount of trash on the street, drug paraphernalia on neighbors’ yards, loud profanity and arguments, and persons trespassing and rummaging in garbage cans (see Attachment 6a). Neighbors on Shawnee Avenue indicate that there is an increase of traffic and residents stay late, and park in front of houses in the neighborhood. There are times when there are as many as 10 cars on the street. They are concerned about maintenance of the home and compliance with watering restrictions, and with potential crime (Attachment 6b).

A number of cities have permitted sober living homes with limitations by classifying them as a group home instead of a single-family home. In most cases, the courts have found such ordinances invalid on the basis that they are discriminatory towards persons with disabilities. The City of Costa Mesa adopted an ordinance after extensive documentation of nuisances resulting from overconcentration of sober living homes. Their ordinance limits group homes/sober living homes to six or fewer persons (plus an on-site manager) and requires that they be located 660 feet apart. This ordinance is being challenged in the courts and many communities are awaiting the outcome to determine if the legal framework will change.

The proposed Sacramento County ordinance focuses on regulating physical premises and the definition of a single household unit. In addition to the Code amendments, staff is recommending two strategies to address nuisances associated with dwellings with multiple rental agreements, including potentially sober living homes:

- Require a business license for the rental of properties for landlords that enter into more than two rental agreements. This requirement would capture the rental of homes when there are multiple rentals in one dwelling, or when a landlord has more than two rental homes each with a single agreement. Conditions on the business license may address nuisances such as parking and noise.
- Establish a cooperative relationship with CCAPP to promote registration through CCAPP and to assist in mediating sober living facilities that are not following good neighbor practices, such as controlling noise and loitering.

Comments since May 6, 2015

Below is a summary of key public comments made since the May 6, 2015, Board hearing, with staff responses. Attachment 2 provides a list of all comments and responses. When the June, 2015, draft was released to the public, comments were requested by July 11, 2015, in order to be included in the Board report. An addendum will be prepared to respond to any comments received after the release of this report prior to the hearing.

Setbacks for keeping of animals. Two comment letters were received regarding setbacks for pens/corrals: a) letter from two members of the Southeast (SE) CPAC (Tim Reinarts and Tina

Holt, Attachment 6c) a letter and email from Frances Jens (Attachment 6d). Both parties are concerned that the May 6, 2015, Board staff report did not adequately address concerns expressed at the SE CPAC meeting regarding the location of pens and corrals. The SE CPAC members and Frances Jens feel that the Zoning Code update should include a setback requirement of at least 10 feet for pens/corrals, in order to address health hazards and nuisance conditions. The SE CPAC and Frances Jens do not feel that pens/corrals are the same as boundary fencing and should be treated as a structure. Mr. Reinarts sent a follow-up email (Attachment 6e) reiterating these concerns and requesting that this amendment be included in the July 22, 2015 Zoning Code update.

The County has always taken the nuisance impacts from animal husbandry seriously and corral/pen setbacks may be one of many ways to address these nuisances. The discussion in the Board report for the May 6 hearing was brief; however, staff feels that the SE CPAC concern was presented to the Board. Staff indicated why this change is not recommended as it would have implications over the entire County. Implications include: a) costly to add another layer of fencing, b) 10-foot area in between two layers of fences may be difficult to maintain, and c) many existing fences would become non-conforming. At the May 6, 2015, hearing, Board members neither discussed this proposed requirement nor directed that the change be made. Members of the Board expressed concerns about the implications of such a change in the context of the Jens fee waiver in early 2015. Nonetheless, this change can still be made if directed by the Board.

New efforts are underway to address animal husbandry nuisances and setbacks for concentrations of animals can be discussed as part of these efforts. The existing and draft Code contains language about the management and upkeep of horse stables and corrals (Section 3.4.6.C), but does not address manure management for general animal husbandry. Supervisor Nottoli has requested staff initiate a strategy to better address nuisances resulting from animal husbandry, and to better address County department responses to complaints. One idea is to apply the Zoning Code language (or similar language) on "manure management" to all animal husbandry, not just horse stables. This fall, County staff will present a recommendation to the Board of Supervisors, after input from CPACs, the Farm Bureau, and other stakeholders. Staff recommends that setbacks for corral/pens be addressed as part of this initiative.

Crowing fowl. Four comments were received addressing the prohibition of crowing fowl in residential (RD) zones. Charlea Moore (member of the Rio Linda/Elverta CPAC speaking as an individual) suggested that the prohibition on roosters be linked to parcel size, not zone (Attachment 6f). Warren Frost opposes any ban on roosters (Attachment 6g). Marjorie Lehr believes cockatoos and macaws should be listed in the definition of crowing fowl (Attachment 6h). Chris Peterson supports a ban on crowing fowl (Attachment 6i). Planning Commissioner Van Ommering questioned how the County deals with feral roosters and potential increase in feral roosters if roosters are banned. Staff will follow-up with the Department of Animal Care and Control to address this concern.

The restriction on crowing fowl in residential zones is an interim measure until a more thorough discussion of urban agriculture occurs as part of that code amendment process. Staff recommends that all these comments be considered as part of the urban agriculture process.

Barking dogs. Tina Holt (member of the SE CPAC speaking as an individual) recommends that the County treat barking dogs similar to crowing fowl in that the noise from barking dogs can be louder and more of a nuisance than crowing fowl (Attachment 6j).

Barking dogs are regulated by County Code Chapter 8.08, and barking enforcement rests with the Department of Animal Care and Control. Dogs are considered pets and all residences are allowed to have up to four dogs, per the Zoning Code. More than four dogs is considered a kennel, which are only permitted in certain zones with a conditional use permit. Because of these factors and since there is such a wide variety of types of dogs, some kept indoors and some more prone to excessive barking, staff recommends no changes be made to the Zoning Code.

Permits for single-family homes. Debra Desrosiers requested a list of new permits for single-family residences, and their cost, resulting from the Zoning Code Update. Attachment 7 provides a summary of new permits that may be applicable to single-family residences, and permits for single-family residences where the cost has been reduced due to a change in the approval process.

RD-6 zone. Planning Commissioner Reiners requested that the Zoning Code update include a RD-6 zone to address lot sizes in between RD-5 and RD-7. In his experience, a developer using the minimum lot size in the RD-5 of 52 by 100 feet actually results in a density of six dwelling units per acre. The maximum lot size that could be generated in the RD-5 zone is 56 by 100 feet in the most efficient design. He does not feel the use of the RD-7 zone is appropriate in that it is geared toward a different housing product type on a smaller lot (e.g. 45 by 100 feet). He proposes a RD-6 lots in order to capture the 50 by 100 foot lots at their maximum density. The RD-5 zone would continue to have a minimum lot size of 52 by 100 feet.

Professionals with experience in subdivision site planning were contacted, with mixed reactions. Several indicated support for adding the RD-6 zone, and others indicated that a clear need is not apparent in that most subdivisions can be designed within the parameters of the RD-5 and RD-7 zones. One person stated that if new zones are to be added, the County should consider an RD-8 or RD-9 zone to accommodate small lot product types. Although the creation of a RD-6 zone does not pose any significant problems, a clear need for the RD-6 zone has not been demonstrated based on staff's experience with neighborhood planning over many years. Therefore, this change is not recommended at this time.

Height standards in commercial zones. Timothy Lee, a developer of commercial properties, proposes an increase in the allowable maximum height of commercial structure from 40 to 50 feet in order to better accommodate three story buildings (Attachment 6k). This increase would apply to structures that are setback at least 100 feet from residential zones. Staff believes this is a valid and reasonable request and could be an incentive for revitalization of commercial corridors. The design review process will insure quality design compatible with surrounding uses. Staff proposes that this item be included as a minor revision for the July 22 adoption.

Separated and deferred items. Attachment 8 provides a list of Zoning Code topics that are separated or deferred from the larger package. Staff is actively working on the separated items and will begin bringing proposed Code amendments to the Board over the next several months. Work on the remaining deferred items will begin during the 2015-2016 fiscal year. A new

PLNP2012-00092. Zoning Code Update, County-Wide Design Guidelines, And User Guide. Request To Adopt A Comprehensive Update To The Sacramento County Zoning Code, County-Wide Design Guidelines And User Guide; A General Plan Amendment To Amend The Zoning Consistency Matrix; An Amendment To Title 22 Of The County Code; An Amendment To Title IV Of The Zoning Code. Applicant: County Of Sacramento; APN: County-Wide; Environmental Document: Negative Declaration
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Associate Planner position was approved as part of the Department of Community Development Fiscal Year 2015-2016 Recommended Budget to work on Development Code updates and staff training in order to meet Board objectives.

RECOMMENDATIONS

The Development Code package is a comprehensive and innovative revision to the County's land development regulations. The Department of Community Development is pleased to move the project forward to completion and adoption. The Development Code package includes the Zoning Code Update, the County-wide Design Guidelines, and the User Guide. The three main objectives of this effort are:

1. To provide business and user friendly practices;
2. To achieve higher standards for the quality of the built environment; and
3. To promote sustainable development practices including low-impact development, active design, walkable communities, energy efficiency, alternative energy sources, and water conservation.

A significant effort has been launched for initial implementation upon adoption, including public outreach and staff training. Staff expects to return to the Planning Commission and Board of Supervisors as needed after adoption to provide a report back and make corrections.

- A. Recommended Board of Supervisors Actions. These actions are recommended for the July 22, 2015 hearing.
1. Environmental Documentation: Determine that the environmental analysis is adequate and complete and **ADOPT** the Negative Declaration.
 2. Zoning Code Update: **APPROVE** the attached Ordinance 1 adopting a Comprehensive Update to the Sacramento County Zoning Code, including repeal of SZC 83-10 Titles I, II, and III and adopt new Sacramento County Zoning Code Title I Chapters One through Seven and Appendices.
 3. General Plan Amendment: **APPROVE** the attached Resolution 1 adopting an amendment to the Sacramento County General Plan to incorporate the new mixed-use zones within the Zoning Consistency Matrix of the Land Use Element, and incorporate the Shopping Center (SC), Travel Commercial (TC), and Auto Commercial (AC) zones into the Interim Zoning Consistency Matrix of the Land Use Element.
 4. User Guide: **APPROVE** the attached Resolution 2 adopting the User Guide.
 5. Countywide Design Guidelines: **APPROVE** the attached Resolution 3 adopting County-wide Design Guidelines for single-family and new communities, and revise Design Guidelines for multifamily, commercial, employment center, and village center/mixed use areas.

6. County Code Title 22 Land Development Ordinance: **APPROVE** the attached Ordinance 2 adopting amendments to eliminate any overlap with the Zoning Code and Design Guidelines and to clarify review procedures.
7. Amendments to the Sacramento County Zoning Code Title IV: **APPROVE** the attached Ordinance 3 adopting amendments to add the Shopping Center (SC), Auto Commercial (AC), and Travel Commercial (TC) zones as Zones Categories No Longer in Use.

MEASURES/EVALUATION

Approval of the Development Code package will streamline the development process by simplifying land use entitlements and reducing entitlement processing time; thereby promoting economic development. Approval will create a more user-friendly Zoning Code with clearer standards and greater flexibility, and will implement General Plan policies which promote mixed-use and sustainable development practices.

FINANCIAL ANALYSIS

Costs for the Zoning Code Update have been included in the Fiscal Year 2014-15 Adopted Budget and Fiscal Year 2015-16 Recommended Budget.

Respectfully submitted,

APPROVED:
BRADLEY J. HUDSON
County Executive

LORI A. MOSS, Director
Department of Community Development

BY: _____
ROBERT B. LEONARD
Chief Deputy County Executive

Attachments:

Ordinance 1 – Adoption of Zoning Code

EXH A (ZC) – Zoning Code

Ordinance 2 – Adoption of Title 22 Amendments including Exhibit A

Ordinance 3 – Adoption of Title IV Amendments including Exhibit A

Resolution 1 – Adoption of General Plan Amendments

Resolution 2 – Adoption of User Guide

EXH A (UG) – User Guide

Resolution 3 – Adoption of County-wide Design Guidelines

EXH A (DG) – Design Guidelines

1. Summary of Board Directions
2. List of Comments since May 6, 2015
3. Revision Sheet July 22, 2015
4. List of Licensed Alcohol and Drug Treatment Centers
5. List of Licensed Residential Care Facilities Over Six Persons
6. Comment Letters
 - a. Kawika Beaudot - Marwick Way sober living home
 - b. Lorra Fowler - Shawnee Avenue sober living home
 - c. SE CPAC members – setbacks for corrals and pens
 - d. Frances Jens – setbacks for corrals and pens
 - e. Tim Reinerts – setbacks for corrals and pens
 - f. Charlea Moore – crowing fowl
 - g. Warren Frost – crowing fowl
 - h. Marjorie Lehr –crowing fowl
 - i. Chris Peterson – crowing fowl
 - j. Tina Holt - barking dogs
 - k. Timothy Lee – height standards in commercial zones
 - l. Donn Reiners – RD-6 zone
 - m. Debra Desrosiers – single-family permits
 - n. T. & E. Williams - crowing fowl
7. Single-family Permits
8. Deferred and Separated Items

ORDINANCE NO. SZC 2015-_____

**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE
COUNTY OF SACRAMENTO TO AMEND THE ZONING CODE
OF SACRAMENTO COUNTY, PERTAINING TO THE REPEAL OF TITLES I, II, AND
III AND ADDING A NEW TITLE I, CHAPTERS ONE THROUGH SEVEN**

The Board of Supervisors of the County of Sacramento, State of California, do ordain as follows:

SECTION 1: The Zoning Code of Sacramento County, Ordinance No. SZC 83-10 is amended to repeal Titles I, II, and III.

SECTION 2: The Zoning Code of Sacramento County is amended to add a new Title I, Chapters One through Seven and Appendices as shown in Exhibit "A (ZC)".

SECTION 3: This ordinance shall take effect and be in full force on and after 30 days from the date of its passage hereof, and, before expiration of 15 days from the date of its passage, it shall be published once with the names of the members of the Board of Supervisors voting for and against the same, said publication to be made in a newspaper of general circulation published within the County of Sacramento, State of California.

On a motion by Supervisor _____, seconded by Supervisor _____, the foregoing ordinance was passed and adopted by the Board of Supervisors of the County of Sacramento, State of California, at a regular meeting thereof this 22nd day of July 2015, by the following vote, to wit:

AYES: Supervisors,

NOES: Supervisors,

RECUSAL: Supervisors,
(PER POLITICAL REFORM ACT (§ 18702.5.))

ABSENT: Supervisors,

ABSTAIN: Supervisors,

Chair of the Board of Supervisors
of Sacramento County, California

(S E A L)

ATTEST: _____
Clerk, Board of Supervisors

An Ordinance Of The Board Of Supervisors Of The County Of Sacramento To Amend The Zoning Code Of Sacramento County, Pertaining To The Repeal Of Titles I, Ii, And Iii And Adding A New Title I, Chapters One Through Seven
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EXHIBIT "A (ZC)"

[CLICK HERE TO ACCESS ZONING CODE DATED JUNE 2015](#)

<http://www.per.saccounty.net/PlansandProjectsIn-Progress/Documents/Zoning%20Code%20Update/Adoption%20Hearing%20Draft%20Version%20June%2c%202015/ZC%20UPDATE%20%20-%20JUNE%202015%20Complete%20Draft.pdf>

ORDINANCE NO. SZC 2015-_____

**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE
COUNTY OF SACRAMENTO TO AMEND TITLE 22 OF THE LAND DEVELOPMENT
ORDINANCE OF THE SACRAMENTO COUNTY CODE PERTAINING TO
UPDATING OUTDATED REFERENCES AND DELETING EXTRANEOUS
REGULATORY LANGUAGE**

The Board of Supervisors of the County of Sacramento, State of California, do ordain as follows:

SECTION 1: County Code Title 22 of the Land Development Ordinance is amended to update outdated Department of Community Development References and to delete extraneous regulatory language that overlaps with the Sacramento County Zoning Code as shown in Exhibit "A (Title22)".

SECTION 2: This ordinance shall take effect and be in full force on and after 30 days from the date of its passage hereof, and, before expiration of 15 days from the date of its passage, it shall be published once with the names of the members of the Board of Supervisors voting for and against the same, said publication to be made in a newspaper of general circulation published within the County of Sacramento, State of California.

On a motion by Supervisor _____, seconded by Supervisor _____, the foregoing ordinance was passed and adopted by the Board of Supervisors of the County of Sacramento, State of California, at a regular meeting thereof this 22nd day of July 2015, by the following vote, to wit:

AYES: Supervisors,

NOES: Supervisors,

RECUSAL: Supervisors,
(PER POLITICAL REFORM ACT (§ 18702.5.))

ABSENT: Supervisors,

ABSTAIN: Supervisors,

Chair of the Board of Supervisors
of Sacramento County, California

(S E A L)

ATTEST: _____
Clerk, Board of Supervisors

EXHIBIT "A (Title 22)"

LAND DEVELOPMENT ORDINANCE

TITLE 22
OF THE
SACRAMENTO COUNTY CODE
AMENDED TO SEPTEMBER 2012



DEPARTMENT OF COMMUNITY DEVELOPMENT
SACRAMENTO COUNTY, CALIFORNIA

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TITLE 22
LAND
DEVELOPMENT
CHAPTER 22.05
GENERAL
PROVISIONS

22.05.005 CITATION AND AUTHORITY. This title is adopted to supplement and implement the Subdivision Map Act (Division 2, Title 7 of the Government Code).

22.05.010 CONTINUITY OF PROVISIONS. The provisions of this title, insofar as they are substantially the same as previously adopted ordinance or code provisions relating to the subject matter, shall be construed as restatements and continuations thereof and not new enactments. Any actions or proceedings commenced, or permit or approval issued pursuant to any previously existing ordinance or code provision shall not be affected by the enactment of this title; but all further actions, proceedings and permits or other entitlements shall hereafter conform to this title.

22.05.015 REFERENCE. Whenever reference is made to any portion of this title, the reference applies to this title as adopted and any amendments or additions hereafter made.

22.05.020 DELEGATION. Whenever a power is granted to, or a duty imposed upon a public officer by this title, the power may be exercised or the duty may be performed by a

deputy or other person designated by the officer, unless expressly provided otherwise by this title.

22.05.025 VALIDITY. If any chapter, section or subdivision, sentence, clause or phrase of this title is for any reason held to be unconstitutional, such decision shall not affect the remaining provisions of this title. The Board of Supervisors hereby declares that it would have enacted this title and each chapter, section and subdivision, sentence, clause or phrase hereof irrespective of the fact that one or more chapter, section and subdivision hereof, sentence, clause or phrase be declared unconstitutional.

22.05.030 APPLICATION TO GOVERNMENT AGENCIES. The provisions of this title shall apply to all government agencies, their officers, employees, or agents, to the extent authorized by law.

22.05.035 LIMITATIONS. This title shall be inapplicable to:

- a. The financing or leasing of apartments, offices, stores, or similar space within apartment buildings, industrial buildings, commercial buildings, mobilehome parks or trailer parks.
- b. Mineral, oil or gas leases.
- c. Land dedicated for cemetery purposes under the Health and Safety Code of the State of California.
- d. ~~A lot line adjustment between two or more existing adjacent parcels, where the land taken from one parcel is added to an adjacent parcel, and where a greater number of parcels than originally existed is not thereby created, providing the lot line adjustment is approved by the~~

~~Planning Director acting as an advisory agency or by the Subdivision Review Committee acting either as an advisory agency or as an appeals board pursuant to Section 22.20.037 of this Title.~~

ed. Boundary line or exchange agreements to which the State Lands Commission or a local agency holding a trust grant of title and submerged lands is a party.

fe. Any separate assessment under Section 2188.7 of the Revenue and Taxation Code.

gf. The financing or leasing of any parcel of land, or any portion thereof, in conjunction with the construction of commercial or industrial buildings on a single parcel unless the project is not subject to review under other local agency ordinances regulating design and improvement.

hg. The financing or leasing of existing separate commercial or industrial buildings on a single parcel.

ih. Subdivisions of four parcels or less for construction of removable commercial buildings having a floor area of less than 100 sq. ft.

22.05.040 FINDINGS. Any finding required to be made by an advisory agency or the board pursuant to the Subdivision Map Act or this title shall be in writing in a form to be approved by the County counsel.

CHAPTER 22.10

DEFINITIONS,

REFERENCES

22.10.005 INCORPORATION. Whenever any words or phrases as used in this title are not defined herein, but are defined in the Subdivision Map Act as last amended, such definitions are incorporated herein and shall be deemed to apply as though fully set forth in this title. If any inconsistency between a definition set forth in this title and the Subdivision Map Act occurs, the definition in the Subdivision Map Act shall prevail.

22.10.010 CODE REFERENCES. Any reference to a section bearing numbers from 66410 through 66499.37 shall be to the Government Code relating to subdivisions.

22.10.015 GENERALLY. All words used in the singular include the plural, and the plural the singular, each gender includes the other and any tense includes the other tenses unless the context requires otherwise. The word “shall” is mandatory and the word “may” is permissive. The word “includes” shall not limit a term to the specific examples, but is intended to extend its meaning to all other instances or circumstances of like kind or character.

22.10.020 ACCESS, APPROVED. “Approved access” means right of vehicular travel to a public street, as shown on the final subdivision map or final parcel map and as approved by the director of public works.

22.10.025 ACCESS RIGHTS. “Access rights” means the rights to vehicular and pedestrian entry onto a public street from private property.

22.10.030 ADVISORY AGENCY. “Advisory agency” means a designated official or an official body charged with the duty of making investigations and reports on the design and improvement of proposed divisions of real property, the imposing of requirements or conditions thereon, or having the authority under this title to approve, conditionally approve or disapprove maps.

22.10.035 APPEAL BOARD. “Appeal board” means a designated board or other official body charged with the duty of hearing and making determinations upon appeals with respect to divisions of real property, the imposition of requirements or conditions thereon, or the kinds, nature and extent of the design or improvements, or both, recommended or decided by the advisory agency to be required.

22.10.040 BOARD OR BOARD OF SUPERVISORS. “Board” or “Board of Supervisors” means the Board of Supervisors of Sacramento County.

22.10.045 CERTIFICATE OF COMPLIANCE. “Certificate of compliance” means a certificate recorded by the County which determines that the subdivision or real property complies with the provisions of the Subdivision Map Act and Sacramento County ordinances enacted pursuant thereto. A recorded final map or parcel map shall constitute a certificate of compliance with respect to the parcels of real property described therein.

22.10.050 COMMUNITY PLAN. “Community plan” means a plan adopted by the Board of Supervisors pursuant to Title 21 of the Sacramento County Code.

22.10.055 DEDICATION. “Dedication” means the act of granting to a public agency the right to use a portion of real property for public purposes by the fee owner of the real property.

22.10.060 DESIGN. “Design” means (1) street alignments, grades and width; (2) drainage and sanitary facilities and utilities, including alignments and grades thereof; (3) location and size of all required easements and rights-of-way; (4) fire roads and firebreaks; (5) lot size and configuration; (6) traffic access; (7) grading; (8) land to be dedicated for park or recreational purposes; and (9) such other specific requirements in the plan and configuration of the entire subdivision as may be necessary or convenient to insure conformity to or implementation of the general plan, an adopted specific plan or adopted community plans of the County.

22.10.065 DIRECTOR. “Director” means the director of public works, County of Sacramento.

22.10.070 GENERAL PLAN. “General plan” means the general plan of the County or any element, section or portion thereof.

22.10.075 IMPROVEMENT.

- a. **“Improvement” refers to such street work and utilities to be installed, or agreed to be installed, by the subdivider on the land to be used for public or private streets, highways, ways, and easements as are necessary for the general use of the lot owners in the subdivision and local neighborhood traffic and drainage needs as a condition precedent to the approval of acceptance of the final map thereof.**
- b. **“Improvement” also refers to such other specific improvements or types of improvements, the installation of which, either by the subdivider, by public agencies, by private utilities, by any other entity approved by the local agency or by a combination thereof, is necessary or convenient to insure conformity to or implementation of the general plan, an adopted specific plan, or adopted community plan of the County.**

22.10.080 LOT. “Lot” means a parcel of land.

22.10.085 MAP, FINAL SUBDIVISION. “Final subdivision map” means 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.

22.10.095 MAP, STREET DEDICATION. “Street dedication map” means a map submitted for authorization to locate and construct streets in conformance with the general plan and the improvement standards of Sacramento County, including an approved improvement plan.

22.10.100 MAP, TENTATIVE PARCEL. “Tentative parcel map” means a map presented to the advisory agency for approval of land divisions which require a parcel map.

22.10.105 MAP, TENTATIVE SUBDIVISION. “Tentative subdivision map” means a map presented to the advisory agency for approval of land divisions which require a final subdivision map.

22.10.110 NOTICE OF VIOLATION. “Notice of violation” means a certificate recorded by the County which determines that real property has been divided or has resulted from a division in violation of this title or the Subdivision Map Act.

22.10.115 PUBLIC WATER SUPPLY. A water supply provided by a local agency, publicly-owned corporation, or approved utility company.

22.10.120 RIGHT-OF-WAY. “Right-of-way” means 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.

22.10.125 STREET, PUBLIC. A street, highway, thoroughfare, road, avenue, boulevard, alley, lane, court, circle, drive, or way shall not be a public street until and unless the said street

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 purpose of this division.

23.10.130 SUBDIVISION. “Subdivision” means 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.

As used in this section, “agricultural purposes” means the cultivation of food or fiber or the grazing or pasturing of livestock.

22.10.135 SUBDIVISION MAP ACT. “Subdivision Map Act” means the Subdivision Map Act of the state and all amendments or additions thereto (Government Code, Title 7, Division 2 Subdivisions, commencing with Section 66410).

22.10.140 TITLE. “Title” means Title 22 of the Sacramento County Code.

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

22.10.142 VESTING TENTATIVE MAP. “Vesting Tentative Map” or “Vesting Map,” or “Vesting Tentative Subdivision Map” are synonymous and mean a form of tentative map which, 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 (if Section 22.25.020(c) is operative).

22.10.145 ZONING CODE. “Zoning Code” means the Zoning Code of Sacramento County.

CHAPTER 22.15
CONTIGUOUS LAND AND
MERGER

22.15.010 CONSIDERATION OF CONTIGUOUS LAND. Each body acting on or considering any item brought before it by an applicant shall consider all land contiguous to that described on the application whether improved or unimproved which is owned actually or constructively, legally or equitably by the applicant or by any person having any such interest in the property described in the application.

22.15.020 EXTENT OF INCLUDED LAND. The body considering the item shall recommend or determine, as appropriate, the extent of the land which must be included in or described on the approval sought.

22.15.025 INDICATION OF CONTIGUOUS PROPERTY. All contiguously-owned property shall be indicated on any map and shall be revealed on all applications for any approval of notice. (SCC 574 § 2, 1983.)

22.15.030 INDICATION OF UNDIVIDED AND MERGED PROPERTY. All contiguously-owned property not otherwise legally divided or property which is merged as a matter of law shall be included in the map approval of description, except as specifically provided herein. (SCC 574 § 2, 1983.)

22.15.40 MERGER. Property shall be deemed merged as a matter of law only if said property as shown on the latest equalized assessment roll as a unit or units, or as contiguous units, is held in common ownership, and

- a. Was “not legally divided” as defined herein; or
- b. At the time it was divided did not conform to the minimum lot area requirements of the County so as to preclude use or development of the property, and at least one of the contiguous parcels or units, or portions thereof, is not developed with a building for which a building permit has been issued or which was built prior to the time a building permit was required; or
- c. The subdivision map creating the contiguous parcels was recorded prior to January 1, 1948, and at least one of said contiguous parcels or units, or portions thereof, is not developed with a building for which a building permit has been issued, or which was built prior to the time a building permit was required.

Mergers shall occur only to the extent necessary to conform the lots with the minimum lot area standards. Consolidations may be made in any configuration, subject to approval of the director. For the purposes of this section, “not legally divided” means property shown on assessor’s maps as divided, and such division is contrary to the Subdivision Map Act, this title or predecessor regulations.

22.15.045 UNMERGED LOTS. Any merger, or purported merger of parcels or units of property which occurred pursuant to this title, including all previous enactments of this title, which are inconsistent with the provisions of Section 2.20.040, shall be of no force or effect and such parcels or units of property shall be deemed unmerged as provided in Section 66424.2.

22.15.050 LAWFUL PARCELS. Parcels for the purposes of this title, shall be considered lawfully created if:

- a. A certificate of compliance, final parcel map or final subdivision map has been approved on or after March 4, 1972;
- b. The property was divided subsequent to January 1, 1948 by a final subdivision map or final parcel map recorded prior to March 4, 1972;
- c. The property was in fact divided by actual sale, lease or financing arrangement prior to March 4, 1972 and which said division complied with all laws in effect at the time of said division; or
- d. The property was divided by court judgment or decree or other means only if such means are not governed by the Subdivision Map Act, or any ordinance of the County provided the board finds that no attempt was made to avoid the provisions of the Subdivision Map Act or county regulations. The burden of proof to enable the board to make its finding is the responsibility of the property owner. (SCC 574 § 2, 1983.)

22.15.060 VOLUNTARY MERGER.

- a. Subject to the limitations set forth in subsections (b) and (c) of this section, upon request of the legal owner of contiguous parcels, the County may approve pursuant to Government Code Section 66499.20 3/4, the merger of the parcels without reverting to acreage. Any such request shall be in writing signed by all owners and accompanied by any documents or maps as may be required by the County to demonstrate legality and common ownership of said parcels. In approving the combination of parcels, the County may impose reasonable conditions. Upon approval, a certificate of compliance - consolidation shall be recorded with the County Recorder. The filing of the certificate of compliance shall constitute legal merger of the land affected thereby. Where the County or applicant deem it necessary to define and monument the boundaries of the merged parcel, a record of survey otherwise in compliance with all requirements may

be filed at the same time as the merger.

- b. Voluntary mergers of parcels which create additional subdivision potential shall only be approved where the property owner consents to a condition which limits the subdivision potential of the property to that which existed prior to the merger.**
- c. The voluntary merger of commonly held parcels which are unbuildable because of size, lack of access or topography shall not be approved unless the owner of the parcels either:**

1. Merges all commonly held contiguous parcels to achieve maximum compliance with the underlying zoning in effect as of the date of the application.
2. Merges commonly held contiguous parcels into configurations which are consistent with the underlying zoning in effect as of the date of the application.

CHAPTER

22.20

PROCEDURES

22.20.005 APPLICATIONS.

- a. The Planning Director of the Department of ~~Planning and~~ Community Development shall adopt rules to implement the various processes generally set forth in this Title and the Subdivision Map Act. The rules shall apply to, but not be limited to, instructions for preparing and completing applications for parcel maps, subdivision maps, certificates of compliance, reversions to acreage, and compliance with the California Environmental Quality Act.
- b. As soon as practicable after receipt from the Division of Department of Planning and Environmental Review and Assessment of the proposed environmental document related to any project, the Planning Director shall cause the posting of notice of the application and the hearing on the property subject to any application. Such posted notice shall be in a form and shall contain such content as may be approved and required, from time to time, by the Planning Director. Such posted notice shall be maintained by the applicant until removed by the Planning Director or the Director's agent. The applicant shall be responsible for any costs of replacing the notice should it be removed or destroyed prior to removal by the Planning Director.

22.20.010 FILING OF TENTATIVE MAPS. Applications for tentative subdivision

maps and tentative parcel maps shall be filed with the ~~Planning and~~ Department of

Community Development ~~Department~~ and shall be processed in accordance with the

Subdivision Map Act, the provisions of this title and the rules prepared by the Planning

Director ~~of Planning and Community Development~~ as authorized in Section 22.20.005.

22.20.012 FILING OF VESTING TENTATIVE MAPS. The minimum requirements

for filing a vesting map are set forth in this title, commencing with Section 22.25.010.

Applications for vesting maps shall be filed with the Department of Planning and

Community Development ~~Department~~ and shall be processed in accordance with the

Subdivision Map Act, the provisions of this title and the rules prepared by the Planning

Director ~~of Planning and Community Development~~ in Section 22.20.005. A proposed

division of land which otherwise requires a tentative parcel map may instead be submitted

for approval as a vesting tentative subdivision map whenever the subdivider desires the

rights conferred by a vesting map.

22.20.15 FEES. The Board shall by resolution adopt, and from time to time, amend a fee schedule which shall provide for, but not be limited by this reference to, the processing of all maps, appeals, complaints, reversions, certificates, lot line adjustments, or notices, as required by this Title or the Subdivision Map Act. Such fee schedule may include a component for work accomplished by the Assessor pursuant to Section 22.40.040 of Chapter 22.40 of this Title. The fees provided for in this section shall not be applicable to maps or record of survey reviews which are initiated by the Board or by an advisory agency.

22.20.16 PUBLIC WORKS REVIEW FEES. A fee shall be paid by the applicant to the County for parcel map review, final map review, and record of survey review services performed by the County. The fee for these services shall be in the amount of the direct costs incurred by the County based on the hourly rate of the personnel performing the services. This hourly rate shall include all overhead costs. These fees shall not be applicable to maps or record of survey reviews which are initiated by the Board or by an advisory agency.

22.20.17 PAYMENT FOR PUBLIC WORKS REVIEW FEES. A minimum deposit of three hundred dollars (\$300.00) shall be paid by the applicant upon the submittal of parcel map review documents. A minimum deposit of five hundred dollars (\$500.00) shall be paid by the applicant upon the submittal of final map review documents. A minimum deposit of one hundred and fifty dollars (\$150.00) shall be paid by the applicant upon a request for a record of survey review. In the event the cumulative accrued charges exceed the above minimums, the County shall submit monthly billings to the applicants for costs incurred to date of billings in excess of the minimum deposits required. Interest of one and one-half (1 1/2) percent per accounting period (twenty-eight (28) day cycle) compounded each accounting period shall be added to the unpaid balance due to any account which has not been paid within twenty-eight (28) days of the date it was billed. All fees must be paid prior to final approval of the documents by the County Surveyor. In the event the actual total charges are less than the minimum deposit amounts, the County shall reimburse the payer the difference between the minimum deposit and the actual total charges.

22.20.020 NOTICE AND PUBLIC HEARING.

- a. **Tentative Subdivision Maps. The advisory agency shall hold a public hearing on each application for a tentative subdivision map and notice thereof shall be given as provided in Section 66451.3 of the Government Code. Any person may appear at such hearing and shall be heard.**

In addition to the notice required by Section 66451.3, notice shall also be given at least ten

(10) days in advance of the public hearing as required and authorized in Section 66451.4, except that notices shall be given to owners of property within five hundred (500) feet of the property which is the subject of the application, and the advisory agency secretary shall not post such notice.

- | b. **Vesting Tentative Subdivision Maps. The Board of Supervisors and appropriate the County Planning Commission shall hold public hearings on each application for a vesting map and**

**notice thereof shall be given as provided in Section 66451.3 of the Government Code.
Any person may appear at such hearings and shall be heard.**

In addition to the notice required by Section 66451.3, notice shall also be given at least ten days in advance of the public hearings as required or authorized in Section 66451.5, except that notice shall be given to owners of property within five hundred (500) feet of the property which is subject of the application, and the advisory agency secretary or Planning Commission secretary shall not post such notice.

- c. Tentative Parcel Map. Notice shall be given as provided for tentative subdivision maps in subsection (a) of this section.**
- d. Condominium, Community Apartment, and Stock Cooperative Projects. In addition to any other notice, for projects involving the conversion of residential real property to a condominium project, community apartment project, or stock cooperative project, notice shall be given by first class mail to each tenant of the subject property at least ten (10) days in advance of the public hearing. Such notice shall include notification to each tenant of his right to appear and be heard. The Board deems first class mail notice to be equivalent to the “legal requirements for service by mail” as required by Section 66451.3.**
- e. Merger. Notice of hearing on the issue of whether or not a merger of property has occurred shall be in accordance with Section 22.140 of this Title.**

22.20.025 ADVISORY AGENCY, TENTATIVE SUBDIVISION MAPS. Except as provided in Section 22.20.030, the Sacramento County Planning Commission is designated as the advisory agency as to all matters relating to tentative subdivision maps, and said commission is charged with the duty to approve, conditionally approve, recommend approval or disapprove such tentative subdivision maps.

22.20.030 ADVISORY AGENCY (SPECIAL PROCESSING)

- a. The Sacramento County Board of Supervisors shall serve as the advisory agency as to all matters relating to tentative subdivision maps in those instances when tentative**

subdivision maps are filed with an application for a community plan amendment or a general plan amendment.

- b. The Sacramento County Board of Supervisors shall serve as the advisory agency after a recommendation from the Subdivision Review Committee and ~~appropriate the~~ County Planning Commission as to all matters relating to all tentative subdivision maps and tentative parcel maps located within the area regulated by any Airport Comprehensive Land Use Plan (CLUP) which does not comply strictly with the policies of the CLUP, policy 2.8.10 or policy 3.5.17(d) of the Airport Comprehensive Land Use Plan, upon making the findings by a 4/5 vote ~~as required by General Plan Policy 2.8.11.~~
- c. The Sacramento County Planning Commission shall serve as the advisory agency after recommendation from the Subdivision Review Committee to all matters relating to all

tentative subdivision maps and tentative parcel maps located within an area designated as agricultural cropland, general agriculture, agricultural-urban reserve, and agricultural- recreation reserve lands in the General Plan when the proposed subdivision map or parcel map is consistent with the existing zoning but inconsistent with General Plan Policy ~~2.1.1.AG-7~~ Proposed maps that are consistent with existing zoning but inconsistent with General Plan ~~policy-Policy 2.1.1AG-7~~ shall not be approved unless the advisory agency finds, in writing, that the proposed subdivision will not deter the General Plan objective to maintain and enhance agricultural production capability.

22.20.32 **ADVISORY AGENCY FOR VESTING TENTATIVE MAPS.** The Sacramento County Board of Supervisors is the advisory agency as to all matters relating to vesting maps. The County Planning Commission, after a public hearing, shall forward a recommendation to the Board on all vesting maps.

22.20.33 **APPROVAL AUTHORITY, TENTATIVE SUBDIVISION MAPS WHICH UTILIZE LESS THAN ONE-HALF OF ALLOWED DENSITY.** The Sacramento County Board of Supervisors is the approval authority as to all matters pertaining to subdivision maps involving twenty (20) or more units which utilize less than one-half of allowed density as set forth in ~~Section 201.028.1 and 2 of~~ the Zoning Code. The County Planning Commission, after a public hearing, shall act as advisory agency and shall forward a recommendation to the Board.

22.20.35 **ADVISORY AGENCY, TENTATIVE PARCEL MAPS.** Except as otherwise

provided herein, the Subdivision Review Committee is designated as the advisory agency as to all matters relating to tentative parcel maps, including reversion to acreage by parcel map.

22.20.36 ADVISORY AGENCY—BOUNDARY LINE ADJUSTMENTS. The Planning Director is designated as the advisory agency for all matters related to boundary line or lot line adjustments where the project has been determined to be categorically exempt pursuant to CEQA and will not result in any changes in land use density. All other requests for boundary line or lot line adjustments shall be heard by the Subdivision Review Committee acting as the advisory agency, including any proposals which are determined to require an Initial Study and either a Negative Declaration or Environmental Impact Report (EIR) pursuant to CEQA.

22.20.37 APPEALS OF ACTIONS OF THE PLANNING DIRECTOR RELATED TO BOUNDARY LINE ADJUSTMENTS. The applicant or any interested person adversely affected by any action of the Planning Director relating to the provisions of Section 22.20.036 of this chapter, may appeal the action within ten (10) days of the date of the decision. A hearing on the appeal shall be held by the Subdivision Review Committee acting as the appeals board; notice of which hearing shall be given in the same manner as notice originally required for the action before the Planning Director. Any hearing may be continued from time to time. Notwithstanding any other provisions of this Title, all actions of the Subdivision Review Committee pursuant to this section shall be final for all purposes.

22.20.38 APPEALS OF ACTIONS OF THE SUBDIVISION REVIEW COMMITTEE

RELATED TO BOUNDARY LINE ADJUSTMENTS. The applicant or any interested person adversely affected by any action of the Subdivision Review Committee relating to the provisions

of Section 22.20.036 of this chapter, may appeal the action within ten (10) days of the date of the decision. A hearing on the appeal shall be heard by the Board of Zoning Appeals acting as the appeals board; notice of which hearing shall be given in the same manner as notice originally required for the action before the Subdivision Review Committee. Any hearing may be continued from time to time. All actions of the Board of Zoning Appeals pursuant to this section shall be final for all purposes.

22.20.040 APPEALS OF ACTIONS OF THE SUBDIVISION REVIEW COMMITTEE.

The subdivider or any interested person adversely affected by any action of the Subdivision Review Committee, relating to the provisions of this Title, may appeal the action within ten (10) days of the date of the decision. A public hearing on the appeal shall be heard by the County Planning Commission acting as the appeals board; notice of which such hearing shall be given in the same manner as the notice originally required for the action before the Subdivision Review Committee.

22.20.045 APPEALS OR COMPLAINTS OF ACTIONS BY THE COUNTY PLANNING COMMISSION.

- a. The subdivider may appeal from any action of ~~a~~the County Planning Commission acting as an advisory agency with respect to a tentative subdivision map or tentative vesting map by filing a written notice of appeal with the Clerk of the Board of Supervisors within ten (10) calendar days of the date of the decision. Such appeal and the public hearing thereon shall be conducted in the manner prescribed in Section 66452.5 and Section 22.20.020 of this Title.
- b. Any interested person adversely affected by a decision of the County ~~a~~ Planning Commission acting as an advisory agency relating to a tentative subdivision map or tentative vesting map may file a complaint with the Clerk of the Board of Supervisors concerning such decision. Any such complaint shall be filed within ten (10) days after the action which is the subject of the complaint. The Board may, in its discretion, reject the complaint within fifteen (15) days or set the matter for public hearing. If the Board rejects the complaint, the complainant shall be notified of such action. If the

matter is set for public hearing, the public hearing shall be conducted and notice thereof given as provided by Section 66451.3 and Section 22.20.020 of this Title.

- c. Any interested person, including the subdivider, may appeal any decision of the County a Planning Commission acting as an advisory agency, except as otherwise provided in subsections (a) and (b) of this section, within ten (10) days of the date of the decision. Such appeal shall be in writing and shall be directed to the Clerk of the Board. The Board shall conduct a public hearing on the appeal and notice thereof shall be given as required by Section 22.20.020.

22.20.055 REQUEST FOR HEARING. Notwithstanding any provision to the contrary in this Title, if a vote of the members of a-the County Planning Commission ~~planning commission~~ acting as an advisory agency results in a two to two tie vote, any interested person may request a hearing before the Board by filing a notice thereof with the Clerk of the Board within ten (10)

calendar days following such vote. The filing of a request for a hearing shall have the same effect as filing a notice of appeal.

22.20.060 EXPIRATION OF TENTATIVE MAP APPROVAL.

- a. **Tentative Subdivision Map.** The approval or conditional approval of a tentative subdivision map shall expire thirty-six (36) months from the date the map was approved or conditionally approved.
- b. **Vesting Tentative Subdivision Map.** The approval or conditional approval of a vesting map shall expire thirty-six (36) months from the date the map was approved or conditionally approved.
- c. **Tentative Parcel Map.** The approval or conditional approval of a tentative parcel map shall expire thirty-six (36) months from the date the map was approved or conditionally approved.
- d. **Effect of Map Modification.** Modification of a tentative subdivision map, vesting tentative map, or tentative parcel map after approval or conditional approval shall not extend the time limits imposed by this section.
- e. **Effect of Expiration of Map.** The expiration of the approved or conditionally approved tentative subdivision map, vesting tentative map, or tentative parcel map shall terminate all proceedings, and no final map or final parcel map for all or any portion of the real property included within the tentative subdivision map, vesting tentative map, or tentative parcel map shall be filed without first processing an application for a new tentative subdivision map, vesting tentative map, or tentative parcel map.

22.20.065 MORATORIUM. The periods of time specified in this Title for which an approved tentative parcel map, or tentative subdivision map, or vesting tentative map shall be valid shall not include:

- a. Any period of time during which a development moratorium imposed after the approval of the map is in existence; provided, however, that the length of such moratorium does not exceed five years. Once such moratorium is terminated, the approved map shall be valid for the same period of time as was left to run on the map at the time the moratorium was imposed provided, however, that in no instance shall the map be valid for less than one hundred twenty (120) days after termination of the moratorium.
- b. Any period of time during which a lawsuit has been filed and is pending in a court of

competent jurisdiction involving the approval, or conditional approval of a tentative parcel map or a tentative subdivision map if a stay of such time period is approved by the Board. Upon receipt of service of the initial petition or complaint, the Clerk of the Board of Supervisors shall notify the subdivider of the service of the petition or complaint. The subdivider may, within ten (10) days of the receipt of the petition or complaint by the Board, apply to the Board for a stay. The request for stay shall be processed in the same manner as

an appeal of an action of the County Planning Commission; however, the Board shall, within forty (40) days of receipt of the request, hear the matter and either stay the time period for up to five years or deny the requested stay.

22.20.70 SPECIAL PROCEDURES FOR FINAL PARCEL MAPS.

- a. **A final parcel map shall be filed and recorded for any subdivision for which a tentative subdivision and final subdivision map is not required by the Subdivision Map Act except for subdivisions created by short-term leases (terminable by either party or not more than thirty (30) days' notice in writing) of a portion of an operating right-of-way of a railroad corporation defined as such by Section 230 of the Public Utilities Code; provided, however, that upon a showing made to the Board based on substantial evidence, that public policy necessitates such a map, this exception shall not apply. The final parcel map shall not be required for any conveyance or agreement made solely for the purpose of correcting, confirming or relocating a boundary common to abutting lots or parcels provided that the resulting lots comply with the provisions of this Title and the Zoning Code and that no additional lot is created. The boundary line adjustment shall be approved by resolution.**

The final parcel map shall meet all of the requirements of the Subdivision Map Act and this Title and shall show all dedications or offers of dedications thereon. An advisory agency or the Board may require that such dedications or offers of dedications be made by deed in lieu of, or in addition to, those appearing on the map.

- b. **When a final parcel map is required by this Title, a tentative parcel map shall first be filed and approved by the advisory agency. A tentative parcel map shall meet all of the requirements for tentative maps provided by the Subdivision Map Act and this Title.**

22.20.71 SALE OF DESIGNATED REMAINDER. A designated remainder may

subsequently be sold without any further requirement of the filing of a parcel map or final subdivision map if a certificate of compliance or conditional certificate of compliance is issued by the appropriate authority.

22.20.75 WAIVER OF FINAL PARCEL MAPS. An advisory agency may waive the requirements for the recordation of a final parcel map in any case when the land being divided consists of a lot or parcels shown on a recorded parcel map or final subdivision map and the full street improvements have been constructed or monumentation is evident or where each of the lots has a gross acreage of 40 acres or more or each of which is a quarter-quarter section or larger. The advisory agency may grant the waiver and will issue a certificate of compliance if:

- a. The subdivider files an application with the director, including any fees required, verifying the existence of monumentation in the installation of street improvements;**
- b. The application contains a legal description for each of the lots to be created; and**
- c. The advisory agency finds that the proposed division of land complies with requirements as to area, improvement and design, floodwater drainage control, appropriate improved public**

roads, sanitary disposal facilities, water supply availability, environmental protection and other requirements of this title. (SCC 574 § 2, 1983.)

22.20.76 **WAIVER OF PARCEL MAPS FOR CONDOMINIUMS.** The County Planning Commission or the County Board of Supervisors may waive the requirements for a tentative or final map, imposed by the Subdivision Map Act for the construction of a residential condominium project on a single lawful parcel. The Director of Public Works may waive the requirements for a tentative or final map, imposed by the Subdivision Map Act for the construction of a commercial or industrial condominium project on a single lawful parcel.

The procedure for determining whether such a waiver for a residential condominium is appropriate shall be initiated by an application for waiver filed with the [Planning Director of the Department of County Director of Planning and](#) Community Development. An application for waiver for a commercial or industrial condominium shall be initiated by an application for waiver filed with the County Director of Public Works.

The application shall contain a legal description for the single lawful parcel and a description of the proposed condominium project. If an application for waiver on a residential condominium project is filed contemporaneously with an application to adopt or amend a community plan as provided in Title 21, then the application for waiver shall be first considered by the County Planning Commission at a public hearing. After this hearing, the County Planning Commission shall provide a written recommendation to the County Board of Supervisors which shall make the final determination on the application. All other applications for waiver on a residential condominium project shall be considered

by the County Planning Commission at a public hearing. The County Planning Commission shall make the final determination on these applications for waiver.

Applications for waiver of final or tentative maps on a commercial or industrial condominium project on a single lawful parcel shall be considered and granted or denied by the Director of Public Works.

No applications for waiver of the requirement for a tentative or final map for the construction of a condominium project on a single lawful parcel shall be granted unless it is found that the proposed division of land complies with the requirements of the Subdivision Map Act and the Sacramento County Code as to area, improvement and design, floodwater drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability, environmental protection, and other requirements of the Subdivision Map Act and the Sacramento County Code.

22.20.77 **SPECIAL PROCEDURES FOR BOUNDARY LINE ADJUSTMENTS. The Planning Director or the Subdivision Review Committee acting as the advisory agency pursuant to Section 22.20.036 of this Title, may approve a boundary line or lot line adjustment between two or more existing adjacent parcels, where the land taken from one parcel is added to an adjacent parcel, and where a greater number of parcels than originally existed is not thereby created. The advisory agency may approve a parcel smaller than the minimum lot area required by the Zoning Code, subject to the following findings:**

- a. The existing parcel was legally created.**
- b. The resulting parcel size will be at least as large as the existing parcel.**
- c. The resulting parcel size and configuration will be adequate for the permitted uses.**

22.20.080 ACTION ON TENTATIVE MAPS. In addition to any other basis provided in this title or the Subdivision Map Act, an advisory agency or the board shall disapprove a tentative subdivision map, vesting subdivision map, or tentative parcel map if it finds that the tentative subdivision map, vesting subdivision map, or tentative parcel map is inconsistent with an adopted community plan; violates the provisions of the Zoning Code of Sacramento as to area, setback, frontage, or any other requirements for which no variance or exception has been granted; enlarges, expands or extends a nonconforming use of the land under the Zoning Code; or the division of land violates any other county ordinance or code provision.

22.20.090 EXTENSIONS OF TIME. Any tentative subdivision map or vesting subdivision map is eligible for an extension of time, provided final approval for such extension occurs prior to the expiration of the original map. The hearing procedures for an extension of time shall be the same as for resubmittal of the map. Upon filing of a timely application for an extension of time, the map shall automatically be extended for sixty (60) days or until the application for the extension is approved, conditionally approved, or denied, whichever occurs first. An extension of time may not be granted for more than five years, but may be granted for a lesser time at the sole discretion of the final hearing body. A subdivider may apply for a resubmission of the map rather than an extension of time; in which case, the map may be approved after the expiration date of the original map. The expiration date of an approved resubmitted map shall be as set forth in Section 22.20.060.

22.20.095 EXTENSIONS OF TIME FOR RELATED ENTITLEMENTS.

Notwithstanding

any other provision of this Code or of the Sacramento County Zoning Code, any entitlement, development permit or other approval which would expire pursuant to this Code or the Sacramento County Zoning Code, but 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 Section 66452.11, 66452.13, or by the provisions of any other similar section that may from time to time be added to the Government Code, shall be extended for the same period as that provided by said section for the approved tentative subdivision or parcel map to which it pertains.

CHAPTER 22.24

WATER AND SEWER REQUIREMENTS

22.24.630 WATER AND SEWER REQUIREMENTS. Water and Sewer service shall be provided as set forth below:

- a. **Wells and septic tanks shall be constructed in compliance with the standards and codes of the County.**
- b. **For subdivisions zoned AR-2 or denser, domestic water shall be provided to all lots from a public water supply source and distribution system conforming to the standards of the County or a water purveyor acceptable to the Director.**
- c. **The water purveyor shall not be a homeowners association or mutual water company or corporation. Exceptions to this restriction may be granted by the advisory agency or the board if it is determined that the proposed subdivision lies within the existing franchise area of a mutual water company or corporation, or if the advisory agency or the board makes a finding in accordance with the provisions of this chapter.**
- d. **For subdivisions zoned AR-2 and denser, a water meter setter shall be installed at each service connection conforming to the standards of the County or the water purveyor which will operate the system after completion.**

22.24.640 EXCEPTIONS. The advisory agency or the board may authorize exceptions to any of the requirements of this chapter, unless a requirement specifically states that an exception cannot be granted. Such exception may be granted if the advisory agency or the board finds that the requirement imposes an unreasonable economic hardship and that granting the exception will not be detrimental to the health, safety, comfort or general welfare of persons residing or working in the subdivision. The appropriate authority may designate such conditions in connection with the granting of an exception as it deems necessary to protect the purposes of this chapter.

22.24.650 REQUEST FOR EXCEPTIONS. The applicant must request in writing that an exception from the requirement be granted. Such request shall be made when the application is submitted, and any such request shall state the reasons for the request and any claim of economic hardship shall be substantiated.

22.24.660 DEFINITIONS. The following definitions shall apply for the purposes of this section:

- a. **“Water meter setter”**: A fitting that allows meter installation and replacement without disturbing the piping system; often referred to as a “meter yoke.”
- b. **“Service connection”**: The point of connection of the customer’s piping with the meter or meter setter. Normally, this is at the lot property line or easement line.

CHAPTER

22.25 VESTING

MAPS

22.25.010 LIMITATIONS ON VESTING MAPS. Whenever this title requires

that a tentative subdivision map or a tentative parcel map be filed, a vesting

subdivision map may instead be filed, subject, however, to the following limitations:

- a. A vesting map shall not be approved unless the Board of Supervisors finds it to be consistent with the adopted general plan. Except as otherwise provided in subdivision c of this section, a vesting map may not be filed concurrently with a general plan amendment nor during the period a general plan amendment for the area covered by the proposed map is in process.**
- b. Applications for projects which require amendments to an adopted community plan, or the Sacramento County Zoning Code, or which require discretionary approvals pursuant to the Zoning Code, including, but not limited to, special development permits, use permits, development plan reviews, exceptions, special review of parking or variances, may not include an application for a vesting map unless all needed applications for such approvals for the project are concurrently filed with the vesting map. Vesting maps may not be approved with the condition that needed plan amendments, zoning and discretionary approvals be subsequently secured.**
- c. Notwithstanding any other provision of this Code, an application for a vesting map may be filed concurrently with an application to amend the Sacramento County general plan provided that the area covered by the vesting map is included in the area covered by the application to amend the general plan and is also included in either a concurrently filed or previously filed and pending application for a specific plan.**

22.25.020 EFFECT OF APPROVAL. The approval of a vesting tentative map by the

Board of Supervisors shall confer a vested right to apply for permits needed to proceed with

development and have the County exercise its discretion to approval, disapprove, or

approve such permits with conditions, on the basis of ordinances, policies, and standards in

effect at the time the application was determined to be complete pursuant to Section 65940

of the Government Code.

- a. This chapter does not enlarge, diminish, or alter the power of the Board of Supervisors to deny approval of the requested project or any part thereof, or to impose conditions on the approval of a project.**
- b. Nothing in this chapter removes, diminishes, or affects the obligation of any**

subdivider or local agency to comply with the conditions and requirements of any state or federal laws, regulations, or policies.

- c. In the event that Section 66474.2 of the Government Code is repealed, any subsequent approvals of vested maps shall confer a vested right to proceed with development in substantial compliance with ordinances, policies, and standards in effect at the time the vesting map is approved or conditionally approved, rather than at the time the application was determined to be complete.**

- d. Notwithstanding this chapter, the Board of Supervisors or agencies thereof may condition or deny a permit, extension or entitlement, including but not limited to, final maps and building permits, if it determines any of the following:
 - 1. A failure to do so would place the residents of the subdivision or the immediate community, or both in a condition dangerous to their health or safety, or both.
 - 2. The condition or denial is required in order to comply with state or federal law.

22.25.030 ADMINISTRATION OF VESTED RIGHTS. In administering an

approved vesting map, the following shall be applicable:

- a. Approval of a vesting map applies only to actions considered and approved by the Board of Supervisors. If the vesting map was approved with conditions, the approval is subject to those conditions. If related applications for discretionary permits were approved in conjunction with the vesting map, the approvals are subject to applicable ordinances, policies, and standards granting those entitlements, including any conditions thereon.
- b. The rights conferred by approval of a vesting map shall last two 2 years from recordation of the final map.
- c. When several final maps are recorded on various phases of a project covered by a single vesting tentative map, the initial “vesting period” shall begin for each phase on the date the final map for that phase is recorded.
- d. Modifications that are in substantial conformance to the approved plans may be permitted upon approval of the ~~planning-Planning director~~Director. In the event the ~~planning-Planning director~~Director determines that the modifications are not in substantial conformance, the determination may be appealed by the applicant through the normal Title 22 appeal procedures. Alternatively, the ~~planning-Planning director~~Director may choose to refer the matter to the approval body of the vesting map for a determination. Any approved or denied modification request shall not alter the effective period or rights conferred by approval of a vesting map.

22.25.040 TERMINATION OF VESTED RIGHTS. Vested rights that have been

conferred shall end on the occurrence of the following, whichever comes first:

- a. A final map is not recorded within three years of approval of the vesting tentative map or, if an extension of time has been granted, within the time specified by that extension. The time allowed for recordation may be extended by a moratorium or a stay under Section 22.20.065 provided that such moratorium or stay would have prevented a final

map from being recorded during that period.

- b. If a final map is recorded, the vesting rights shall end two 2 years after the date of final map recordation.**

- c. **The expiration of a building permit, including extensions, issued pursuant to a vesting map, and issued during the time vesting rights are valid.**
- d. **Vesting rights shall automatically be extended by any time used by a county department for processing a complete application for a grading permit or for design or architectural review, if the time used by the County exceeds 30 days from the date a complete application is filed.**

22.25.050 MINIMUM REQUIREMENTS FOR FILING A VESTING MAP. The provisions for filing a complete application for a tentative map, as set forth in Section 22.20.005, are applicable to vesting maps, however, the requirements for filing a vesting map shall also include:

- a. **All copies of the submitted vesting maps shall be identified with the words “VESTING TENTATIVE MAP” conspicuously printed on the face of the map.**
- b. **A preliminary grading plan shall be submitted concurrently with the application for a vesting map. The preliminary grading plan shall show existing topography at a contour interval sufficient to show the general slope of the property and shall show the proposed elevations of roads at 100 foot stations, proposed building pad elevations, and all lot corners around the periphery of the project. The preliminary grading plan shall be prepared to a one foot plus or minus tolerance.**
- c. **A tree preservation plan shall be submitted concurrently with the application for a vesting map. The tree preservation plan shall accurately identify all existing trees as to species, trunk size and dripline. Trees that are proposed for removal shall be marked “TO BE REMOVED.” Any provisions for tree preservation, transplanting, or new plantings shall be identified.**
- d. **A preliminary site plan showing building locations and exterior features on each lot shall be submitted concurrently with the application for a vesting map. For single family detached and zero lot line projects, the site plan may consist of a lotting plan with typical building envelopes. Such plan shall indicate all building setbacks, building heights, number of stories, driveway locations, landscaped areas, and other improvements as the developer proposes to install.**
- e. **In those circumstances where a development plan review is required by ordinance, zoning agreement, special development permit, or by a condition of previous approval, such review application and all exhibits necessary for the review shall be submitted concurrently with the application for a vesting map.**
- f. **In those circumstances where the project requires concurrent discretionary approval as set forth in Section 22.25.010(c), all exhibits necessary for such application shall be**

submitted concurrently with the application for a vesting map.

- g. Such other exhibits that fully depict features of the development which the developer desires review for the purpose of approval concurrently with vesting map.**

CHAPTER 22.30

DEDICATIONS

22.30.005 STREETS, ALLEYS, DRAINAGE, PUBLIC UTILITY EASEMENTS, AND OTHER PUBLIC EASEMENTS. As a condition of approval of a tentative subdivision or tentative parcel map, the subdivider shall dedicate or make an irrevocable offer of dedication of real property within the subdivision that is needed for streets, alleys, including access rights and abutters' rights, drainage, public utility easements, scenic easements, open space easements, and other public easements. In addition, the subdivider shall improve or agree to improve all streets, alleys, including access rights and abutters' rights, drainage, public utility easements and other easements.

22.30.010 BICYCLE PATHS. Whenever a subdivider is required to dedicate roadways to the County, said subdivider may also be required to dedicate additional land to provide bicycle paths for the use and safety of the residents of the subdivision; provided, however, that the subdivision as shown on the final subdivision map thereof contains 200 or more parcels. This requirement for dedication of bicycle paths shall not be defeated by a subdivider by filing multiple final maps relating to the approval or conditional approval of a single tentative subdivision map as authorized by Section 66456.1.

22.30.015 LOCAL TRANSIT FACILITIES. As a condition of approval of a tentative subdivision map, a subdivider shall dedicate or make an irrevocable offer of dedication of real property within the subdivision for local transit facilities including, but not limited to,

such facilities as bus turnouts, benches, shelters, landing pads and similar items which directly benefit the residents of the subdivision, provided the tentative map indicates that the subdivision has the potential for not less than 200 dwelling units if developed to the maximum density as shown on the adopted general plan and community plan for the area, or contains 100 acres or more, and the advisory agency or board finds that transit services are or will, within a reasonable time period, be made available to such subdivision. This section shall not apply to condominium projects or stock cooperatives which consist of the subdivision of air space in an existing apartment building which is more than five years old, when no new dwelling units are added by the subdivision.

22.30.020 SCHOOL SITES. As a condition of approval of a final map, a subdivider who develops or completes the development of one or more subdivisions within any elementary school district within the unincorporated area of the County of Sacramento, shall dedicate to the school district such lands as the board deems to be necessary for the purpose of constructing thereon schools necessary to assure the residents of the subdivision adequate elementary school service.

The requirement of dedication shall be imposed at the time of approval of the tentative map. If, within 30 days after the requirement of dedication is imposed by the County or such other time period the subdivider and school district mutually agree, the school district does not offer to enter into a binding commitment with the subdivider to accept the dedication, the requirement shall

automatically terminate. The required dedication may be made at any time before, concurrently with, or up to 60 days after the filing of the final map on any portion of the subdivision. The school district shall, if it accepts the dedication, repay to the subdivider or to his successors in interest the cost of the land plus the cost of improvements and taxes as specified in Section 66478. The provisions of this section shall not be applicable to a subdivider who has owned the land being subdivided for more than ten years prior to the filing of the tentative map.

22.30.025 WAIVER OF DIRECT STREET ACCESS. An advisory agency or the board may impose a requirement that any dedication or offer of dedication of a street shall include a waiver of direct access rights to such street from any property shown on a final subdivision map or final parcel map as abutting thereon. The director shall establish standards to be included as part of the improvement standards to guide the advisory agencies and the board in applying this section.

CHAPTER 22.35

AFFORDABLE

HOUSING

Note this chapter is not included. Refer to the County Code.

CHAPTER 22.40

PARK AND RECREATION DEDICATION AND FEES

22.40.005 AUTHORITY. This chapter is enacted pursuant to the authority granted by Section 66477. The park and recreational facilities for which dedication of land and/or payment of fee is required shall be in accordance with the local recreational element of the general plan. Land dedication under this chapter shall conform to the County general plan, to any adopted community plan, and the applicable provisions of Section 66477.

22.40.010 PURPOSE. As a condition of approval of a tentative subdivision map or tentative parcel map, the subdivider shall dedicate land, pay a fee in lieu thereof, or both, at the option of the County for neighborhood and community park or recreational purposes at the time specified by the County according to the standards and formula contained in this chapter.

22.40.020 PROCEDURE FOR SUBDIVIDER. At the time of filing of a tentative subdivision map for approval, the subdivider of the property shall, as a part of such filing, indicate whether the subdivider desires to dedicate property for park or recreation purposes, or whether the subdivider desires to pay a fee in lieu thereof, or a combination of dedication and in- lieu fees. If the subdivider desires to dedicate land for this purpose, the subdivider shall designate the area thereof on the tentative subdivision map as submitted.

22.40.025 DETERMINING THE LOCAL AGENCY.

- a. **Prior to the time of tentative subdivision or tentative parcel map approval, the board shall have determined whether the County or another public agency is the appropriate local public agency providing park and recreation services on a community wide level and to the area within which the proposed development will be located. Pursuant to such determination, land/or fees required under this section shall be conveyed or paid directly to the designated agency, if such agency elects to accept the land/or fee.**
- b. **In the event park and recreation services and facilities are provided by a public agency other than the County, the amount and location of land to be dedicated or fees to be paid shall be jointly determined by the board and the board of directors of such public agency.**

22.40.030 DEDICATION REQUIREMENTS. The advisory agency or board shall require the dedication of all land, the payment of fees in lieu thereof, or a combination of both as provided herein, for park or recreational purposes as a condition to the approval of a tentative subdivision or tentative parcel map; provided that:

- a. **The land, fees, or combination thereof are to be used only for the purposes of developing new and rehabilitating existing park or recreational facilities to serve the subdivision;**
- b. **The amount and location of land to be dedicated or the fees to be paid shall bear a reasonable relationship to the use of the park and recreational facilities by the future inhabitants of the subdivision.**
- c. **The board and/or the designated local public agency shall develop a schedule specifying how and when it will use the land/or fees, or both, to develop park or recreational facilities to serve the residents of the subdivision. Any fees collected shall be committed within five years after the payment of fees or the issuance of building permits on one-half of the lots created by the subdivision, whichever occurs later. If such fees are not committed, they shall be distributed and paid to the then record owners of the subdivision in the same proportion that the size of their lot bears to the total area of all lots within the subdivision.**
- d. **Only the payment of fees may be required in subdivisions containing fifty parcels or less. However, nothing in this chapter shall prohibit the dedication and acceptance of land for park and recreation purposes in subdivisions of fifty parcels or less, if the subdivider voluntarily proposes such dedication and the land otherwise meets the requirements of this title.**

- e. **Subdivisions containing less than five parcels and not used for residential purposes shall be exempted from the requirements of this article; provided however, that a condition may be placed on the approval of such parcel map that if a building permit is requested for construction of a residential structure or structures on one or more of the parcels within four years, the fee may be required to be paid by the owner of each such parcel as a condition to the issuance of such permit.**

- f. **If the subdivider provides park and recreational improvements to the dedicated land, the value of the improvements, together with any equipment located thereon, shall be a credit**

against the payment of fees or dedication of land required by this ordinance, as determined pursuant to Section 22.40.085.

22.40.035 CALCULATING AREA OF LAND DEDICATION.

- a. **If the advisory agency or Board of Supervisors requires the dedication of land, the subdivider or owner shall dedicate land for neighborhood and community parks according to the formula $D \times F = A$ in which:**

D equals the number of dwelling units. F equals a “factor” herein described.

A equals the amount of land, in acres, to be dedicated.

- b. **“Dwelling unit” means one or more rooms in a building or structure or portion thereof designed exclusively for residential occupancy by one family for living or sleeping purposes and having kitchen and bath facilities, including mobilehomes.**

“Single-family area” means an area of land used for or proposed for detached buildings designed for occupancy by one family.

“Multiple-family area” means an area of land used for or proposed for residential occupancy in buildings or structures designed for two through four families for living or sleeping purposes and having a kitchen and bath facilities for each family, including two-family, group and row dwelling units.

“Apartment area” means an area of land used for or proposed for residential occupancy in buildings or structures designed for five or more families for living or sleeping purposes and having kitchen and bath facilities for each family. Included are condominiums and cluster developments.

“Mobilehome development” means an area of land used for or proposed for residential occupancy in vehicles which require a permit to be moved on a highway, other than a motor vehicle designed or used for human habitation and for being drawn by another vehicle.

- c. **The factors .0088, .0073, .0060 and .0058 are constants determined from the 2000 Federal Census Analysis of the population trends and studies of Sacramento County which, when multiplied by the number of dwelling units permitted in the subject area, will produce three acres per thousand population to be devoted to neighborhood or community park facilities. This limit is specified in Section 66477 of the Government Code, and limits the objective in the recreation element of the general plan, unless a higher standard is adopted pursuant to Section 22.40.045. The ~~planning~~ Planning director shall re-establish such factors every ten (10) years in conjunction with the Federal census.**

Fs = .0088 relating to single-family dwelling units

Fm = .0073 relating to multiple-family dwelling units

Fa = .0060 relating to apartment, cluster and condominium dwelling

units Fmh = .0058 relating to mobilehome development dwelling units

- d. **In multiple-family and apartment areas, the number of dwelling units shall be calculated from the maximum density permitted in the proposed zone, as determined from the Zoning Code, including any density bonus, unless the subdivider can demonstrate that the development will contain a lesser number of dwelling units. For tentative parcel maps in multi-family zones which require development plan review pursuant to Sacramento Zoning Code Sections 110-80 et seq., a condition may be added to the tentative parcel map stating that the number of dwelling units may be calculated using the density tentatively approved pursuant to development plan review, and such review shall not become final until the required land/or improvements are dedicated or fees in lieu thereof are paid by the subdivider to the satisfaction of the County.**

22.40.040 CALCULATION OF IN LIEU FEES. Where the advisory agency or board requires the payment of in lieu fees, the amount to be paid shall be a sum calculated pursuant to the following formula:

$$A \times V = M$$

Where A = the amount of land required for dedication as determined by Section 22.40.035 or 22.40.045;

V = fair market value per acre of the property to be subdivided, as established by an appraisal at the time of payment, by the office of the County assessor, based on the proposed land use; and

M = the number of dollars to be paid in lieu of dedication of land.

22.40.045 ALTERNATIVE CALCULATION METHOD.

- a. **This section specifies the alternative method to that specified in Section 22.40.035 for determining the factors used in calculating the area of land to be**

dedicated.

- b. **The County Department of Regional Parks or any other local public agency providing parks may apply to the Board of Supervisors for a determination of the standard for existing neighborhood and community park acreage. In its application, the agency shall present its calculations, reports and other evidence showing that the amount of existing neighborhood and community park area exceeds three acres of park area per one thousand (1,000) members of the population of the County or applicable local agency providing parks. The calculation shall be derived pursuant to Government Code section 66477.**
- c. **If the Board of Supervisors determines after a noticed public hearing that the standard for existing neighborhood and community park acreage exceeds three acres of parks for one**

thousand (1,000) members of the population of the County or local public agency, the County Code shall be amended to reflect the new standard.

- d. The amount of land dedicated or fees paid in lieu thereof as a condition to the approval of a tentative map or parcel map in the jurisdiction of the local public agencies specified in this section shall be calculated using the following factors instead of those specified in Section 22.40.035.**

|

	Acreage Dedication Requirement	Fs (Single Family)	Fm (Multiple Family)	Fa (Apartment Cluster Condominium)	Fmh (Mobile- Home)
Arden Manor	3.18	0.0093	0.0078	0.0064	0.0061
Carmichael	4.85	0.0142	0.0118	0.0097	0.0094
Cordova	4.87	0.0142	0.0119	0.0097	0.0094
Elk Grove (now CCSD)	5.00	0.0146	0.0122	0.0100	0.0097
Fair Oaks	4.65	0.0136	0.0113	0.0093	0.0090
Fulton-El Camino	5.00	0.0146	0.0122	0.0100	0.0097
Mission Oaks	3.07	0.0090	0.0075	0.0061	0.0059
Southgate	5.00	0.0146	0.0122	0.0100	0.0097
Sunrise	3.55	0.0104	0.0087	0.0071	0.0069
CSA #4c	5.00	0.0146	0.0122	0.0100	0.0097
Rio Linda CSA 3a	5.00	0.0146	0.0122	0.0100	0.0097
Orangevale	5.00	0.0146	0.0122	0.0100	0.0097

22.40.050 STANDARDS FOR FINAL MAPS WHERE TENTATIVE MAP APPROVED PRIOR TO 1983. When a final map is approved after January 1, 1983, in substantial compliance with a tentative map approved prior to January 1, 1983, the advisory agency or board shall require dedication of land/or payment of fees, or both, as a condition of approval of the final map using the current standards otherwise applicable to tentative maps after January 1, 1983.

22.40.055 EXEMPTION. This chapter shall not apply to:

- a. Commercial or industrial subdivisions;
- b. Condominium projects or stock cooperatives which consist of the subdivision of airspace in an existing apartment building which is more than five years old when no new dwelling units are added; or
- c. Tentative subdivision maps or tentative parcel maps in agricultural or agricultural residential zones as defined in the Sacramento County Zoning Code when more than 50% of the lots created exceed two gross acres each;

- d. **A tentative subdivision or tentative parcel map of existing multi-family residential units which are more than five years old when no new dwelling units are added; or**
- e. **A lot or parcel, within a tentative subdivision or tentative parcel map, that contains a single family dwelling that is more than five years old when no new dwelling units are added to said lot or parcel.**

22.40.060 RECREATIONAL COMMUNITY GARDENING. Land and facilities for the activity of “recreational community gardening,” which activity consists of the cultivation by persons other than or in addition to, the owner of such land, of plant material not for sale, shall be deemed a park and recreational purpose.

22.40.065 CREDIT FOR PRIVATELY-OWNED FACILITIES.

- a. **The board may grant credit for privately-owned and maintained open space or local recreation facilities, or both, in planned unit developments or residential townhouse units, or mobilehome developments or special planning areas, as defined in the Zoning Code. Such credit shall be subtracted from the dedication or fees, or both; provided:**
 1. **Yards, patio court areas, setbacks, and other open space areas required by this title and the Zoning Code shall be maintained.**
 2. **Provision is made by written agreement or recorded covenants, that the private areas be adequately maintained;**
 3. **The use of private open space or recreation facilities is limited to park and local recreation purposes and shall not be changed to another use without the written consent of the board.**
- b. **Land/or facilities which may qualify for credit will generally include the following:**
 1. **Open spaces, which are generally defined as parks and parkway areas, ornamental parks, extensive areas with tree coverage, lowlands along streams or areas of rough terrain when such areas are extensive and have natural features worthy of scenic preservation, golf courses, or open areas on the site in excess of twenty thousand square feet;**
 2. **Court areas for tennis, badminton, shuffleboard or similar hard-surfaced areas designed and used exclusively for court games;**
 3. **Recreational swimming areas defined as fenced areas devoted primarily to swimming and diving, including decks, lawned area, bathhouses, or other facilities developed and used exclusively for swimming and diving and consisting of no less than fifteen square feet of water surface area for each three percent of the population of the subdivision;**
 4. **Recreation buildings, designed and primarily used for the recreational needs of the residents of the development;**

5. **Special areas defined as areas of scenic or natural beauty, historic sites, hiking, riding or motorless bicycle trails, including pedestrian walkways separated from public roads, planting strips, lake sites, hiking, riding or motorless bicycle trails, including pedestrian walkways separated from public roads, planting strips, lake site or river beaches,**

improved access or right-of-way in excess of requirements of Section 22.40.035, and similar types of open space or recreational facilities. (SCC 574 § 2, 1983.)

22.40.070 COMPUTATION OF CREDIT. The categories for credit described in Section

22.20.065 shall be given equal weight, each category not to exceed twenty-percent of the total dedication or fee which may be required by the board. The board may grant additional credit for each category if there is substantial evidence that:

- a. **The open space or recreational facility is above average in esthetic quality, arrangement or design; or**
- b. **The open space or recreational facility is clearly proportionately greater in amount or size than required by this title or usually provided in other similar types of development; or**
- c. **The open space or recreational facility is situated so as to compliment open space or local recreational facilities in other private or public developments.**

22.40.075 ACCESS REQUIREMENTS. All land offered for dedication for park and recreational purposes shall have access on at least one existing or proposed public street. This requirement may be waived by the board if the board determines that the public street access is unnecessary for the maintenance of the park area or use thereof by the residents.

22.40.080 SALE OF DEDICATED LAND. The subdivider or owner and the board or the director of a local park and recreational district may, after dedication of the land and before construction of the first dwelling unit, agree to sell the land dedicated and use the proceeds thereof towards the acquisition of a more suitable site. Such sale is subject

to the limitations imposed on disposition of park property set forth in the Government Code.

22.40.085 CREDIT FOR PARK AND RECREATIONAL IMPROVEMENTS AND EQUIPMENT.

- a. **If the subdivider proposes to receive credit for providing park and recreational improvements to the land the subdivider has dedicated, or equipment located thereon, the following procedure shall be followed. At the time of filing for the tentative map, the subdivider shall notify the local agency providing park and recreational services to the area within which the proposed development will be located that he or she intends to receive credit for park and recreational services to the area within which the proposed development will be located that he or she intends to receive credit for park and recreational improvements to the dedicated land and equipment located on that land. At the time of approval of the tentative map, the amount of land to be dedicated necessary to comply with this chapter shall be calculated pursuant to Sections 22.40.035 or.045. As a condition of approval of such tentative map, the developer shall be required to dedicate the calculated amount of land/or its equivalent in fees or credits at the time of filing the final map, and the developer shall sign an agreement with the local agency stating that land, and any equipment located thereon shall be calculated and dedicated at the time of approval of the**

final map in an amount equivalent to the current value of the amount of land required to be dedicated as a condition of the tentative map.

- b. Such land, improvements and equipment may be accepted by the local agency if such land, improvements and equipment complies with its master plan for that park. Immediately upon the approval or conditioned approval of the tentative map to the subdivider, the local agency providing parks shall initiate preparation of a master plan for the park area proposed to receive the credits. Such master plan shall be completed within the duration of the tentative map and not later than thirty-six (36) months from approval of the tentative map.**
- c. At the time of approval of the final map, the subdivider shall dedicate land to the local agency providing parks if such dedication is consistent with the master plan. The subdivider and the local agency shall enter into a credit agreement whereby the subdivider agrees to pay a fee in lieu of dedication of land, and provide a bond or other security acceptable to the County guaranteeing the subdivider will pay the fee, in the amount of the remainder of the obligation calculated pursuant to subdivision (a). The subdivider then shall specify the improvements to the dedicated land together with equipment located thereon he or she wishes to provide, consistent with the master plan. The public agency shall proceed with a standard competitive bid process to arrive at the lowest responsible bidder for providing such improvements and equipment. Upon completion of the competitive bid process, the subdivider shall pay the fee, which shall be used to pay for such improvements and equipment. If no fee is paid, the bond or other security shall be used for such payment. The remainder of the fee or security, if any, shall be retained by the local agency.**
- d. If the developer and local agency agree to allow installation of park and recreational improvements and equipment located on the dedicated land, rather than providing a fee, bond, or other security pursuant to subdivision (c), the developer may do so provided that such improvements are consistent with the park master plan. The amount of credit to be given shall be determined jointly by the local agency providing parks, the Department of Public Works, and the developer, based on evidence presented by the developer showing that such improvements were obtained and installed at a reasonable, competitive rate for the community. Only reasonable charges shall be eligible for credit under this section. The developer may choose to construct and provide such improvements and equipment only upon a showing to the Department of Public Works and local agency providing parks that such a procedure will not result in costs in excess of that obtainable by using a competitive bidding process carried out by the public agency, pursuant to subdivision c. (SCC 574 § 2, 1983.)**

CHAPTER 22.50

RESERVATIONS AND PUBLIC ACCESS TO PUBLIC RESOURCES

22.50.005 RESERVATIONS. As a condition of approval of a tentative subdivision map, the subdivider shall reserve sites, appropriate in area and location, for parks, recreational facilities,

fire stations, libraries or other public uses according to the standards and formula contained in this chapter.

22.50.010 STANDARDS AND FORMULA FOR RESERVATION OF LAND. If a park, recreational facility, fire station, library, or other public use is shown on an adopted specific plan, adopted community plan, or the general plan containing a community facilities element, recreation and parks element or a public building or facilities element, the subdivider may be required to reserve sites in accordance with the definite principles and standards contained in such specific plan, community plan or general plan. The reserved area shall be of such size and shape as to permit the balance of the property within which the reservation is located to develop in an orderly and efficient manner. The amount of land to be reserved shall not make development of the remaining land held by the subdivider economically unfeasible. The reserved area shall conform to the adopted specific plan, community plan or general plan and shall be of such multiples of streets and parcels as to permit an efficient division of the reserved area in the event that it is not acquired within the prescribed period.

22.50.015 PROCEDURE. The public agency for whose benefit an area has been reserved shall at the time of approval of the final subdivision map or final parcel map enter into a binding agreement to acquire such reserved area within two years after the completion and acceptance of all improvements, unless such period of time is extended by mutual agreement between the public agency and the subdivider.

22.50.020 PAYMENT. The purchase price of the reserved area shall be the market value thereof at the time of the filing of the tentative subdivision map or tentative parcel

map plus the taxes against such reserved area from the date of the reservation and any other costs incurred by the subdivider in the maintenance of such reserved area, including interest costs incurred on any loan covering such reserved area.

22.50.025 TERMINATION. If the public agency for whose benefit an area has been reserved does not enter into such a binding agreement, the reservation of such area shall automatically terminate.

22.50.030 PUBLIC ACCESS TO PUBLIC RESOURCES. As a condition of approval of a final subdivision map or final parcel map, the subdivider shall provide access to and/or along public waterways, rivers, streams, reservoirs or lakes as required in Article 3.5, of Chapter 4 of the Subdivision Map Act. Sections 66478.1 through 66478.14.

CHAPTER 22.60

MAJOR IMPROVEMENT ASSESSEMENTS

22.60.005 BRIDGE CROSSINGS AND MAJOR THOROUGHFARES. The purpose of this section is to make provision for assessing and collecting fees as a condition of approval of a final subdivision or final parcel map or as a condition of issuing a building permit for the

purpose of defraying the actual or estimated costs of constructing bridges or major thoroughfares pursuant to California Gov. Code section 66484.

Prior to the filing of a final subdivision map or final parcel map, or prior to the issuance of a building permit, the subdivider shall pay or cause to be paid any fees for defraying the actual or estimated cost of constructing planned bridges or major thoroughfares, after the proceedings and other provisions of Section 66484 have been complied with.

22.60.010 SEWER FACILITIES. Prior to the filing of any final subdivision map or final parcel map, the subdivider shall pay or cause to be paid any fees for defraying the actual or estimated cost of constructing planned drainage and sanitary sewer facilities for drainage and sanitary sewer areas, after the proceedings and other provisions of Section 66483 have been complied with.

22.60.015 GROUNDWATER RECHARGE FACILITIES. Prior to the filing of any final subdivision map or final parcel map, the subdivider shall pay or cause to be paid any fees for defraying the actual or estimated cost of constructing planned groundwater facilities, after the proceedings and other provisions of Section 66484.5 have been complied with.

CHAPTER 22.70

SUPPLEMENTAL IMPROVEMENTS REIMBURSEMENT AGREEMENTS

22.70.005 REQUIRED SUPPLEMENTAL IMPROVEMENTS. The subdivider may be required to install improvements for the benefit of the subdivision which may contain supplemental size, capacity or number for the benefit of property not within the

subdivision as a condition precedent to the approval of a subdivision or parcel map, and thereafter to dedicate such improvements to the public. Supplemental improvements are subject to the limitations imposed on subdivisions of 4 or less lots as set forth in Government Code Section 66411.1. The subdivider, however, shall be reimbursed for that portion of the cost of such improvements equal to the difference between the amount it would have cost the subdivider to install such improvements to serve the subdivision only and the actual cost of such improvements pursuant to the provisions of the Subdivision Map Act.

22.70.010 SUPPLEMENTAL IMPROVEMENTS, REIMBURSEMENT AGREEMENT FUNDING PROCEDURES. No charge, area benefit or local benefit district shall be established unless and until a public hearing in accordance with the provisions of Section 22.20.015 is held thereon by the board and it finds that the fee or charge in the area of benefit or local benefit district is reasonably related to the cost of such supplemental improvements and the actual ultimate beneficiaries thereof.

22.70.015 SUPPLEMENTAL IMPROVEMENTS; BRIDGES AND MAJOR THOROUGHFARES, DRAINAGE, SEWERAGE, AND GROUNDWATER RECHARGE FACILITIES. If the County has adopted a local drainage or sewer plan or map as required for the imposition of fees therefor, established an area of benefit for bridges or major thoroughfares, or has provided for a plan for groundwater recharge facilities, the County may impose a

reasonable charge on property within the areas benefited and may provide for the collection of said charges as set forth in this title. The county may enter into reimbursement agreements with a subdivider who constructs such facilities and the charges collected by the County therefor may be utilized to reimburse the subdivider.

CHAPTER 22.80

IMPROVEMENT

SECURITY

22.80.005 REQUIRED IMPROVEMENT SECURITY. An improvement agreement, contract or act required or authorized by the Subdivision Map Act and this title, for which security is required, shall be secured in the manner provided for in Section 66499 of the Subdivision Map Act. The improvement security shall be one hundred percent 100% of the total estimated cost of improvement or of the act to be performed and an additional fifty percent (50%) of the total estimated cost of the improvement or the performance of the required act, securing payment to the contractor and to persons furnishing labor, material or equipment to them, plus an amount determined by the board as necessary to guarantee and warranty the work for one year following its completion and acceptance against defective work, labor, or materials, plus such an additional amount to be determined by the County Counsel as necessary to cover the cost and reasonable expenses and fees, including reasonable attorneys' fees which may be incurred by the County in successfully enforcing the obligation secured. If the required subdivision improvements are financed and installed pursuant to special assessment proceedings, including but not limited to Mello Roos Community Facilities Act of 1982 (Government Code Section 53311 et seq.)

proceedings, the director may, in his or her sole discretion, upon the furnishings by the contractor of a faithful performance bond and a labor and material bond, reduce the amount of the improvement security of the subdivider by an amount corresponding to the amount of such bonds furnished by the contractor.

22.80.010 RELEASE OF IMPROVEMENT SECURITY. The security furnished by the subdivider may be released in whole or in part by the director pursuant to Sections 66499.7 and 66499.8; provided, however, no security given for the guarantee or warranty of work shall be released until the expiration of the guarantee or warranty period, and no release shall apply to costs, expenses or fees.

CHAPTER

22.90 SOIL

REPORTS

22.90.005 SOIL REPORTS. Soil reports shall be provided as set forth in this chapter.

22.90.010 PRELIMINARY SOIL REPORT. Prior to the subdivision of the final subdivision map for Board of Supervisors' approval, the subdivider shall file a preliminary soil report with the building inspection division of the Department of Public Works. The report shall be prepared by a civil engineer who is registered by the state of California, based upon adequate test borings

or excavations in the subdivision. The preliminary soil report may be waived if the building inspection division determines that, due to the knowledge of such division as to the soil qualities of the subdivision, no preliminary analysis is necessary. The determination shall be in writing and shall be made part of the data accompanying the final map.

22.90.015 SOIL INVESTIGATION. If the preliminary soil report indicates the presence of critically expansive soils or other soil problems which, if not corrected, would lead to structural defects, a soil investigation of each lot in the subdivision shall be prepared by a civil engineer who is registered by the state of California. The soil investigation shall recommend corrective action which is likely to prevent structural damage to each dwelling proposed to be constructed on the expansive soil. The report shall be filed with the building inspection division.

22.90.020 APPROVAL OF SOIL INVESTIGATION. The building inspection division shall approve the soil investigation if it determines that the recommended corrective action is likely to prevent structural damage to each dwelling to be constructed on each lot in the subdivision. Appeal from such determination shall be to the board within ten calendar days. The board shall hear the appeal and make its decision within thirty 30 days, conditioned upon the incorporation of the approved recommended corrective action in the construction of each structure.

CHAPTER 22.100

REVERSION AND EXCLUSIONS

22.100.005 REVERSIONS. Subdivided property may be reverted to acreage pursuant to the provisions of Article 1 of Chapter 6 of the Subdivision Map Act.

22.100.010 EXCLUSIONS. The property to be excluded from a subdivision and the recorded map shall be in accordance with the procedures set forth in Article 2 of Chapter 6 of the Subdivision Map Act.

CHAPTER 22.110

DESIGN AND IMPROVEMENT STANDARDS

Article I. Purpose and Applicability

22.110.005 DESIGN AND IMPROVEMENT STANDARDS. To insure that proposed subdivisions are developed in the best interests of the people of the County of Sacramento, land subdivided under the provisions of this title shall conform to design standards and improvement standards in this chapter. Plans, maps or other drawings for any project which includes the installation of public streets or creation of lots or division of land shall comply with the standards set forth herein.

22.110.010 PURPOSE. It is the purpose of these design standards to provide basic planning standards applicable to the design, review and development of local street patterns and lot patterns in subdivisions, land divisions and other development projects.

22.110.015 APPLICABILITY. These standards shall be applied to projects requiring one or more public hearings before a discretionary permit is issued, projects requiring no public hearing, and projects on appeal. The standards provide the advisory agency or the board flexibility to make reasonable decisions that take into account alternative designs, physical features on and off the site, and public input and testimony, as applicable.

When applying these standards, the advisory agency or the board shall consider the identifiable effects that any proposed project may have upon other properties in the vicinity, now and in the foreseeable future.

In order to deal with physical features on and off the site, the advisory agency or the board may take into consideration unusual topography, environmental preservation, existing and approved streets, historically established traffic patterns, neighboring lot patterns, existing and evolving land use patterns, zoning, and past policy or permit decisions.

22.110.020 EXCEPTIONS. The advisory agency or the board may authorize conditional exceptions to any of the design and improvement standards in this chapter, unless the standard specifically states that an exception cannot be granted. Such exception may be granted if the advisory agency or the board finds, in writing, that the proposed design or improvement is in substantial compliance with the purpose and intent of the standard to be excepted.

22.110.025 REQUEST FOR EXCEPTION. The applicant may separately request that an exception from the standard be granted. If noncompliance with these standards is identified at any stage of review of the proposed map, the application may be considered to include a request for an exception, unless the applicant objects. The advisory agency or the board shall not grant an exception request unless a reasonable justification is made by the applicant to support the action. Noncompliance with these standards without grant of an exception pursuant to this section shall be grounds for denial of a request.

22.110.030 PROJECT PROPONENT RESPONSIBILITIES. All project applications shall include drawings showing the manner in which the requirements and standards in this ordinance are complied with. When the applicant decides to apply for an exception, the applicant shall provide documentation and data to support and justify the request for a waiver or modification.

Article II. Local Street Patterns

22.110.035 THOROUGHFARE AND ARTERIAL STREETS.

- a. **Function.** The function of thoroughfare and arterial streets is to serve with freeways to form a coordinated network of vehicle routes capable of handling the movement of goods and people through and between communities in large volumes and with efficient speeds and

safety. Such roads are identified in the circulation element of the general plan or on the appropriate community plan.

- b. Design Standards. If the circulation element of the general plan or the community plan shows any highway, expressway, thoroughfare, arterial or similarly named road located so that any portion lies within or adjacent to a proposed project, such roadway shall be incorporated into the project in conformance with the design standards in the general plan or community plan. The specific location or locations if alternate alignments are feasible of such roads shall be determined in coordination with and as recommended by the County Public Works Department.**

The design characteristics of such roads shall conform with the current improvement standards of the Department of Public Works.

Because such roads may vary in width and may involve many design factors such as acceleration/deceleration lanes, various curb heights, bicycle lanes, bus stops/turnouts, traffic dividers, driveways, and curbcuts, the precise road improvement requirements shall be determined by consultation or coordination with the Public Works Department.

22.110.040 COLLECTOR STREETS.

- a. Functions. The functions of collector and primary residential streets, in order of relative importance, are:**
- 1. To collect traffic from minor residential streets or private streets and route it to the thoroughfare and arterial streets.**
 - 2. To route traffic from thoroughfare and arterial streets to minor residential streets and private streets.**
 - 3. To provide rapid and efficient routes of access for emergency vehicles to residential areas.**
 - 4. To connect residential areas to the neighborhood and community service facilities such as schools, parks and shopping.**

- b. Design Standards. Primary residential and collector streets shall be integrated with the local street pattern to best serve the above functions. The structural cross section and alignment requirements shall be as set forth in the public works improvement standards, but with the overall design of the street pattern based on the following:**
 - 1. A new single-family residential area which generates traffic from more than 99 potential residential dwelling units shall be served by at least one primary residential or collector street which is at least 50 feet in width. Such streets shall be designed to connect at both ends to other primary residential or collector streets or to thoroughfare or arterial streets or be part of an overall street pattern which provides residents with**

more than one access into and out of the area. There shall be at least one collector street which is at least 56 feet in width when more than 400 potential residential units will be served.

- 2. New single-family residential areas with more than 20, but fewer than 40, potential units shall be served by a primary residential or collector street at least 50 feet in width if there is only one public street access into the area. Areas between 40 and 100 units shall be served by two points of access.**
- 3. Collector streets shall be constructed or widened to at least 60 feet in width when developed in conjunction with or along the frontage of lots proposed for commercial developments.**

Collector streets shall be constructed to at least 56 feet in width when developed in conjunction with or along the frontage of lots proposed for multiple-family developments. Sidewalk width requirements, as set forth in the improvement standards, may require a wider right-of-way.

- 4. Collector streets shall be constructed or widened to 60 feet in width when developed in conjunction with or along the frontage of lots proposed for parks and schools. Sidewalk width requirements, as set forth in the improvement standards, may require a wider right-of-way.**
- 5. The approach areas of collector streets at intersections with thoroughfares and arterials shall be constructed or widened, as required by the public works improvement standards.**
- 6. Intersections of collector streets to major arterial streets shall be designed to align with existing streets or previously-approved streets as four-way intersections whenever possible. These intersections shall be spaced no closer than 900 feet from existing, approved or planned streets. If such alignment and spacing is not feasible, three-way intersections shall be offset at least 150 feet and be designed in consultation with the Public Works Department.**
- 7. The street pattern design shall conform to public works improvement standards in terms of minimum radius curves, sight distances, intersection locations, profile and such other criteria as may be applicable to the construction phase of the street pattern.**
- 8. Existing or previously-approved collector streets which stub into undeveloped**

property are intended to be incorporated into new expanding street patterns in a logical and functional manner. Designs which terminate, isolate, or otherwise discourage collector streets from fulfilling their intended functions are strongly discouraged. Such designs shall not be approved without full consideration of the total circulation and safety impacts in relation to possible alternatives. In this regard, it is not necessarily a requirement that collector streets must connect at both ends to arterial streets or with

other collector streets, but it must also be recognized that this will often be needed if the street is to properly function as intended.

22.110.045 MINOR RESIDENTIAL STREETS.

- a. **Function.** The function of minor residential streets is to serve as access to the residential lots within those areas created by, or bounded by, thoroughfares, arterials, collectors, and primary residential streets and other physical boundaries such as natural streams and railroads. Since the primary function is local vehicular access rather than intercommunity circulation, the preferable street pattern designs will discourage pass-through, sneak or shortcut traffic from traveling through these areas, but without compromising the rapid access needs of emergency vehicles, or good police patrol and surveillance needs.
- b. **Standards.**
 1. **Minor residential streets are normally based on a 40-foot right-of-way width. Most residential lots can be served by such streets, provided the street pattern design is such that:**
 - aa. **Minor residential cul-de-sac streets generally serve a maximum of 20 dwelling units and have a maximum length of 600 feet.**
 - bb. **Minor residential streets serve a maximum of 100 dwelling units when there are only two public street accesses into the area.**
 - cc. **Pass-through, shortcut, or sneak street situations are not created. In those instances where through-traffic is unavoidable and of probable high volume, the specific street shall be designed to primary residential or collector street standards, as applicable.**
 2. **The intersections of minor residential streets with collector streets, or with major arterial streets, shall be designed to align with existing streets or previously-approved streets on the opposite side of the street wherever possible. If such alignment is not feasible, the street shall be offset at least 150 feet.**

3. **In that portion of the street pattern which consists of minor residential streets, four-way intersections shall not be created. The street pattern shall be designed using right angle tee intersections, and any offset intersections shall be offset by at least 100 feet.**

22.110.050 PRIVATE ROADS.

- a. **Function. The function of private roads is to serve the specific vehicular circulation needs of individuals or groups, rather than the needs of the public as a whole. Two basic characteristics of private roads are that the owners of the roads can generally restrict use to designated persons or vehicles, and that the maintenance of the road is the owners' responsibility. Virtually every lot is involved in some way with at least one private road. In**

its simplest form, the driveway from the public street to the garage of a home is a private road. In more complicated forms, there may be entire communities served by private roads. Similarly, governmental facilities, mobilehome parks, apartment complexes, commercial parking lots, farms, ranches, industrial tracts, recreational facilities, condominiums, etc., may use private roads.

- b. **Standards.** The following standards are a compilation of County Code, Zoning Code and other requirements that relate to private roads which are listed here to clarify that private roads are an element of local street pattern. These standards may not be waived or modified except as specified in the respective code governing such standards.
1. **The County Zoning Code includes internal development standards for multiple family, condominium, townhouse and similar developments (see Section 305-16 of the Zoning Code).**
 2. **The County Zoning Code includes limitations on the number of single-family lots that may be served by a private road. The code also includes provisions for exceptions to these limitations and general standards of development criteria for the private road (see Sections 305-06, 305-07 and 110-52). The hearing bodies or appropriate authority will determine the specific improvement requirements and condition the map accordingly. As a guideline, the installation of either an asphaltic concrete surface over aggregate base or chip seal surface of between 16 and 20 feet in width is the normal requirement.**
 3. **Certain specific uses, such as mobilehome parks and travel parks, are subject to road improvement standards within the Zoning Code.**
 4. **The Uniform Fire Code includes certain requirements related to road width, turning radius, height of obstructions, etc., which apply to the alignment of private roads.**
 5. **That point at which a private road may serve as access to a public road is subject to a variety of requirements, as set forth in the County public works improvement standards and is subject to review and approval by the Public Works Department. These standards may be especially critical to the overall design, since the point of access may be a controlling factor in determining the design of the road system.**
 6. **Private maintenance agreements between the parties using and responsible for the upkeep of a private road may be required before additional development on the road will be permitted.**

**22.110.055 ALTERNATE DESIGN AND IMPROVEMENT STANDARDS
FOR SPECIFIED TENTATIVE MAPS.**

- a. **Findings: Because Sacramento County is located in a non-attainment air basin, and because automobiles are a major contributor to the air pollution problem in Sacramento County, steps should be taken to reduce the County's reliance on automobiles. Therefore the County encourages subdivision designs that attempt to reduce the reliance of the residents on**

automobiles for daily errands and commuting and, as a result, beneficially impact the air quality of Sacramento County and the quality of life of the residents in that particular development.

- b. **Policies:** In furtherance of these goals, the following policies shall apply to tentative subdivision maps that have a land use plan that encourages non-vehicular trips within the subdivision and is planned for residents to use transit to locations outside of the subdivision:
1. **In order to reduce the speed of automobile traffic, streets widths may be narrowed, and centerline radii and curb radii at intersections may be reduced, when compared to existing County Improvement Standards and other provisions of Title 22, and landscaping shall be placed consistent with these changes;**
 2. **Trees shall be planted in such a manner as to buffer the pedestrians from the automobile traffic and to provide a “tree canopy” that will shade the pedestrians from Sacramento’s extreme summer climate;**
 3. **The subdivision may incorporate alleys in certain locations and locate garages behind houses where appropriate to improve the streetscape aesthetics, reduce vehicle speeds and traffic, and maximize the front yard areas;**
 4. **Parks shall be located throughout the subdivision and shall be interconnected by a system of tree lined streets and bike and pedestrian paths;**
 5. **The subdivision shall include a Regional Transit layover facility in the Town Center adjacent to the Town Square Park, the Town Hall and public buildings;**
 6. **The subdivision shall incorporate bike/pedestrian paths; and**
 7. **The street grid shall be designed in a manner that will provide pedestrians with quick, easy, and pleasant access to the Town Center, the parks, public transportation, day care centers, the elementary school, and public buildings.**
- c. **If the Board finds that a tentative map complies with the policies in subdivision B then the Board shall adopt amendments to the County Improvement Standards that implement this section. Then, for purposes of that tentative subdivision map, and any final map approved as being consistent with it, the street and landscaping policies provided in this section, and in the amendments to the County Improvement Standards adopted to implement this section, shall supersede any and all regulations, ordinances, guidelines and policies (included but not limited to, County Code Chapter 22.110, except as expressly provided otherwise) that conflict with this section and the**

amendments to the County Improvement Standards adopted to implement this section. Should the text of the amendments to the Improvement Standards conflict with the diagrams in the amended Improvement Standards, the diagrams shall prevail. To the extent standards are not covered by this section or by implementing amendments to the County Improvement Standards, the other provision of Title 22 or the County Improvement Standards shall govern. Any request to deviate from Title 22, as

amended by this section, or the County Improvement Standards with implementing amendments, shall be processed as an exception pursuant to Sections 22.110.020, .025 and .030. No exception shall be required if the Director of Public Works determines that a particular street or landscaping design or improvement feature proposed on a tentative map or final map is in substantial compliance with County Improvement Standards and Title 22 as amended.

~~Article III. Lot Patterns~~

~~22.110.060 — PURPOSE. This section spells out laws which shall be complied with to create new lots. This section also spells out standards for creating lot patterns that are best suited to the purpose for which the lots are created and, at the same time, create the least potential land use conflicts. In some applications, the standards will conflict with one another or will conflict with the standards for street patterns. When this happens, an exception pursuant to Sections 22.110.020 and 22.110.025 may be considered, with the most compatible neighborhood development pattern as the ultimate objective. Staff's reports, proposed alternatives, and comments will be based on an analysis of the overall impacts of proposed lots as a total concept, as well as any conflict with any single standard.~~

~~22.110.065 — COMPLIANCE WITH LAW.~~

- ~~a. Each project which proposes to divide land shall result in lots which are consistent with and well suited to the land use designations and policies set forth in the County general plan and in the adopted community plans, including both maps and texts. Potential population densities of residential lots shall not exceed the densities set forth in the general plan or community plans.~~
- ~~b. Each lot shall conform to the lot size, lot width, and lot frontage requirements as set forth in the County Zoning Code see Section 22.110.070h for exception to frontage~~

~~requirements, unless a variance, waiver, or modification is obtained, as specified in the Zoning Code.~~

- ~~e. Lot lines shall be located in relation to existing structures so as to maintain required setbacks, yards, and other open space requirements, as set forth in the County Zoning Code, unless a variance, waiver, or modification is obtained, as specified in the Zoning Code.~~
- ~~d. Lot lines shall be located in relation to existing private septic systems or wells so as to maintain the distance requirements, as set forth in the County Health Code. Lots which propose the installation of private septic systems or wells shall be arranged such that there is sufficient area on the proposed lots' facilities to meet the placement and distance requirements of the County Health Code.~~
- ~~e. Each parcel of land shall front on a public street or be served by a private road approved pursuant to the Zoning Code which is a component of an approved local street pattern.~~

~~f. Exceptions from the requirements of subsections a through e shall not be allowed pursuant to Sections 22.110.020 and 22.110.025.~~

~~22.110.070 — STANDARDS.~~

~~a. New lots shall be arranged and/or oriented to maximize effective use of passive solar energy.~~

~~Each proposal will be evaluated by the advisory agency or the Board of Supervisors to determine whether it can be demonstrated that alternate designs are feasible, and such design may be presented to the hearing bodies. Upon such presentation, the hearing body may request alternate designs to be prepared by the developer, or may deny the submitted map on the basis that the proposal does not maximize effective use of passive solar energy. Such factors as configuration and/or orientation of the property being divided, the nature of surrounding development, the nature of the proposed development, circulation patterns, and existing topography shall be weighed in comparison of possible alternatives.~~

~~b. New lots shall be arranged to create comparable yard relationships wherever possible. The creation of interior side yards located adjacent to rear yards should be avoided, and in those cases where such arrangements cannot be reasonably avoided, restrictions may be placed on the final map which limit building height or building location.~~

~~c. The design of the project, including the location of lot lines, shall be such that, to the degree reasonably possible, existing contours and existing trees will be preserved. To achieve this purpose, grading restrictions or building location restrictions may be placed on the final map. Alternatively, the overall design may be revised such that less grading will be needed, or that existing trees become located in the normal yard areas of proposed lots.~~

~~d. The minimum depth of a residential lot shall be 95 feet.~~

~~e. The depth of a lot shall not exceed three times its width when the lot has a width of less than 250 feet except:~~

~~1. In areas planned on the general plan for permanent agriculture, recreation reserve, commercial, industrial intensive and industrial extensive.~~

- ~~2. The full depth of the lot will not be buildable due to unusual topography such as existence of steep slopes, floodplains or bodies of water.~~
 - ~~3. The full depth of the lot will not be buildable due to the existence of dedicated easements.~~
 - ~~4. A future street pattern is approved in conjunction with the land division proposal which provides for further divisions which will eliminate excessive depth to width ratios.~~
- ~~f. Each lot shall maintain a relative consistency with the predominant neighborhood development character. Lots which are found to be significantly out of character, either in~~

~~area, frontage, shape, or access provisions, may be denied if it is found that such character differences may result in detrimental impacts on adjacent properties.~~

- ~~g. It is recognized that the potential breach of private contracts such as CC&R's is a judicial matter and cannot constitute a basis of denial for a proposed land division; however, the County does not desire to become a party to such breach by the inference of its actions and may, when reasonable to do so, require a resolution of the private conflict before taking any action, or may pursue such legislative or administrative resolution as may be available.~~
- ~~h. Lot frontage requirements, as set forth in the County Zoning Code, may be satisfied in the case of lots on a curved street, the rounded end of a cul-de-sac, or on a bulb corner, by the recordation of a setback line on the final map such that the length of the setback line conforms to the frontage requirements of the zone.~~
- ~~i. Any new lot which includes or abuts a designated tributary, as defined in Section 22.10.141, shall meet either of the following two standards:
 - ~~1. All lots shall provide a buildable area outside the 100-year floodplain of that tributary, or~~
 - ~~2. All lots shall provide for a buildable area which is located at least 25 feet from the center line of the tributary and which provides for construction having 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.~~~~

CHAPTER

22.120

VIOLATIONS

22.120.005 MISDEMEANOR. Any person who violates the provisions of this title shall be guilty of a misdemeanor.

22.120.010 VOIDABILITY OF DOCUMENTS. Any deed or conveyance, sale or contract to sell made contrary to the provisions of this title is voidable to the extent and in the same manner as provided in Section 66499.32.

22.120.015 ACTION ON ALLEGED VIOLATIONS. All officials and public employees of the County vested with the duty or authority to issue permits or other forms of entitlement for the development of land shall comply with the provisions of this title and shall not issue any permit, license or other entitlement for use, construction or other purpose in conflict with the provisions of this title or the provisions of the Subdivision Map Act. If any official or employee of the County or any private citizen becomes aware of any alleged division of land which may be in violation of this title or of the Subdivision Map Act, such person shall, in writing, bring such violation to the attention of the director of public works.

22.120.020 ACTION BY THE DIRECTOR. The Director, upon receipt of a written notice of violation pursuant to Section 22.120.015, shall:

- a. Set for public hearing before the Subdivision Review Committee the issue of whether there has been a violation of the Subdivision Map Act and/or this Title, as alleged.
- b. File a “Notice of Intention to Record a Notice of Violation” with the Recorder of Sacramento County. Said notice shall include:
 1. The date, time and place of public hearing.
 2. A description of the alleged violation.
 3. A statement to the owner that he or she may present evidence regarding the alleged violation.
 4. A description of the location of the property involved including the parcel number or numbers.
 5. A statement that a finding of a violation may result in the filing with the County Recorder the notice of such violation which will be constructive notice of such violation to subsequent purchasers of the property.
 6. A statement that a finding of violation may result in the institution of a criminal action against the owner of the property.
- c. Mail a copy of the notice of violation to the property owners as shown on the latest assessment roll not less than thirty 30 days before the date of the hearing.
- d. Advise all departments of the County to refuse issuance of any permits or other entitlements relating to land use pending a decision upon the alleged violation.
- e. Prepare a staff report on the alleged violation.
- f. Give notice of the public hearing as specified in Section 22.20.020.

22.120.025 PROCEDURE BEFORE THE SUBDIVISION REVIEW COMMITTEE. The Subdivision Review Committee shall conduct a public hearing on the alleged violation and shall during such hearing consider the staff report of the director and all other relevant evidence. At the conclusion of the hearing, the committee shall determine:

- a. **Whether the alleged violation has been proved, and if proved, whether the violation is contrary to the public health and the public safety. No public official, department, or agency of the County thereafter shall issue any permit or other entitlement which may authorize the development of the property until such time as a certificate of compliance has been issued as provided in this title.**

- b. **If the committee determines that no violation has occurred, it shall cause the director to issue and record a certificate of compliance which shall constitute a release of the notice of intention to record a notice of violation previously recorded.**
- c. **The committee's determination shall be supported by written findings.**

22.120.030 CONSOLIDATION OF ACTIONS. If, at any time prior to the hearing on the alleged violation, the property owner completes an application for a certificate of compliance, the Subdivision Review Committee shall consolidate its action on the notice of violation and shall otherwise consider the matter as an application for a certificate of compliance as provided in this title.

CHAPTER 22.130

CERTIFICATE OF COMPLIANCE

22.130.005 APPLICATION. Any person owning real property or any vendee pursuant to a contract of sale may request a certificate of compliance by filing an application with the director. The application shall include the creating deed and the application fee payment required by Board resolution.

22.130.010 ACTION ON APPLICATION. If the director determines that the parcel for which an application for a certificate of compliance has been filed is a lawful parcel as defined in Section 22.15.050 of this Code and otherwise complies with the Subdivision Map Act, then the director shall cause a certificate of compliance to be filed for record with the County Recorder. If the director determines that the parcel for which an application for a certificate of compliance has been filed is not a lawful parcel or does not comply with the Subdivision Map Act, then the application shall be referred to the Subdivision Review

Committee for public hearing and the hearing fee payment established by Board resolution shall be made by the applicant. This hearing fee payment shall be made within 30 days of the referral date or the application shall be deemed to be withdrawn.

Upon receipt of the hearing fee payment, the director shall set for public hearing before the Subdivision Review Committee, the issues of whether the parcel is a lawful parcel and otherwise complies with the Subdivision Map Act. The director shall prepare a written report for the Subdivision Review Committee of the specific reasons why the director determined that the parcel was not a lawful parcel or does not comply with the Subdivision Map Act. A copy of this written report shall be furnished to the applicant at least 5 days prior to the Subdivision Review Committee hearing.

22.130.015 PROCEDURE BEFORE THE SUBDIVISION REVIEW COMMITTEE. The Subdivision Review Committee shall, within 30 calendar days of the date of the hearing fee payment conduct a public hearing on the issue of whether the parcel is a lawful parcel and otherwise complies with the Subdivision Map Act. During the hearing, the Subdivision Review

Committee shall consider the written report prepared by the director and all other relevant evidence.

- a. If the Subdivision Review Committee determines that the parcel is a lawful parcel and otherwise complies with the Subdivision Map Act, the director shall cause a certificate of compliance to be filed for record with the County Recorder in accordance with the requirements of Government Code Section 66499.35, as amended.**
- b. If the Subdivision Review Committee determines that the parcel is not a lawful parcel or does not comply with the Subdivision Map Act, then the Subdivision Review Committee shall issue a conditional certificate of compliance in accordance with the requirements of Government Code Section 66499.35.**
- c. Issuance of a certificate of compliance or a conditional certificate of compliance is not a representation that the property can be developed under applicable laws and regulations, including, but not limited to, the Zoning Code of Sacramento County, and certificates of compliance and conditional certificates of compliance shall contain a statement to this effect.**

CHAPTER 22.140

NOTICE OF

MERGER

22.140.005 NOTICE OF DIRECTOR OF PUBLIC WORKS. Any officer, agent, or employee of the County with knowledge that real property has merged or is alleged to have merged pursuant to Section 22.15.040 shall notify the director of such merger or alleged merger.

22.140.010 PROCEDURES—DIRECTOR OF PUBLIC WORKS. The director shall set for hearing before the Subdivision Review Committee the issue of whether or not merger of property has occurred, and whether a notice of such merger shall be recorded with the County recorder. A notice of the hearing shall be sent to the owners of property as shown on

the latest equalized assessment roll not less than 15 days before the date of the hearing. The notice shall contain a description of the property, a statement that a notice of merger may be filed with the County recorder, and shall indicate the time, date and place of the hearing at which time the owner may present evidence as to why a notice of merger should not be recorded. In preparation for the hearing, the director shall prepare a written staff report which shall be made available to the property owner and the committee. The director shall insure that no permits or other entitlements for construction shall be issued for said property until the issue has been decided.

22.140.015 ACTION BY THE SUBDIVISION REVIEW COMMITTEE. The Subdivision

Review Committee shall conduct a hearing on the purported merger and shall consider the staff report of the director and all other relevant evidence. At the conclusion of the hearing, the committee shall determine and prepare written findings thereof as to whether a merger has occurred. If it is determined a merger has occurred, the committee shall direct that the director of

public works file a notice of the merger with the County recorder. The committee shall also advise all operating departments of its determination.

CHAPTER 22.150

SUBDIVISION

INFORMATION

22.150.005 POSTING OF PUBLIC NOTICE OF IMPACTED SCHOOL. The subdivider of property located in the attendance area of an impacted school, as defined in Chapter 16.50 of this Code, shall be required to post, in a conspicuous place within the sales office for the subdivision, a notice indicating that the school attendance area is impacted.

22.150.010 COMMUNITY SERVICES INFORMATION. The subdivider of property located in the attendance area of an impacted school shall, in addition to the notice required by Section 22.150.005, post in a conspicuous place in the sales office for the subdivision, the following community services information:

The telephone number and location by address of:

- a. The nearest public library;
- b. The administration office for the nearest primary school, intermediate school, and high school;
- c. The nearest fire station;
- d. The water purveyor for the subdivision;
- e. The [Sacramento](#) County [Department of Planning and](#) Community Development

Department;

- f. The office of the recreation and park district serving the subdivision.

22.150.015 PUBLIC REPORT. The subdivider of property within the unincorporated area of the County shall furnish the Planning Director of the Department of~~County Director of Planning and~~ Community Development with a copy of the public report filed with the State Department of Real Estate pursuant to Business and Professions Code Section 11010.

CHAPTER 22.300

STREET DEDICATION MAP

22.300.005 GENERALLY. A street dedication map may be filed to dedicate a public street or portion thereof, if the dedication does not create a subdivision.

22.300.015 FORM AND CONTENT. The submitted material shall conform to the rules adopted by the Planning Director of the Department of Community Development ~~director of planning and community development~~ as to form and content.

22.300.020 STAFF REPORTS. The Planning Director of the Department of ~~director of planning and community~~ Community development ~~Development~~ shall prepare and submit a written report to the Subdivision Review Committee on street dedication maps.

- a. This report shall specify the location of the proposed street and the surrounding conditions, the neighborhood street pattern, the interest of the general public, and any other factors pertinent to the ultimate uses of the contiguous land.
- b. A copy of the report shall be served on the subdivider or his agent at least three days prior to any hearing or action on the map. Any changes in the report shall be served at least three days prior to any subsequent hearing. (SCC 574 § 2, 1983.)

CHAPTER 22.400

PLATS OF

SURVEY

22.400.005 REQUIREMENTS. A plat of survey may be filed whenever a survey establishes or marks on the ground, one or more corners, angle points or lines which do not appear on any map previously recorded or filed and which disclose any of the matters described in subdivisions

(a) through (d) of Section 8762 of the Business and Professions Code. The plat shall conform to the requirements of Chapter 15 of Division 3 of the Business and Professions

Code and this chapter, and shall be filed within 90 days after the establishment or marking of the corners, angle points or lines. No plat or survey need be filed if the engineer or surveyor files a final map of a subdivision, a record of survey, or a final parcel map.

22.400.010 FILING A PLAT OF SURVEY. An engineer or surveyor who wishes to file a plat of survey shall submit the plat to the director for review. The plat shall be neatly and legibly drawn, printed or reproduced on a transparency which will provide a legible print. The form and content of a plat shall be to the satisfaction of the director, except that the engineer or surveyor shall be the sole judge of the technical form and content of a plat of survey and the director may not impose requirements with regard to the interpretation of data, surveying methods, or accuracy. Any plat or survey submitted to the director after being examined by him and found to comply with the requirements of this chapter, shall be placed in the Department's files as a permanent record.

ORDINANCE NO. SZC 2015-_____

**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE
COUNTY OF SACRAMENTO TO AMEND THE ZONING CODE
OF SACRAMENTO COUNTY, PERTAINING TO ADDING THE SHOPPING CENTER,
AUTO COMMERCIAL, AND TRAVEL COMMERCIAL LAND USE ZONES TO TITLE
IV OF THE ZONING CODE AS ZONES NO LONGER IN USE**

The Board of Supervisors of the County of Sacramento, State of California, do ordain as follows:

SECTION 1: The Zoning Code of Sacramento County, Ordinance No. SZC 83-10 is amended to add the Shopping Center (SC), Auto Commercial (AC), and Travel Commercial (TC) land use zoning designations to Title IV as zones no longer is use as shown in Exhibit “A (Title IV)”.

SECTION 2: This ordinance shall take effect and be in full force on and after 30 days from the date of its passage hereof, and, before expiration of 15 days from the date of its passage, it shall be published once with the names of the members of the Board of Supervisors voting for and against the same, said publication to be made in a newspaper of general circulation published within the County of Sacramento, State of California.

On a motion by Supervisor _____, seconded by Supervisor _____, the foregoing ordinance was passed and adopted by the Board of Supervisors of the County of Sacramento, State of California, at a regular meeting thereof this 22nd day of July 2015, by the following vote, to wit:

AYES: Supervisors,

NOES: Supervisors,

RECUSAL: Supervisors,
(PER POLITICAL REFORM ACT (§ 18702.5.))

ABSENT: Supervisors,

ABSTAIN: Supervisors,

Chair of the Board of Supervisors
of Sacramento County, California

(S E A L)

ATTEST: _____
Clerk, Board of Supervisors

Exhibit “A (Title IV)”

Sacramento County Zoning Code

Public Review Draft – February 2014

Title IV

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INTERIM ZONES
GENERAL PROVISIONS

401-01. PURPOSE. The zones set forth in this Title are designed to promote and protect the public health, safety and general welfare in the same general manner as the permanent land use zones described in Chapter 2 of the Zoning Code. The zones in this Title, however, are considered to be temporary and it is the intent of the Board of Supervisors to rezone each parcel of property to one of the permanent land use zones as each new community plan is adopted. It is intended that this Title be eliminated from the Zoning Code after each of the zones herein has been rezoned to a permanent land use zone.

401-02. DEFINITION: DIVISION. As used in and for the purposes of this Title, the term Division shall refer to and mean the Zoning Code of Sacramento County.

401-03. DEFINITION: PLANNING COMMISSION. As used in and for the purposes of this Title, the term Planning Commission shall mean the Sacramento County Planning Commission .

401-04. DEFINITION: DAY CARE HOME. As used in and for the purposes of this Title, the term "day care home" shall refer to and mean Family Day Care Home as defined in Chapter 7, "Definitions", of this Code.

401-05. DEFINITION: FOSTER HOME, RESIDENTIAL CARE HOME, BOARDING HOUSE, ROOMING HOUSE, AND REST HOME. Notwithstanding any provision or limitation on the number of occupants to the contrary contained in Title IV of this Code, the terms "foster home, " "residential care home, " "boarding house," "rooming house," or "rest home," shall not include a residential facility providing care to children, to the elderly, or for mentally disordered or otherwise handicapped persons, which serves six or fewer persons not including the operator or members of the operator's family or persons employed as facility staff.

A residential care facility providing care to six or fewer children, elderly, mentally disordered, or otherwise handicapped persons, not counting the operator or members of the operator's family or persons employed as facility staff, shall be deemed to be a single family residential use.

401-06. SIGNS. Signs and permitted advertising devices, as provided in the interim zoning classifications, shall be subject to the provisions of section 5.10, "Sign Regulations" of this Code, and where development standards in the zoning classifications conflict, section 5.10. shall prevail.

INTERIM AGRICULTURAL HOLDING ZONES
GENERAL PURPOSES

402-01. PURPOSE. The Board of Supervisors has determined there is a need to establish and maintain zoning classifications to be applied to rural areas of the County which are now devoted to agricultural use but may undergo a transition to urban development in the future. The Board of Supervisors in creating these zones intends to establish long term holding zones which:

- (a) Are appropriate in the Agricultural-Urban Reserve, Agricultural Recreation Reserve, Recreational, and Industrial land use categories shown on the Sacramento County General Plan.
- (b) Provide for agricultural uses during the planning period of the General Plan and protect these uses from the encroachment of urban development and related uses which are incompatible with the agricultural use of the land.
- (c) Provide reserve areas for future urban, recreational or industrial uses and protect these areas from the encroachment of uses which are incompatible with the ultimate planned uses indicated on the Sacramento County General Plan.

402-02. CONSTRUCTION OF PROVISIONS. The provisions of this Article shall be liberally construed insofar as they apply to agricultural pursuits and services to the end that conflicting uses shall not be permitted.

402-03. ACCESSORY USES. Except as otherwise provided, the provisions of this Article shall not be construed to interfere with the incidental accessory uses conducted in conjunction with agricultural pursuits.

A-80 AGRICULTURAL HOLDING ZONE

402-10. PROHIBITION. No building, structure, vehicle, sign or area in the A-80 zone shall be used, nor shall any building, structure, sign, or vehicle be erected, altered, moved, enlarged or stored in the A-80 zone except as hereinafter specifically provided in this Article and subject to all the regulation and conditions enumerated in this Article, and except as otherwise provided in this Division; nor shall any area be used in any manner so as to create problems inimical to the public health, safety, or general welfare or so as to have a detrimental effect on the use or value of property in the vicinity or within the County of Sacramento as a whole. Off-site signs are prohibited.

402-11. PERMITTED USES. Those uses permitted in the A-80 zone shall be those uses specified in the AG-80 land use zone in Table 3.1: Table of Allowed Uses, section 3.2.5; and also those regulations governing such uses as specified in Chapter 3, "Use Regulations", and Chapter 5, "Development Standards", of this Code.

402-12. AREA.

- (a) Each lot or parcel shall contain a minimum net land area of eighty (80) acres.
- (b) Each lot or parcel shall contain a minimum of five (5) acres per accessory dwelling unit located thereon.

402-13. LOT WIDTH. Each lot or parcel shall have a minimum width of one thousand (1,000) feet.

402-14. DEVELOPMENT STANDARDS. No building, structure or use, nor the enlargement of any building, structure or use shall hereafter be erected, enlarged, or developed unless the standards contained in Chapter 5, "Development Standards" of this Code are met.

A-20 AGRICULTURAL HOLDING ZONES

402-20. PROHIBITION. No building, structure, vehicle, sign or area in the A-20 zone shall be used, nor shall any building, structure, sign or vehicle be erected, altered, moved, enlarged, or stored in the A-20 zone except as hereinafter specifically provided in this Article and subject to all the regulations and conditions enumerated in this Article, and except as otherwise provided in this Division; nor shall any area be used in any manner so as to create problems inimical to the public health, safety, or general welfare or so as to have a detrimental effect on the use or value of property in the vicinity or within the County of Sacramento as a whole. Off-site signs are prohibited.

402-21. PERMITTED USES. Those uses permitted in the A-20 zone shall be those uses specified in the AG-20 land use zone in Table 3.1: Table of Allowed Uses, section 3.2.5; and also those regulations governing such uses as specified in Chapter 3, “Use Regulations”, and Chapter 5, “Development Standards”, of this Code.

402-22. AREA.

- (a) Each lot or parcel shall contain a minimum net land area of twenty (20) acres.
- (b) Each lot or parcel shall contain a minimum of five (5) acres per accessory dwelling unit located thereon.

402-23. LOT WIDTH. Each lot or parcel shall have a minimum width of five hundred (500) feet.

402-24. DEVELOPMENT STANDARDS. No building, structure or use, nor the enlargement of any building, structure or use shall hereafter be erected, enlarged, or developed unless the standards contained in Chapter 5, “Development Standards” of this Code are met.

A-10 AGRICULTURAL HOLDING ZONE

402-30. PROHIBITION. No building, structure, vehicle, sign or area in the A-10 zone shall be used, nor shall any building, structure, sign or vehicle be erected, altered, moved, enlarged, or stored in the A-10 zone except as hereinafter specifically provided in this Article and subject to all the regulations and conditions enumerated in this Article, and except as otherwise provided in this Division; nor shall any area be used in any manner so as to create problems inimical to the public health, safety, or general welfare or so as to have a detrimental effect on the use or value of property in the vicinity or within the County of Sacramento as a whole. Off-site signs are prohibited.

402-31. PERMITTED USES. Those uses permitted in the A-10 zone shall be those uses specified in the AR-10 land use zone in Table 3.1: Table of Allowed Uses, section 3.2.5; and also those regulations governing such uses as specified in Chapter 3, "Use Regulations", and Chapter 5, "Development Standards", of this Code.

402-32. AREA.

- (a) Each lot or parcel shall contain a minimum net land area of ten (10) acres.
- (b) Each lot or parcel shall contain a minimum of five (5) acres per accessory dwelling unit located thereon.

402-33. PUBLIC STREET FRONTAGE. Each lot shall have a public street frontage of not less than three hundred (300) feet except public street frontage shall not be required if there is on file with the County an irrevocable offer to dedicate the right-of-way to a width satisfactory to the County to provide access from the lot to a public street. The County will not be required to maintain said right-of-way until improvements are installed to County standards.

402-34. LOT WIDTH. Each lot or parcel shall have a minimum width of three hundred (300) feet

402-35. DEVELOPMENT STANDARDS. No building, structure or use, nor the enlargement of any building, structure or use shall hereafter be erected, enlarged, or developed unless the standards contained in Chapter 5, "Development Standards" of this Code are met.

INTERIM AGRICULTURAL ZONES
A-5 AGRICULTURAL ZONE

403-10. PROHIBITION. No building, structure, vehicle, sign or area in the A-5 zone shall be used nor shall any building, structure, sign or vehicle be erected, altered, moved, enlarged, or stored in the A-5 zone except as hereinafter specifically provided in this Article and subject to all the regulations and conditions enumerated in this Article and except as otherwise provided in this Division; nor shall any area be used in any manner so as to create problems inimical to the public health, safety, or general welfare or so as to have a detrimental effect on the use or value of the property in the vicinity or with the County of Sacramento as a whole. Off-site signs are prohibited.

403-11. PERMITTED USES. Those uses permitted in the A-5 zone shall be those uses specified in the AR-5 land use zone in Table 3.1: Table of Allowed Uses, section 3.2.5; and also those regulations governing such uses as specified in Chapter 3, "Use Regulations", and Chapter 5, "Development Standards", of this Code.

403-12. LOT AREA. Each lot or parcel shall have a minimum gross area of five (5) acres.

403-13. LOT WIDTH. Each lot or parcel shall have a minimum width of two hundred fifty (250) feet.

403-14. PUBLIC STREET FRONTAGE. Each lot shall have a public street frontage of not less than two hundred fifty (250) feet

403-15. DEVELOPMENT STANDARDS. No building, structure or use, nor the enlargement of any building, structure or use shall hereafter be erected, enlarged, or developed unless the standards contained in Chapter 5, "Development Standards" of this Code are met.

A-2 AGRICULTURAL ZONE

403-20. PROHIBITION. No building, structure, vehicle, sign or area in the A-2 zone shall be used nor shall any building, structure, sign or vehicle be erected, altered, moved, enlarged or stored in the A-2 zone except as hereinafter specifically provided in this Article and subject to all the regulations and conditions enumerated in this Article and except as otherwise provided in this Division; nor shall any area be used in any manner so as to create problems inimical to the public health, safety, or general welfare or so as to have a detrimental effect on the use or value of property in the vicinity or within the County of Sacramento as a whole. Off-site signs are prohibited.

403-21. PERMITTED USES. Those uses permitted in the A-2 zone shall be those uses specified in the AR-2 land use zone in Table 3.1: Table of Allowed Uses, section 3.2.5; and also those regulations governing such uses as specified in Chapter 3, "Use Regulations", and Chapter 5, "Development Standards", of this Code.

403-22. LOT AREA

- (a) Each lot or parcel shall have a minimum gross land area of two (2) acres.
- (b) Each lot or parcel shall have a minimum gross land area of one (1) acre per dwelling unit located thereon.

403-23. LOT WIDTH. Each lot or parcel shall have a minimum width of one hundred fifty (150) feet.

403-24. PUBLIC STREET FRONTAGE. Each lot shall have public street frontage of not less than one hundred fifty (150) feet

403-25. DEVELOPMENT STANDARDS. No building, structure or use, nor the enlargement of any building, structure or use shall hereafter be erected, enlarged, or developed unless the standards contained in Chapter 5, "Development Standards" of this Code are met.

A-1-B AGRICULTURAL ZONE

403-30. PROHIBITION. No building, structure I vehicle, sign I or area in the A-1-B zone shall be used nor shall any building / structure, sign, or vehicle be erected, altered, moved, enlarged, or stored in the A-1-B zone except as hereinafter specifically provided in this Article and subject to all the regulations and conditions enumerated in this Article and except as otherwise provided in this Division; nor shall any area be used in any manner so as to create problems inimical to the public health, safety, or general welfare or so as to have a detrimental effect on the use or value of property in the vicinity or within the County of Sacramento as a whole. Off-site signs are prohibited.

403-31. PERMITTED USES. Those uses permitted in the A-1-B zone shall be those uses specified in the AR-1 land use zone in Table 3.1: Table of Allowed Uses, section 3.2.5; and also those regulations governing such uses as specified in Chapter 3, “Use Regulations”, and Chapter 5, “Development Standards”, of this Code.

403-32 LOT AREA.

- (a) Each lot or parcel shall have a minimum net land area of one (1) acre.
- (b) Each lot or parcel shall have a minimum net land area of one (1) acre per dwelling unit located therein.

403-33. LOT WIDTH. Each lot or parcel shall have a minimum width of one hundred twenty-five (125) feet.

403-34. PUBLIC STREET FRONTAGE. Each lot shall have a public street frontage of not less than one hundred twenty-five (125) feet.

403-35. DEVELOPMENT STANDARDS. No building, structure or use, nor the enlargement of any building, structure or use shall hereafter be erected, enlarged, or developed unless the standards contained in Chapter 5, “Development Standards” of this Code are met.

A-1-A AGRICULTURAL ZONE

403-40. PROHIBITION. No building, structure, vehicle, sign, or area in the A-1-A zone shall be used nor shall any building, structure, sign or vehicle be erected, altered, moved, enlarged, or stored in the A-1-A zone except as hereinafter specifically provided in this Article and subject to all the regulations and conditions enumerated in this Article and except as otherwise provided in this Division; nor shall any area be used in any manner so as to create problems inimical to the public health, safety, or general welfare or so as to have a detrimental effect on the use or value of property in the vicinity or within the County of Sacramento as a whole. Off-site signs are prohibited.

403-41. PERMITTED USES. Those uses permitted in the A-1-A zone shall be those uses specified in the RD-2 land use zone in Table 3.1: Table of Allowed Uses, section 3.2.5; and also those regulations governing such uses as specified in Chapter 3, “Use Regulations”, and Chapter 5, “Development Standards”, of this Code.

403-42. LOT AREA. Except as otherwise provided in this Division, the minimum lot area for each lot in the A-1-A zone shall be as follows:

- (a) Twenty thousand (20,000) square feet if either a public water supply or public sewerage facility is in use.
- (b) One acre if neither a public water supply nor public sewerage facility is in use.

403-43. LOT WIDTH. Each lot or parcel shall have a minimum width of seventy-five (75) feet.

403-44. PUBLIC STREET FRONTAGE. Each lot shall have a public street frontage of not less than seventy-five (75) feet

403-45. DEVELOPMENT STANDARDS. No building, structure or use, nor the enlargement of any building, structure or use shall hereafter be erected, enlarged, or developed unless the standards contained in Chapter 5, “Development Standards” of this Code are met.

A-2-B AGRICULTURAL ZONE

403-50. PROHIBITION. No building, structure, vehicle, sign, or area in the A-2-B zone shall be used nor shall any building, structure, sign, or vehicle be erected, altered, moved, enlarged or stored in the A-2-B zone except as hereinafter specifically provided in this Article and subject to all the regulations and conditions enumerated in this Article and except as otherwise provided in this Division; nor shall any area be used in any manner so as to create problems inimical to the public health, safety, or general welfare or so as to have a detrimental effect on the use or value of property in the vicinity or within the County of Sacramento as a whole. Off-site signs are prohibited.

403-51. PERMITTED USES. Those uses permitted in the A-2-B zone shall be those uses specified in the AR-2 land use zone in Table 3.1: Table of Allowed Uses, section 3.2.5; and also those regulations governing such uses as specified in Chapter 3, “Use Regulations”, and Chapter 5, “Development Standards”, of this Code.

403-52. LOT AREA.

- (a) Each lot or parcel shall have a minimum net land area of two (2) acres.
- (b) Each lot or parcel shall have a minimum net land area of two (2) acres per dwelling unit located thereon.

403-53. LOT WIDTH. Each lot or parcel shall have a minimum width of one hundred fifty (150) feet.

403-54. PUBLIC STREET FRONTAGE. Each lot shall have a public street frontage of not less than one hundred fifty (150) feet

403-55. DEVELOPMENT STANDARDS. No building, structure or use, nor the enlargement of any building, structure or use shall hereafter be erected, enlarged, or developed unless the standards contained in Chapter 5, “Development Standards” of this Code are met

INTERIM ESTATE ZONES
GENERAL PURPOSES

404-01. PURPOSE. The Estate zones established in this Division are designed to promote and protect public health, safety, and general welfare. The general purposes for the Estate zones include:

- (a) Living areas within the County where development is limited to low density concentrations of one-family dwellings.
- (b) A limited number of permitted nonresidential uses promote and encourage a suitable environment for family life on parcels of land larger than generally is provided in residential zones.
- (c) The protection of estate areas against fire, explosions, and other hazards, and against offensive noises, odors, glare, and other objectionable influences.
- (d) Adequate open space and access of light and air for privacy by controls over the spacing and height of buildings.
- (e) Religious, educational, recreational, and public cultural facilities which serve the needs of the nearby residents which generally perform their own activities more effectively in a residential environment and which do not create objectionable influences.
- (f) The promotion of the most desirable use of land and direction of building development in accord with the General Plan, to promote stability of land development, to conserve the value of land and improvements, and to protect the County's tax revenues.
- (g) The development of land when not served with both public water supply and public sewerage facilities.
- (h) The keeping of horses for pleasure or hobby purposes on larger estate lots.
- (i) The keeping of limited number of domestic animals and poultry on larger estate lots.

RE-3 ESTATE ZONE

404-10. PROHIBITION. No building, structure, vehicle or land in the RE-3 zone shall be used nor shall any building, structure or vehicle be erected, altered, moved, enlarged, or stored except as hereinafter specifically provided in this Article and subject to all the regulations and conditions enumerated in this Article and except as otherwise provided in this Code. Yard areas and other open spaces shall be used only for purposes specifically provided in this Article or for purposes clearly incidental and subordinate to the main purpose of the property; however, in no instance shall the yard areas and other open spaces be used so as to create problems inimical to the public health, safety, or general welfare or so as to have a detrimental effect on the use or value of property in the vicinity, in the RE-3 zone generally or within the County as a whole. Off-site signs are prohibited.

404-11. PERMITTED USES. The following uses shall be permitted in the RE-3 zone:

- (a) One single family detached dwelling on each lot.
- (b) Government owned and operated parks, playgrounds, community centers, swimming clubs, tennis clubs and similar facilities, provided the lot area is not less than three (3) acres.
- (c) Accessory buildings appurtenant to a permitted use which are incidental to and subordinate to the principal use of the premises. Such accessory buildings shall be located in the buildable portion of the lot.
- (d) Accessory uses customarily incidental to and subordinate to the principal use of the premises.
- (e) Incidental agricultural uses, private stables subject to the provisions of section 5.3.2.
- (f) Public and private schools, kindergarten through high school, provided there shall be a net lot area of not less than five hundred (500) square feet per student.
- (g) Home occupation as defined in section 3.9.3.F.
- (h) Crop and tree farming and truck gardening and the sale of products therefrom.
- (i) Foster homes not to exceed six (6) foster children.
- (j) Day care homes not to exceed ten (10) children.
- (k) Home occupation sign as provided in section 5.10.1.E.
- (l) Real estate signs as provided in section 5.10.1.A.
- (m) Temporary construction signs as provided in section 5.10.1.B.

- (n) Political, religious and civic campaign signs as provided in section 5.10.1.C.
- (o) Identification signs for public and private schools as provided in section 5.10.1.M.

404-12. USES PERMITTED WITH A CONDITIONAL USE PERMIT.

- (a) Publicly owned and operated libraries, museums, art galleries and similar publicly owned and operated cultural uses.
- (b) Guest house or separate living quarters for domestic workers employed on the premises.
- (c) Parks, playgrounds, community centers, swimming clubs, tennis clubs and similar facilities owned or operated by a nonprofit corporation or similar entity, provided the lot area is not less than three (3) acres.
- (d) Golf courses.
- (e) Churches.
- (f) Colleges and universities.
- (g) Federal, State, County and municipally owned and operated buildings.
- (h) Buildings owned and operated by local agencies except as otherwise provided in this Article.
- (i) One (1) mobilehome or travel trailer may be used as an accessory dwelling where there is a need for close supervision of the occupants of the mobilehome or travel trailer by the occupants of the principal dwelling subject to conditions of section 3.10.3.H., “Temporary Uses of Mobilhomes and Commercial Coaches” of this Code.
- (j) ON-SITE IDENTIFICATION SIGN. The Planning Commission, when granting a Conditional Use Permit, shall determine the number of on-site signs and the size, location and type of lighting for each sign. In making this determination, the Board, in addition to other provisions relating to Conditional Use Permit, shall consider the effect any sign shall have on the general purposes of the rural Estate zones as set forth in Article 1 of this Chapter, and shall not approve any sign which exceeds twenty-four (24) square feet.

404-13. HEIGHT REGULATIONS.

- (a) No building or structure erected on or moved onto property in this zone shall have a height greater than three (3) stories.
- (b) No building or structure erected on or moved onto property in this zone shall have a height greater than (40) feet.
- (c) EXCEPTION. See section 5.2.2.C., “Height Exception for Buildings in Residential, Commercial and Industrial Zoning Districts”, in this Code.

404-14. YARDS. No building or structure nor the enlargement of any building or structure shall hereafter be erected unless the following yards are provided and maintained:

- (a) FRONT YARD. There shall be a front yard of not less than fifty (50) feet.
- (b) REAR YARD. There shall be a rear yard of not less than thirty-five (35) feet.
- (c) SIDE YARD. There shall be a side yard on each side of a main building of not less than twenty (20) feet for a one or two-story building and thirty (30) feet for a three-story building.
- (d) SIDE STREET YARD. On corner lots there shall be a side street yard of not less than twenty-five (25) feet.

404-15. LOT AREA. Each lot shall have a minimum are of one (1) acre.

404-16. LOT WIDTH. Each lot shall have a minimum width of one hundred twenty-five (125) feet. The width of lots fronting on a curved street or the curved portion of a cul-de-sac street shall be measured along a chord located fifty (50) feet from the edge of the street right-of-way.

404-17. PUBLIC STREET FRONTAGE. Each lot shall have a minimum public street frontage of one hundred twenty-five (25) feet. 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 a chord located fifty (50) feet from the edge of the street right-of-way.

RE-2A ESTATE ZONE

404-20. PROHIBITION. No building, structure, vehicle, or land in the RE-2A zone shall be used nor shall any building, structure, or vehicle be erected, moved, enlarged, or stored except as hereinafter specifically provided in this Article and subject to all the regulations and conditions enumerated in this Article and except as otherwise provided in this Division. Yard areas and other open spaces shall be used only for purposes specifically provided in this Article or for purposes clearly incidental and subordinate to the main purpose of the property; however, in no instance shall the yard areas and other open spaces be used so as to create problems inimical to the public health, safety, or general welfare or so as to have a detrimental effect on the use or value of property in the vicinity, in the RE-2A zone generally or within the County as a whole. Off-site signs are prohibited.

404-21. PERMITTED USES. The following uses shall be permitted in the RE-2A zone:

- (a) One (1) single family detached dwelling on each lot.
- (b) Government owned and operated parks, playgrounds, community centers, swimming clubs, tennis clubs, and similar facilities provided the lot area is not less than three (3) acres.
- (c) Accessory buildings appurtenant to a permitted use which are incidental to and subordinate to the principal use of the premises. Such accessory buildings shall be located in the buildable portion of the lot.
- (d) Accessory uses customarily incidental to and subordinate to the principal use of the premises.
- (e) Public and private schools, kindergarten through high school, provided there shall be a net lot area of not less than five hundred (500) square feet per student.
- (f) Crop and tree farming and truck gardening and the sale of products therefrom.
- (g) Incidental agricultural uses, private stables, subject to the provisions of section 5.3.2.
- (h) Foster home not to exceed six (6) foster children.
- (i) Real estate signs as provided in section 5.10.1.A.
- (j) Temporary construction signs as provided in section 5.10.1.B.
- (k) Political, religious, and civic campaign signs as provided in section 5.10.1.C.
- (l) Identification signs for public and private schools as provided in section 5.10.1.M.

404-22. USES PERMITTED WITH A CONDITIONAL USE PERMIT. The following uses are permitted subject to issuance of a Conditional Use Permit by the appropriate authority.

- (a) Publicly owned and operated libraries, museums, art galleries, and similar publicly owned and operated cultural uses.
- (b) Guest houses or separate living quarters for domestic workers employed on the premises.
- (c) Parks, playgrounds, community center, swimming clubs, tennis clubs, and similar facilities owned or operated by a nonprofit corporation or similar entity, provided the lot area is not less than three (3) acres.
- (d) Churches.
- (e) Colleges and universities.
- (f) Federal, State, County and municipally owned and operated buildings.
- (g) Buildings owned and operated by local agencies except as otherwise provided in this Article.
- (h) One mobilehome or travel trailer may be used as an accessory dwelling where there is a need for close supervision of the occupants of the mobilehome or travel trailer by the occupants of the principal dwelling subject to conditions of section 3.10.3.H., “Temporary Uses of Mobilehomes and Commercial Coaches”, of this Code.
- (i) Day care homes.
- (j) Home occupation.
- (k) Home occupation sign as provided in section 5.10.1.E.
- (l) ON-SITE IDENTIFICATION SIGN. The appropriate authority when granting a Conditional Use Permit shall determine the number of on-site signs and the size, location, and type of lighting for each sign. In making this determination, the appropriate authority, in addition to other provisions relating to conditional use permits, shall consider the effect any sign shall have on the general purposes of the rural Estate zones as set forth in Article 1 of this Chapter, and shall not approve any sign which exceeds twenty-four (24) square feet.

404-23. HEIGHT REGULATIONS.

- a) No building or structure erected on or moved onto property in this zone shall have a height greater than two (2) stories.

- b) No building or structure erected on or moved onto property in this zone shall have a height greater than thirty (30) feet.
- c) EXCEPTIONS. See section 5.2.2.C., “Height Exception for Buildings in Residential, Commercial and Industrial Zoning Districts”, of this Code.

404-24. YARDS. No building or structure nor the enlargement of any building or structure shall hereafter be erected unless the following yards are provided and maintained.

- (a) FRONT YARD. There shall be a front yard of not less than fifty (50) feet.
- (b) REAR YARD. There shall be a rear yard of not less than thirty-five (35) feet.
- (c) SIDE YARD. There shall be a side yard on each side of a main building of not less than twenty (20) feet.
- (d) SIDE STREET YARD. On corner lots there shall be a side street yard of not less than twenty-five (25) feet.

404-25. LOT AREA. Each lot shall have a minimum area of thirty thousand (30,000) square feet.

404-26. LOT WIDTH. Each lot shall have a minimum width of one hundred ten (110) feet. The width of lots fronting on a curved street or the curved portion of a cul-de-sac street shall be measured along a chord located fifty (50) feet from the edge of the street right-of-way.

404-27. PUBLIC STREET FRONTAGE. Each lot shall have a minimum public street frontage of one hundred ten (110) feet. 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 a chord located fifty (50) feet from the edge of the street right-of-way.

RE-2 ESTATE ZONE

404-30. PROHIBITION. No building, structure, vehicle or land in the RE-2 zone shall be used nor shall any building, structure, or vehicle be erected, altered, moved, enlarged, or stored except as hereinafter specifically provided in this Article and subject to all the regulations and conditions enumerated in this Article and except as otherwise provided in this Division. Yard areas and other open spaces shall be used only for purposes specifically provided in this Article or for purposes clearly incidental and subordinate to the main purpose of the property; however, in no instance shall the yard areas and other open spaces be used so as to create problems inimical to the public health, safety, or general welfare or so as to have a detrimental effect on the use or value of property in the vicinity, in the RE-2 zone generally or within the County as a whole. Off-site signs are prohibited.

404-31. PERMITTED USES. The following uses shall be permitted in the RE-2 zone.

- (a) One single family detached dwelling on each lot.
- (b) Government owned and operated parks, playgrounds, community centers, swimming clubs, tennis clubs and similar facilities, provided the lot area is not less than three (3) acres.
- (c) Accessory buildings appurtenant to a permitted use which are incidental to and subordinate to the principal use of the premises. Such accessory buildings shall be located in the buildable portion of the lot.
- (d) Accessory uses customarily incidental to and subordinate to the principal use of the premises.
- (e) Incidental agricultural uses, private stables, subject to the provisions of section 5.3.2.
- (f) Public and private schools, kindergarten through high school, provided there shall be a net area of not less than five hundred (500) square feet per student.
- (g) Foster homes not to exceed six (6) foster children.
- (h) Day care homes not to exceed ten (10) children.
- (i) Real estate signs as provided in section 5.10.1.A.
- (j) Temporary construction signs as provided in section 5.10.1.B.
- (k) Political, religious, and civic campaign signs as provided in section 5.10.1.C.
- (l) Identification signs for public and private schools as provided in section 5.10.1.M.

404-32. USES PERMITTED WITH A CONDITIONAL USE PERMIT. The following uses are permitted subject to issuance of a Conditional Use Permit by the Planning Commission.

- (a) Publicly owned and operated libraries, museums, art galleries and similar publicly owned and operated cultural uses.
- (b) Guest house or separate living quarters for domestic workers employed on the premises provided the lot area is not less than thirty thousand (30,000) square feet.
- (c) Parks, playgrounds, community centers, swimming clubs, tennis clubs, and similar facilities owned or operated by a nonprofit corporation or similar entity provided the lot area is not less than three (3) acres.
- (d) Golf courses.
- (e) Churches.
- (f) Colleges and universities.
- (g) Federal, State, County, and municipally owned and operated buildings.
- (h) Buildings owned and operated by local agencies except as otherwise provided in this Article.
- (i) One mobilehome or travel trailer may be used as an accessory dwelling where there is a need for close supervision of the occupants of the mobilehome or travel trailer by the occupants of the principal dwelling subject to conditions of section 3.10.3.H., “Temporary Uses of Mobilehomes and Commercial Coaches”, of this Code.
- (j) ON-SITE IDENTIFICATION SIGN. The Planning Commission, when granting a Conditional Use Permit, shall determine the number of on-site signs and the size, location, and type of lighting for each sign. In making this determination, the Board, in addition to other provisions relating to conditional use permits, shall consider the effect any sign shall have on the general purpose of the rural Estate zones as set forth in Article 1 of this Chapter, and shall not approve any sign which exceeds twenty-four (24) square feet.
- (k) Home occupations as defined in section 3.9.3.F.

404-33. HEIGHT RESTRICTIONS.

- (a) No building or structure erected on or moved onto property in this zone shall have a height greater than three (3) stories.
- (b) No building or structure erected or moved onto property in this zone shall have a height greater than forty (40) feet.

- (c) EXCEPTIONS. See section 5.2.2.C., “Height Exception for Buildings in Residential, Commercial and Industrial Zoning Districts”, of this Code.

404-34. YARDS. No building or structure nor the enlargement of any building or structure shall hereafter be erected unless the following yards are provided and maintained.

- (a) FRONT YARD. There shall be a front yard of not less than fifty (50) feet.
- (b) REAR YARD. There shall be a rear yard of not less than thirty-five (35) feet except if the lot is less than one hundred and seventy-five (175) feet in depth the rear yard shall be twenty (20) percent of the average lot depth to a minimum of twenty (20) feet.
- (c) SIDE YARDS. There shall be a side yard on each side of a main building of not less than twelve (12) feet for a one-story building, twenty (20) feet for a two-story building, and thirty (30) feet for a three-story building.
- (d) SIDE STREET YARD. On corner lots there shall be a side street yard of not less than twenty-five (25) feet.

404-35. LOT AREA. The minimum area of each lot shall be as follows:

- (a) Twenty thousand (20,000) square feet if either a public water supply or a public sewerage facility is in use.
- (b) One (1) acre if neither a public water supply nor public sewerage facilities are in use.

404-36. LOT WIDTH. Each lot shall have a minimum width of one hundred (100) feet. The width of lots fronting on a curved street or curved portion of a cul-de-sac street shall be measured along a chord located fifty (50) feet from the edge of the street right-of-way.

404-37. PUBLIC STREET FRONTAGE. Each lot shall have a minimum public street frontage of one hundred (100) feet. 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 a chord located fifty (50) feet from the edge of the street right-of-way.

RE-1 ESTATE ZONE

404-40. PROHIBITION. No building, structure, vehicle, or land in the RE-1 zone shall be used nor shall any building, structure, or vehicle be erected, altered, moved, enlarged, or stored except as hereinafter specifically provided in this Article and except as otherwise provided in this Division. Yard areas and other open spaces shall be used only for purposes specifically provided in this Article or for purposes clearly incidental and subordinate to the main purpose of the property; however, in no instance shall the yard areas and other open space be used so as to create problems inimical to the public health, safety, or general welfare or so as to have a detrimental effect on the use or value of property in the vicinity, in the RE-1 zone generally or within the County as a whole. Off-site signs are prohibited.

404-41. PERMITTED USES. The following uses shall be permitted in the RE-1 zone:

- (a) One single family detached dwelling on each lot.
- (b) Government owned and operated parks, playgrounds, community centers, swimming clubs, tennis clubs, and similar facilities, provided the lot area is not less than three (3) acres.
- (c) Accessory buildings appurtenant to a permitted use which are incidental to and subordinate to the principal use of the premises. Such accessory buildings shall be located in the buildable portion of the lot.
- (d) Accessory uses customarily incidental to and subordinate to the principal use of the premises.
- (e) Public and private schools, kindergarten through high school, provided there shall be a lot area of not less than five hundred (500) square feet per student.
- (f) Foster homes not to exceed six (6) foster children.
- (g) Day care homes not to exceed ten (10) children.
- (h) Incidental agricultural uses, private stables, subject to the provisions of section 5.3.2.
- (i) Real estate signs as provided in section 5.10.1.A.
- (j) Temporary construction signs as provided in section 5.10.1.B.
- (k) Political, religious, and civic campaign signs as provided in section 5.10.1.C.
- (l) Identification signs for public and private schools as provided in section 5.10.1.M.

404-42. USES PERMITTED WITH A CONDITIONAL USE PERMIT. The following uses are permitted subject to the issuance of a Conditional Use Permit by the Planning Commission.

- (a) Publicly owned and operated libraries, museums, art galleries, and similar publicly owned and operated cultural uses.
- (b) Parks, playgrounds, community centers, swimming clubs, tennis clubs owned or operated by a nonprofit corporation or similar entity provided the lot area is not less than three (3) acres.
- (c) Golf courses.
- (d) Churches.
- (e) Colleges and universities.
- (f) Federal, State, County, and municipally owned and operated buildings.
- (g) Buildings owned and operated by local agencies except as otherwise provided in this Article.
- (h) One mobilehome or travel trailer may be used as an accessory dwelling where there is a need for close supervision of the occupants of the mobilehome or travel trailer by the occupants of the principal dwelling subject to conditions of section 3.10.3.H., “Temporary Uses of Mobilehomes and Commercial Coaches”, of this Code.
- (i) ON-SITE IDENTIFICATION SIGN. The Planning Commission, when granting a Conditional Use Permit, shall determine the number of on-site signs and the size, location, and type of lighting for each sign. In making this determination, the Board, in addition to other provisions relating to the conditional use permits, shall consider the effect any sign shall have on the general purposes of the rural Estate zones as set forth in Article 1 of this Chapter, and shall not approve any sign which exceeds twenty-four (24) square feet.
- (j) Home occupations as defined in section 5.10.1.E.

404-43. HEIGHT RESTRICTIONS.

- (a) No building or structure erected on or moved onto property in this zone shall have a height greater than two (2) stories.
- (b) No building or structure erected on or moved onto property in the zone shall have a height greater than thirty (30) feet.

- (c) EXCEPTION. See section 5.2.2.C., “Height Exception for Buildings in Residential, Commercial and Industrial Zoning Districts”, of this Code.

404-44. YARDS. No building or structure nor the enlargement of any building or structure shall hereinafter be erected unless the following yards are provided and maintained:

- (a) FRONT YARD. There shall be a front yard of not less than thirty-five (35) feet.
- (b) REAR YARD. There shall be a rear yard of not less than thirty (30) feet except if the lot is less than one hundred and fifty (150) feet in depth, the rear yard shall be twenty (20) percent of the average lot depth to a minimum of twenty (20) feet.
- (c) SIDE YARD. There shall be a side yard on each side of all buildings and structures of not less than twelve (12) feet for a one-story building and fifteen (15) feet for a two-story building.
- (d) SIDE STREET YARD. On corner lots the side yard regulations shall apply to the side street yard.

404-45. LOT AREA. The minimum lot area of each lot shall be as follows:

- (a) Ten thousand (10,000) square feet if either a public water supply or public sewerage facility is in use.
- (b) One (1) acre if neither a public water supply nor public sewerage facilities are in use.

404-46. LOT WIDTH. Each lot shall have a minimum width of seventy-five (75) feet. The width for lots fronting on a curved street or curved portion of a cul-de-sac shall be measured along a chord located thirty-five (35) feet from the edge of the street right-of-way.

404-47. PUBLIC STREET FRONTAGE. Each lot shall have a minimum public street frontage of seventy-five (75) feet. The public street frontage for lots fronting on a curved street or on the curved portion of a cul-de-sac street shall be measured along a chord located thirty-five (35) feet from the edge of the street right-of-way.

INTERIM RESIDENTIAL ZONES
GENERAL PURPOSES

405-01. The Residential zones established in this Division are designed to promote and protect the public health, safety, and general welfare. The Board of Supervisors in establishing general goals for the Residential zones has determined that there is a need to:

- (a) Provide sufficient space in appropriate locations for residential development to meet the housing needs of the County's present and expected future population with due allowance for the need for a choice of sites.
- (b) Protect residential areas against fire, explosions, toxic and noxious matter, and other hazards, and against offensive noise, odorous matter, glare, and other objectionable influences.
- (c) Protect residential areas, as far as possible, against heavy and through traffic.
- (d) Protect residential areas against congestion, as far as possible, by regulating the density of population and the bulk of buildings in relation to the land around them and to one another, and by providing for off-street parking spaces; to require the provisions of open space in residential areas wherever practicable; and thereby to provide a more desirable environment for urban living in a metropolitan area.
- (e) Provide for access to light and air and for privacy, as far as possible, by controls over the spacing and height of buildings and other structures.
- (f) Provide appropriate space for those educational, religious, recreational, health, and similar facilities which serve the needs of the nearby residents, which generally perform their own activities more effectively in a residential environment, and which do not create objectionable influences.
- (g) Encourage the development of more attractive and economic building forms.
- (h) Promote the most desirable use of land and direction of building development in accord with the General Plan, to promote stability of residential development, to protect the character of the district and its peculiar suitability for particular uses, to conserve the value of land and buildings, and to protect the County's tax revenues.
- (i) Provide for the parking and storage of major recreational equipment within designated open spaces.
- (j) Provide for State authorized certification of licenses family care homes, foster homes, or group homes as a residential use of property.

R-1-A SINGLE FAMILY RESIDENTIAL ZONE

405-10. PROHIBITION. No building, structure, vehicle or land in the R-1-A zone, shall be used nor shall any building, structure or vehicle be erected, altered, moved, enlarged, or stored except as hereinafter specifically provided in this Article and subject to all the regulations and conditions enumerated in this Article and except as otherwise provided in this Division, nor shall any area be used in any manner so as to create problems inimical to the public health, safety, or general welfare or so as to have a detrimental effect on the use or value o property in the vicinity or within the County of Sacramento as a whole. Off-site signs are prohibited.

405-11. PERMITTED USES. Those uses permitted in the R-1-A zone shall be those uses specified in the RD-5 land use zone in Table 3.1: Table of Allowed Uses, section 3.2.5; and also those regulations governing such uses as specified in Chapter 3, “Use Regulations”, and Chapter 5, “Development Standards”, of this Code.

405-12. LOT AREA, WIDTH, AND PUBLIC STREET FRONTAGE. The minimum lot area, width and public street frontage shall be those specified for the RD-5 zone in Table 5.4: Single Family Residential Development Standards, section 5.4.2 of this Code.

405-13. DEVELOPMENT STANDARDS. No building, structure or use, nor the enlargement of any building, structure or use shall hereafter be erected, enlarged, or developed unless the standards contained in Chapter 5, “Development Standards” of this Code are met.

R-1-B SINGLE FAMILY RESIDENTIAL AND DUPLEX ZONE

405-20. PROHIBITION. No building, structure, vehicle or land in the R-1-B zone, shall be used nor shall any building, structure or vehicle be erected, altered, moved, enlarged or stored except as hereinafter specifically provided in this Article and subject to all the regulations and conditions enumerated in this Article and except as otherwise provided in this Division; nor shall any area be used in any manner so as to create problems inimical to the public health, safety, or general welfare or so as to have a detrimental effect on the use or value of property in the vicinity or within the County of Sacramento as a whole. Off-site signs are prohibited.

405-21. PERMITTED USES. Those uses permitted in the R-1-B zone shall be those uses specified in the RD-5 land use zone in Table 3.1: Table of Allowed Uses, section 3.2.5; and also those regulations governing such uses as specified in Chapter 3, "Use Regulations", and Chapter 5, "Development Standards", of this Code.

405-22. LOT AREA. Except as otherwise provided in this Division, the minimum area for each lot in the R-1-B zone shall be as follows:

- (a) Interior lots used for single family dwelling shall have a net area of not less than five thousand two hundred (5,200) square feet provided a public water supply and public sewerage facilities are both in use.
- (b) Corner lots used for single family dwelling shall have a net area of not less than six thousand two hundred (6,200) square feet provided a public water supply and public sewerage facilities are both in use.
- (c) Any lot used for two family dwelling (duplex) shall have a net area of not less than eight thousand five hundred (8,500) square feet provided a public water supply and public sewerage facility are both in use.
- (d) Any lot used for a single family building site shall have a net area of not less than ten thousand (10,000) square feet if either, but not both, a public water facility or public sewerage facility is in use.
- (e) Any lot used for a two family building site shall have a net area of not less than fifteen thousand (15,000) square feet if either, but not both, a public water facility or public sewerage facility is in use.
- (f) Every lot shall have a net area of not less than one (1) acre if neither a public water supply nor public sewerage facility is in use.

405-23. LOT WIDTH. Except as provided in this Division the minimum lot width of any lot in the R-1-B zone shall be as follows:

- (a) Each interior lot shall have a minimum lot width of fifty-two (52) feet.

- (b) Each corner lot shall have a minimum lot width of sixty-two (62) feet.

405-24. LOT WIDTH—TWO FAMILY BUILDINGS. Except as otherwise provided in this Division each lot used for a two-family (duplex) building site shall have a minimum lot width of eighty-five (85) feet.

405-25. PUBLIC FRONTAGE. Each lot shall have a minimum public street frontage as follows:

- (a) Interior lots, except those used for two family home building sites shall have a minimum public street frontage of fifty-two (52) feet.
- (b) Corner lots, except those used for two family home building sites, shall have a minimum public street frontage of sixty-two (62) feet.
- (c) Lots used for two-family (duplex) building sites shall have a minimum public street frontage of eighty-five (85) feet.
- (d) 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 a chord located twenty-five (25) feet from the edge of the street right-of-way

405-26. DEVELOPMENT STANDARDS. No building, structure or use, nor the enlargement of any building, structure or use shall hereafter be erected, enlarged, or developed unless the standards contained in Chapter 5, “Development Standards” of this Code are met.

R-2 TWO FAMILY RESIDENTIAL ZONE

405-30. PROHIBITION. No building, structure, vehicle, or land in the R-2 zone shall be used nor shall any building, structure or vehicle be erected, altered, moved, enlarged or stored except as hereinafter specifically provided in this Article and subject to all the regulations and conditions enumerated in this Article and except as otherwise provided in this Division; nor shall any area be used in any manner so as to create problems inimical to the public health, safety, or general welfare or so as to have a detrimental effect on the use or value of property in the vicinity or within the County of Sacramento as a whole. Off-site signs are prohibited.

405-31. PERMITTED USES. Those uses permitted in the R-2 zone shall be those uses specified in the RD-10 land use zone in Table 3.1: Table of Allowed Uses, section 3.2.5; and also those regulations governing such uses as specified in Chapter 3, “Use Regulations”, and Chapter 5, “Development Standards”, of this Code.

405-32. LOT AREA. Except as otherwise provided in this Division, the minimum lot area for each lot in this zone shall be as follows:

- (a) Interior lots for single family or two family dwellings shall have a minimum net lot area of five thousand two hundred (5,200) square feet provided a public water supply and public sewerage facility are both in use.
- (b) Corner lots for single family and two family dwellings shall have a minimum net lot area of six thousand two hundred (6,200) square feet provided a public water supply and public sewerage facility are both in use.
- (c) Any lot used for a single family dwelling shall have a net lot area of not less than ten thousand (10,000) square feet if either, but not both, a public water supply or public sewerage facility is in use.
- (d) Any lot used for a two family dwelling shall have a net lot area of not less than fifteen thousand (15,000) square feet if either, but not both, a public water supply or public sewerage facility is in use.
- (e) Every lot shall have a net lot area of one (1) acre if neither a public water supply nor public sewerage facility is in use.

405-33. LOT WIDTH. Lot widths shall be as follows:

- (a) INTERIOR LOTS. Each interior lot shall have a minimum lot width of at least fifty-two (52) feet.
- (b) CORNER LOTS. Each corner lot shall have a minimum lot width of at least sixty-two (62) feet.

- (c) The lot width for lots fronting on a curved street or on the curved portion of a cul-de-sac street shall be measured along a chord located twenty-five (25) feet from the edge of the street right-of-way.

405-34. PUBLIC STREET FRONTAGE. Each lot shall have a public street frontage as follows:

- (a) INTERIOR LOTS. Each interior lot shall have a public street frontage of not less than fifty-two (52) feet.
- (b) CORNER LOT. Each corner lot shall have a public street frontage measured along the width of the lot of not less than sixty-two (62) feet.
- (c) 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 a chord located twenty-five (25) feet from the edge of the street right-of-way

405-35. DEVELOPMENT STANDARDS. No building, structure or use, nor the enlargement of any building, structure or use shall hereafter be erected, enlarged, or developed unless the standards contained in Chapter 5, "Development Standards" of this Code are met.

R-2-A MULTIPLE FAMILY RESIDENTIAL ZONE

405-50. PROHIBITION. No building, structure, vehicle, or land in the R-2-A zone shall be used nor shall any building, structure or vehicle be erected, altered, moved, enlarged, or stored except as hereinafter specifically provided in this Article and subject to all the regulations and conditions enumerated in this Article and except as otherwise provided in this Division; nor shall any area be used in any manner so as to create problems inimical to the public health, safety, or general welfare or so as to have a detrimental effect on the use or value of property in the vicinity or within the County of Sacramento as a whole. Off-site signs are prohibited.

405-51. PERMITTED USES. Those uses permitted in the R-2-A zone shall be those uses specified in the RD-20 land use zone in Table 3.1: Table of Allowed Uses, section 3.2.5; and also those regulations governing such uses as specified in Chapter 3, “Use Regulations”, and Chapter 5, “Development Standards”, of this Code.

405-52. LOT AREA—SINGLE FAMILY AND TWO FAMILY DWELLINGS.

- (a) Interior lots used for a single family or a two family dwelling shall have a net area of not less than five thousand two hundred (5,200) square feet provided a public water supply and public sewerage facility are both in use.
- (b) Corner lots used for a single family or a two family dwelling shall have a net area of not less than six thousand two hundred (6,200) square feet provided a public water supply and public sewerage facility are both in use.
- (c) Any lot used for a single family dwelling shall have a net area of not less than ten thousand (10,000) square feet if either, but not both a public water supply or public sewerage facility is in use.
- (d) Any lot used for a two family dwelling shall have a net area of not less than fifteen thousand (15,000) square feet if either, but not both a public water supply or public sewerage facility is in use.
- (e) Every lot shall have a net area of not less than one (1) acre if neither a public water supply nor a public sewerage facility is in use.

405-53. LOT AREA—MULTIPLE FAMILY DWELLINGS. Every lot used for multiple family dwellings shall have a net area of not less than:

- (a) Five thousand two hundred (5,200) square feet for interior lots and six thousand two hundred (6,200) square feet for corner lots for the first two dwelling units plus one thousand five hundred (1,500) square feet for each additional dwelling unit provided a public water supply and public sewerage facility are both in use.

- (b) Fifteen thousand (15,000) square feet for the first two dwelling units, plus three thousand (3,000) square feet for each additional dwelling unit if either, but not both, a public water supply or public sewerage facility is in use.
- (c) One (1) acre for the first two dwelling units plus five thousand (5,000) square feet for each additional dwelling unit when neither a public water supply nor public sewerage facility is in use.

405-54. LOT AREA—NONRESIDENTIAL USES. Every lot used for nonresidential purposes shall have a net lot area of not less than:

- (a) Six thousand two hundred (6,200) square feet if both a public water supply and public sewerage facility are in use.
- (b) Fifteen thousand (15,000) square feet if either, but not both, a public water supply or public sewerage facility is in use.
- (c) One (1) acre if neither a public water supply nor public sewerage facility is in use.

405-55. LOT WIDTH. Lot widths shall be as follows:

- (a) INTERIOR LOTS. Each interior lot shall have a minimum lot width of at least fifty-two (52) feet.
- (b) CORNER LOTS. Each corner lot shall have a minimum lot width of at least sixty-two (62) feet.
- (c) The lot width of lots fronting on a curved street or on the curved portion of a cul-de-sac street shall be measured along the chord located twenty-five (25) feet from the edge of the street right-of-way.

405-56. PUBLIC STREET FRONTAGE. Each lot shall have a minimum public street frontage as follows:

- (a) INTERIOR LOTS. Each interior lot shall have public street frontage of not less than fifty-two (52) feet.
- (b) CORNER LOT. Each corner lot shall have a public street frontage measured across the width of the lot of not less than sixty-two (62) feet.
- (c) 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 a chord located twenty-five (25) feet from the edge of the street right-of-way

405-57. DEVELOPMENT STANDARDS. No building, structure or use, nor the enlargement of any building, structure or use shall hereafter be erected, enlarged, or developed unless the standards contained in Chapter 5, "Development Standards" of this Code are met.

R-3 MULTIPLE FAMILY RESIDENTIAL ZONE

405-70. PROHIBITION. No building, structure, vehicle, or land in the R-3 zone shall be used nor shall any building, structure or vehicle be erected, altered, moved, enlarged, or stored except as hereinafter specifically provided in this Article and subject to all the regulations and conditions enumerated in this Article and except as otherwise provided in this Division; nor shall any area be used in any manner so as to create problems inimical to the public health, safety, or general welfare or so as to have a detrimental effect on the use or value of property in the vicinity or within the County of Sacramento as a whole. Off-site signs are prohibited.

405-71. PERMITTED USES. Those uses permitted in the R-3 zone shall be those uses specified in the RD-30 land use zone in Table 3.1: Table of Allowed Uses, section 3.2.5; and also those regulations governing such uses as specified in Chapter 3, “Use Regulations”, and Chapter 5, “Development Standards”, of this Code.

405-72. LOT AREA—SINGLE FAMILY, TWO FAMILY DWELLINGS.

- (a) Interior lots used for a single family or a two family dwelling shall have a net area of not less than five thousand two hundred (5,200) square feet provided a public water supply and public sewerage facility are both in use.
- (b) Corner lots used for a single family or a two family dwelling shall have a net area of not less than six thousand two hundred (6,200) square feet provided a public water supply and public sewerage facility are both in use.
- (c) Any lot used for a single family dwelling shall have a net area of not less than ten thousand (10,000) square feet if either, but not both, a public water supply or public sewerage facility is in use.
- (d) Any lot used for a two family dwelling shall have a net area of not less than fifteen thousand (15,000) square feet if either, but not both a public water supply or public sewerage facility is in use.
- (e) Every lot shall have a net area of not less than one (1) acre if neither a public water supply nor a public sewerage facility is in use.

405-73. LOT AREA—MULTIPLE FAMILY DWELLINGS. Every lot used for multiple family dwellings shall have a net area of not less than:

- (a) Five thousand two hundred (5,200) square feet for interior lots and six thousand two hundred (6,200) square feet for corner lots for the first two dwelling units plus one thousand (1,000) square feet for each additional dwelling unit provided a public water supply and public sewerage facility are both in use.

- (b) Fifteen thousand (15,000) square feet for the first two dwelling units, plus one thousand (1,000) square feet for each additional dwelling unit if either, but not both, a public water supply or public sewerage facility is in use.
- (c) One (1) acre for the first two (2) dwelling units plus one thousand (1,000) square feet for each additional dwelling unit when neither a public water supply nor public sewerage facility is in use.

405-74. LOT AREA—NONRESIDENTIAL USES. Every lot used for nonresidential purposes shall have a net lot area of not less than:

- (a) Six thousand two hundred (6,200) square feet if both a public water supply and public sewerage facility are in use.
- (b) Ten thousand (10,000) square feet if either, but not both, a public water supply or public sewerage facility is in use.
- (c) One (1) acre if neither a public water supply nor public sewerage facility is in use.

405-75. ADDITIONAL DWELLING UNIT. If after computing the number of dwelling units which may be erected upon a lot, there remains an area equal to or in excess of seventy-five (75) percent of the area required for a dwelling unit, one (1) additional dwelling unit may be constructed on such lot or parcel.

405-76. LOT WIDTH. Lot width shall be as follows:

- (a) INTERIOR LOTS. Each interior lot shall have a minimum lot width of at least fifty-two (52) feet.
- (b) CORNER LOTS. Each corner lot shall have a minimum lot width of at least sixty-two (62) feet.
- (c) The lot width of lots fronting on a curved street or on the curved portion of a cul-de-sac street shall be measured along the chord located twenty-five (25) feet from the edge of the street right-of-way.

405-77. PUBLIC STREET FRONTAGE. Each lot shall have a minimum public street frontage as follows:

- (a) INTERIOR LOTS. Each interior lot shall have public street frontage of not less than fifty-two (52) feet.
- (b) CORNER LOT. Each corner lot shall have a public street frontage measured across the width of the lot of not less than sixty-two (62) feet.

- (c) 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 a chord located twenty-five (25) feet from the edge of the street right-of-way.

405-78. DEVELOPMENT STANDARDS. No building, structure or use, nor the enlargement of any building, structure or use shall hereafter be erected, enlarged, or developed unless the standards contained in Chapter 5, “Development Standards” of this Code are met.

RM-1 MOBILEHOME PARK LAND USE ZONE

405-100. INTENT. It is the intent of this Article to provide for the continuation of mobilehome parks in existence as of the effective date of this ordinance and to provide for their reasonable expansion. The RM-1 zone shall not be applied to any new mobilehome park proposed for development after the effective date of this ordinance.

405-101. PERMITTED USES. Those uses permitted in the RM-1 zone shall be those uses specified in the Mobilehome Park (MHP) combining land use zone in Table 3.1: Table of Allowed Uses, section 3.2.5; and also those regulations governing such uses as specified in Chapter 3, "Use Regulations", and Chapter 5, "Development Standards", of this Code.

405-102. PARK STANDARDS. No building or structure shall hereafter be erected or located within any mobilehome park, nor shall any mobilehome park be constructed within the RM-1 zone unless the requirements for the park site specified in sections 405-103 through 405-110, are provided and maintained.

405-103. PARK AREA AND DENSITY. Each park shall have a minimum net area of not less than ten (10) acres, and shall not have a depth greater than three (3) times its width. The number of mobilehome sites shall not exceed eight and one half (8-1/2) per net acre of the park.

405-104. YARDS. There shall be a landscaped yard of not less than twenty (20) feet adjoining each public street right-of-way, and not less than ten (10) feet adjoining each interior property line.

405-105. PUBLIC STREET FRONTAGE. Each park shall be located on a public street having at least a sixty (60) foot right-of-way. Each park shall have not less than three hundred (300) feet of frontage on a public street.

405-106. WATER SUPPLY AND SANITATION FACILITIES. Public water supply and public sanitary sewerage facilities shall be utilized.

405-107. RECREATION AREA. Recreation areas, landscaped and maintained in a dust free condition, shall be provide as follows:

- (a) FAMILY PARK. Two hundred and fifty (250) square feet of recreational area per mobilehome space for the first through 100th space and two hundred (200) square feet of recreational area per mobilehome space for each space in excess of the 100th space.
- (b) ADULT PARK. Two hundred (200) square feet of recreational are per mobilehome space.

405-108. STORAGE AREA. One or more storage areas shall be provided for the storage of boats, campers, camping trailers, utility trailers, and extra vehicles. One hundred (100) square feet of vehicle storage area shall be provided per mobilehome space. Each vehicle storage area

shall be completely enclosed within a chain link or comparable fence six (6) feet in height, and shall be screened from exterior view. Such storage areas shall not be located within any street or interior yard required by section 405-104. Whenever any such storage area is adjacent to an interior yard, and the adjacent property is within a residential or agricultural zone, the interior yard shall be planted with fast growing trees to obtain a visual screening above the required fence.

405-109. DRIVEWAYS.

- (a) Entrance driveways shall not be located closer than one hundred fifty (150) feet from any intersection of public streets.
- (b) Entrance driveways shall have a minimum width of forty (40) feet, except where said entrance driveway is divided by a median planting strip; in such case the minimum width shall be fifty (50) feet and each side shall then be one way.

405-110. SIGNS. Signs as provided in section 5.10.1.M., “Identification Signs”, of this Code.

405-111. MOBILEHOME PARK INTERIOR DESIGN STANDARDS. No building or structure shall hereafter be erected or located within any mobilehome park nor shall any mobilehome park be constructed within the RM-1 zone, unless the requirements specified in Sections 405-112 through 405-115 for the sites within the park are provided and maintained.

405-112. MOBILEHOME SITES. Each mobilehome site shall have a minimum width of forty-five (45) feet and a minimum depth of seventy (70) feet, and shall be clearly defined and marked at all corners with permanent markers.

405-113. YARDS. There shall be a minimum setback of five (5) feet from the boundary lines of all mobilehome sites for all mobilehomes, patio covers, porch covers, awnings, ramadas, garages, storage buildings, or any structure or building, except that a storage shed of one-hundred (100) square feet or less may be located within three (3) feet of the mobilehome site boundary. Whenever the mobilehome site adjoins a street yard or interior yard, the yard specified herein shall be in addition to the street yard or interior yard specified in section 405-104.

405-114. DRIVEWAYS. No mobilehome, travel trailer or recreation vehicle site shall have direct frontage on any public street. Each mobilehome, travel trailer and recreation vehicle site shall have a minimum of twenty (20) feet of frontage on an interior driveway. The interior driveways within the mobilehome park shall meet the following standards:

- (a) The minimum width of pavement on any driveway shall be thirty (30) feet. Driveways on which parking is permitted on one side shall have a paved width of not less than thirty-three (33) feet. Driveways on which parking is permitted on both sides shall have a paved width of not less than forty-one (41) feet.

- (b) Any driveway, or portion of a driveway, which does not provide for continuous circulation shall not exceed six hundred (600) feet in length from the nearest intersection of another driveway or a street. Any driveway which does not provide for through circulation shall terminate with a turnaround design acceptable to the County.
- (c) All driveways shall be surfaced with a minimum of two (2) inches of asphaltic concrete over four (4) inches of compacted aggregate base or an equivalent structural section.

405-115. PARKING. Mobilehome parks shall provide at least two (2) off-street auto parking spaces for each travel trailer and mobilehome space, at least one (1) additional space for guest parking, for each eight (8) mobilehome spaces within the park. Said parking spaces shall conform to the standards set forth in section 5.9, "Off-Street Parking", of this Code.

Chapter 6, Articles 1 through 4 deleted.

CC CONVENIENCE CENTER ZONE

407-01. PURPOSE. The purpose of this zone is to provide an area for small retail service centers located internally within a residential area on a collector street as an integral part of the neighborhood which can supply the day-to-day needs of the surrounding residents. This zone is intended to promote the harmonious development of local commercial and service areas with adjacent residential development.

407-02. PERMITTED USES. Buildings and structures may be erected, structurally altered or enlarged and land may be used within this zone for commercial, service, office, and other uses as provided in this section. The entire business operation shall be conducted within a completely enclosed building located within the buildable portion of the lot. The sale of used merchandise is not allowed.

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| (a) Barber shop | (o) Incidental sales operation: |
| (b) Beauty Shop | (1) Candy store |
| (c) Coffee shop | (2) Drug store |
| (d) Coin operated dispenser | (3) Firewood sales |
| (e) Delicatessen | (4) Liquor store |
| (f) Laundromat | (p) Supermarket or foodstore,
provided the floor area shall not
exceed five thousand (5,000)
square feet. |
| (g) Newspaper-magazine stand | (q) Offices less than two thousand
(2,000) feet in floor area
provided the intended purpose is
to serve only the needs of the
surrounding residential
neighborhood. |
| (h) Child care center | (1) Business or professional |
| (i) Prescription pharmacy | (2) Finance, loan, credit
collections |
| (j) Residence of a caretaker,
proprietor or owner of a
permitted use | (3) Bank, savings and loan |
| (k) Shoe repair shop | (4) Insurance |
| (l) Shoe shine parlor | (5) Medical or dental |
| (m) Soda fountain-ice cream parlor | (6) Real estate |
| (n) Tobacco shop | (7) Accountants,
bookkeepers |
| | (8) Ticket agency |
| | (9) Travel agency |

407-03. PERMITTED USES SUBJECT TO ISSUANCE OF A CONDITIONAL USE PERMIT BY THE PLANNING COMMISSION.

- (a) Apartments and other multiple family dwellings, subject to the regulations of the R-3 Multiple Family zone and the CC Convenience Center zone.
- (b) Secondary automobile service stations, as provided for in section 3.7.9.C.
- (c) Café or restaurant within a completely enclosed building.
- (d) Public utility facility.

407-04. PERMITTED USES IN YARDS AND OPEN SPACES.

- (a) Outdoor furniture.
- (b) Canopies may be located in the required front and side street yards no closer than fifteen (15) feet from all future street and road rights-of-way provided such canopies do not project over more than ten (10) percent of the front and side street yard areas. There shall be no screening, lattice work, or any other obstruction to the free circulation of air or passage of people erected, placed under, or attached to the canopy. There shall be a vertical clearance of not less than eight (8) feet above ground level to the lowest point of the canopy. No advertising signs or materials shall be painted on or attached to any posts supporting such canopies below said minimum vertical clearance.
- (c) Christmas tree sales, permitted between the first Saturday after Thanksgiving and December 25, inclusive. Any trailers, tents or other temporary structures which are accessory to the sales operation shall be located in the buildable area of the lot.
- (d) Customer conveniences such as litter containers, bicycle racks, mail boxes, book depositories, and other similar conveniences.
- (e) Fences, provided that fences shall not be erected in the required front or side street yards unless such fence is specifically required by Ordinance. Fences may be erected in the required rear, interior side yards or buildable area of the lot, provided such fences do not exceed six (6) feet in height; however, there may be an additional wire fence above the six (6) feet, but not to exceed nine (9) feet overall.
- (f) Planter boxes, retainer walls, fountains and ponds may be placed in yard areas provided they are permanent parts of the overall landscaping development.
- (g) Light standards and fixtures, provided that no sign or other advertising device shall be attached to lighting standards or fixtures. Lighting shall be arranged so as not to produce a glare on other properties in the vicinity and the source of light shall not be visible from adjacent property or other public street.

- (h) Parking, permitted only in the rear yard, interior side yard or buildable area of the lot. Not permitted in the required front and side yards.
- (i) Signs, permanently attached to the ground.

407-05. LOT REQUIREMENTS. Buildings or structures may be erected or enlarged and uses permitted providing the following areas and yards are maintained in connection with such buildings or uses:

- (a) LOT AREA. Every lot shall have an area of at least one (1) acre if neither a public water nor public sewerage facility is in use, or ten thousand (10,000) square feet if either a public water system or public sewerage facility is in use, or if both public water system or public sewerage facilities are in use there is no minimum lot area requirements for individual lots.
- (b) PUBLIC STREET FRONTAGE AND LOT WIDTH. Individual lot frontage on a public street is not required; however, lots shall have sufficient width and depth to maintain the yard areas as required in the Article and adequate building area to serve the intended use.
- (c) FRONT YARD AND SIDE STREET YARD. There shall be a front and side street yard of at least twenty-five (25) feet.
- (d) REAR YARD AND INTERIOR SIDE YARD. There shall be a rear yard and an interior side yard of at least twenty-five (25) feet between any structure within this zone and the boundary line of an adjacent residential, estate, recreation, or agricultural zoning district; otherwise a rear or interior side yard is not required.

407-06. HEIGHT. Commercial buildings, structures and the enlargement of any buildings or structures may be erected to a height not exceeding twenty (20) feet. For exceptions, see section 5.2.2.C., “Height Exceptions for Buildings in Residential, Commercial, and Industrial Zoning Districts”, of this Code.

407-07. DEVELOPMENT REQUIREMENTS. Buildings or structures may be erected or enlarged and uses permitted provided the following development requirements are maintained in connection with such buildings or uses:

- (a) A planter or landscaped area at least twenty-five (25) feet wide shall be provided adjacent to all public street rights-of-way, excluding approved driveway entrances. In addition, any area within the street right-of-way, between the edge of the sidewalk and the outer edge of the right-of-way, shall be developed as a planter or landscaped area in conjunction with the required twenty-five (25) foot area above, unless this requirement is waived by the Director of the Department of Transportation or his designee.

- (b) A planter or landscaped area at least six (6) feet wide shall be provided adjacent to the interior boundary lines of all adjoining residential, estate, recreation, or agricultural zones. A six (6) foot high perimeter fence of solid wood, masonry or chain link with slats shall be installed along such boundary line. Said perimeter fence shall be reduced in height to two and one-half (2-1/2) feet whenever it is located within twenty-five (25) feet of the street right-of-way. Landscaping shall consist of trees and shall include ground covers, shrubs, or climbing plants which shall be designated in combination with the required perimeter fence in such a manner as to form a visual screen between this district and the adjoining residential, estate, recreation, or agricultural zones.
- (c) Additional planters or landscaped areas shall be provided in public parking areas as specified in section 5.9.4., “Improvement Requirements for Parking and Loading Areas”, of this Code.
- (d) Within each planter or landscaped area and irrigation system and live landscaping shall be provided and maintained.
- (e) Required planter and landscaped areas shall be protected from vehicle encroachment as specified in section 5.9.4.D., “Bumper Stops, Wheel Stops”, of this Code.
- (f) Required planter or landscaped areas may be combined with appropriate pedestrian walks and similar hard surface areas provided that such hard surface does not cover more than thirty (30) percent of any required planter or landscaped area. Ornamental or landscaping rock and gravel areas shall be considered hard surface areas for the purpose of this provision.

407-08. ON-SITE SIGNS. Except as otherwise provided in this Division, on-site signs and permitted advertising devices may be erected in this zone subject to the following provisions:

- (a) AREA. The total area of all exterior on-site signs and advertising devices shall not exceed one (1) square foot per foot of building frontage facing a street, or one (1) square foot per two (2) feet of public street frontage of the premises, whichever is greater.
- (b) LOCATION. All on-site signs or advertising devices advertising an individual use, business or building shall be located flat against the building.
- (c) HEIGHT. No signs or advertising device shall project above the roof except 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.
- (d) ILLUMINATION. There shall be no flashing, moving or animated 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.

- (e) 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 residential or estate zone or from a public street.
- (f) Banners, string lights and pennant-flags are not permitted in this zone.
- (g) Real estate signs as provided in section 5.10.1.A.
- (h) Temporary construction signs as provided in section 5.10.1.B.
- (i) COMPUTATION OF AREA. Signs which are placed flat against a building but are on a background which is distinguishable from the overall architectural motif of the building may be counted at seventy-five (75) percent of the total background 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 fifty (50) percent of the area within straight lines enclosing the copy.

407-09. OFF-SITE SIGNS. Off-site exterior signs are not permitted in this zone.

(PD) PLANNED DEVELOPMENT (COMBINING ZONE)

408-01. PURPOSE. To encourage a creative and more efficient approach to the use of the land; to maximize 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 rearrangement is desirable and feasible.

408-02. INTENT OF THE (PD) COMBINING ZONE. To carry out the purpose as set forth above by providing the means of greater creativity and flexibility in design than is provided under the strict application of the zoning and subdivision ordinances while at the same time preserving the public interest, health, safety, welfare and property values. Various land uses may be combined in a Planned Development zone including combinations of residential, commercial, industrial, utility, institutional, educational, cultural, recreational, and other uses provided the combination of uses results in the balanced and stable environment. A (PD) zone may be combined with any other zoning classification except permanent agricultural or agricultural holding zones.

408-03. CRITERIA.

- (a) SIZE: A planned development, or unit thereof, shall be of sufficient size, composition and arrangement that its composition, marketing, and operation is feasible as a complete unit independent of any subsequent unit.
- (b) PERMITTED USES. All uses which are authorized in the basic zone(s) with which the (PD) zone is combined including uses which are authorized only with a Conditional Use Permit, provided the uses are approved and made part of the Development Plan as provided in this section. In residential developments the applicant must show that accessory commercial uses are intended to serve principally the residents of the development.
- (c) LAND USE INTENSITY. The planned development shall be at a land use intensity which conforms to the General Plan of Sacramento County and complements existing permitted uses in the neighborhood. If the planned development proposed indicates a greater intensity of land use than is permitted by existing zoning regulations, the applicant shall show that the design of the project merits such a change in zoning and will not:
 - (1) Create traffic congestion in the streets which adjoin or are near the planned development;
 - (2) Create a burden on parks, schools, and other public facilities and utilities which serve or are proposed to serve the planned development;
 - (3) Have an undue and adverse impact on the reasonable enjoyment of neighboring property.

An increase in land use intensity shall be compensated for by additional amenities to be achieved by the amount, location and proposed use of open space and the location, design and type of development.

- (d) DESIGN STANDARDS. The Board of Supervisors after a recommendation by the Planning Commission may permit deviations from the standards in the basic zones with which the (PD) zone is combined provided the developer demonstrates by his design proposal, that the objectives of the General Plan, the Subdivision Ordinance and this Ordinance will be achieved.
- (e) COMMON OPEN SPACE. The Planning Commission may adopt regulations to govern the amount, use and locate of open space. After development, the common open space may be conveyed to a public agency or private association. The Planning Commissions, prior to any conveyance of common open space, shall approve all agreements and instruments relating to use, maintenance and ownership thereof. The Planning Commission may also require the dedication of development rights or scenic easements to assure that common open space will be maintained. The Planning Commission may further require that instruments of conveyance or covenants or deed restrictions of associations provide that in the event the common open space is not maintained in a condition consistent with the approved development plan, the County may, at its option, cause such maintenance to be performed and assess the costs to the affected property owners or responsible association. If the common open space is dedication, conveyed or designed for use by the general public and so used, any assessment of maintenance costs shall be made by benefit areas which are not necessarily restricted to the subject (PD) zone.

408-04. PRELIMINARY PLAN.

- (a) PURPOSE. The purpose of the preliminary plan is to require the developer to demonstrate the feasibility and general design concept of a proposed development to the Planning Director or Planning Commission.
- (b) PROCEDURE. The initial step to be taken by the developer is to submit a preliminary plan to the Planning Director. The plan shall include:
 - (1) Maps or drawings which may be schematic in form;
 - (2) Proposed land uses; the approximate number of dwelling units; acres and population density for each area of land; existing uses of surrounding property;
 - (3) Proposed circulation system, including both public and private streets;
 - (4) Public uses including schools, parks, recreation areas, and other open spaces;
 - (5) The use and general description of each different type of structure;

- (6) Nature of the applicant's interest in the land proposed to be developed;
 - (7) Written explanation of the nature of the proposed development and the deviations from regulations otherwise applicable to the property;
 - (8) Proposed sequence and schedule of development.
- (c) ACTION BY THE PLANNING DIRECTOR AND THE PLANNING COMMISSION. Within 30 days after submission the Planning Director shall review said preliminary development plan and meet with the applicant for the purpose of presenting its comments. The Planning Director shall either grant approval in principle of the plan as submitted, grant approval in principle subject to specified modifications which shall be included in any application for a (PD) District, or deny approval of the plan stating reasons for denial. The Planning Director or the applicant may request that the Planning Commission review the preliminary plan and approve, approve with modifications, or disapprove the plan as submitted.

408-05. PROPOSED DEVELOPMENT PLAN AND REQUEST FOR (PD) ZONE. Within one (1) year after approval of the preliminary plan an application may be filed with the Secretary of the Planning Commission for a (PD) zone. The petitioner shall include with the application for zone change his proposed development plan for all or a portion of the property included within the preliminary plan, which shall include all information required for the preliminary plan and the following:

- (a) Maps showing existing topography, tree cover, buildings, streets, and other existing physical features;
- (b) Detailed breakdown of the proposed land use showing: lot lines, location of buildings, parking areas, common grounds, recreation improvements and structures, and open spaces around buildings and structures;
- (c) Elevation drawings of typical proposed structures and improvements for each proposed use except detached single family dwellings;
- (d) At least one (1) perspective drawing or model which will demonstrate the architectural character of the project;
- (e) Proposed agreements, deed restrictions, bylaws and Articles of Incorporation which relate to the preservation or maintenance of open space and associations created to preserve and maintain said open space;
- (f) A schedule and sequence of development for all of the property included in the preliminary development plan even though the applicant elects to include only a portion of the property in the proposed tentative development plan.

408-06. ACTION BY THE PLANNING COMMISSION ON THE PROPOSED DEVELOPMENT PLAN AND REQUEST FOR (PD) ZONE.

- (a) The Planning Commission shall hold a public hearing on the proposed plan and request for change in zoning. The Commission may recommend approval, disapproval, or conditional approval of the proposed plan and request for (PD) Zoning.
- (b) The Planning Commission shall not recommend approval of the proposed plan nor recommend (PD) Zoning unless there is evidence that:
 - (1) The proposed development will carry out the intent of the General Plan;
 - (2) The proposed development is of sufficient size and is designed so as to provide a desirable environment within its own boundaries;
 - (3) The proposed development is compatible with existing and proposed land uses in the surrounding area;
 - (4) Any exceptions to the standard requirements of the Basic Zoning Ordinance are justified by the design of the development. In the case of residential areas the rearrangement of dwellings and the mixing of dwelling types shall be justified by larger and more useable open spaces;
 - (5) There is adequate assurance that all public improvements will be installed at the scheduled times as required by the County Engineering Division;
 - (6) There is adequate assurance that the development schedule will be met;
 - (7) The existing or proposed utility services are adequate for the uses and population densities proposed.
- (c) The County Counsel shall prepare a draft of the proposed Ordinance prior to the hearing before the Board of Supervisors.

408-07. ACTION BY THE BOARD OF SUPERVISORS.

- (a) The Board of Supervisors shall hold a public hearing on the proposed plan and Planning Commission's recommendations for (PD) Zoning in the same manner as other applications for zone changes. The Board may approve, disapprove or approve with modification the proposed development plan and request for (PD) Zoning. The Board shall not approve the proposed plan or request for a (PD) zone unless the evidence supporting the Planning Commission's recommendations is presented to the Board.

- (b) Approval of the proposed development plan shall be by amendment to the Basic Zoning Ordinance. The amendment shall include all of the information which comprises the approved development plan. The Comprehensive Zoning Plan shall indicate the property is in a (PD) zone by the Symbol (PD) in combination with other zone symbols. The Board may delegate to the Planning Commission or the Zoning Administrator the authority to approve insubstantial revisions to an approved plan. All other revisions shall be made pursuant to the procedure for an amendment to the Basic Zoning Ordinance.
- (c) The Board shall also designate and include as part of the ordinance what additional information is required before construction is authorized. Typical information required includes, but is not limited to:
 - (1) Preliminary building plans, including floor plans and exterior elevations required to obtain a building permit;
 - (2) Landscaping plans;
 - (3) Engineering plans and reports as required by law or regulations;
 - (4) Bonds, deposits of money or securities required as part of the tentative development plan.

408-08. ACTION BY PLANNING DIRECTOR ON FINAL PLAN. The Planning Director shall have thirty (30) days to review the drawings, landscaping plans and other information specified in the Ordinance and shall approve same if the information substantially conforms to the approved development plan.

408-09. BUILDING PERMITS. No building permit shall be issued for the development or any part thereof until the Planning staff has completed the review as provided above.

408-10. SUBDIVISION MAPS, COVENANTS. Any part of the approved development plan for which a subdivision map is required and any covenants or restriction required as part of the approved development plan shall be recorded by the County Recorder.

408-11. ANNUAL REVIEW. If construction of the project has not commenced within one (1) year after the adoption of the (PD) zone or as otherwise provided in the approved development plan, the Planning Commission shall review the project to determine if an amendment to the Ordinance should be initiated to rezone the property to another zoning classification.

(PDC) PLANNED DEVELOPMENT COMBINING ZONE
COUNTY INITIATED

408-20. PURPOSE. This Article establishes the procedure whereby the Board or the Commission may initiate proceedings to regulate certain property through the process of a County initiated Planned Development Combining zone. The Board recognizes that there are areas throughout the County that have unique environmental, economic, historic, or architectural features and that too little attention has been given through the application of standard zone regulations to these special characteristics. It is the purpose of this Article to provide the method for the County to guide the regulation of such areas so as to preserve such unique characteristics.

408-21. DESIGNATION. The abbreviation (PDC) appearing after a zone abbreviation on the comprehensive zone plans indicates that the property so classified is subject to the provisions of this Article and any Ordinance adopted pursuant to this Article.

408-22. INITIATION OF ZONE. The Board or Commission may initiate proceedings to place parcels within the (PDC) zone. The procedure for zoning property to the (PDC) zone shall be the same as for changing the zone as provided in section 6.2., “Zoning Amendments”, of this Code.

408-23. CONTENT OF COUNTY INITIATED PLANNED DEVELOPMENT ORDINANCE.

- (a) The following provisions are mandatory and shall be included in each County initiated planned development Ordinance:
 - (1) A list of permitted uses.
 - (2) Performance and development requirements relating to yards, lot area, intensity of development on each lot, parking, landscaping, and signs.
 - (3) Other design standards appropriate for the specific planned development.
 - (4) Legal description of property covered by the Ordinance.
 - (5) Reasons for establishment of a (PDC) zone on the particular property.
- (b) The following provisions are permissive and are not intended to be an exclusive list of the provisions that could be part of a planned development Ordinance.
 - (1) Procedures for review of proposed development. The procedures could 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 projects.

408-24. APPLICATION FOR AMENDMENT TO THE (PDC) ZONE. The procedures for filing and amendment to the (PDC) zone adopted pursuant to this Article shall be the same as for any amendment to the Zoning Code.

ZONE CATEGORIES NO LONGER IN USE ZONES
GENERAL PURPOSES

409-01. PURPOSE. The zones set forth in this Chapter are designed to promote and protect the public health, safety and general welfare in the same general manner as the other interim zones and permanent land use zones described in this Code. The zones in this Chapter, however, are considered as Zone Categories No Longer In Use, and it is the intent of the Board of Supervisors to rezone each parcel of property to one of the land use zones described in this Code.

409-02. APPLICATION FOR ZONE CHANGES. The Secretary of the Planning Commission shall not accept an application to change property to the C-1, C-2, SC, AC, or TC zones without prior approval of the Sacramento County Planning Commission.

C-1 LIMITED COMMERCIAL ZONE

409-10. PROHIBITION. No building, structure, vehicle, or land in the C-1 zone shall be used, nor shall any building, structure or vehicle be erected, altered, moved, enlarged, or stored except as hereinafter specifically provided in this Article and subject to all the regulations and conditions enumerated in this Article and except as otherwise provided in this Division; nor shall any area be used in any manner so as to create problems inimical to the public health, safety, or general welfare or so as to have a detrimental effect on the use or value of property in the vicinity or within the County of Sacramento as a whole.

409-11. PERMITTED USES. Those uses permitted in the C-1 zone shall be those uses specified in the LC land use zone in Table 3.1: Table of Allowed Uses, section 3.2.5; and also those regulations governing such uses as specified in Chapter 3, “Use Regulations”, and Chapter 5, “Development Standards”, of this Code.

409-12. LOT AREA. The minimum area for each lot shall be as follows:

- (a) Six thousand (6,000) square feet if both a public water supply and public sewerage facility are in use.
- (b) Ten thousand (10,000) square feet if either a public water supply or public sewerage facility are in use.
- (c) One (1) acre if neither a public water supply nor public sewerage facility is in use.

409-13. LOT WIDTH AND DEPTH. Every lot fronting on a public street shall have adequate depth to provide the setbacks and yards as required in buildable area to serve the intended uses.

- (a) In no case shall the lot depth, measured from the public street, be less than one hundred (100) feet. In case of a through lot having frontage on a parallel or approximately parallel public street, the minimum depth of the lot shall be two hundred (200) feet.
- (b) Every corner lot shall have a minimum width of not less than one hundred (100) feet.

409-14. DEVELOPMENT STANDARDS. No building, structure or use, nor the enlargement of any building, structure or use shall hereafter be erected, enlarged, or developed unless the standards contained in Chapter 5, “Development Standards” of this Code are met with the following exception:

Where fifty (50) percent or more of the street frontage in any “C-1” Limited Commercial zone between two intersecting streets is built up with commercial buildings closer to the street or highway right-of-way line than that specified in Table 5.9: Commercial Land Use Development Standards, section 5.5.2, of this Code, the average front yard depth of the existing buildings may be used to determine the required minimum front yard depth of the proposed building.

C-2 GENERAL COMMERCIAL ZONE

409-30. PROHIBITION. No building, structure, vehicle, or land in the C-2 zone, shall be used nor shall any building, structure or vehicle be erected, altered, moved, enlarged, or stored except as hereinafter specifically provided in this Article and subject to all the regulations and conditions enumerated in this Article and except as otherwise provided in this Division; nor shall any area be used in any manner so as to create problems inimical to the public health, safety, or general welfare or so as to have a detrimental effect on the use or value of property in the vicinity or within the County of Sacramento as a whole.

409-31. PERMITTED USES. Those uses permitted in the C-2 zone shall be those uses specified in the GC land use zone in Table 3.1: Table of Allowed Uses, section 3.2.5; and also those regulations governing such uses as specified in Chapter 3, “Use Regulations”, and Chapter 5, “Development Standards”, of this Code.

409-32. LOT AREA. The minimum area for each lot shall be as follows:

- (a) Six thousand (6,000) square feet if both a public water supply and public sewerage facility are in use.
- (b) Ten thousand (10,000) square feet if either a public water supply or public sewerage facility are in use.
- (c) One (1) acre if neither a public water supply nor public sewerage facility is in use.

409-33. LOT WIDTH AND DEPTH. Every lot fronting on a public street shall have adequate depth to provide the setbacks and yards as required in this section and sufficient additional depth to provide a reasonable buildable area to serve the intended use.

- (a) In no case shall the lot depth, measured from the public street, be less than one hundred (100) feet. In case of a through lot having frontage on a parallel or approximately parallel public street, the minimum depth of the lot shall be two hundred (200) feet.
- (b) Every corner lot shall have a minimum width of not less than one hundred (100) feet.

409-34. DEVELOPMENT STANDARDS. No building, structure or use, nor the enlargement of any building, structure or use shall hereafter be erected, enlarged, or developed unless the standards contained in Chapter 5, “Development Standards” of this Code are met with the following exception:

Where fifty (50) percent or more of the street frontage in any “C-2” General Commercial zone between two intersecting streets is built up with commercial buildings closer to the street or highway right-of-way line than that specified in Table 5.9: Commercial Land Use Development Standards, section 5.5.2, of this Code, the average front yard depth of the existing buildings may be used to determine the required minimum front yard depth of the proposed building.

SC SHOPPING CENTER ZONE

409-60. PURPOSE. The purpose of this zone is to provide an area which will offer a wide choice of retail goods and services, while promoting the unified grouping of retail and service uses with convenient off-street parking and loading areas. It is intended that the Shopping Center District be designed in such a manner as to be an integral part of the neighborhood, community and urban area in which it is located.

409-61. PERMITTED USES. Those uses permitted in the SC zone shall be those uses specified in the LC land use zone in Table 3.1: Table of Allowed Uses, section 3.2.5; and also those regulations governing such uses as specified in Chapter 3, “Use Regulations”, and Chapter 5, “Development Standards”, of this Code.

409-62. LOT AREA. Every lot shall have an area of at least one (1) acre if neither a public water nor public sewerage facility is in use, or ten thousand (10,000) square feet if either a public water system or public sewerage facility is in use, or if both public water and public sewerage facilities are in use there is no minimum lot area requirement for individual lots.

409-63. YARDS. Yard regulations shall be those as provided for the LC zone, as set forth in Table 5.9: Commercial Land Use and Development Standards, section 5.2.2., or this Code.

409-64. HEIGHT REGULATIONS. Height regulations shall be those as provided for the LC zone, as set forth in Table 5.9: Commercial Land Use and Development Standards, section 5.2.2., of this Code

409-65. SIGNS. Sign regulations shall be those applicable to all commercial zones, as set forth in section 5.10.3., “Signs-Commercial and Industrial Zoning Districts”, of this Code.

409-66. LANDSCAPING. Landscaping regulations shall be those applicable to all commercial zones, as set forth in section 5.2.4., “Landscape Standards”, of this Code.

409-67. WALLS AND FENCING. Regulations for walls and fencing shall be those applicable to all commercial zones, as set forth in section 5.2.5., “Development Standards for Walls and Fences”, of this Code.

AC AUTO COMMERCIAL ZONE

409-70. PURPOSE. The purpose of this zone is to provide an area for automotive sales and services and compatible related uses. This zone is intended to promote the unified grouping of auto-oriented uses in locations where they will be convenient to the communities which they serve.

409-71. PERMITTED USES. The following uses shall be permitted in the AC zone:

- (a) AUTOMOTIVE SALES, SERVICE, AND REPAIR. Auto Sales, New and Used; Auto Rental or Lease Agency, Including Limousine Service; Auto Wholesaler, or Retail Auto Broker, with auto storage/display limited to a maximum of two vehicles; Auto, Minor Service-Repair-Replacement (Automatic Transmission; Auto Tire Sales-Service; Auto Seat Covers; Reupholstery Shop; Auto Battery and Ignition; Auto Radio-Stereo-CB; Auto Radiator Replacement-Service; Auto Muffler Replacement-Service; Auto Electric (Starter-gen) Replacement-service; Auto Brake, Replacement-service; Auto Minor Repair, Service, Adjustment; Auto Trailer Hitch Installation; Auto Diagnosis and Tune-up; Auto Detailing (Servicing and Cleaning for Resale); Auto Glass Installation and Sales; Auto Smog Inspection (No Repair)); Auto Storage-Indoor; Auto Parts and Accessory Store; Auto Wash, Self-Service or Automatic; Camper Shell Sales, Repair, and Rent; and Utility Trailer-Rental, Service, and Sales.
- (b) BUSINESS SERVICES. Advertising Business; Computer Programming/Software and System Design; Computer Sales, Rental and Lease; Computer Services and Training; Delivery Service; Furniture Rental Agency; Locksmith-Key and Lock Shop; Mail Order Business; Messenger Service; Photocopy Service; Print Shop; Signs, On-Site; and Ticket Agency.
- (c) HEALTH SERVICES. Acupuncture Clinic or Office; and Ambulance Service.
- (d) PERSONAL SERVICES. Shoe Shine Parlor.
- (e) MISCELLANEOUS SERVICES. Grooming Service, Such as Poodle Grooming; Towing Service; Travel Agency; and Veterinarian-Animal Hospital.
- (f) REPAIR SERVICES. Grinding-Sharpening Service.
- (g) EATING/DRINKING/LODGING. Bar-Tavern; Bakery, Pastry Shop; Brew Pub (No Wholesale or Off-Site Sale of Beer, Wine, or Alcohol); Catering Service; Delicatessen; Drive-in Café; and Soda Fountain-Ice Cream Parlor.
- (h) ENTERTAINMENT/RECREATION SERVICES. Coin-Operated Amusement Machine, and Physical Fitness Studio.
- (i) FOOD, DRUG, LIQUOR SALES. Bakery, Pastry Shop; Butcher and Meat Market; Candy Store; Coin-Operated Dispenser; Drive-In Dairy, Excluding Creamery; Drive-In Food Market or Stand; and Supermarket-Food Store.

- (j) GENERAL MERCHANDISE SALES. Garage Equipment and Tool Sales; Gun shop- Gunsmith, Newspaper-Magazine Stand; Pet Store, No Kennel; and Power Tools-Sales and Repair.
- (k) RECREATION EQUIPMENT SALES. Bicycle Sales, Rent, Service; Boat Parts and Accessories Store; Marine Supply Store; Tackle Shop; and Water Recreation Equipment-Rental and Sales.
- (l) MEMBERSHIP ORGANIZATIONS. Church.
- (m) OFFICES. Accountants, Bookkeepers Office; Business or Professional Office; Collection, Counseling, Personnel Office; Insurance Office; Medical or Dental Office; Public Relations or Advertising Office; and Real Estate Office.
- (n) PUBLIC FACILITIES. Building and Facility owned by Federal and State Governments, and located on Federal and State owned property.
- (o) RESIDENTIAL. Home Occupation; Residence of a Caretaker, Proprietor or Owner of a Permitted Use; and Travel Trailer-Mobilehome, Camper, Motorhome-Repair or Service.
- (p) SCHOOLS. Driving School; Public K-12 School; and Trade School.
- (q) TRANSPORTATION FACILITIES AND SERVICES. Baggage Transfer Service; and Taxi Cab Service and Storage Facility.
- (r) PERMITS. Certificate of Nonconforming Use, and Home Occupation

409-72 CONDITIONALLY PERMITTED USES. The following uses shall be conditionally permitted in the AC zone (see number in parenthesis after each use for special conditions):

- (a) AUTOMOTIVE SALES, SERVICE, REPAIR. Auto Smog Inspection (6); Auto-Major (Auto Major Repair; Auto Transmission Rebuild; Auto Radiators Rebuild; Starter-gen Rebuilding; Auto Body Repair; Auto Paint Shop; Auto Machine Shop) (6); Auto Service Station, Primary (7); Auto Service Station, Secondary (7); Auto Storage- Antique (6); Motorcycle, Sports Cycles, Trail Bikes, Jet Skis, Snowmobile, Ultra-Light, Moped-Sales, Rent, Service, Repair, and Dismantling (4); Truck Sale, Lease, Rent or Repair- Primary Use (11); Truck Service Stations, Excluding Truck Terminal (7); and Utility Trailer or Truck, Rent or Storage as Ancillary to Permitted Use (22).
- (b) BUSINESS SERVICES. Addressing and Mailing Services (2); Armored Car Service (6); Relocation of Off-Site Sign, Except Directional Subdivision Signs and Regional Directional Subdivision Signs (20); Equipment Rental Agency- Office Related Uses Only (6); Mail or Delivery Service Pickup Station (10); Remote

Teller, Freestanding for Pedestrian Use (9); and Wholesale Distributor's Service Facility (9).

- (c) MISCELLANEOUS SERVICES. Blacksmith Shop (6); Kennel, Cattery, Boarding/Training (9); Parking Lot or Garage as Primary Use (19); Storage Building-Mini (9); Towed Vehicle Storage (Operable Vehicles) (21); and Welding Shop (6).
- (d) REPAIR SERVICES. Lawn Mower Engine and Garden Power Tool-Sales, Service, Repair (3); and Tool Reconditioning (3).
- (e) EATING/DRINKING/LODGING. Restaurant-Coffee Shop-Cafeteria (10); Snack Bar Incidental to a Park, Boat Dock, and Other Water-Oriented Use (10).
- (f) ENTERTAINMENT/RECREATION SERVICES. Arcade-Electronic, Mechanical, or Video Games (18); Card Room (7); Carnival (4); Circus (4); Dance Hall-Ballroom-Discotheque (8); Dancing as an Incidental Use in a Bar or Restaurant (8); Electronic, Mechanical, or Video Games (17); Motion Picture Theater (11); Recreation Facility, Indoor (11); Recreation Facility, Outdoor (9); and Sideshow (4).
- (g) FOOD, DRUG, LIQUOR SALES. Certified Farmers Market or Community Stand (23); Convenience Store/Neighborhood Market (Less than 6,000 square feet in size) (16); and Food Market Ancillary to Service Station (16).
- (h) GENERAL MERCHANDISE SALES. Firewood- Fuel Sales (1).
- (i) RECREATION EQUIPMENT SALES. Boat Sale, Rent Service (9); Hang Glider-Sales and Service (3); Motorcycle, Sports Cycles, Trail Bikes, Jet Skis, Snowmobile, Ultra-Light, Moped- Sales, Rent, Service, Repair and Dismantling (3); Recreational Vehicle and Boat Storage (9); and Travel-Trailer, Mobilehome, Motorhome, Camper-Sales, Rent, and Storage (9).
- (j) MANUFACTURING/PROCESSING. Machine Shop (6); Convenience Recycling Facility (24); and Minor Recycling Facility (24).
- (k) OFFICES. Bank, Savings and Loan, Finance, Loan, and Credit Office (10).
- (l) PUBLIC FACILITIES. Privately-Owned Uses within Public and Government-Owned Buildings (15); Public and Government-Owned Buildings and Facilities Other than Federal and State (9); Public and Government Uses, Other than Federal and State, within Privately-Owned Buildings, Facilities and Grounds (14); Federal and State Uses within Privately-Owned Buildings, Facilities, and Grounds (14); and Public Utility and Public Service Facility (13).

- (m) SCHOOLS. College and University (9); Other Private School (9); and Private K-12 School (9).
- (n) TRANSPORTATION FACILITIES AND SERVICES. Parking Lot and Garage (Primary Use) (19).
- (o) PERMITS. Special Development Permit (9); Temporary Concession (12); and Temporary Uses (5)

SPECIAL CONDITIONS:

- (1) Permitted as an incidental sales operation in conjunction with a permitted retail sales use provided the entire sales operation takes place within a completely enclosed building.
- (2) Permitted as an incidental service function intended to satisfy the normal operating needs of a permitted retail use on the property. An independent servicing facility oriented toward generating its trade from the general public is not permitted in this zone.
- (3) Sale, installation and servicing are permitted provided the use is conducted completely within an enclosed building. The reconditioning of used merchandise for resale is permitted as an incidental use. Reconditioning of used merchandise for resale as the principal use of the premises is permitted subject to issuance of a Conditional Use Permit by the Planning Commission.
- (4) Permitted only if specific approval is granted by the Board of Supervisors. Such approval may specify location, time period, hours, lighting, parking and related conditions of operation.
- (5) Permitted pursuant to the provisions of section 3.10., “Temporary Use Standards”, of this Code.
- (6) Permitted if the entire operation, is conducted within a completely enclosed building or screened from view behind a fence or wall as set forth in section 5.2.5., “Development Standards for Walls and Fences”, of this Code.
- (7) Permitted subject to issuance of a Conditional Use Permit by the Board of Supervisors upon recommendation of the Planning Commission.
- (8) Permitted subject to issuance of a Conditional Use Permit by the Planning Commission, and provided a valid dancing license is obtained.

- (9) Permitted subject to issuance of a Conditional Use Permit by the Planning Commission.
- (10) These uses are permitted in the AC zone, if in compliance with design standards of section 3.9.3.V., “Drive-Up Window”, for drive-up windows and remote tellers. A Conditional Use Permit from the Planning Commission is required when the design standards of section 3.9.3.V. are not met, or if the drive-up window and/or the order station with amplified sound is located within 300 feet of a residential zone (RD-1 through RD-40), or if the drive-up window or order station without amplified sound is located within 75 feet of a residential zone (RD-1 through RD-40). If building size is 100 square feet, or less, then the Zoning Administrator shall be the appropriate authority to decide the Conditional Use Permit.
- (11) Permitted subject to the issuance of a Conditional Use Permit by the Zoning Administrator. Where the applicant is for a theater complex exceeding a total seating capacity of 500 or containing more than four (4) screens, or an indoor recreation facility over 500 person maximum occupancy the Planning Commission shall be the appropriate authority.
- (12) Permitted subject to approval by the Zoning Administrator and the development standards in section 3.10.3.E., “Temporary Concessions”, of this Code.
- (13) Permitted subject to the provisions of section 3.6.6., “Utility and Public Service Facility Uses”, of this Code.
- (14) Such uses will be regulated as set forth in section 1.4.2., “Application to Governmental Agencies”, and as provided for in this Code for the proposed use to the extent permitted by law.
- (15) All privately owned and/or operated uses within government-owned buildings and grounds will be regulated as provided for elsewhere in this Code for that type of use. A use which is located within a government-owned and operated facility such as a state park or office building and is regulated by that agency will be a permitted use.
- (16) Permitted when the commercial structure is located 500 feet or more from a residential zone and 1,000 feet from the property line of any public or private school (kindergarten through twelfth grade). Permitted when the commercial structure is less than 500 feet from a residential zone and 1,000 feet from the property line of any public or private school (kindergarten through twelfth grade as

long as the hours of operation are between 6:00 a.m. and 11:00 p.m. The distance shall be measured from the entrance of the commercial facility to the school property line or the zone boundary. If the use is located less than 500 feet from a residential zone or less than 1,000 feet from the property line of any public or private school (kindergarten through twelfth grade) and hours of operation are proposed prior to 6:00 a.m. or after 11:00 p.m., approval of a Conditional Use Permit by the Board of Supervisors is required. The Board may stipulate hours of operation as a condition of any approved Conditional Use Permit which are more restrictive or less restrictive than 6:00 a.m. to 11:00 p.m.

- (17) Permitted in bars and restaurants. Permitted in indoor recreation facilities in operation on the day of adoption of this ordinance. Permitted for two or fewer machines in any other commercial development. Permitted subject to issuance of a Conditional Use Permit by the Zoning Administrator for three or more machines in other commercial developments.
- (18) Permitted subject to approval of a Conditional Use Permit by the Planning Commission and to development standards set forth in section 3.7.4.D., “Arcade, Electronic, Mechanical, Video Games and Computer Gaming Centers”, of this Code.
- (19) Ground level and/or underground facilities are permitted. Multi-story parking structures are permitted subject to approval of a Conditional Use Permit by the Planning Commission.
- (20) Relocation of an existing off-site billboard-type sign is permitted, pursuant to section 5.10.1.O., “Relocation of Billboard Signs”, subject to issuance of a Conditional Use Permit by the Board of Supervisors upon recommendation of the Planning Commission, and further permitted subject to a specific period of time as determined appropriate during the public hearing process.
- (21) Permitted, subject to approval of a Conditional Use Permit by the Planning Commission. This use requires an on-site office for vehicle retrieval.
- (22) Permitted subject to the ancillary uses and development standards found in section 3.9.3.S., “Utility Truck Rental and Storage, Accessory”, of this Code.
- (23) Permitted subject to the issuance of a Temporary Use Permit by the Zoning Administrator. (There shall be no annual limit to the number of occurrences and the Temporary Use Permit shall be valid for up to three years.).

- (24) Convenience Recycling Facilities permitted in Commercial zones subject to Development and Operational Standards in section 3.8.5.D., “Recycling Facilities”, of this Code.

409-73. LOT AREA. Every lot shall have an area of at least one (1) acre if neither a public water nor public sewerage facility is in use, or ten thousand (10,000) square feet if either a public water system or public sewerage facility is in use, or if both public water and public sewerage facilities are in use there is no minimum lot area requirement for individual lots.

409-74. YARDS. Yard regulations shall be those as provided for the LC zone, as set forth in Table 5.9: Commercial Land Use and Development Standards, section 5.2.2., of this Code.

409-75. HEIGHT REGULATIONS. Height regulations shall be those as provided for the LC zone, as set forth in Table 5.9: Commercial Land Use and Development Standards, section 5.2.2., of this Code.

409-76. SIGNS. Sign regulations shall be those applicable to all commercial zones, as set forth in section 5.10.3., “Signs-Commercial and Industrial Zoning Districts”, of this Code.

409-77. LANDSCAPING. Landscaping regulations shall be those applicable to all commercial zones, as set forth in section 5.2.4., “Landscape Standards”, of this Code.

409-78. WALLS AND FENCING. Regulations for walls and fencing shall be those applicable to all commercial zones, as set forth in section 5.2.5., “Development Standards for Walls and Fences”, of this Code.

TC HIGHWAY TRAVEL COMMERCIAL ZONE

409-80. PURPOSE. The purpose of this zone is to provide for an area to serve the highway traveler and highway user with uses and services normally associated with tourists and vacationers. It is intended that this zone promote the unified grouping of these uses at locations adjacent to or where access to major through highways or terminal facilities is convenient.

409-81. PERMITTED USES. The following uses shall be permitted in the TC zone:

- (a) AUTOMOTIVE SALES, SERVICE, REPAIR. Auto Rental or Lease Agency, Including Limousine Service; Auto Wholesaler, or Retail Auto Broker, with auto storage/display limited to a maximum of two vehicles; and Utility Trailer- Rental, Service, Sales.
- (b) BUSINESS SERVICES. Advertising Business; Computer Programming/Software and System Design; Computer Sales, Rental and Lease; Computer Services and Training; Photocopy Service; Print Shop; Signs, On-Site; Telegraph Office; and Ticket Agency.
- (c) HEALTH SERVICES. Ambulance Service.
- (d) PERSONAL SERVICES. Barber Shop; Beauty Shop; Electrolysis; and Massage (and as regulated by Business License Ordinance).
- (e) MISCELLANEOUS SERVICES. Laundromat, Self-Service; Travel Agency; and Veterinarian-Animal Hospital.
- (f) EATING/DRINKING/LODGING. Bar-Tavern; Bakery, Pastry Shop; Brew Pub (No Wholesale or Off-Site Sale of Beer, Wine, or Alcohol); Catering Service; Delicatessen; Hotel; Motel; and Soda Fountain-Ice Cream Parlor.
- (g) ENTERTAINMENT/RECREATION SERVICES. Art Gallery; Art Studio; Coin-Operated Amusement Machine; and Museum; Physical Fitness Studio.
- (h) FOOD, DRUG, LIQUOR SALES. Bakery, Pastry Shop; Coin-Operated Dispenser; Drive-In Dairy, Excluding Creamery; Drive-In Food Market or Stand; and Prescription Pharmacy.
- (i) GENERAL MERCHANDISE SALES. Gift-Card Shop; Newspaper-Magazine Stand; Photographic Supply- Camera Store; Power Tools-Sales, Repair; and Video Store, Sales and Rental.
- (j) HOME ACCESSORIES AND SERVICES. Antique Store.
- (k) RECREATION EQUIPMENT SALES. Bicycle Sales, Rent, Service; and Tackle Shop.
- (l) MEMBERSHIP ORGANIZATIONS. Church.
- (m) PUBLIC FACILITIES. Building and Facility owned by Federal and State Governments, and located on Federal and State owned property.

- (n) RESIDENTIAL. Home Occupation; Residence of a Caretaker, Proprietor or Owner of a Permitted Use; and Travel Trailer-Mobilehome, Camper, Motorhome-Repair or Service.
- (o) TRANSPORTATION FACILITIES AND SERVICES. Baggage Transfer Service.
- (p) PERMITS. Certificate of Nonconforming Use; and Home Occupation.

409-82 **CONDITIONALLY PERMITTED USES.** The following uses shall be conditionally permitted in the TC zone (see number in parenthesis after each use for special conditions):

- (a) **AUTOMOTIVE SALES, SERVICE, REPAIR.** Auto, Minor Service-Repair-Replacement (Automatic Transmission (2); Auto Tire Sales-Service (2); Auto Seat Covers, Reupholstery Shop (2); Auto Battery and Ignition (2); Auto Radio-Stereo-CB (7); Auto Radiator Replacement-Service (2); Auto Muffler Replacement-Service (2); Auto Electric (Starter-gen) Replacement-service (2); Auto Brake, Replacement-service (2); Auto Minor Repair, Service, Adjustment (7); Auto Trailer Hitch Installation (7); Auto Diagnosis and Tune-up (7); Auto Detailing (Servicing and Cleaning for Resale) (7); Auto Glass Installation and Sales (7); Auto Smog Inspection (No Repair) (7)); Auto-Major (Auto Major Repair; Auto Transmission Rebuild; Auto Radiators Rebuild; Starter-gen Rebuilding; Auto Body Repair; Auto Paint Shop; Auto Machine Shop) (7); Auto Service Station, Primary (8); Auto Service Station, Secondary (8); Auto Parts and Accessory Store (7); Auto Wash, Self-Service or Automatic (10); Motorcycle, Sports Cycles, Trail Bikes, Jet Skis, Snowmobile, Ultra-Light, Moped-Sales, Rent, Service, Repair, and Dismantling (15); Truck Sale, Lease, Rent or Repair-Primary Use (15); Truck Service Stations, Excluding Truck Terminal (8); and Utility Trailer or Truck, Rent or Storage as Ancillary to Permitted Use (27).
- (b) **BUSINESS SERVICES.** Off-Site Sign, Except Direction Subdivision Signs and Regional Directional Subdivision Signs (13); Relocation of Off-Site Sign, Except Directional Subdivision Signs and Regional Directional Subdivision Signs (25); Equipment Rental Agency- Office Related Uses Only (5); Mail or Delivery Service Pickup Station (14); Remote Teller, Freestanding for Pedestrian Use (10); Stenographic Service (5); and Telephone Answering Service (5).
- (c) **PERSONAL SERVICES.** Bath House- Sauna, Turkish, Steam, Spa and Tanning (5); Child Care Center (5); Reducing-Body Building/Aerobics Studio (5); Shoe Shine Parlor (5); and Wig Sales and Service (5).

- (d) MISCELLANEOUS SERVICES. Kennel, Cattery, Boarding/Training (10); Parking Lot or Garage as Primary Use (23); Storage Building-Mini (10); and Towing Service (2).
- (e) REPAIR SERVICES. Lawn Mower Engine and Garden Power Tool- Sales, Service, Repair (15); and Tool Reconditioning (3).
- (f) EATING/DRINKING/LODGING. Apartment Hotel (11); Bed and Breakfast Inn (24); Restaurant- Coffee Shop- Cafeteria (14); and Snack Bar Incidental to a Park, Boat Dock, Other Water-Oriented Use (14).
- (g) ENTERTAINMENT/RECREATION SERVICES. Arcade-Electronic, Mechanical, or Video Games (22); Card Room (8); Carnival (4); Circus (4); Dance Hall-Ballroom-Discotheque (9); Dancing as an Incidental Use in a Bar or Restaurant (9); Electronic, Mechanical, or Video Games (21); Motion Picture Theater (15); Recreation Facility, Indoor (15); Recreation Facility, Outdoor (10); and Sideshow (4).
- (h) FOOD, DRUG, LIQUOR SALES. Certified Farmers Market or Community Stand (28); Convenience Store/Neighborhood Market (Less than 6,000 square feet in size) (20); Food Market Ancillary to Service Station (20); Liquor Store (1); Supermarket-Food Store (10); and Winery Sales Facility-Tasting Room (15).
- (i) GENERAL MERCHANDISE SALES. Bottled Gas Sales and Related Storage (15); Curio-Novelty Shop (5); Firewood-Fuel Sales (1); Florist (5); Jewelry Store-Sales, Repair (5); Stationary Store (5); Tobacco Shop (5); and Toy Store (5).
- (j) RECREATION EQUIPMENT SALES. Athletic Equipment and Sporting Goods Store (10); Boat Parts and Accessories Store (10); Boat Sale, Rent Service (10); Camper Shell-Sales, Repair, Rent (10); Hang Glider-Sales and Service (15); Marine Supply Store (10); Motorcycle, Sports Cycles, Trail Bikes, Jet Skis, Snowmobile, Ultra-Light, Moped-Sales, Rent, Service, Repair and Dismantling (15); Recreational Vehicle and Boat Storage (10); Travel-Trailer, Mobilehome, Motorhome, Camper- Sales, Rent, Storage (10); and Water Recreation Equipment-Rental, Sales (7).
- (k) MANUFACTURING /PROCESSING. Convenience Recycling Facility (29); and Minor Recycling Facility (29).
- (l) PUBLIC FACILITIES. Privately-Owned Uses within Public and Government-Owned Buildings (19); Public and Government-Owned Buildings and Facilities Other than Federal and State (10); Public and Government Uses, Other than Federal

and State, within Privately-Owned Buildings, Facilities and Grounds (18); Federal and State Uses within Privately-Owned Buildings, Facilities, and Grounds (18); and Public Utility and Public Service Facility (17).

- (m) RESIDENTIAL. Travel Trailer, Mobilehome, Camper, Motorhome-Repair or Service (10); and Travel Trailer Park (12).
- (n) TRANSPORTATION FACILITIES AND SERVICES. Bus Depot (8); and Parking Lot/Garage (Primary Use) (23).
- (o) PERMITS. Special Development Permit (10); Temporary Concession (16); and Temporary Uses (6).

SPECIAL CONDITIONS:

- (1) Permitted as an incidental sales operation in conjunction with a permitted retail sales use provided the entire sales operation takes place within a completely enclosed building.
- (2) Permitted as an incidental service in conjunction with a permitted retail sales or automobile service station operation provided all adjustments and installations are conducted completely within an enclosed building. Permitted as the principal use of the premises subject to issuance of a Conditional Use Permit by the Planning Commission.
- (3) Sale, installation and servicing are permitted provided the use is conducted completely within an enclosed building. The reconditioning of used merchandise for resale is permitted as an incidental use. Reconditioning of used merchandise for resale as the principal use of the premises is permitted subject to issuance of a Conditional Use Permit by the Planning Commission.
- (4) Permitted only if specific approval is granted by the Board of Supervisors. Such approval may specify location, time period, hours, lighting, parking and related conditions of operation.
- (5) Permitted as an incidental service in a hotel or motel complex.
- (6) Permitted pursuant to the provisions of section 3.10., "Temporary Use Standards", of this Code.

- (7) Permitted if the entire operation, is conducted within a completely enclosed building or screened from view behind a fence or wall as set forth in section 5.2.5., “Development Standards for Walls and Fences”, of this Code.
- (8) Permitted subject to issuance of a Conditional Use Permit by the Board of Supervisors upon recommendation of the Planning Commission.
- (9) Permitted subject to issuance of a Conditional Use Permit by the Planning Commission, and provided a valid dancing license is obtained.
- (10) Permitted subject to issuance of a Conditional Use Permit by the Planning Commission.
- (11) Permitted subject to issuance of a Conditional Use Permit by the Planning Commission.
- (12) Permitted subject to the standards of section 4.4.4., “Mobilehome Park Design Standards”, of this Code.
- (13) Permitted for a specific period of time as determined to be appropriate during the public hearing process, subject to the issuance of a Conditional Use Permit by the Board of Supervisors upon recommendation of the Planning Commission and the development standards of section 5.10.1., “General Sign Provisions”, of this Code.
- (14) These uses are permitted in the TC zone, if in compliance with design standards of section 3.9.3.V., “Drive-Up Windows”, for drive-up windows and remote tellers. A Conditional Use Permit from the appropriate authority is required when the design standards of section 3.9.3.V. are not met, or if the drive-up window and/or the order station with amplified sound is located within 300 feet of a residential zone (RD-1 through RD-40), or if the drive-up window or order station without amplified sound is located within 75 feet of a residential zone (RD-1 through RD-40). If building size is 100 square feet, or less, then the Zoning Administrator shall be the appropriate authority.

- (15) Permitted subject to the issuance of a Conditional Use Permit by the Zoning Administrator. Where the applicant is for a theater complex exceeding a total seating capacity of 500 or containing more than four (4) screens, or an indoor recreation facility over 500 person maximum occupancy the Planning Commission shall be the appropriate authority.
- (16) Permitted subject to approval by the Zoning Administrator and the development standards in section 3.10.3.E., “Temporary Concessions”, of this Code.
- (17) Permitted subject to the provisions of section 3.6.6., “Utility and Public Service Facility Uses”, of this Code.
- (18) Such uses will be regulated as set forth in section 1.4.2., “Application to Governmental Agencies”, and as provided for in this Code for the proposed use to the extent permitted by law.
- (19) All privately owned and/or operated uses within government-owned buildings and grounds will be regulated as provided for elsewhere in this Code for that type of use. A use which is located within a government-owned and operated facility such as a state park or office building and is regulated by that agency will be a permitted use.
- (20) Permitted when the commercial structure is located 500 feet or more from a residential zone and 1,000 feet from the property line of any public or private school (kindergarten through twelfth grade). Permitted when the commercial structure is less than 500 feet from a residential zone and 1,000 feet from the property line of any public or private school (kindergarten through twelfth grade) as long as the hours of operation are between 6:00 a.m. and 11:00 p.m. The distance shall be measured from the entrance of the commercial facility to the school property line or the zone boundary. If the use is located less than 500 feet from a residential zone or less than 1,000 feet from the property line of any public or private school (kindergarten through twelfth grade) and hours of operation are proposed prior to 6:00 a.m. or after 11:00 p.m., approval of a Conditional Use Permit by the Board of Supervisors is required. The Board may stipulate hours of operation as a condition of any approved Conditional Use Permit which are more restrictive or less restrictive than 6:00 a.m. to 11:00 p.m.

- (21) Permitted in bars and restaurants. Permitted in indoor recreation facilities in operation on the day of adoption of this ordinance. Permitted for two or fewer machines in any other commercial development. Permitted subject to issuance of a Conditional Use Permit by the Zoning Administrator for three or more machines in other commercial developments.
- (22) Permitted subject to approval of a Conditional Use Permit by the Planning Commission and to development standards set forth in section 3.7.4.D., “Arcade, Electronic, Mechanical, Video Games and Computer Gaming Centers”, of this Code.
- (23) Ground level and/or underground facilities are permitted. Multi-story parking structures are permitted subject to approval of a Conditional Use Permit by the Planning Commission.
- (24) Permitted subject to issuance of a Conditional Use Permit by the Planning Commission. The Conditional Use Permit may authorize limited ancillary social gatherings such as conferences, weddings, fundraisers, and other similar events attended by any non-lodger, subject to any conditions imposed including, but not limited to, restrictions on the frequency and timing of events and the maximum number of persons per event. Except as expressly authorized in the Conditional Use Permit, such activities are prohibited.
- (25) Relocation of an existing off-site billboard-type sign is permitted, pursuant to section 5.10.1.O., “Relocation of Billboard Signs”, subject to issuance of a Conditional Use Permit by the Board of Supervisors upon recommendation of the Planning Commission, and further permitted subject to a specific period of time as determined appropriate during the public hearing process.
- (26) Permitted, subject to approval of a Conditional Use Permit by the Planning Commission. This use requires an on-site office for vehicle retrieval.
- (27) Permitted subject to the ancillary uses and development standards found in section 3.9.3.S., “Utility Truck Rental and Storage, Accessory”, of this Code.

- (28) Permitted subject to the issuance of a Temporary Use Permit by the Zoning Administrator. (There shall be no annual limit to the number of occurrences and the Temporary Use Permit shall be valid for up to three years.)
- (29) Convenience Recycling Facilities permitted in Commercial zones subject to the standards in section 3.8.5.D., “Recycling Facilities”, of this Code.

409-83. LOT REQUIREMENTS. Buildings or structures may be erected or enlarged and uses permitted in the TC zone, provided the following lot areas are met.

- (a) General. Every lot shall have an area of at least one (1) acre if neither a public water nor public sewerage facility is in use, or ten thousand (10,000) square feet if either a public water system or public sewerage facility is in use. If both public water and public sewerage facilities are in use there is no minimum lot area requirement for individual lots, except as otherwise provided in this Article.
- (b) Motels, Hotels. For motels and hotels there shall be a net lot area of:
 - (1) If both public water and sewerage facilities are in use, there is no minimum lot area requirement.
 - (2) Thirty thousand (30,000) square feet for the first sixteen (16) units plus two thousand (2,000) square feet for each additional unit if either a public water or public sewerage facility is in use, or
 - (3) One (1) acre for the first sixteen (16) units plus three thousand (3,000) square feet for each additional unit if neither a public water nor public sewerage facility is in use.

409-84. YARDS. Yard regulations shall be those as provided for the LC zone, as set forth in Table 5.9: Commercial Land Use and Development Standards, section 5.2.2., of this Code.

409-85. HEIGHT REGULATIONS. Height regulations shall be those as provided for the LC zone, as set forth in Table 5.9: Commercial Land Use and Development Standards, section 5.2.2., of this Code.

409-86. SIGNS. Sign regulations shall be those applicable to all commercial zones, as set forth in section 5.10.3., “Signs-Commercial and Industrial Zoning Districts”, of this Code.

409-87. LANDSCAPING. Landscaping regulations shall be those applicable to all commercial zones, as set forth in section 5.2.4., “Landscape Standards”, of this Code.

409-88. WALLS AND FENCING. Regulations for walls and fencing shall be those applicable to all commercial zones, as set forth in section 5.2.5., “Development Standards for Walls and Fences”, of this Code.

RESOLUTION NO. _____

**RESOLUTION OF THE BOARD OF SUPERVISORS, OF THE
COUNTY OF SACRAMENTO, STATE OF CALIFORNIA
AMENDING THE SACRAMENTO COUNTY GENERAL PLAN**

WHEREAS, the County Planning Commission, after proper notice, conducted public hearings and made recommendations to the Board of Supervisors relating to amendments to the County General Plan; and

WHEREAS, the Board of Supervisors, after public notice and public hearings has determined that the General Plan of the County of Sacramento should be amended as herein set forth;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the Board of Supervisors of the County of Sacramento does hereby amend the County General Plan, as amended herein set forth in Exhibit "A (GP)", to include certain changes to the Land Use Element necessary as a result of an update to the County Zoning Code.

On a motion by Supervisor _____, seconded by Supervisor _____, the foregoing Resolution was passed and adopted by the Board of Supervisors of the County of Sacramento, State of California, this 22nd day of July 2015, by the following vote, to wit:

AYES: Supervisors,

NOES: Supervisors,

RECUSAL: Supervisors,
(PER POLITICAL REFORM ACT (§ 18702.5.))

ABSENT: Supervisors,

ABSTAIN: Supervisors,

Chair of the Board of Supervisors
of Sacramento County, California

(S E A L)

ATTEST: _____
Clerk, Board of Supervisors

EXHIBIT "A (GP)"

ZONING CONSISTENCY MATRIX

ZONING CATEGORIES	LAND USE DESIGNATION															
	MIXED USE CORRIDOR	TRANSIT ORIENTED DEVELOPMENT	HIGH DENSITY	AGRICULTURAL - RESIDENTIAL	EXTENSIVE INDUSTRIAL	COMMERCIAL AND OFFICE	URBAN DEVELOPMENT AREA	CORE AREA PUBLIC QUARTERS-PUBLIC	NATURAL PRESERVE	RECREATION	AGRICULTURAL URBAN RESERVE	GENERAL AGRICULTURE (20 ACRES)	GENERAL AGRICULTURE (80 ACRES)	RESOURCE CONSERVATION AREA - PROTECTED	AGGREGATE RESOURCE CONSERVATION AREA	NATURAL JOINT VISION AREA
COMBINING LAND USES																
AGRICULTURE																
OPEN SPACE																
OTHER																
COMMERCIAL AND INDUSTRIAL																
RESIDENTIAL																
MIXED USE & TRANSIT ORIENTED DEVELOPMENT																
PERMANENT AGRICULTURE																
AG - 160 PERMANENT AGRICULTURE																8
AG - 80 PERMANENT AGRICULTURE									11							8
AG - 40 PERMANENT AGRICULTURE									11				10			8
AG - 20 PERMANENT AGRICULTURE									11				10			8
RESERVE																
RR RECREATION RESERVE									11							
UR URBAN RESERVE									11							8
IR INTERIM AGRICULTURAL RESERVE									11							8
AGRICULTURAL-RESIDENTIAL																
AR - 10 AGRICULTURAL-RESIDENTIAL									11							
AR - 5 AGRICULTURAL-RESIDENTIAL									11							
AR - 2 AGRICULTURAL-RESIDENTIAL									11							
AR - 1 AGRICULTURAL-RESIDENTIAL									11							
RECREATION																
O RECREATION									11							8
RESIDENTIAL																
RD - 1 RESIDENTIAL DENSITY 1				7				13	11							
RD - 2 RESIDENTIAL DENSITY 2				7				13	11							
RD - 3 RESIDENTIAL DENSITY 3				7				13	11							
RD - 4 RESIDENTIAL DENSITY 4				7				13	11							
RD - 5 RESIDENTIAL DENSITY 5				7				13	11							
RD - 7 RESIDENTIAL DENSITY 7				7				13	11							
RD - 10 RESIDENTIAL DENSITY 10								13	11							
RD - 15 RESIDENTIAL DENSITY 15					4			13	11							
RD - 20 RESIDENTIAL DENSITY 20					4			13	11							
RD - 25 RESIDENTIAL DENSITY 25					4			13	11							
RD - 30 RESIDENTIAL DENSITY 30					4			13	11							
RD - 40 RESIDENTIAL DENSITY 40				3	3			13	11							
RM - 2 MOBILE HOME SUBDIVISION								13	11							
COMMERCIAL																
BP BUSINESS AND PROFESSIONAL				2	2	2			11							
LC LIGHT COMMERCIAL				2	2	2			11							
GC GENERAL COMMERCIAL					2	2			11							
C-O COMMERCIAL-RECREATION					2	2			11							8
MIXED USE																
CMC COMMUNITY MIXED - USE CENTER									11							
NMC NEIGHBORHOOD MIXED - USE CENTER									11							
CMZ CORRIDOR MIXED - USE ZONE									11							
INDUSTRIAL																
M - 1 LIGHT INDUSTRIAL						6		5	11							8
M - 2 HEAVY INDUSTRIAL									11							8
MP INDUSTRIAL OFFICE PARK									11							
COMBINING																
(FP) FOOD PROCESSING									11							
(F) FLOOD									11							
(SM) SURFACE MINING									11							
(NPA) NEIGHBORHOOD PRESERVATION AREA									11							
(PC) PARKWAY CORRIDOR									11							
(NS) NATURAL STREAM									11							
(MHP) MOBILE HOME PARK									11							
SPECIAL																
SPA SPECIAL PLANNING AREA				6	6	6	6		11			6				
DW DELTA WATERWAYS																

NOTES: Shading indicates that the zoning classification is consistent with the General Plan designation. A number indicates conditional consistency in accordance with the corresponding footnote. See following pages for footnotes.

INTERIM ZONING CONSISTENCY MATRIX

COMBINING LAND USES											LAND USE DESIGNATION	
AGRICULTURE												
OPEN SPACE												
OTHER												
COMMERCIAL AND INDUSTRIAL												
RESIDENTIAL												
MIXED USE & TRANSIT ORIENTED DEVELOPMENT												
INTERIM ZONING CATEGORIES												
AGRICULTURAL HOLDING												
A - 80 AGRICULTURAL HOLDING												8
A - 20 AGRICULTURAL HOLDING												8
A - 10 AGRICULTURAL HOLDING												8
GENERAL AGRICULTURAL												
A - 5 GENERAL AGRICULTURAL												
A - 2 - B GENERAL AGRICULTURAL												
A - 2 GENERAL AGRICULTURAL												
A - 1 - A GENERAL AGRICULTURAL												
ESTATE												
RE - 2 ESTATE												
RE - 1 ESTATE												
RESIDENTIAL												
R - 1 - A SINGLE FAMILY												
R - 1 - B SINGLE FAMILY & DUPLEX												
R - 2 TWO FAMILY												
R - 2A MULTIPLE FAMILY												
R - 3 MULTIPLE FAMILY												
RM-1 MOBILE HOME PARK												
COMMERCIAL												
CC CONVENIENCE CENTER												
COMBINING												
(PD) PLANNED DEVELOPMENT												
OBSOLETE												
C - 1 LIMITED COMMERCIAL												
C - 2 GENERAL COMMERCIAL												
SC SHOPPING CENTER												
AC AUTO COMMERCIAL												
TC TRAVEL COMMERCIAL												

NOTES: Shading indicates that the zoning classification is consistent with the General Plan designation. A number indicates conditional consistency in accordance with the corresponding footnote. See following pages for footnotes.

ZONING CONSISTENCY MATRIX FOOTNOTES:

1. Note that the Core Area designation is shown only within the incorporated City of Sacramento, and zoning is under that jurisdiction.
2. Areas zoned LC, SC, BP, GC, AC, TC, and C-O that are less than ten (10) acres, are consistent in the High Density, Medium Density, and Low Density Residential General Plan designations if they are shown on the community plan map, but may not be shown on the Land Use Diagram due to scale considerations.
3. Areas zoned RD-40 that are less than fifteen (15) acres are consistent with the Medium Density and Low Density Residential General Plan designations if they are shown on the community plan map, but may not be shown on the Land Use Diagram due to scale considerations.
4. Areas zoned R-3, RD-30, RD-20, and RD-15 that are less than fifteen (15) acres are consistent with the Low Density Residential General Plan designations if they are shown on the community plan map, but may not be shown on the Land Use Diagram due to scale considerations.
5. Areas zoned M-1 that are less than fifteen (15) acres are consistent with the Commercial and Office General Plan designations if they are shown on the community plan map, but may not be shown on the Land Use Diagram due to scale considerations.
6. The land uses and residential density permitted in any particular Special Planning Area (SPA) ordinance must conform to the land use categories and policies of the General Plan.
7. Low Density Residential zoning is appropriate in Medium Density Residential designated areas only when needed as a buffer.
8. The identified zoning categories are consistent with the Aggregate Resource Area designation if they are combined with the Surface Mining (SM) combining zone.
9. The A-2-B, A-2, A-1-A, or RE-2 Interim zones are consistent with the Agricultural-Residential General Plan designations provided that the Board of Supervisors has by resolution, ordinance, community plan, or specific plan, established a minimum lot size of less than five (5) acres for a given area.
10. The AG-20 and AG-40 zoning categories are consistent with the Agricultural Cropland designation provided that they meet the criteria of the applicable General Plan policies.
11. All zoning classifications in existence at the time the Urban Development Area designation is applied are considered consistent. Rezones will not be approved until the Urban Development Area designation is removed.
12. Areas zoned LC that are less than five (5) acres are consistent in the Intensive Industrial General Plan designation if they are shown on the community plan map, but may not be shown on the Land Use Diagram due to scale considerations.
13. The Residential zoning categories are consistent with the Commercial and Office designation provided that they meet the criteria of LU-32.

RESOLUTION NO. _____

**RESOLUTION OF THE BOARD OF SUPERVISORS, OF THE COUNTY
OF SACRAMENTO, STATE OF CALIFORNIA ADOPTING THE SACRAMENTO COUNTY
ZONING CODE USER GUIDE**

WHEREAS, the County has prepared the User Guide, a copy of which is attached to this Resolution as Exhibit “A (UG);” and

WHEREAS, on July 22, 2015, the Board of Supervisors held a public hearing on the proposed User Guide during which they received the staff report, heard public comment, and deliberated;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED the Board of Supervisors of the County of Sacramento does hereby adopt the User Guide as a part of the comprehensive update to the Sacramento County Code.

BE IT FURTHER RESOLVED that Exhibit “A (UG)” is hereby incorporated into and made a part of this resolution adopting the User Guide.

On a motion by Supervisor _____, seconded by Supervisor _____, the foregoing Resolution was passed and adopted by the Board of Supervisors of the County of Sacramento, State of California, this 22nd day of July 2015, by the following vote, to wit:

AYES: Supervisors,

NOES: Supervisors,

RECUSAL: Supervisors,
(PER POLITICAL REFORM ACT (§ 18702.5.))

ABSENT: Supervisors,

ABSTAIN: Supervisors,

Chair of the Board of Supervisors
of Sacramento County, California

(S E A L)

ATTEST: _____
Clerk, Board of Supervisors

EXHIBIT “A (UG)”

[CLICK HERE TO ACCESS ZONING CODE USER GUIDE DATED JUNE 2015](#)

[http://www.per.saccounty.net/PlansandProjectsIn-
Progress/Documents/Zoning%20Code%20Update/Adoption%20Hearing%20Draft%20Version%
20June%2c%202015/ZC%20UPDATE%20USERS%20GUIDE%20-
%20JUNE%202015%20Complete%20Draft.pdf](http://www.per.saccounty.net/PlansandProjectsInProgress/Documents/Zoning%20Code%20Update/Adoption%20Hearing%20Draft%20Version%20June%2c%202015/ZC%20UPDATE%20USERS%20GUIDE%20-%20JUNE%202015%20Complete%20Draft.pdf)

RESOLUTION NO. _____

**RESOLUTION OF THE BOARD OF SUPERVISORS, OF THE COUNTY
OF SACRAMENTO, STATE OF CALIFORNIA ADOPTING THE COUNTY-WIDE DESIGN
GUIDELINES**

WHEREAS, the County has revised and prepared the County-wide Design Guidelines, a copy of which is attached to this Resolution as Exhibit “A (DG);” and

WHEREAS, on July 22, 2015, the Board of Supervisors held a public hearing on the proposed County-wide Design Guidelines during which they received the staff report, heard public comment, and deliberated on new and revised guidelines;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED the Board of Supervisors of the County of Sacramento does hereby adopt the County-wide Design Guidelines, which includes the new Design Guidelines for single family uses and new communities and the revised Design Guidelines for multifamily, commercial, employment center and village center/mixed use areas, as a part of the comprehensive update to the Sacramento County Zoning Code.

BE IT FURTHER RESOLVED that Exhibit “A (DG)” is hereby incorporated into and made a part of this resolution adopting County-wide Design Guidelines.

On a motion by Supervisor _____, seconded by Supervisor _____, the foregoing Resolution was passed and adopted by the Board of Supervisors of the County of Sacramento, State of California, this 22nd day of July 2015, by the following vote, to wit:

AYES: Supervisors,

NOES: Supervisors,

RECUSAL: Supervisors,
(PER POLITICAL REFORM ACT (§ 18702.5.))

ABSENT: Supervisors,

ABSTAIN: Supervisors,

Chair of the Board of Supervisors
of Sacramento County, California

(S E A L)

ATTEST: _____
Clerk, Board of Supervisors

EXHIBIT “A (DG)”

[CLICK HERE TO ACCESS DESIGN GUIDELINES DATED JUNE 2015](#)

[http://www.per.saccounty.net/PlansandProjectsIn-
Progress/Documents/Zoning%20Code%20Update/Adoption%20Hearing%20Draft%20Version%
20June%2c%202015/DesignGuidlinesPublicReviewDraftJune2015.pdf](http://www.per.saccounty.net/PlansandProjectsInProgress/Documents/Zoning%20Code%20Update/Adoption%20Hearing%20Draft%20Version%20June%2c%202015/DesignGuidlinesPublicReviewDraftJune2015.pdf)

**BOARD DIRECTION FROM NOVEMBER, 2014, AND FEBRUARY, MARCH, AND MAY 2015,
 BOARD OF SUPERVISORS MEETINGS**

	Topics	Board Direction
Nov. 12, 2014	Reduction of Parking for Medical Offices	Board agreed with reduction to 4.5 spaces per 1,000 square feet.
Nov. 12, 2014	Staff Level approval of parking reductions when adjacent to transit and other amenities	Board agreed with staff recommendations as revised.
Nov. 12, 2014	Setback between multifamily and single-family	Staff presented revised recommendation for 25/50/75 setback standard and added privacy guidelines. Board generally agreed (3-2). Today's meeting includes details on Guidelines addressing whether it is side or rear yard of adjacent residential.
Nov. 12, 2014	Special Development Permit for projects with no upper limit on density and height.	Board agreed with staff recommendation as long as Special Development Permit is heard by Planning Commission with appeal to Board.
Nov. 12, 2014	Threshold for review by Planning Commission of design review for multifamily projects.	Board directed that Planning Commission review remain at projects over 80 units. Allows for appeal of non-discretionary design review to the Board of Supervisors. See page 21 for additional discussion of this topic related to appeals.
Nov. 12, 2014	CPAC Appeals	Staff revised recommendation to keep pre-authorization. Revised definition of "community-wide interest". Board in agreement.
Nov. 12, 2014	Vacation Rentals	Board supportive of administrative permit for vacation rentals.
Nov. 12, 2014	Noise Ordinance tie-in to Zoning Code commercial development standards	Board agreed with new language.
Nov. 12, 2014	Reconsider Convenience Centers and Secondary Service Stations in Residential Zones	Board agreed to delete secondary service stations but keep in convenience stores with PC Use Permit.

	Topics	Board Direction
Nov. 12, 2014	Solar Facilities in Agricultural Zones	Solar facilities over 10 acres to be heard by Board. Minor Use permit for facilities under 10 acres. No change to other standards.
Nov. 12, 2014	Setback for commercial and industrial structures adjacent to single-family. Staff revised recommendation to keep current setback of 100 feet with deviations allowed with a Special Development Permit by the Planning Commission.	Board agreed with revised recommendation.
Nov. 12, 2014	Allow modification of nonconforming structures with prohibition on conversion of non-habitable space to habitable space for portions of structures that are nonconforming.	Board agreed with revised recommendation.
Feb. 11, 2015	Adult Novelty Stores: Add the current requirements of County Code Chapter 9.50 to the Zoning Code by adding “Adult Novelty Stores” with 1,000-foot separation from certain uses.	Board agreed to add adult novelty stores to the Zoning Code, and considering distance separation requirements as part of report back on March 24.
Feb. 11, 2015	Service Station Canopy Height: Allow canopy heights for service stations to be increased to 16 feet?	Board agreed with change to 16 feet.
Feb. 11, 2015	Cargo Containers: Cargo containers in public parks and schools permitted without screening as long as the container is painted and graffiti-free?	Board agreed with revised language that requires screening in residential zones but not in ag-res and agricultural zones: “Cargo containers used on school or park sites located in residential zones must be screened from public view and located at least 25 feet from a property used for residential purposes. Cargo containers on school or park sites in agricultural-residential or agricultural zones must be painted in a neutral color and kept graffiti –free.”

	Topics	Board Direction
Feb. 11, 2015	Allow the size of accessory structures in the AR and AG zones to be increased, with a maximum size of 5,000 square feet? (See diagrams.)	Board agreed with revised language for greater setbacks for larger accessory structures and directed that the Diagrams be included in the Zoning Code. Table 5.8 amended to require “accessory structures in AR and AG zones greater than 16 feet in height and greater than 1,000 feet in size shall be setback 20 feet from rear property line and ten feet from side property line.”
Feb. 11, 2015	Increase the size of accessory dwellings by right to 600 square feet (sliding scale based on parcel size)?	Board agreed with this change.
Feb. 11, 2015	Staff Level Parking Reductions: Allow staff level parking reductions with criteria and thresholds, with the recommended changes noted in the Board Letter?	Board agreed with revised language to insure that alternative uses are consistent with parking reduction: “If a parking reduction is based on specified uses, then those uses may not be replaced with an alternative use unless either additional parking is provided or a finding can be made that the alternative use has an equivalent or lower parking demand.”
Feb. 11, 2015	Distance Separation Standards: Require distance separation standards for the list of uses found in the staff report.	Board directed that distance separation standards be required for the list of uses and staff prepare specifics, with definitions, for March 24.
Feb. 11, 2015	Transportation System Management (TSM) Plans.	Defer until after Zoning Code is adopted.
Feb. 11, 2015	Apply yard parking requirement to entire front yard, with deviations requiring a minor use permit.	Board agreed with this change.
Feb. 11, 2015	Apply yard parking to Agricultural-residential zones, as well as residential zones.	The Board agreed with revised language so yard parking would only apply to Ag-Res zoning if parcels are less than 20,000 square feet.
March 24, 2015	Lower service stations in commercial zones from Board to PC?	Board directed that service stations be heard by the Board of Supervisors

	Topics	Board Direction
March 24, 2015	Lower convenience markets with extended hours in commercial zones from Board to PC?	Board directed that convenience stores be heard by the Board of Supervisors.
March 24, 2015	Lower driving ranges in agricultural zones from Board to PC?	Board directed that driving ranges be heard by the Board of Supervisors.
March 24, 2015	Lower agricultural supplies and services in AG zones from PC to ZA?	Board directed that agricultural supplies and services be lowered from PC to ZA.
March 24, 2015	Lower outdoor recreation in the RD, AR and AG zones from PC to ZA for facilities less than 150 persons?	Board directed that outdoor recreation in the RD, AR and AG zones be heard by the Planning Commission.
March 24, 2015	Allow up to five acres for processing of agricultural products in agricultural zones (existing) and up to one acre in AR-5 and AR-10 zones (new), and lower operations over the acreage thresholds from the Planning Commission to the Zoning Administrator?	Board directed that up to five acres of processing of agricultural products in AG zones, and up to one acre in AR zones by right, and operations that exceed these thresholds to be heard by the ZA.
March 24, 2015	Should private schools in RD, AR, and AG zones require a PC use permit for over 100 students (revised recommendation)?	Board directed that a PC use permit be required for private schools over 100 students, with schools under 100 students requiring a ZA use permit.
March 24, 2015	Maintain hearing authority for private social centers at Planning Commission?	Board directed that private social centers in RD, AR and AG zones be heard by the Planning Commission.
March 24, 2015	Lower kennels in AR and AG zones from PC to ZA?	Board directed that kennels in AR and AG zones be heard by the ZA.
March 24, 2015	Maintain Zoning Administrator as hearing authority for gas/oil wells in agricultural-residential zones?	Board directed that gas/oil wells in AR zones be heard by the Zoning Administrator.

	Topics	Board Direction
March 24, 2015	Should thrift shops require a minor use permit and be subject to the distance separation requirements? Should thrift stores be defined as shown on page 12?	Board directed that thrift zones require a minor use permit and be subject to the distant separation requirements, with revised definition on page 11 of the March 24 Board report.
March 24, 2015	Lower drive-thru restaurants from PC to ZA?	Board directed that drive-thru restaurants be lowered from the PC to the ZA.
March 24, 2015	Should Special Development Permits (SDPs) be heard by the Zoning Administrator, except for multifamily deviations?	Board directed that SDPs be heard by the ZA, except for multi-family and height deviations described in the February 11, Board letter: a) deviations from the multifamily development standards, b) deviations from the height standards for commercial buildings, and c) density bonus requests.
March 24, 2015	Should Bed and Breakfast Inns remain at Planning Commission?	Board directed that Bed and Breakfast Inns remain at the Planning Commission.
March 24, 2015	Should borrow pits remain at Planning Commission?	Board directed that borrow pits be heard by the Planning Commission.
March 24, 2015	Should major recycling be allowed with a conditional use permit in the Interim Agricultural Reserve (IR) zone?	Board directed that major recycling be allowed with a PC conditional use permit in the IR (Interim Agricultural Reserve; formerly Industrial Reserve) zone.
March 24, 2015	Should personal service uses in the BP and MP zone remain at the Planning Commission?	Board directed that personal service uses in the BP and MP zones be lowered to the Zoning Administrator.

	Topics	Board Direction
March 24, 2015	Should a minor use permit be required for single-family conversions with more than four bedrooms? Should four parking spaces be required with no garage conversions for all homes with more than four bedrooms? Should the definition of dwelling unit and boardinghouse be amended as described on page 13?	Board requested additional information to report back on May 6.
March 24, 2015	Are Rural Institutional Findings acceptable and should they apply to the uses outlined in the February 11 staff report, with the modification that they apply to residential care homes over six persons that require a ZA use permit?	Board directed that the rural institutional findings apply to the uses in the March 24 staff report, including residential care homes over six persons.
March 24, 2015	Should the definition of residential care homes be modified without specifying the number of beds, but with the finding that the home must be residential in character?	Board directed that the definition of residential care home be modified as found on page 13 of the March 24 Board staff report.
March 24, 2015	Should the maximum height of fencing in residential front yards be three feet for solid fences, four feet for chain link fences, and six feet for other open fences in residential zones, and not apply to AR and AG zones?	Board directed that the maximum fence height in residential front yards be three feet for solid fences, four feet for chain link fences, and six feet for other open fences, and not apply to AR and AG Zones. Board also directed that language be developed for exceptions adjacent to high-volume streets.
March 24, 2015	Are the provisions for non-conforming fences acceptable?	Board agreed with that the provisions for non-conforming fences which allow non-conforming fences to remain as long as they are maintained.

	Topics	Board Direction
March 24, 2015	Should the requirement for tree planting (one tree on less than 7500 sq. ft. and two trees on lots over 7500 sq. ft.) in residential front yards only apply to the initial construction of a new home? Is the requirement for front yard landscaping of residential lots acceptable?	Board directed that tree planting only apply to the initial construction of a new home, and that landscaping in the front yard of residential lots be required.
March 24, 2015	Should the provision for 4:1 removal of existing billboards require 50 percent of removed signage to be within the same community or within one mile? Alternatively, if 100 percent of removed signage is within the same community or within one mile, should the ratio be decreased to 3:1? Should the removal ratio apply to conversion of static billboards to digital?	Board requested that the signage provisions be called out separately and discussed on May 6.
March 24, 2015	Are the other modified signage changes acceptable, including Gateway signage, master sign program, and promotional multifamily signage?	Board requested that the signage provisions be called out separately and discussed on May 6.
March 24, 2015	Are the County-wide Design Guidelines acceptable with changes noted, including use of the “Active Design” icon?	Board agreed with the Design Guidelines as modified, including use of the “Active Design” icon.
March 24, 2015	Are the distance separation requirements and definitions in the attached chart acceptable? Are the findings for issuance of a minor use permit acceptable?	Board agreed with the distance separation standards and definitions, and the findings for issuance of a minor use permit.
March 24, 2015	Should hookah/smoking/vape lounges require a conditional use permit by the Zoning Administrator?	Board directed that lounges require a conditional use permit by the Zoning Administrator.
March	Should staff level design review	Board requested that the appeal of staff

	Topics	Board Direction
24, 2015	<p>be appealed to the Board of Supervisors? Should the threshold for Planning Commission review of nondiscretionary multifamily design review projects be increased to 150 units, with appeals to the Board of Zoning Appeals?</p>	<p>level design reviews be discussed at the May 6 Board hearing.</p> <p>Board agreed that the threshold for design review of multifamily projects be 150 units, instead of 80 units.</p>
May 6, 2015	<p>Are these new requirements acceptable?</p> <ul style="list-style-type: none"> • Require a minor use permit for conversions of homes to greater than four bedrooms. • Require a finding for issuance of the minor use permit that: <ol style="list-style-type: none"> a) the floor plan is clearly not intended to maximize the potential use of the property for rental purposes in a boarding house configuration as opposed to floor plan layouts typical of single-family houses; and b) would not substantially change the floor plan in a manner that consists of predominately bedrooms with minimal common usable interior spaces. • For new homes or conversions with more than four bedrooms, require: <ol style="list-style-type: none"> 1. Two additional off-street parking spaces (total of four). 2. Garage conversions not permitted, meaning some type of covered parking is required. • The minor use permit will address the need for additional parking, beyond the four 	<p>Board generally agreed with these new requirements, with the clarifications that conversions of garages need to be replaced with a permanent enclosed structure.</p> <p>The Board expressed strong concerns about this issue and requested a report back in 30 days from the County Executive on the broader issue of sober living facilities and commercial use of homes.</p>

	Topics	Board Direction
	<p>spaces.</p> <ul style="list-style-type: none"> Amend the definitions of Dwelling Unit and Boardinghouse. 	
May 6, 2015	Should staff level design review projects that are compliant with development standards be appealed to the Planning Commission with the opportunity for further appeal to the Board of Supervisors, or appealed only to the Board of Zoning Appeals?	Board agreed that staff level design reviews be appealed to the Board of Zoning Appeals.
May 6, 2015	<p>Billboards and Signage</p> <p>a) Should the provision for 4:1 removal of existing billboards require 50 percent of removed signage to be within the same community or within one mile?</p> <p>b) Alternatively, if 100 percent of removed signage is within the same community or within one mile, should the ratio be decreased to 3:1?</p> <p>c) Should the removal ratio apply to conversion of static billboards to digital?</p> <p>d) Are the other modified signage changes acceptable, including Gateway signage, master sign program, and promotional multifamily signage?</p>	Board agreed with staff recommendations. Need to clarify that removed existing billboards must come from the unincorporated county.
May 6, 2015	Should the definition of agricultural uses be amended to include additional forms of agriculture?	Board agreed with staff recommendation to add: a) aquaculture, b) silvaculture (timber management), c) floriculture, and d) apiaries (beekeeping) to the definition of agriculture.
May 6, 2015	Should farmworker housing be allowed up to 45 beds or 16 dwelling units with a minor use	Board agreed with staff recommendation to allow farmworker housing up to 45 beds or 16 dwelling

	Topics	Board Direction
	permit?	units with a minor use permit.
May 6, 2015	<p>a) Should the standards for accessory structures in AR and AG zones be amended as shown on the chart on page 9 and a diagram in Attachment 4?</p> <p>b) Should reductions to barn setbacks be permitted with a minor use permit?</p>	Board agreed to amend the standards for accessory structures so there is the same standard for incidental ag and non-ag structures and that a reduction in setback for a barn be permitted with a minor use permit.
May 6, 2015	<p>a) Should the solar facility standards be amended to allow Accessory II ground-mounted facilities by right in the agricultural and agricultural-residential zones up to one-half acre?</p> <p>b) Should a Planning Commission level use permit be required for Commercial I facilities on less than 10 acres?</p>	Board agree to amend the Accessory II and Commercial I standards per staff recommendation.
May 6, 2015	<p>a) Should schools and fraternal halls/ lodges be allowed with a conditional use permit in the agricultural zones?</p> <p>b) Should RV Parks and Social Rehabilitation Centers be deleted as an allowable use in the agricultural zones?</p>	<p>Board agreed with staff recommendation to</p> <p>a) Allow schools and fraternal halls/lodges with a conditional use permit in the agricultural zones, subject to rural institutional findings.</p> <p>b) Do not allow RV Parks or social rehabilitation uses in agricultural zones.</p> <p>Also clarify that RVs are permitted in conjunction with permitted ag activities, such as commercial stables.</p>
May 6, 2015	<p>a) Should crowing fowl be defined as shown on page 11?</p> <p>b) Should the definition of general agriculture be amended to include crowing fowl on parcels at least one acre in size and zoned</p>	<p>Board agreed to amend definition of crowing fowl to:</p> <p><i>Any rooster, peacock, goose, quacking duck, or guinea fowl.</i></p> <p>Amend the definition of general ag to include crowing fowl, and specify that</p>

	Topics	Board Direction
	AR or AG?	<p>they can be kept on any lot in the AR and AG zone (not limited to one acre and 150 feet of frontage).</p> <p>One year amortization for non-conforming use of land for crowing fowl.</p> <p>This is an interim measure and will be refined as part of the urban agriculture Code amendment.</p>
May 6, 2015	Should the setback for display of new merchandise normally used outdoors be decreased from 50 feet to 25 feet with issuance of a minor use permit, as long as required landscaping and parking is not affected?	Board agreed to allow setback reductions with a minor use permit.
May 6, 2015	Should the Design Guidelines be amended to encourage the placement of utility fixtures outside of planters and/or to require screening?	Board agreed to amend the Design Guidelines on utility fixtures in landscaped planters.
May 6, 2015	Should Title 22 be amended to clarify that the County may require the submittal of CCRs for review and approval, for larger projects?	Board did not agree to this amendment.
May 6, 2015	Other issues raised by the Farm Bureau and the Cosumnes and Southeast CPACs:	Board agreed to amend Code to clarify items under Scenic Corridors, wildlife preserves, and non-conforming uses.
May 6, 2015	Other public comments	<p>Board directed to:</p> <p>Clarify that outdoor kitchens do not count as second dwelling.</p> <p>Clarify that ZA action (MUP) for second kitchen for the developmental disabled does not require a fee.</p>

**SACRAMENTO COUNTY ZONING CODE
Comments List Since May 6th**

July 22, 2015

*Involves change to June 2015 Public Review Draft

No.	Comment	Source	Date	Topic	ZC or DG Section	Staff Response	Current Status ✓ = complete ◦ = in progress
Zoning Code							
1.	Need to address citizen concerns for stables, corrals, and other animal enclosures in Zoning Code regulations, as well as the number of animals confined in animal enclosures and setbacks from property lines.	SECPAC Members: Tina Holt Tim Reinarts ATT #6c	6/8/2015	Corrals, Stables, and other animal enclosures		Setbacks for corrals addressed in July 22 Board staff report to be addressed in context of animal husbandry management	◦
2.	Provide a list of new permit fees applicable to single family homes.	Debra Desrosiers ATT #6m	6/11/2015	General		Fee chart in July 22 Board staff report	✓
3.	Include shade cloth on the list of prohibited fencing materials	Jared Wickliff	6/15/2015	Fencing Material	Prohibited Fencing Materials 5.2.5.A.7.b	Will include in Revision Sheet	✓*
4.	Allow temporary church signage, particularly when in commercial or multi-family areas	Leighann Moffitt	6/17/2015	Signage		Determined that code is adequate	✓
5.	Rewrite final language of electric vehicle parking so that EV charging stations only qualify for automatic parking reductions	Judy Robinson	6/29/2015	Electric Vehicle	Pg 5-91 section 5.9	Will include in Revision Sheet	✓*
6.	Need for a regulatory process that limits barking dogs similar to crowing fowl. This should include limiting kennels in residential areas that disturb peace and quiet use of property	Tina Holt ATT #6j	6/15/2015	Misc. Zoning Code Update Items		Will be addressed in Board staff report for July 22. Kennels require conditional use permit in residential zones	✓

SACRAMENTO COUNTY ZONING CODE Comments List Since May 6th

No.	Comment	Source	Date	Topic	ZC or DG Section	Staff Response	Current Status ✓ = complete o = in progress
7.	Consider regulations related to retaining shrubs/trees even in light of the water restrictions currently in place.	Planning Commissioner Van Ommering	6/23/2015	Water Conservation		In Draft Zoning Code Section 5.2.4.B.1. e.	✓
8.	Add an RD-6 Zone to the Zoning Code	Planning Commissioner Reiners ATT #6l	6/23/2015	Single Family Residential Development standards	5.4.2.B	Addressed in Board staff report for July 22.	✓
9.	Allow larger accessory structures on non-conforming lots in the AR zones	Brian Jones	6/30/2015	Accessory Structures in AR Zones	5.3.2.C, Table 5.6	Will include a provision for a minor use permit for nonconforming lots in Revision Sheet	✓*
10.	Include setback requirements for animal enclosures form property lines and prohibit the dual use of a fence as a boundary fence and animal enclosure. Need to address hog pens, chicken coops, and similar structures in addition to corrals.	Tim Reinarts ATT #6e	7/1/2015	Stables and Corrals	3.4.6.A, 3.4.6.B	Addressed in Board staff report for July 22.	o
11.	Consider increasing the minimum building height to account for OSHA standards for three-story buildings with room for sloped roofs and architectural design	Timothy Lee	6/30/2015	Commercial Development Standards	Table 5.13	Addressed in Board staff report for July 22. Included in Revision Sheet.	✓*
12.	Add cockatoos and macaws to "Crowing Fowl" definition	Marjorie Lehr ATT #6h	6/15/2015	Crowing Fowl		Will be addressed in Board staff report for July 22. Consider as a part of Urban Agriculture amendment	✓

SACRAMENTO COUNTY ZONING CODE

Comments List Since May 6th

No.	Comment	Source	Date	Topic	ZC or DG Section	Staff Response	Current Status ✓ = complete ◦ = in progress
13.	Consider basing Crowing Fowl restrictions on a minimum square lot footage basis, which can allow large RD lots to keep "noisy animals"	Charlea Moore ATT #6f	5/12/2015	Crowing Fowl		Addressed in Board staff report for July 22. Consider as a part of Urban Agriculture amendment	✓
14.	Consider dealing with crowing fowl on a case-by-case basis instead of a ban altogether.	Warren Frost	5/9/2015	Crowing Fowl		Addressed in Board staff report for July 22. Consider as a part of Urban Agriculture amendment	✓
15.	Remove quacking ducks from "Crowing Fowl" definition. As is, the language outright bans all ducks and there has never been any complaints of ducks	Rachel Sutherland	5/27/2015	Crowing Fowl		Current definition of crowing fowl is an interim measure while we work on Urban Ag	✓
16.	Supports ban on crowing fowl and consider further regulations on composition, size, location, and number of livestock in residential neighborhoods.	Chris Peterson	5/19/2015	Crowing Fowl		Addressed in Board staff report for July 22. Consider as a part of Urban Agriculture amendment	✓
17.	Discuss existing residences with crowing fowl and whether they should be retained or how else we should handle existing crowing fowl. Also consider what to do with feral roosters.	Planning Commissioner Van Ommering	6/23/2015	Crowing Fowl		Comments noted	✓

SACRAMENTO COUNTY ZONING CODE
Comments List Since May 6th

No.	Comment	Source	Date	Topic	ZC or DG Section	Staff Response	Current Status ✓ = complete ◦ = in progress
18.	Consider regulating crowing fowl based on residential lot size so that larger lots can maintain a country lifestyle.	T & E Williams Att #6n	7/3/2015	Crowing Fowl		Addressed in Board Letter for July 22.	✓

REVISION SHEET

July 22, 2015

Recommended Changes to the:

- June 2015 Third Public Review Draft of the Zoning Code
- June 2015 Draft County-wide Design Guidelines

Zoning Code Section	Topic	Source	Proposed Revision
5.2.5.A.7	Prohibited fencing – screen cloths	Jared Wickliff	<p>Add the following to Section 5.2.5.A.7:</p> <p>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.</p> <ul style="list-style-type: none"> 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, cloth or similar material.

Zoning Code Section	Topic	Source	Proposed Revision
<p>5.9.3.A.8, Table 5.26, 5.9.3.B.2.f</p>	<p>Electric Vehicle</p>	<p>Judy Robinson</p>	<p>Amend Section 5.9.3 as follows:</p> <p>8. Electric /Alternative-Fuel Vehicle Parking. Parking spaces providing electric vehicle charging stations shall be design 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. Parking spaces designated for electric vehicle charging stations shall be counted toward meeting the minimum parking requirement.</p> <p>5.26 Provision of Electric-Fuel/Alternative-Fuel-Vehicle Parking or Provision of Electric Vehicle Charging Station</p> <p>f. Provisions of Electric/Alternative-Fuel-Vehicle-Parking or Provision of Electric Vehicle Charging Station. Each electric vehicle-space or electric vehicle charging station shall be permitted to substitute two (2) vehicular parking spaces. The area needed for equipment shall count toward meeting the parking space requirements.</p>
<p>5.3.2.C, Table 5.6</p>	<p>Accessory Structures in AR Zones</p>	<p>Brian Jones</p>	<p>Add Footnote [3] to Table 5.6 to read: The size of accessory structures on legal nonconforming parcels less than one acre in size may be increased to greater than 50% with a minor use permit. -</p>

Zoning Code Section	Topic	Source	Proposed Revision
Table 5.13	Commercial Office/Mixed-Use Building standards	Timothy Lee	Amend Table 5.13 under Maximum Building Height from 40 feet to 50 feet.
Sections 1.9.3.A; 6.5.2.A;	Non-conforming dwellings	Staff	Delete reference to boardinghouses as found in body of staff report
Chapter 7	Definition of bedroom and den	Staff	<p>Bedroom</p> <p>Any room in a dwelling unit used or intended or designed to be used for sleeping purposes with no less than seventy square feet of floor area and no dimension less than seven feet other than bathroom(s), kitchen, living, dining, family or any other room that meets the definition of a den.</p> <p>Den (or family room, sewing room, study, loft studio or similar rooms)</p> <p>A room which is open (has no door and has one wall that is at least fifty percent open to the interior portion of the dwelling) or at least one side, does not contain a wardrobe, closet or similar facility, and which is not designed or use for sleeping purposes.</p>

Zoning Code Section	Topic	Source	Proposed Revision
Table 3.1	Uses in Industrial Zones – (oversights)	Staff	<p>Add Commercial D.1 Financial Institutions as CZ in M-1 and M-2 zones.</p> <p>Add Commercial G.11 Wholesale Sales as P in M-1 and M-2 zones.</p> <p>Add Commercial H.15 Truck Lease, Rental, Storage as P in M-1 and M-2 zones.</p>
Design Guidelines Section			
Multi-Family 3.3.1 Garages and Carports	Electric Vehicle Charging	Judy Robinson	<p>Add new guideline to read:</p> <ul style="list-style-type: none"> Installation of electric vehicle charging stations is encouraged.
Commercial 5.25	Integrating Transit in Employment Districts	Judy Robinson	<p>Pedestrian connections to transit facilities should be easy to navigate, safe, comfortable, and friendly. and within a 10 minute walk. Project should be designed to have the most direct and safe connections to transit, preferably within a 10 minute walk where transit is available or planned</p>

List of Licensed Alcohol and Drug Treatment Centers

Name	Legal Name	Address	City	State	Zip Code
ALPHA OAKS	Associated Rehabilitation Program For Women, INC.	8400 Fair Oaks Boulevard	Carmichael	CA	95608-2502
Cornerstone	Associated Rehabilitation Program For Women, INC.	6348 Appian Way	Carmichael	CA	95608-0724
ALTUA	River City Recovery Center, Inc.	12490 Alta Mesa Road	Herald	CA	95638
MAAP Counseling Center	Mexican American Addiction Program, Inc.	3612 Madison Avenue, Suite 29	North Highlands	CA	95660-5068
MAAP Counseling Center	Mexican American Addiction Program, Inc.	4241 Florin Road, Suites 52, 55, 75, 80, 85 and 110	Sacramento	CA	95238-2535

List of Licensed Residential Care Facilities Over Six Persons

Address	APN	Name of Facility	Facility Capacity	Facility Type	Contact Name/Group	Contact Phone Number
24 Hour Residential Care for Children						
3990 BRANCH CENTER ROAD SACRAMENTO, CA 95827	060-0011-031	SACRAMENTO ASSESSMENT CENTER	21	GROUP HOME	QUALITY GROUP HOMES, INC	(916) 596-4221
4533 PASADENA AVE. SACRAMENTO, CA 95821	240-0700-007	SACRAMENTO CRISIS NURSERY NORTH	14	CRISIS NURSERY	SACRAMENTO CHILDREN'S HOME	(916) 679-3600
Adult Residential and Daycare						
1832 MARKSTON ROAD SACRAMENTO, CA 95825	278-0230-008	ALTA ARDEN MANOR	13	ADULT RESIDENTIAL	G STREET HOUSE BOARD & CARE, INC.	(916) 929-8888
4741 ENGLE ROAD CARMICHAEL, CA 95608	256-0040-030	AMERICAN RIVER RESIDENTIAL SERVICES	28	ADULT RESIDENTIAL	CRESTWOOD BEHAVIORAL HEALTH, INC.	(916) 483-8424
11325 TWIN CITIES ROAD GALT, CA 95632	152-0010-028	C & F RESIDENTIAL CARE	22	ADULT RESIDENTIAL	KUMAR, HARMESH	(209) 745-4901
2950 WRIGHT STREET SACRAMENTO, CA 95821	268-0140-004	DANIEL'S GUEST HOME	8	ADULT RESIDENTIAL	EPISCOPE, DOMINADOR & CORAZON	(916) 482-4207
7405 RIO LINDA BLVD RIO LINDA, CA 95673	206-0050-004	GOODE BOARD & CARE HOME #2	8	ADULT RESIDENTIAL	GOODE, GERALD & PAMELA	(916) 991-1503
4604 ROOSEVELT AVE. SACRAMENTO, CA 95820	020-0301-021	GREEN PASTURE GUEST HOME	49	ADULT RESIDENTIAL	EVERGREEN HL, INC, PSYNERGY PROGRAMS, INC.	(916) 457-3129
3323 Q STREET NORTH HIGHLANDS, CA 95660	208-0131-019	GOODMAN GUEST HOME	9	ADULT RESIDENTIAL	GOODMAN, CHARLES AND PHYLLIS	(916) 344-8505
10044 TWIN CITIES ROAD GALT, CA 95632	148-0063-020	JHEN'S GUEST HOME LLC	15	ADULT RESIDENTIAL	JENNIFER TECSON	(209) 744-9938
10044 TWIN CITIES ROAD GALT, CA 95632	148-0063-020	MATT'S GUEST HOME, LLC	15	ADULT RESIDENTIAL	MATT'S GUEST HOME, LLC	(209) 744-9938
4604 ROOSEVELT AVENUE SACRAMENTO, CA 95820	020-0301-021	NUEVA VISTA SACRAMENTO	60	ADULT RESIDENTIAL	PSYNERGY PROGRAMS, INC.	(916) 457-3129
4600 PARKER AVENUE SACRAMENTO, CA 95820	020-0242-040	PRAISE CARE HOME	36	ADULT RESIDENTIAL	NGD, INC.	(916) 455-7116
13386 MARENGO ROAD GALT, CA 95632	150-0060-080	ROSEWOOD MANOR	21	ADULT RESIDENTIAL	PINEDA, CARMELITA	(209) 745-4888
2525 KENT DRIVE SACRAMENTO, CA 95821	268-0341-017	ST. MARY'S HOME II	14	ADULT RESIDENTIAL	SANTOS, CARMELITA & AMADO	(916) 837-7721
2525 KENT DRIVE SACRAMENTO, CA 95821	268-0341-017	ST. MARY'S HOME AT KENT	14	ADULT RESIDENTIAL	INEZ E. PINA	(916) 212-1472

List of Licensed Residential Care Facilities Over Six Persons

Address	APN	Name of Facility	Facility Capacity	Facility Type	Contact Name/Group	Contact Phone Number
1347 BELL STREET SACRAMENTO, CA 95825	285-0140-035	ST. MARY'S HOME AT BELL	14	ADULT RESIDENTIAL	EDEN V VEGA	(916) 929-6951
11098 TWIN CITIES RD GALT, CA 95632	148-0090-048	SUSIE'S BOARD & CARE	15	ADULT RESIDENTIAL	JUMAWAN, SUSIE	(209) 745-4380
13445 MARENGO ROAD GALT, CA 95632	150-0072-009	SUNSHINE HOME	15	ADULT RESIDENTIAL	HIMAT SINGH	(209) 745-8566
8086 ORANGE AVE FAIR OAKS, CA 95628		SUNRISE LODGE	49	ADULT RESIDENTIAL	SUNRISE LODGE, LLC	(916) 966-1129
6746 MAIN AVE ORANGEVALE, CA 95662	213-0440-001	TORNEROS FAMILY HOME	10	ADULT RESIDENTIAL	TORNEROS, ERNESTO G. & GLORIA M.	(916) 988-5052
Elderly Assisted Living						
4040 WALNUT AVE CARMICHAEL, CA 95608		AEGIS ASSISTED LIVING OF CARMICHAEL	90	RESIDENTIAL CARE ELDERLY	AEGIS SENIOR COMMUNITIES LLC	(916) 972-1313
3950 ANNADALE LANE SACRAMENTO, CA 95821	255-0021-029	APPLE RIDGE ASSISTED LIVING	82	RESIDENTIAL CARE ELDERLY	HETERIELLE, INC.	(916) 489-6900
6135 ALMOND AVENUE ORANGEVALE, CA 95662	261-0220-035	ALMOND AVENUE RESIDENCE CLUB	78	RESIDENTIAL CARE ELDERLY	ALMOND AVENUE RESIDENCE CLUB, INC.	(916) 988-7506
2426 GARFIELD AVENUE CARMICHAEL, CA 95608	283-0030-024	ATRIA EL CAMINO GARDENS	324	RESIDENTIAL CARE ELDERLY	WG EL CAMINO GARDENS SH, LP & ATRIA MGMNT CO., LLC	(916) 488-5722
8350 FAIR OAKS BLVD. CARMICHAEL, CA 95608	260-0410-024	ATRIA CARMICHAEL OAKS	95	RESIDENTIAL CARE ELDERLY	WG EL CAMINO GARDENS SH, LP & ATRIA MGMNT CO., LLC	(916) 944-2323
7125 FAIR OAKS BLVD. CARMICHAEL, CA 95608	258-0180-048	CHATEAU AT CARMICHAEL PARK, THE	49	RESIDENTIAL CARE ELDERLY	CHATEAU AT CARMICHAEL PARK, LLC	(916) 481-7105
1075 FULTON AVENUE SACRAMENTO, CA 95825	285-0210-050	CARLTON PLAZA OF SACRAMENTO	185	RESIDENTIAL CARE ELDERLY	CARLTON SENIOR LIVING LLC	(916) 971-4800
1071 FULTON AVE. SACRAMENTO, CA 95825	285-0210-051	CARLTON CROWN PLAZA	99	RESIDENTIAL CARE ELDERLY	CARLTON SENIOR LIVING LLC	(916) 971-4800
7249 CARMICHAEL STREET SACRAMENTO, CA 95828	051-0317-001	CLEGG CARE FACILITY	10	RESIDENTIAL CARE ELDERLY	CLEGG, EDNA S.	(916) 429-6444
641 FEATURE DRIVE SACRAMENTO, CA 95825	294-0150-020	CHATEAU AT RIVER'S EDGE, THE	143	RESIDENTIAL CARE ELDERLY	HANKFISHER, MANAGING GENERAL PARTNER	(916) 921-1970
2100 BUTANO DRIVE SACRAMENTO, CA 95825	279-0110-060	COUNTRY CLUB MANOR	112	RESIDENTIAL CARE ELDERLY	COUNTRY CLUB MANOR INC.	(916) 481-9240
3408 ALTA ARDEN EXPRESSWAY SACRAMENTO, CA 95825	279-0223-018	COURTYARD TERRACE	40	RESIDENTIAL CARE ELDERLY	CIMINO CARE MANGEMENT, INC.	(916) 486-1281

List of Licensed Residential Care Facilities Over Six Persons

Address	APN	Name of Facility	Facility Capacity	Facility Type	Contact Name/Group	Contact Phone Number
8773 OAK AVENUE ORANGEVALE, CA 95662	224-0770-025	ESKATON FOUNTAINWOOD LODGE	136	RESIDENTIAL CARE ELDERLY	ESKATON PROPERTIES, INC; ESKATON FOUNTAINWOOD LODGE	(916) 988-2200
2629 EASTERN AVENUE SACRAMENTO, CA 95821	269-0193-001	EASTERN MANOR	13	RESIDENTIAL CARE ELDERLY	MBA CARE HOMES, LLC	(916) 972-9668
8845 FAIR OAKS BLVD. CARMICHAEL, CA 95608	247-0272-017	FAIR OAKS ESTATES	106	RESIDENTIAL CARE ELDERLY	NEWMAN, MICHAEL & HAMBURG, KIRT	(916) 944-2077
7710 SUNSET AVENUE FAIR OAKS, CA 95628	242-0081-023	FAIR OAKS COMMUNITY AT SUNSET	28	RESIDENTIAL CARE ELDERLY	SMITH, CAROLYN	(916) 962-7108
11390 COLOMA ROAD GOLD RIVER, CA 95670	069-0300-035	ESKATON GOLD RIVER LODGE	134	RESIDENTIAL CARE ELDERLY	ESKATON	(916) 852-7900
9260 LOMA LANE ORANGEVALE, CA 95662		GRACE HOME II	24	RESIDENTIAL CARE ELDERLY	GLORIA & DANILO IBANEZ	(916) 988-1808
3415 MAYHEW ROAD SACRAMENTO, CA 95827	068-0011-091	GOLDEN POND RETIREMENT COMMUNITY	116	RESIDENTIAL CARE ELDERLY	WALGENBACH, BRIAN & GILL, DOUG	(916) 369-8967
2200 GRAMERCY DRIVE SACRAMENTO, CA 95825	279-0084-034	GRAMERCY COURT	85	RESIDENTIAL CARE ELDERLY	COTTAGE PARK PLACE, L.P	(916) 482-2200
8708 GERBER RD SACRAMENTO, CA 95828	115-0040-049	LAKEWOOD VILLA	18	RESIDENTIAL CARE ELDERLY	DANVILL, INC	(916) 682-2867
5813 KENNETH AVENUE FAIR OAKS, CA 95628	261-0080-008	NORA'S HOME CARE #2	12	RESIDENTIAL CARE ELDERLY	NORA'S HOME CARE INC.	(916) 536-0240
4941 TYLER STREET SACRAMENTO, CA 95841	228-0460-018	NELUS HOME CARE	12	RESIDENTIAL CARE ELDERLY	STIR, ANISIA & IOAN	(916) 348-9316
1922 MORSE AVENUE SACRAMENTO, CA 95825	279-0171-039	NAZARETH PARK PLACE, INC.	160	RESIDENTIAL CARE ELDERLY	NAZARETH PARK PLACE, INC	(916) 482-7745
4301 WATKINS DRIVE FAIR OAKS, CA 95628	244-0142-022	HAMILTON ENTERPRISES, LLC	15	RESIDENTIAL CARE ELDERLY	HAMILTON ENTERPRISES, LLC	(916) 967-9049
9847 FOLSOM BLVD. SACRAMENTO, CA 95827	075-0440-017	STACIE'S CHALET	90	RESIDENTIAL CARE ELDERLY	MGSACT INC.	(916) 363-9468
10396 SPIVA ROAD SACRAMENTO, CA 95829	122-0100-007	SPIVA ACRES	12	RESIDENTIAL CARE ELDERLY	R & CG, INC. DBA SPIVA ACRES	(916) 682-0125
5510 SKY PARKWAY SACRAMENTO, CA 95823	042-0012-025	SKY PARK GARDENS	144	RESIDENTIAL CARE ELDERLY	SKYPARK GARDENS, LLC	(916) 422-5650
9845 ALTA MESA ROAD WILTON, CA 95693	136-0101-015	SUNSHINE GLORY CARE HOME	12	RESIDENTIAL CARE ELDERLY	AGUDA, G. MERLY D.	(916) 687-7874
4820 HAZEL AVENUE FAIR OAKS, CA 95628	284-0011-047	SUNRISE ASSISTED LIVING OF FAIR OAKS	74	RESIDENTIAL CARE ELDERLY	SUNRISE SR. LIVING MGT./ FAIR OAKS, LLC.	(916) 863-1499

List of Licensed Residential Care Facilities Over Six Persons

Address	APN	Name of Facility	Facility Capacity	Facility Type	Contact Name/Group	Contact Phone Number
5451 FAIR OAKS BLVD. CARMICHAEL, CA 95608	283-0133-014	SUNRISE ASSISTED LIVING OF CARMICHAEL	66	RESIDENTIAL CARE ELDERLY	MS CARMICHAEL SH,LLC & SUNRISE SNR LIVING MNG INC	(916) 485-4500
7604 ELSIE AVENUE SACRAMENTO, CA 95828	115-0061-006 115-0061-007			SENIOR FACILITY	TARIK TACHA	(916) 220-2824
6101 FAIR OAKS BLVD. CARMICHAEL, CA 95608	272-0280-001	MOUNTAIN MANOR	33	RESIDENTIAL CARE ELDERLY	DAVID TARPIN	(916) 488-7211
3401 WALNUT AVENUE CARMICHAEL, CA 95608	256-0340-014	WALNUT HOUSE	110	RESIDENTIAL CARE ELDERLY	SUSAN CADENA	(916) 483-6613
3939 WALNUT AVENUE CARMICHAEL, CA 95608	256-0360-020	ESKATON VILLAGE	500	RESIDENTIAL CARE ELDERLY	BETSY DONOVAN	(916) 974-2000
8078 ORANGE AVENUE, FAIR OAKS, CA 95628	244-0102-013	FAIR OAKS RESIDENTIAL ELDERLY CARE	15	RESIDENTIAL CARE ELDERLY	KIM, MYUNG S.	(916) 966-2478
9464 OAK AVENUE ORANGEVALE, CA 95662	213-0040-019	QUEEN OF HEARTS CARE HOME	14	RESIDENTIAL CARE ELDERLY	SOHANI, MARGIE	(916) 988-6764
3024 EASTERN AVE SACRAMENTO, CA 95821	271-0071-025	CAJUCOM CARE HOME #1	11	RESIDENTIAL CARE ELDERLY	GUADALUPE CAJUCOM	(916) 483-3033
3030 EASTERN AVE SACRAMENTO, CA 95821	271-0071-024	CAJUCOM CARE HOME #2	12	RESIDENTIAL CARE ELDERLY	CAJUCOM, GUADALUPE	(916) 489-1771
5650 MARTIN LUTHER KING BLVD SACRAMENTO, CA 95821	026-0300-029	DAWSON LODGE	12	RESIDENTIAL CARE ELDERLY	DAWSON, MINNIE L.	(916) 421-0233
12900 RIMFIRE ROAD, WILTON, CA 95610	128-0340-033	BIRD OF PARADISE MANOR, LLC	12	RESIDENTIAL CARE ELDERLY	FIRDOS SHEIKH	(916) 667-8868
5901 DEL CAMPO LANE CARMICHAEL, CA 95608	229-0050-019	STO. THOMAS GUEST HOME	8	RESIDENTIAL CARE ELDERLY	HERNANDEZ-THORPE, TERESITA	(916) 349-2387
OTHER						
5500 & 5490 ENRICO BLVD. SACRAMENTO CA 95820	022-0232-006 022-0232-005	CAREFREE ASSISTED LIVING, INC.	15	ASSISTED LIVING FACILITY	DENNIS FRYE	P.O. Box 306 Fair Oaks, CA 95628
Resources						
State of California - California Community Care Licensing						
http://www.cclid.ca.gov/						
Business Licenses						

List of Licensed Residential Care Facilities Over Six Persons

Address	APN	Name of Facility	Facility Capacity	Facility Type	Contact Name/Group	Contact Phone Number
Sacramento County Planning and Environmental Review Division - Projects Drive (P drive)						

Date: June 18, 2015

Re: Effects on the Merrihill neighborhood and community by the “Steps to Freedom” Clean & Sober House at 6121 Marwick Way, with adjoining property 6117 Marwick Way

To: Tricia Stevens Principal Planner

We’ve compiled a list of concerns, complaints and negative experiences shared by members of the community in the Merrihill neighborhood. These are all current concerns and effects of the “Steps to Freedom” (STF) house and its inhabitants upon the people living in the neighborhood. Afterwards, we’ve included some quotes written by members of the neighborhood so that you can hear their own words.

1. Because of the possibility of the house’s residents loitering near the street, or people waiting to pick up/meet/drop off residents, parents are afraid to let their children ride their bikes, scooters, skateboards, or walk down that stretch of Marwick Way.
2. There is increased traffic of unknown pedestrians walking up and down Marwick Way and throughout the nearby streets.
3. There is increased traffic of automobiles coming to pick up, drop off, or for meeting with members of the STF house.
4. There has been an increase in people coming into side yards and even backyards to rummage through garbage cans (again, with the intent to scout out a residence).
5. There has been an increase amount of garbage on neighbors’ lawns. This includes food containers, wrappers, ash trays, and glass bottles.
6. There has been drug paraphernalia repeatedly found on neighbors’ lawns, including syringes.
7. Many STF residents have been noticed to be loud while they are waiting near the street for pick up or drop off.
8. The amount of traffic and parked cars has increased, especially on the weekends, and causes congestion on the narrow streets.
9. Cars that are connected with the STF house have repeatedly been parked in front of neighbors’ houses as well as blocking driveways. The owners of the houses must go over to the STF house and ask the drivers to move their cars.
10. There is a fear that STF residents (who have been kicked out) are familiar with the neighborhood and the residents’ daily patterns and so will be able to come back to the neighborhood in the future and commit crimes.

In the neighborhood’s own words:

“My house is pretty much a thoroughfare for all incoming and outgoing foot and car traffic from the Clean and Sober house. Within the past four weeks I have found a total of four hypodermic needles [see pic below] and syringes in my front lawn, one thrown over the fence into my backyard, and numerous condom wrappers strewn about. As a stay at home mom and daycare provider for another neighborhood family, I am around to see who walks where. Daily, I have cars parking in front of my house or along my side fence waiting to pick up occupants of the home. Why park 4 houses down if

it's a legitimate place? I also have people standing on my corner at all hours of the day and night, waiting for their ride. I've had glass bottles thrown into my fence and grass, ashtrays emptied onto my lawn, fast food bags full of half eaten junk left for me to pick up as well. I could go on and on."

"There is loud profanity and vocal arguments that come from the sober living facility. Law enforcement has had to be called several times."

"We moved to a different neighborhood because we didn't want to raise our child near so many strangers. The turnover of people in a C&S house is tremendous, and brings instability and insecurity for the neighbors. We moved!"

"Many times when a resident is kicked out of the house, the person will loiter on the curb for sometimes hours at a time."

"The facility generates enormous amounts of foot traffic. At times up to 30 persons are living at the facility with guests that visit."

"The adolescent child that lives in the house next to the facility ([whose parents] run the facility) has told us that drug use occurs there. I have also seen syringes in the area around the home."

"The facility has large meetings/get together's on weekdays. This ends up bringing a high amount of vehicles that fill the street making any parking impossible. On numerous occasions visitors of the facility have parked in front of our driveway resulting in asking the visitor to move their vehicle."

"I won't let my teenage son ride his bike up that street."

(from a neighbor on the nearby street of Ellerslee)

"...There is lots and lots of people walking through the neighborhood. Two years ago we had all of our garden tools taken from our shed - (behind a gate). Nothing worth lots to anyone, but certainly a nuisance to us all to be replaced (edger, trimmer, power washer etc.). "

Compiled by members of the Merrihill neighborhood.



Illustration 1: One of the syringes a neighbor found in their yard.

From: Lorra Fowler [mailto:lorrajean@gmail.com]
Sent: Monday, June 29, 2015 4:02 PM
To: Stevens. Tricia
Subject: Re: [SafeNeighbors] Clena & Sober Group Home

Hi Tricia

You have my permission to use the emails and any other information I may have given you. Yes, My husband and I are going to move. My children have moved to Texas and my sister and her family live in Tahlequah, Oklahoma. There isn't any reason to stay here. I have been thinking about this for a while, and next door(8554) didn't help. It definitely isn't the way We want to live in our retirement. We haven't decided if we will sell or rent out our house. But you are welcome to email or phone me at my cell #.

As for things going on next door, there is an increase of traffic and they stay late, park in front of our house and in front of the neighbors near Kawanee, there have been long & loud goodbyes. There are times when there are as many as ten cars on the street for 8554 Shawnee. I don't know how many people live there for sure, but I do see at least 7-8 there regularly. There has NOT been an improvement in the watering or upkeep on the grounds (8554). The water is on at 5:30 am under our bedroom window, and is on various times during the day, including the times it rained. Fair Oaks Water came out once but since it wasn't running in the street-they did nothing. I and other neighbors have noticed that when we have our garage doors open, cars and bicyclist from 8554 slow down to assess what we have in our garages.

I want to Thank You and your staff for all you have been trying to do and I really appreciate your hard work.

Sincerely

Lorra Fowler

From: Lorra Fowler [mailto:lorrajean@gmail.com]
Sent: Friday, June 05, 2015 9:41 AM
To: Stevens. Tricia
Subject: Fwd: [SafeNeighbors] Clena & Sober Group Home

To Whom it may Concern:

Okay, let's go over what we have at this point:

Our concerns:

1. Having a group of these people in our neighborhood can cause problems for us, including:

Ø Disruptive or dysfunctional behavior

Ø Parking problems

Ø Possible criminal issues if any of these people or their associates are on parole or probation or have any criminal background; this appears likely because we have been told that many of these people do in fact have criminal records, and may be on their third strike and may have been involved with drugs.

Ø Possible driving by these people without drivers' licenses and possibly with records of driving under the influence of alcohol or other drugs, with the attendant grave dangers that such driving practices may present.

Ø Smoking by these people (whatever they might smoke) with the smoke infiltrating into neighbors' homes through open windows

2. Possible (in fact, likely) loss of our property values and the need to comply with additional regulatory requirements for any who sell their homes.

3. Concerns with a place like this operating close to any elementary school.

4. Possibility of these people's friends and associates whose behavior may be as bad or worse than that of these people and who will have no concern because they are not part of the neighborhood.

5. A lack of needed permits to operate this place likely means no oversight of its operations or the people residing there.

6. Possible zoning issues for operating this type of agency in a residential neighborhood.

And I might add a couple more:

7. Since these people are likely to have been into drugs, we have no assurance that such drugs and their associated criminal and pathological activities will not arise in this house. We don't want a crack house or drug operation in our neighborhood.

8. We will now have a need to be "vigilant". So now we have to be on guard about something that we shouldn't have to put up with in the first place. In

addition, with this concept comes the distinct possibility that any “vigilance” we show will be interpreted not as vigilance, but as paranoia, hate, fear or any other nasty terms they can come up with.

9. If this place goes in operation and if any issues or problems do come up, we will have to deal with a man who has used the following terms to refer to us: hysterical, intolerant, prejudiced, haters, bigots. No doubt such an understanding gentleman will be happy to address our issues and problems in good faith.

Those are our concerns. On the other side, Mr. Troutman says the following:

1. Permits are not needed because these people are considered disabled, and such people are allowed to live together and be considered a family, because they have income limitations because of their disabilities.

So people who drink themselves into alcoholics (and are likely illicit drug users with criminal backgrounds as well) and who therefore don't work or make much money are “disabled”, and if several of them live together, this constitutes a family, and so all bets with licensing and its attendant controls are off.

2. It is not 6 people that they intend to put into this house (as originally thought) but 8 people. However, Mr. Troutman assures us haters and bigots that he's not going to “drop” all 8 into the house at once. He'll start out with 3 or 4 and there will be 8 sometime later.

This is supposed to make us feel better. I guess the first 3 or 4 will only be misguided alcoholics; the alcoholic/drug users with the criminal records come later. So we don't have to worry.

3. The people living there won't be a problem.

Of course not. Alcoholics who may also be drug addicts and may have a criminal background are never a problem

4. *Mr. Troutman's program has the ability to enforce. But if there's a family in a house that is "out of control" you can't do anything about it.*

Given Mr. Troutman's attitudes toward us and his operation of an unlicensed facility, can you imagine with kind of "enforcement" he will do regarding these people? Especially on behalf of us bigots and haters. And if a "family" (a regular family, as opposed to a family of low-income alcoholics and drug addicts) gets "out of control", there is most definitely something we can do about it: we can call the sheriff.

5. *The people in the house will sign an agreement about parking and inconveniencing neighbors with smoke or other problems.*

Very reassuring. We all know how well alcoholics who may be drug addicts and have a criminal background keep any agreements they sign.

6. *Property values always increase when Mr. Troutman moves a house with such people as these into a neighborhood.*

Yes, there's nothing like having a group of alcoholics/drug addicts who probably have a criminal background to increase the values of the homes in any neighborhood in which such people are located.

And let's not forget:

7. *We as a group of people in our neighborhood are: hysterical, intolerant, prejudiced, haters and bigots (except for anyone he is speaking to in person; they're not bigots.)*

So, according to Mr. Troutman, if you are concerned about maintaining the quality of life, the safety of children, the peace for all residents, an overall decent environment and the property values of the homes that you and others in the neighborhood have worked hard for many years to buy, support, maintain and improve – you are a hysterical, intolerant, prejudiced, hateful bigot.

This statement speaks for itself about Mr. Troutman.

For myself, I believe he is just trying to con us into accepting this situation, and I believe nothing that he says. In fact, when he says something, I am inclined to believe the opposite.

So where do we go from here? I for one do not believe we are helpless. As I said before, we have rights as well, and political clout counts with elected politicians. If enough of us stick together and oppose this resolutely, we can prevail. I think, as first steps, we need to keep in touch with each other, and as many of us as possible should go to the May 20 meeting. We should also check to determine if there is a County Board of Supervisors' meeting or any other local government meeting that we can attend about this. We may also want to contact our Assemblyperson and State Senator about this. (Remember, they're elected politicians, too.) Finally, if anyone gets additional information regarding this situation, please share it with the rest of us.

I hope this write-up will help further clarify this situation for everyone.

Alan Zamansky

Hans Engel Way

ahzam@comcast.net

June 6, 2015

Sacramento County Board of Supervisors

Re: Zoning Code Updates

The Southeast CPAC would like to take this opportunity to make the Board members aware of some ongoing problematic zoning language that currently exists for the Ag/Res communities. We are concerned about the language addressing setbacks for live stock and animal keeping. In recent remarks provided by Tricia Stevens the Principle Planner for Dept. of Community Development; Ms. Stevens provided inaccurate and vague statements that do not adequately address the concerns brought to the community outreach meetings by concerned citizens regarding definitions of what is (boundary) fencing and what is subject to setbacks for pens and corrals that can house excessive livestock, create health hazards and nuisance conditions. The proposed zoning language also does not prescribe how it will enforce the existing setbacks nor does it propose greater setbacks to ensure public safety as mandated in statute.

*Ms Stevens writes: "The Southeast CPAC felt that corrals and animal enclosures should be treated as structures with setbacks from property lines"... she goes on to state: "Their concern for setbacks is **already addressed** in the Code where stables and corrals are regulated by Section 3.4.6 and are required to be located at least 20 feet from dwellings, and be maintained in a dust-free and sanitary condition. Otherwise, corrals are considered fences and are not subject to setbacks for structures. Regulating fenced areas, including corrals, as structures would result in significant effects in semi-rural and rural areas inasmuch as the County has never imposed this requirement. Furthermore, staff has not discussed such a change with any CPAC except the Southeast CPAC.*

Concerns brought up to Tricia Stevens and the Southeast CPAC regarding the corral setbacks during the April 2015 Southeast CPAC meeting are not accurately recorded and are in conflict with her above reported statements as to what was discussed. There was much discussion over boundary fencing being used as corrals and permanent animal pens. There was discussion of the tube type corrals that were either permanent or temporary and even hog pens. The Southeast CPAC does not feel that fences and corrals/pens are the same structures and that to combine them on Ag/Res properties creates an area of dispute. Moreover, the fact that these live stock corral/fencing concerns have **not** been discussed with other CPAC's is an indication that the issue needs to be addressed properly and discussed where the public has the opportunity to hear and participate in discussions prior to the finalization of the Zone Code.

The subject quotes can be found on Page 10 of the May 9, 2105 agenda presented by Tricia Stevens regarding the April 2015 South East CPAC meeting.

The failure to provide clear and meaningful direction on the fencing, corrals, pens, and housing of livestock in Ag/Res areas has created an area of the code that is unclear and will lead to further conflict between neighbors, health hazards, and vague language that will make code enforcement officers duties difficult. We feel that the code requires correction, clarification and meaningful definitions. Our position is clear: a corral, pen, or other animal housing is a structure separate and apart from boundary fencing and should be subject to setbacks. A boundary fence cannot be used as part of a corral, pen or other animal housing. Setbacks from both dwellings and property boundary lines should be addressed as well. We would propose that this code would not include animal transfer chutes that allow movement of animals from a contained area to vehicles for transportation. We feel that this change or addition to the code is necessary.

We feel that wire boundary fences between properties should not be permitted to be used as a corral, pen, or other animal housing as the animal waste, flies and associated noise is not contained within the subject property and does in fact intrude upon the neighboring land owner's property and rights.

To date, we feel the Zoning Code is inadequate in its description, direction and regulation of the current living conditions and for future land use purposes. We propose that Ms. Stevens' comments regarding the concerns provided at the South East CPAC meeting of April 2015 be held in abeyance and to amend the record to reflect our response to those comments.

Respectfully Submitted,
Tina Holt SE CPAC member
Timothy Reinarts SE CAC Chairperson

June 8, 2015

Sacramento Board of Supervisors
700 H Street, Ste. 2450
Sacramento, CA 95814

Attn: Supervisor Phil Serna
Supervisor Patrick Kennedy
Supervisor Susan Peters
Supervisor Roberta MacGlashan
Supervisor Don Nottoli

Regarding: May 6, 2015 Agenda Report to the Board of Supervisors

Dear Supervisors,

I am writing as a concerned citizen of Sacramento County with vested interest in the Zone Code revision project ,more specifically the agricultural and agricultural residential zones in Sacramento County residing in the Southeast Community Planning Advisory Council (CPAC) area.

I would like to take this opportunity to make the Board members aware that the April 2013 Southeast CPAC meeting was attended by County Department of Community Development facilitator Tricia Stevens, who presented the agricultural related Zone Code revisions to the Southeast CPAC Board Members and the general public.

Having personally attending and participating during this meeting, I am eyewitness to the discussions and concerns brought to Ms. Stevens attention and have discovered he citizens concerns were completely disregard and misrepresented to you, our Board of Supervisors (BOS) in her report titled, May 6, 2015 Agenda Report to the Board of Supervisors.

Per the May 6, 2015 Agenda report page 10, Ms. Stevens states, *“The Southeast CPAC felt that corrals and animal enclosures should be treated as structures with setbacks from property lines. Their concern for setbacks is already addressed in the Code where stables and corrals are regulated by Section 3.4.6 and are required to be located at least 20 feet from dwellings, and be maintained in a dust-free and sanitary condition. Otherwise, corrals are considered fences and are not subject to setbacks for structures. Regulating fenced areas, including corrals, as structures would result in significant effects in semi-rural and rural areas inasmuch as the County has never imposed this requirement. Furthermore, staff has not discussed such a change with any CPAC except the Southeast CPAC.”*

Our concerns for stables and corrals and other animal enclosures are *NOT* addressed in the Code *Section 3.4.6* as reported and dismissed in Ms. Steven's report and the very reason the topic was brought up for discussion. This as well as the lack of regulations regarding the number of animals confined in corral feeding areas and lack of setbacks from the property lines. We felt that the number of animals confined to an enclosure should be regulated especially in the Agricultural Residential zones where currently there are no restrictions for excessive number of animals kept in feedlot like conditions. The fact the report states "the staff have not discussed these changes with the other CPAC." is an indication these topics relating to agricultural and agricultural residential zoned areas have been largely ignored in the Code revision project and the other CPAC's are entitled to review and discuss them. Ms. Stevens' report appears to be very carefully written to manipulate what was discussed and omitting the citizens concerns and opinions

This is the second time Sacramento citizens have recognized the Sacramento County employee responsible for the Zone Code revision project, had contorted and misstated facts in her report to the Board of Supervisors (BOS) with regards to the public concerns discussed at Community Outreach Groups and County CPAC's. Refer to letter dated January 7, 2015 letter to the BOS from Debra4 freedom and Sacramento Concerned Citizens group.

As the stakeholders whose tax dollars are funding the Zone Code revision project we expect our input and concerns are accurately and truthfully reported to the BOS exactly they were presented and request you disregard page 10 of the report as it relates to the April 2015 Southeast CPAC meeting.

This error of fact and misstatement reported by Ms. Steven's has been brought to the attention of the Southeast CPAC Board Members during the May 2015 meeting whom I understand will be addressing this matter directly with the Board of Supervisors.

Thank you for your time.

Sincerely,

Frances Jens, Herald ph.: (209) 748-2941

: cc – Southeast CPAC Board Members

Follow-up email from Timothy Reinarts on July 1, 2014

Ms. Stevens:

Thank you for response and follow up.

The issue is not Ms. Jens; and the problem area is not horses or cattle. The problems mostly arise from goats, pigs, dogs and chickens. Goats and Pigs are rough and just plain brutal on fences. Flies and smell as well. In every area of the county. Dogs are noisy and frequently dig out, climb out and otherwise escape. Most kennels are clean, some are not. Noise is our primary kennel problem. Chickens are a current county political issue. They are dirty and noisy, but not destructive. As boundary fences have by statute shared costs of repair and replacement, proportionate costs can be unfair to the property owner who does not keep animals. You have not articulated why staff does not recommend change. Wide "implications" is vague and an insufficient reason. I would think the county has a concern in keeping animal health and human health out of harms way. There are agencies for that. Animal control, Code Enforcement to name a couple. In my experience most of these problems can and are resolved by neighbors talking about the situation. Sometimes the county and respective agency gets involved. A setback requirement for animal enclosures from lot/property lines would be helpful to all involved. Codifying the distinction of an animal enclosure from a boundary fence, imposing a modest setback and prohibiting the dual use of a single fence for both should not be an arduous task. In our opinion, there should be no difference between a setback requirement for a "Tough Shed" and a kennel, chicken coop, hog pen or goat manger. 3.4.6.A addresses corrals but is limited in scope. What about hog pens? Chicken coops? Number of animals? 3.4.6. B does not adequately address boundary fencing and combines animal containment and boundary fencing. Insufficient and unclear. I look forward to addressing this issue at an upcoming public hearing, or CPAC meeting. Please place this response in your July 22nd 2015 Board staff report. Please keep me advised of dates and location. I would also welcome the opportunity to speak to your staff. TJR

From: Charhorseranch@aol.com
Date: May 12, 2015 at 1:51:00 PM PDT
To: macglashanr@saccounty.net
Cc: <moss1@saccounty.net>, <woltert@saccounty.net>, <moffittl@saccounty.net>
Subject: Rooster ban in unincorporated county

Hello Roberta,

I have heard that the Supervisors are considering banning privately owned roosters or crowing fowl on RD lots in the unincorporated area of Sacramento County.

I have not been able to find the documentation and I don't know what date this was before the Supervisors but I would like to comment on behalf of Rio Linda Elverta residents.

While it seems logical that crowing fowl in *small lot* RD-5-7 would be an annoyance to some folks, there are many *large lot* RD residents in Rio Linda Elverta that keep roosters, and other noisy animals like donkey's (you ought to hear the two next door to me) so I just wonder if it wouldn't make more sense to base the keeping of noisy animals/fowl on a minimum lot square footage?

By not tying it to RD it would allow those on large residential lots to still keep their roosters, peacocks, pheasants (very loud calls) and other noisy animals.

I do know that Facebook here in Rio Linda Elverta has blown up over this issue but I can't find the facts about what if any decision has been made.

I also want to say thank you to Lori Moss, Ted Wolter, Leighann Moffit and Barbara Fairbanks for coming to the RLE Visions Meeting last night. It was very helpful in our issues with Mar Val Plaza and the SPA progress.

Thank you for your interest in the Rio Linda Elverta Community. It is appreciated.

Charlea

From: warren frost [<mailto:norcalstar777@yahoo.com>]
Sent: Saturday, May 09, 2015 11:16 PM
To: Supervisor Serna
Subject: Opposing a ban on roosters

To Rep. Phil Serna

I am a constituent of District 1 and I am strongly opposed to a ban on chicken roosters. Things like this should be dealt on a case-by-case basis because many many chicken owners are responsible and don't have more than a couple roo's, and they have plenty of land where it isn't a nuisance. Most of the time neighbors appreciate the crow and the country-feel. It is Cow-town after all, lets not forget that!

With all that aside, there are already plenty pf laws to deal with noise complaints. When you start banning chickens, you are attacking a basic right of ours; the right to be self-sufficient.

Please be aware that Sacramento folks like me are counting on you to vote down a ban on fowl!

Warren Frost

I will add that I don't expect the pets to be banned, just kept indoors.

From: "Stevens. Tricia" <stevenst@SacCounty.NET>
Date: Monday, June 15, 2015 7:45 PM
To: Marjorie Lehr <mlehr@sbcglobal.net>
Cc: "Messerschmitt. Kevin" <messerschmitt@saccounty.net>
Subject: RE: "crowing fowl"

Thank you Marjorie for your comments. We will address in our report for July 22.

Tricia Stevens, AICP

Principal Planner

Department of Community Development

827 7th Street, Room 230, Sacramento, CA 95814

Direct: 916-874-2926 | Office: 916-874-6141 | Cell: 916-698-4592

www.per.saccounty.net



From: Marjorie Lehr [<mailto:mlehr@sbcglobal.net>]
Sent: Monday, June 15, 2015 9:47 AM
To: Stevens. Tricia
Subject: "crowing fowl"

Hello Ms. Stevens

I was just reading the proposal regarding "crowing fowl" (you have my full support!) and was wondering if Cockatoos and Macaws could be added. During warm weather, many of these pets are caged on back porches and the sound of their caws can be heard for miles. Living next-door to one or even on the same street is just as annoying as a peacock or rooster.

M

From: Peterson, Chris [<mailto:chris.peterson@farmcreditwest.com>]
Sent: Monday, June 29, 2015 4:18 PM
To: 'susanpeters@saccounty.net'
Subject: FW: Sacramento County Crowing Fowl

Good afternoon Supervisor Peters. Following up on the below. If there is any news or other information that could be share that would be much appreciated. Thanks.

From: Peterson, Chris
Sent: Tuesday, May 19, 2015 6:52 PM
To: 'susanpeters@saccounty.net'
Subject: Sacramento County Crowing Fowl

Dear Supervisor Peters, I wanted to take a second and drop a quick note of thanks. I was recently informed of the possible ban of crowing fowl on residentially zoned lots within the unincorporated areas of Sacramento County. Count me in as an enthusiastic supporter!

Our story: we are Arden Park residents and soon to be neighbors of a “residential chicken farmer”. Last Fall, we completed the purchase of a new residence within Arden Park and are now quickly coming to completion of a full remodel. I am not sure if it was the shortened days of late Fall or other factors but post-closing we made a few unpleasant discoveries related to our recent purchase. With the pulling back of the years of overgrowth between our and our neighbors lot we could clearly see and hear next door. What at first appeared to be, and was disclosed as, a few hens turned out to be an enlarged flock with multiple roosters. That fact coupled with the stories and frustrations of the neighbors in dealing with the situation has us moving into a disjointed environment with a single issue as the root cause – an uncontrolled poultry flock in the middle of a residential neighborhood.

At this point I have read through and watched a number of news articles, your FB page and the corresponding comments and have come to understand that this a charged subject. While there are a few impassioned appeals, many of the comments seem misguided and none deal with simple fact that while it may be unincorporated, large sections of Sacramento County are highly urbanized. A changing demographic and land use. That the zoning ordinances need to reflect this simple fact and offer some form of control as it relates to the raising of domesticated livestock within residential neighborhoods. From what I can determine there appears to be none but for lot size. Nothing addressing the need to control the composition, number and location of livestock in relation to adjoining lots and residences.

I would also offer that beyond the noise, livestock brings with it a number of other potential issues and problems. Having grown up on a farm I can personally attest to the fact these issues, and thus the raising of livestock, are better suited to an agricultural setting. Including smell, the attracting of predators plus other varmints and growing health concerns.

If there is any additional information related to where the ordinance is at, its possibility of passing, etc. that can be shared that would be much appreciated. Thanks.



Chris Peterson

Senior Vice President - Chief Information Officer

1478 Stone Point Drive, Suite 450

Roseville, CA 95661

916.780.1166

chris.peterson@farmcreditwest.com

June 11, 2015

BOARD OF SUPERVISORS
COUNTY OF SACRAMENTO
700 H STREET SUITE 1450
SACRAMENTO, CA 95814

Re: Zoning Code Update

I wish to take this opportunity to request further zoning language be added to reflect the understanding that barking dogs are as great a nuisance as crowing fowl and a greater regulatory process needs to be developed to give relief to residents when a chronic incessant barking dog problem occurs.

The current lack of redress for the barking dog problem is woefully lacking in protections and enforcements for neighbors who suffer from an unwanted intrusion of noise and the distress stemming from the non-stop barking of dogs.

I also want to suggest that kennels be given the proper concern when permits are requested. It is extremely important to prohibit kennels from cropping up in residential locations without a full site analysis to assure resident peace and quiet use and enjoyment of their property. This same consideration shall be given to Ag/Res properties as well. This shall be required of persons with property who consider themselves a "Rescue" too.

It has been my experience that "Rescues" simply facilitate animal hoarding and leads to health and safety concerns for those who find themselves being invaded by these practices.

A facility that wishes to conduct kenneling and rescue shall be required to demonstrate competent dog handling skills and provide a certificate of completion of dog training and be limited to a minimum number dogs on site. Any complaint against a facility shall be considered important and be investigated for compliance and if found in violation give a prescriptive number of days to get into compliance or the offending dog shall be removed.

This zoning language request is to ensure the maintenance of quiet use and enjoyment of neighbors. To provide a pathway to resolution of a chronic problem and maintain the safety, peace, and morals of citizens with regard to noise and loss productivity when loss of sleep and stress are the results of a barking dog or dogs.

Please enter my comments into the permanent public record on the matter of barking dogs are as much a nuisance as much as crowing fowl and the zoning code shall reflect a remedy as such.

From: Tim Lee [<mailto:tlee@tower-development.com>]
Sent: Tuesday, June 30, 2015 2:26 PM
To: Stevens. Tricia
Cc: dbenvenuti@aol.com; dbenvenuti@aol.com
Subject: RE: Sac Co Zoning Code and Design Guidelines - Release of Final Draft

Hi Tricia,

During my review of the Commercial Development Standards Summary (Table 5.13) I noted that minimum interior side yards are called out for single, two and three story buildings adjacent to single family residential use which is consistent with discussions at the various workshops I attended. I also noticed that the maximum building heights are shown as 40 feet. While 40 feet is more than adequate for single and two story buildings, it is not tall enough for a typical three story office/mixed use building. Normal floor to floor plate heights for the first floor of a three story building is 16 feet with 13 feet for the second and third floors. When you add a 3.5 foot high parapet to meet OSHA standards you have a minimum of 45.5 feet. I would suggest increasing the minimum height to 50 feet which would allow room for roof slope and architectural design features. This increase in height would be consistent with the goal of allowing three story structures with adequate setback requirements.

Thanks,

Tower Development Corp.
Timothy W. Lee
916-606-2440
tlee@tower-development.com

5.4.2.B. Single Family Residential Development Standards Proposed amendment June 23, 2015

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.

Table 5.7 Single Family Residential Development Standards							
STANDARD	RD-1	RD-2	RD-3	RD-4	RD-5	RD-6	RD-7
Lot Standards [1]							
Maximum Density (dwelling units/acre) [2]	1	2	3	4	5	6	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)	5,000 (SF) 8,000 (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)	6,000 (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)	50 (SF) 66 (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)	60 (SF) 80 (D)	52 (SF) 80 (D)
Minimum Open Space with Net Buildable Area (percentage)	N/A		N/A			5% [6]	

From: Debra4Freedom [mailto:Debra4Freedom@comcast.net]
Sent: Wednesday, May 13, 2015 1:34 PM
To: Stevens. Tricia
Cc: Susan Peters; Supervisor Serna; Kennedy. Supervisor; Nottoli. Don; MacGlashan. Roberta;
Clerk of the Board
Subject: Zoning Code Request

Debra Desrosiers
4854 Tono Way
Carmichael, CA 95608
Phone (916) 803-2868

May 13, 2015

County of Sacramento

RE: Public Records Act Request

Dear Ms. Stevens,

Pursuant to my rights under the California Public Records Act (Government Code Section 6250 et seq.), I ask to obtain a copy of the following:

1. A list of all proposed zoning code changes that will require property owners to obtain a permit for a fee that are not in the current zoning code.
2. A list of the fees for the new zoning code permits.

I ask for a determination on this request within 10 days of your receipt of this, and an even prompter reply if you can make that determination without having to review the record[s] in question.

If you determine that any or all of the information qualifies for an exemption from disclosure, I ask you to note whether, as is normally the case under the Act, the exemption is discretionary, and if so whether it is necessary in this case to exercise your discretion to withhold the information. If you determine that some but not all of the information is exempt from disclosure and that you intend to withhold it, I ask that you redact it for the time being and make the rest available as requested. In any event, please provide a signed notification citing the legal authorities on whom you rely if you determine that any or all of the information is exempt and will not be disclosed.

If I can provide any clarification that will help expedite your attention to my request, please contact me at (916) 803-2868. I ask that you notify me of any duplication costs exceeding \$50 before you duplicate the records so that I may decide which records I want copied. I prefer to receive electronic documents via email, however if that is not possible please call me to pick up the documentation when it is available.

Thank you for your time and attention to this matter.

Sincerely,

Debra Desrosiers
(916) 803-2868
Email: Debra4Freedom@comcast.net
dd/ms

From: T & E Williams [<mailto:te7577@gmail.com>]
Sent: Friday, July 03, 2015 12:08 PM
To: Stevens, Tricia; clerk@saccounty.net
Subject: Proposed Crowing Fowl Revisions

I feel that these restrictions on the unincorporated areas of Sacramento are a bit extreme. This is considered country living and if you move to an area like this it should be expected or they shouldn't be moving here. If this is going to move forward anyway maybe it should just be for residential lot sizes with a specific square footage leaving larger lots with the ability to continue having crowing fowl.

To us the crowing fowl are not as much of a nuisance as all the dogs that are barking non stop.

Permits Applicable to Single Family Residences

New Permits Applicable to Single Family Residences			
Type of Permit	Permit Needed For		Approximate Fee
Minor Use Permit	Requests to deviate from fencing requirements to build a solid fence over three feet or a chain link fence over four feet in height.		\$1,000
Minor Use Permit	Request to convert a home to more than four bedrooms.		\$1,000
Administrative Permit	Request to operate a vacation rental		\$270
Incidental Design Review	Request to use alternative landscape materials other than what is specified in the Code.		\$126
Revised Fees For Permits Applicable to Single Family Residences			
Current Permit	Current Fee	Proposed Permit	Proposed Fee (approximate)
Request to deviate from yard parking requirement – ZA use permit	\$8,500	Minor Use Permit	\$1,000
Request to deviate from setbacks for barns in AG zones – ZA variance	\$7,356	Minor Use Permit	\$1,000
Request for a cargo container in RD zones – currently not permitted	NA	Minor Use Permit, including design review	\$1,000
Request to deviate from residential fencing on interior property lines – ZA fence use permit	\$1,861	Minor Use Permit	\$1,000

Separated and Deferred Zoning Code Amendments

Separated Amendments

Staff is actively working on these Code Amendments, as they have been identified as the highest priority.

Massage Establishments	Amendments to the Zoning Code and County Code
Sale of Alcohol (Convenience stores, liquor stores, and bars)	Amendment to the Zoning Code and County Code
Urban Agriculture	Amendments to Zoning Code
Shopping Cart Retrieval	Amendments to County Code
Recycling Facilities	Amendment to Zoning Code

Deferred Amendments

Staff will work on these items after the high priority items are completed.

Transportation Systems Management Plans (TSM)	Amendments to the Zoning Code
Sign Regulations	Amendments to the Zoning Code
Parkway Corridor Combining Zone	Amendments to the Zoning Code
Parking of Recreational Vehicles	Amendments to the Zoning Code
Maintenance of Vacant Buildings	Amendments to the Nuisance Code
Unlawful Camping	Amendments to County Code
Reconsideration of Existing Distance Separation Requirements	Amendments to the Zoning Code
Amendments to Special Planning Areas to align with Zoning Code	Amendments to the Zoning Code
Other New Updates to Special Planning Areas, such as Garden Highway.	Amendments to the Zoning Code