

ORDINANCE NO. **3581** FOURTH SERIES

AN ORDINANCE ENACTING SECTION 24 OF THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SACRAMENTO, ORDINANCE NO. 2550, FOURTH SERIES, ESTABLISHING THE AMERICAN RIVER PARKWAY AND AMERICAN RIVER PARKWAY CORRIDOR ZONES; AMENDING SECTION 22 OF ORDINANCE NO. 2550, FOURTH SERIES, RELATING TO DEFINITIONS; AND AMENDING ORDINANCE NO. 2948, FOURTH SERIES, RELATING TO THE OFFICIAL ZONING MAP AND DECLARING SAID ORDINANCE TO BE AN EMERGENCY MEASURE TO TAKE EFFECT OCTOBER 4, 1975

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

SECTION 1.

The Council of the City of Sacramento hereby finds and declares that the American River and its adjacent flood plain represent an irreplaceable natural resource. It is in the public interest to protect the American River and its flood plain from adverse environmental impacts to minimize economic loss and loss of life due to flooding and to promote the health, safety and welfare through:

(a) The establishment of strict land use controls on properties within the American River flood plain which are subject to periodic inundation;

(b) The implementation of the provisions of the Open Space, Conservation and Safety Elements of the 1974 General Plan;

(c) The prohibition of certain land uses immediately adjacent to the American River and its flood plain; and,

(d) The establishment of special environmental and development regulations such as setback, height and bulk limits, and landscaping for property adjacent to the American River and its flood plain.

SECTION 2.

Ordinance No. 2550, Fourth Series, is hereby amended by adding thereto section 24 to read as follows:

SECTION 24. American River

Division 1. American River Parkway -- Flood Plain

Paragraph 24.01. Establishment - Purpose.

There is hereby created an ARP-F Zone. Property within the ARP-F Zone constitutes a designated floodway likely to be inundated by a flood having a one per cent (1%) per annum chance of occurrence or greater. The provisions of this division are intended to prevent the loss of life and property by prohibiting the erection of improvements or structures. Furthermore, the provisions of this division are intended to protect the natural features of property within the flood plain of the American River to prevent erosion and siltation and to preserve valuable open space in accordance with the provisions of the General Plan.

Paragraph 24.02. Permitted Uses.

The only uses permitted in the ARP-F Zone are agricultural uses (except maintaining, keeping, feeding or raising swine) for which no building or structure is erected upon the premises.

Paragraph 24.03. Same - Special Uses of Section 2 Not Permitted.

The special uses listed in subsection F of section 2 of this ordinance are not authorized in the ARP-F Zone.

Paragraph 24.04. Special Permit Use.

In addition to the uses permitted within the ARP-F Zone pursuant to paragraph 24.02, group camping facilities may be permitted subject to the issuance of a special permit. For purposes of this paragraph "group camping facilities" shall mean temporary use and improvements

such as sanitary facilities, firepits, tents and accessory uses. The provisions of this paragraph shall not be construed to permit recreational vehicles, mobilehomes, campers, trailers and permanent accessory improvements.

Paragraph 24.05. Removal of Natural Features Prohibited.

(a) Subject to the provisions of this paragraph no person shall remove trees or other natural features which exceed six feet in height.

(b) No person shall remove topsoil for any purpose other than ordinary and necessary agricultural soil treatment or management such as disking, plowing, irrigation and erosion prevention.

(c) Notwithstanding subparagraph (a) of this paragraph the planning commission may issue a special permit for the removal of trees, and other natural features which exceed six feet in height when it finds:

(1) That such removal is necessary for agricultural soil treatment and management;

(2) That the property owner will otherwise be deprived of reasonable agricultural use of his property; and

(3) That such removal will not contribute to erosion and siltation within the flood plain;

Paragraph 24.06. Open Space.

The ARP-F Zone is hereby adopted as an open space zone pursuant to the General Plan of the City of Sacramento.

Revised 7-16-75

Paragraph 24.07. Nonconforming Uses.

Any use within the ARP-F Zone which does not conform to the regulations of said zone, shall be terminated in the manner set forth in section 12 of this ordinance. Provided, however, that the provisions of paragraphs 3, 12 and 13 of subsection (A) of section 12 shall not be applicable to any nonconforming use within the ARP-F Zone.

Paragraph 24.08. Relation to Publicly Owned Lands and Easements.

The provisions of this division shall not be construed to regulate any property owned by a public agency nor to conflict with or regulate any easements held by public agencies for flood control, flowage or other regulation of the American River.

Division 2

PC Designation - American River Parkway Corridor

Paragraph 24.20. Purpose.

Since the American River and its adjacent flood plain are situated within an intensively developed urban area, it is necessary to mitigate the potential adverse environmental impacts associated with contiguous urban development. The special development regulations adopted herein shall serve to reduce those impacts which are incompatible with the maintenance of the American River as a natural resource. In addition, the provisions of this division are intended to implement the General Plan and the American River Parkway Plan.

Paragraph 24.20.1. Definition.

For purposes of this division the term "American River Parkway" shall mean all that property within the City of Sacramento zoned ARP-F.

Paragraph 24.21. Applicability of PC Designation.

(a) The PC designation appearing after a land use classification on the official zoning map indicates that the property so classified is subject to the requirements and restrictions set forth in this division in addition to those of the indicated land use zone (hereinafter referred to as the "underlying zone").

(b) The PC designation may be applied to all areas of the city for which the council determines that development might have an impact upon the preservation or enhancement of the scenic, recreational, fishery or wildlife value of the American River Parkway.

(c) Except for the height limitations contained in paragraph 24.32 and the minimum setback regulation contained in paragraph 24.39 the regulations of this division shall not apply to single family and two-family detached dwellings.

Paragraph 24.22. Permitted Uses.

Except as otherwise provided herein, the uses permitted in the PC Zone are those permitted in the underlying zone.

Paragraph 24.23. Uses Requiring Special Permit.

Notwithstanding provisions of section 2 of this ordinance to the contrary, a special permit shall be required in order to establish any of the following uses within the PC zone:

- (a) Boat building.
- (b) Communication and transmission facilities.
- (c) Contractor's storage yard.
- (d) Drive-in restaurant.
- (e) Earth moving and heavy construction equipment--rental, sales and storage yards.
- (f) Hotels.
- (g) Motels.
- (h) Outdoor assembly, service, testing or repair of engines or motors.
- (i) Public utility yards.
- (j) Restaurant or bar.
- (k) Service stations.
- (l) Truck or tractor repair.
- (m) Wells-gas, oil or water.
- (n) Campgrounds - including recreational vehicle park.
- (o) Sports stadium or complex.

Paragraph 24.24. Same - Conditions.

In granting any special permit, the commission may attach such conditions as it deems necessary to implement the General Plan and the American River Parkway Plan and to protect the scenic, recreational, fishery, and wildlife value of the American River Parkway, including but not limited to the following:

- (a) Requirement of setback and yards greater than the minimum required by this division or by section 3 of this ordinance.
- (b) Requirement of screening of any portion of the use from adjoining premises or from any street by walls, fences, planting or other devices in addition to that required by paragraphs 24.40 and 24.41 of this section.
- (c) Modification of the exterior features or appearance of any structure where necessary to preserve property values.
- (d) Limitation of size and extent of facilities, machine capacity, number of employees or occupants, and method or times of operation.
- (e) Regulation of number, design and location of access drives or other traffic features.
- (f) Requirement of off-street parking or other special features beyond the minimum required by this ordinance.
- (g) Location, design and capacity of utilities.
- (h) Control of location, number, color, size, height, lighting and landscaping of signs in addition to the requirements of paragraphs 24.36 and 24.37 of this division.
- (i) Maintenance of the grounds, landscaping and irrigation system.

(j) Regulation of noise, vibration, odors and other similar performance standards.

(k) A time period within which the proposed use shall be developed plus any specified period for the life of the special permit.

(l) Phasing of the development plan.

(m) A bond or deposit of money for the completion of street improvements and other facilities or to guarantee the change or removal of any designated use or structure within a specified period of time to assure faithful performance on the part of the applicant.

Paragraph 24.25. Prohibited Uses.

Notwithstanding any provisions of section 2 of this ordinance and Chapter 3 of the Code to the contrary, the following uses are prohibited in the PC Zone:

- (a) Advertising signs - freestanding, offsite.
- (b) Airport or helistop.
- (c) Outdoor Amusement Centers.
- (d) Reserved.
- (e) Dog kennel with outdoor runs or animal hospital.
- (f) Animal or poultry slaughter.
- (g) Reserved.
- (h) Reserved.
- (i) Cement or clay products manufacturing.
- (j) Concrete batch plant.
- (k) Drive-in theater.
- (l) Hog ranch.
- (m) Junkyard.
- (n) Livestock feed and sales yard.
- (o) Petroleum storage yard or bulk petroleum plant.
- (p) Planing mill.

(g) Railroad yard or shop.

(r) Sand or gravel pit or plant, borrow pit, stripping of top soil.

(s) Trucking terminal yard.

(t) Transportation terminal.

Paragraph 24.26. Property Development Regulations - in General.

(a) All regulations of the underlying zone are applicable to the PC zone unless a more restrictive regulation is specifically set forth in this division.

(b) All provisions of Chapter 3 of the Code are applicable to signs in the PC zone unless a more restrictive regulation is specifically set forth in this division.

Paragraph 24.27. RESERVED.

Paragraph 24.28. Height - Defined.

As used in this division "height" means the vertical distance from the finished grade of a building site to the high point of the building, structure or other improvement.

Paragraph 24.29. High Point - Defined.

As used in this division "high point" means the peak of the roof, mechanical apparatus, lighting stand, sign or other structural feature which extends to the greatest vertical distance above the finished grade of the building site.

Paragraph 24.30. Reference Line Defined.

As used in this division "reference line" means a line which is:

(a) Parallel to and ten feet landward from the landside toe of the levee or

(b) The landward boundary of any recorded levee maintenance easement, if such boundary line or portion thereof is farther from the toe of the levee than the line specified in subparagraph (a).

Paragraph 24.31. Reserved.

Paragraph 24.32. Maximum Height.

(a) The height of any building, structure, sign, pole, lighting standard or other improvement hereafter erected, constructed, altered, enlarged or modified shall not exceed by more than five feet the difference between the elevation of the finished grade of the building site and the elevation of that portion of the levee crown closest to the building site.

(b) The maximum height permitted pursuant to subparagraph (a) may be increased by one foot for each five feet by which the distance from the building, structure, or improvement to the reference line exceeds 25 feet.

(c) Notwithstanding any provisions of subparagraph (b) to the contrary the height of any building, structure, sign, pole, lighting stand, or other improvement hereafter erected in a PC Zone shall not exceed the maximum height permitted for the underlying zone or 75 feet whichever is less.

Paragraph 24.33. Bulk.

(a) The "visible width" of buildings or structures hereafter erected shall not exceed 250 feet.

(b) As used in this paragraph "visible width" means that distance between two parallel lines which commence at the two opposite corners of that side of the building or structure most nearly parallel to the reference line and run perpendicular to or nearly perpendicular to and intersect said reference line.

Paragraph 24.34. Color and Glare.

(a) Buildings, structures, signs (except the graphic features thereof) poles, lighting standards and other improvements shall have an exterior surface which is painted in earth tones or finished in one or more of the following materials:

1. Natural Wood
2. Natural earth toned stone, rock or masonry.
3. Any other earth tone colored material.

(b) This paragraph shall not apply to any roof or portion of a roof which is enclosed by a parapet, mansard or other similar architectural feature such that no portion of the roof or ridge line projects above such enclosure.

Paragraph 24.35. Signs.

No sign shall be erected, constructed or maintained except on that portion of a building or structure having public street frontage or that portion of a lot or parcel having public street frontage.

Paragraph 24.36. Minimum Setback.

(a) No building or structure in the PC zone shall hereafter be erected within 25 feet of the reference line.

(b) Notwithstanding provisions of subparagraph (a) to the contrary accessory buildings appurtenant to single and two-family residences and not exceeding 500 square feet in floor area may be erected not closer than 15 feet from the reference line.

Paragraph 24.37. Fence or Wall.

For development of any parcel within the PC zone abutting or including within its boundaries the reference line as established pursuant to paragraph 24.30 a six foot masonry wall or six foot woven wire fence shall be erected in accordance with the standard specifications of the City along said reference line. The provisions of this paragraph shall not be construed to prohibit the installation of gates or any other means of private ingress and egress.

Paragraph 24.38. Same - Tree Planting Strip.

(a) A tree planting strip at least ten feet wide shall be established and maintained adjacent to the landward side of the fence or masonry wall required by paragraph 24.37.

(b) The director of recreation and parks shall promulgate regulations listing the native species or related genera appropriate to riparian and flood plain areas of the Sacramento Valley and the size and maturity of such recommended plants. Trees planted within the tree planting strip shall comply with these regulations.

Paragraph 24.39. Exterior Lighting.

All exterior lighting shall be shielded at the source and shall be directed away from the American River Parkway to the greatest degree possible.

Paragraph 24.40. Nonconforming Uses Regulation Inapplicable.

No building structure or other improvement for which a building permit or special permit is issued prior to the effective date of this division, or a use lawfully existing upon such date, shall be subject to the regulation of section 12 of this ordinance solely by noncompliance with the provisions of this division except as provided in paragraph 24.41 of this division.

Paragraph 24.41. Same - Exception - Fence or Wall Required.

Notwithstanding paragraph 24.40 of this division to the contrary, the provisions of paragraphs 24.37 and 24.38 of this division shall be complied with whenever:

- (a) A use is enlarged to occupy a greater area of land;
- (b) A use is moved to a different portion of a lot;
- (c) A use of land or a building or structure has been abandoned for at least one year and subsequently reoccupied, or
- (d) A building or structure which has been damaged or destroyed by more than 50% of its market value is restored.

Paragraph 24.42. Function of Building Division.

The director of building inspections shall forward to the planning director all applications for any of the following permits within the PC zone for purposes of determining compliance with the provisions of this division.

(a) Building permits for new construction and the exterior alteration of existing buildings or structures, excepting, however, building permits issued for electrical, mechanical and plumbing work regulated under chapter 9 of the Code, and repairs required by law.

(b) Sign permits for the erection of a sign not otherwise exempt under section 3.140 of the Code.

Paragraph 24.43. Site Plan Review.

In order to insure compliance with the terms of this division those applications forwarded to the planning director pursuant to subparagraph (a) of paragraph ~~24.42~~ shall include the following where applicable:

- (a) Site plan showing:
  - (1) Location of existing and proposed structures, including signs;
  - (2) Location of existing trees or natural attributes;
  - (3) Location of off-street parking and loading facilities;
  - (4) Location of adjacent public rights of way and private easements for ingress and egress if any;
  - (5) Location of points of entry and exits for vehicles and internal circulation patterns;
  - (6) Location of walls and fences and the indication of their height and material of construction;
  - (7) Exterior lighting standards and devices; and
  - (8) Finished grade elevation of the site and at the building.
- (b) Preliminary landscaping plan;
- (c) Color, materials, and texture palette;
- (d) Drawings indicating the location, size, color, shape, and type of illumination of each proposed sign;
- (e) Four elevations to include all sides of the development;
- (f) Any other material which the director may require to evaluate any application subject to the provisions of this division.

Paragraph 24.44. Relation to Public Easements.

The provisions of this division shall not be construed to conflict with or regulate any easements held by public agencies for flood control, flowage or other regulation of the American River.

Paragraph 24.45. Administrative Regulations.

The director shall have the authority to promulgate standards and guidelines to implement the provisions of this division. Such standards and guidelines shall be written and shall be made available to any applicant subject to the provisions of this division. This paragraph shall not be construed to permit the variation of the specific terms of this division.

SECTION 3.

Section 22 of Ordinance No. 2550, Fourth Series, is hereby amended by adding thereto subsections ~~53~~ through ~~54~~ to read as follows:

53. Notice. Excepting public notice and notice by publication and unless otherwise specified herein, notice means a personal delivery in writing or by mail postage prepaid. Such notice shall be deemed communicated as of mailing. Failure to receive notice shall not affect in any manner the validity of any proceeding thereafter taken.

54. Earth Tones. Earth tones are muted shades of gray and muted shades and medium to dark tones of the following colors:

Burnt Umber  
Ray Umber  
Burnt Sienna  
Raw Sienna  
Indian Red  
English Red  
Yellow Ochre  
Chrome Green  
Terra Verte

SECTION 4.

The official zoning maps of the City (Ordinance No. 2948, Fourth Series) are hereby amended as set forth in the maps which are attached hereto and incorporated herein by reference as though fully set forth.

SECTION 5.

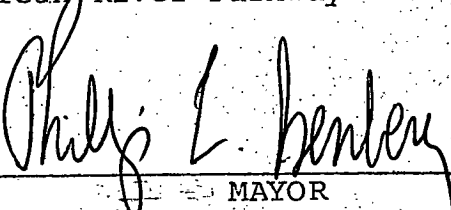
This ordinance shall be published once within ten days after passage in the official newspaper of the City of Sacramento.

SECTION 6.

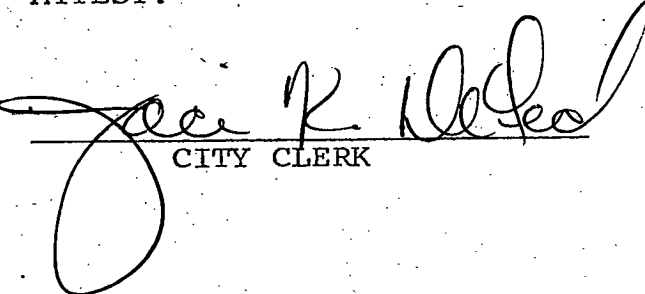
This ordinance shall be an emergency measure to take effect on October 4, 1975. The reason for the emergency is to make this ordinance effective immediately after the interim American River Parkway Ordinance expires.

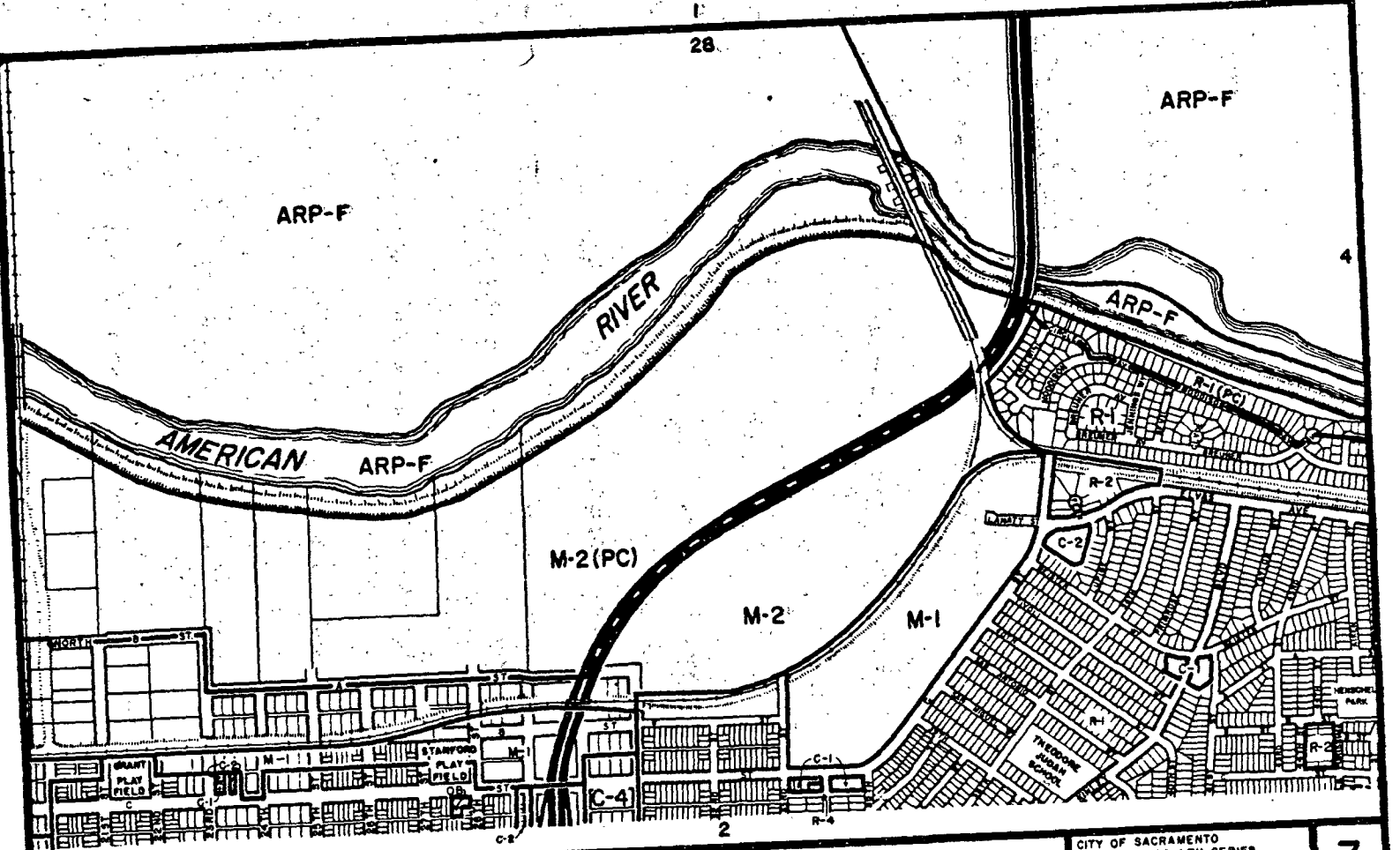
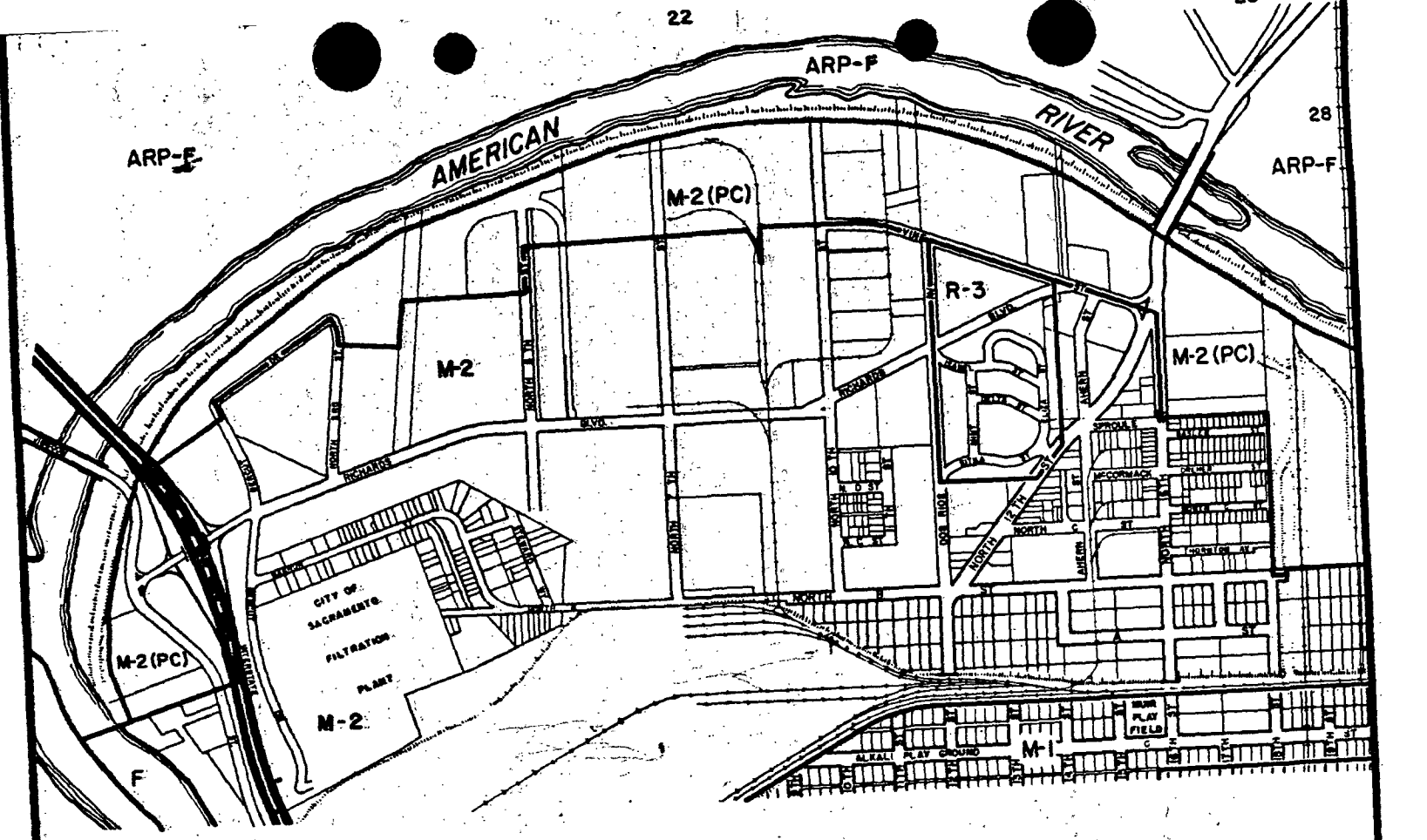
PASSED: September 25, 1975

EFFECTIVE: October 4, 1975

  
MAYOR

ATTEST:

  
CITY CLERK



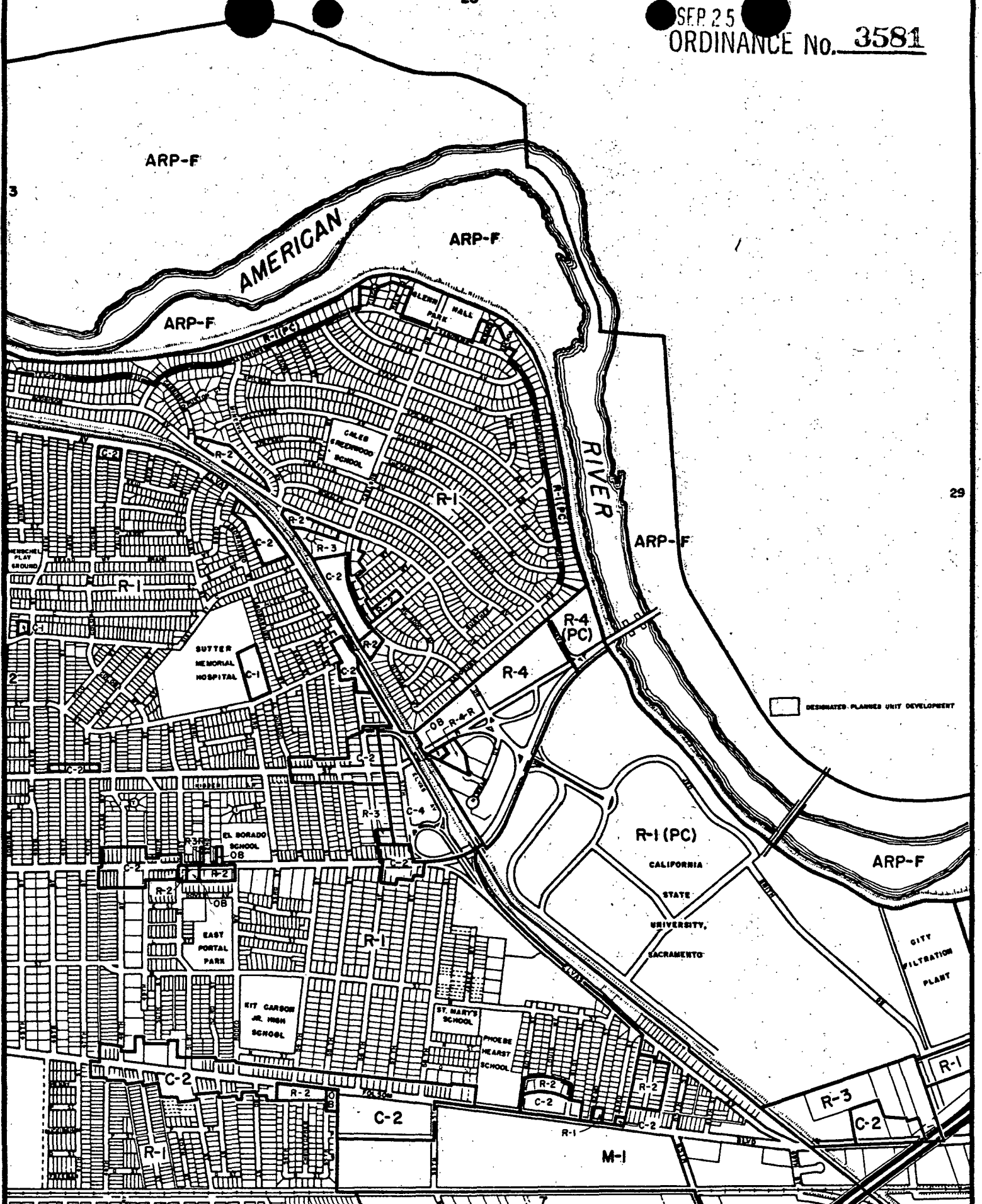
OFFICIAL ZONING

MAP  
 SEP. 25 1975  
 ORDINANCE NO. 3501

3

3

CITY OF SACRAMENTO  
 ORD. NO. 2948-4TH SERIES  
 ADOPTED JAN. 7, 1971, AS AMENDED  
 TO INCLUDE ALL CHANGES  
 THROUGH ORD. NO. 3384-4TH SERIES



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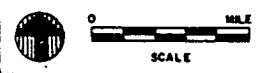
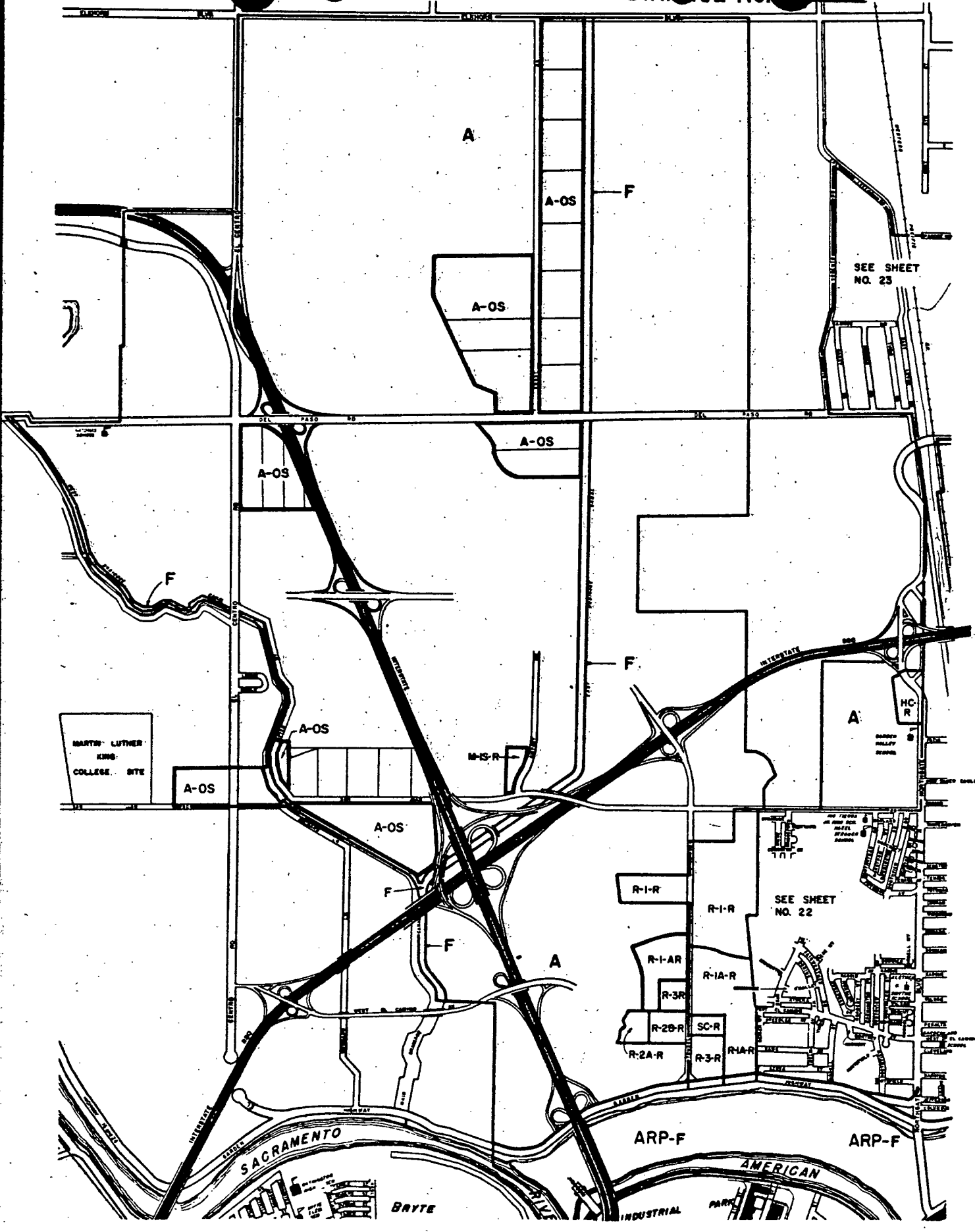
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OFFICIAL ZONING MAP

CITY OF SACRAMENTO  
 ORD. NO. 2948-4 TH SERIES  
 ADOPTED JAN. 7, 1971, AS AMENDED  
 TO INCLUDE ALL CHANGES  
 THROUGH ORD. NO. 3384 4 TH SERIES

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INTERSTATE 880

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DRAINAGE

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CANAL

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GARDEN

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SEP 25 1975  
ORDINANCE No. 3581

ARP-F

ARP-F

AMERICAN RIVER

3

26

22



OFFICIAL

ZONING

MAP

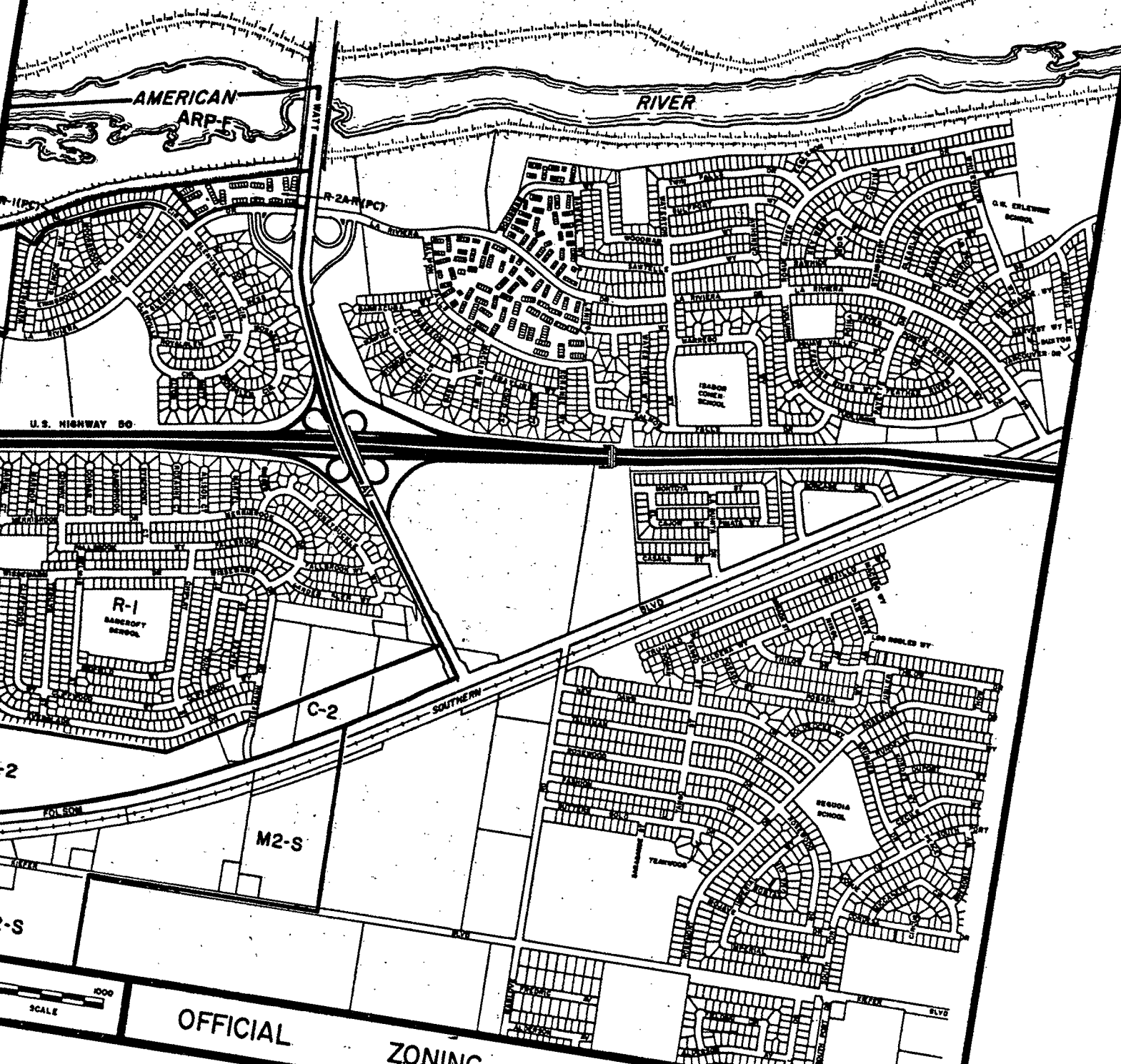
CITY OF SACRAMENTO  
ORD. NO. 2948-4 TH SERIES  
ADOPTED JAN. 7, 1971, AS AMENDED  
TO INCLUDE ALL CHANGES  
THROUGH ORD. NO. 3584 4 TH SERIES

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OFFICIAL

ZONING  
SEP 25 1975  
ORDINANCE No

MAP  
3504

CITY OF SACRAMENTO  
ORD. NO. 2948-4 TH SERIES  
ADOPTED JAN. 7, 1971, AS AMENDED  
TO INCLUDE ALL CHANGES  
THROUGH ORD. NO. 3384 4 TH SERIES

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