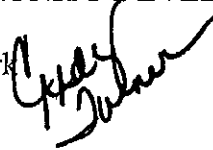


**COUNTY OF SACRAMENTO
INTER-OFFICE CORRESPONDENCE**

September 10, 2007

TO: PLANNING AND COMMUNITY DEVELOPMENT

FROM: CINDY H. TURNER, Clerk
Board of Supervisors



SUBJECT: **PLNP2007-CZB-ZOB-00428 aka 06-CZB-ZOB-0012** - (FAIR OAKS/GAMEL)
COMMUNITY PLAN AMENDMENT, REZONE AND ZONING ORDINANCE AMENDMENT
DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT - located in the Fair Oaks community area, and consisting of 280 parcels zoned RD-5 (Residential) in an area known as the Fair Oaks Village, north of the American River, east of Sunrise Boulevard and south of Old Winding Way and Fair Oaks Boulevard. (MacGlashan)

The Board of Supervisors, meeting in regular session on August 21, 2007, accepted the Negative Declaration as adequate and complete and took the following actions on the above referenced matter:

ZONING ORDINANCE AMENDMENT

Approved the Revised Zoning Ordinance Amendment by Ordinance No. **SZC-2007-0046**, clarifying language that the criteria pertaining to maximum building coverage and maximum building height is applicable to non-discretionary actions such as building permits. The ordinance further included the recommendations of the Fair Oaks Community Council to make clear the provision applies only to RD-5 zoned property (537-21) and remove the Design Review approval relative to development standards (537-24).

The complete file and copies of all documents are attached.

CHT:am

Attachment: Ordinance No. SZC-2007-0046

cc: In-House

ORDINANCE NO. SZC-2007-0046

**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE
COUNTY OF SACRAMENTO TO AMEND THE ZONING CODE
OF SACRAMENTO COUNTY, ORDINANCE NO. 537-20,
AS AMENDED**

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

SECTION 1: Chapter 37 Article 2 of Title V is hereby amended to read as follows:

**FAIR OAKS VILLAGE
NEIGHBORHOOD PRESERVATION AREA**

537-20. INTENT. It is the intent of the Board of Supervisors in adopting this Neighborhood Preservation Ordinance to protect the unique single-family residential character of the Fair Oaks Village neighborhood. The Board of Supervisors finds that Fair Oaks Village neighborhood is a distinctive, semi-rural neighborhood that contains a special blend of characteristics that should be preserved. The unique features of Fair Oaks Village neighborhood include: an eclectic mix of home styles, sizes, ages and values; low density; exiting narrow streets frequently used for walking; very few curbs, gutters or sidewalks; very few streetlights; an abundance of large, mature trees; and a diverse wildlife population.

It is the intent of the Board of Supervisors to recognize the special qualities of the Fair Oaks Village neighborhood and to allow development that is consistent with the area. This Article will implement goals of the Fair Oaks Community Plan relating to preservation of the Fair Oaks Village neighborhood as a unique and desirable residential neighborhood, as well as preservation and enhancement of its environment and historical character.

537-21. APPLICABILITY. The provisions of this Article shall apply only to those properties that are zoned RD-5 and RD-5 (PC) as described in Section 537-27.

537-22. EXHIBITS. The following exhibits are incorporated herein and made part of this Article:

- a. Section 537-27. Map indicating boundaries of the Fair Oaks Neighborhood Preservation Area.
- b. Section 537-28. Examples for calculating residential dwelling height.
- c. Section 537-29. List of Assessor's Parcel Numbers for properties subject to this Article.

537-23. PERMITTED USES. Unless otherwise specified in this Article, provisions of Title I, II, III of this Code shall apply to the properties described in Section 537-27. Those uses provided for by the underlying land use zones as currently defined this Code shall be permitted and conditionally permitted in the area described in Section 537-27.

537-24. DEVELOPMENT STANDARDS. The uses, conditions, and development standards applicable to the underlying zone shall be applicable to the property described in Section 537-27. Prior to approval of discretionary land use projects (including, but not limited to, rezoning, conditional use permits, subdivision maps, parcel maps, and variances), and non-discretionary actions such as design review approval and building permits, the following shall occur:

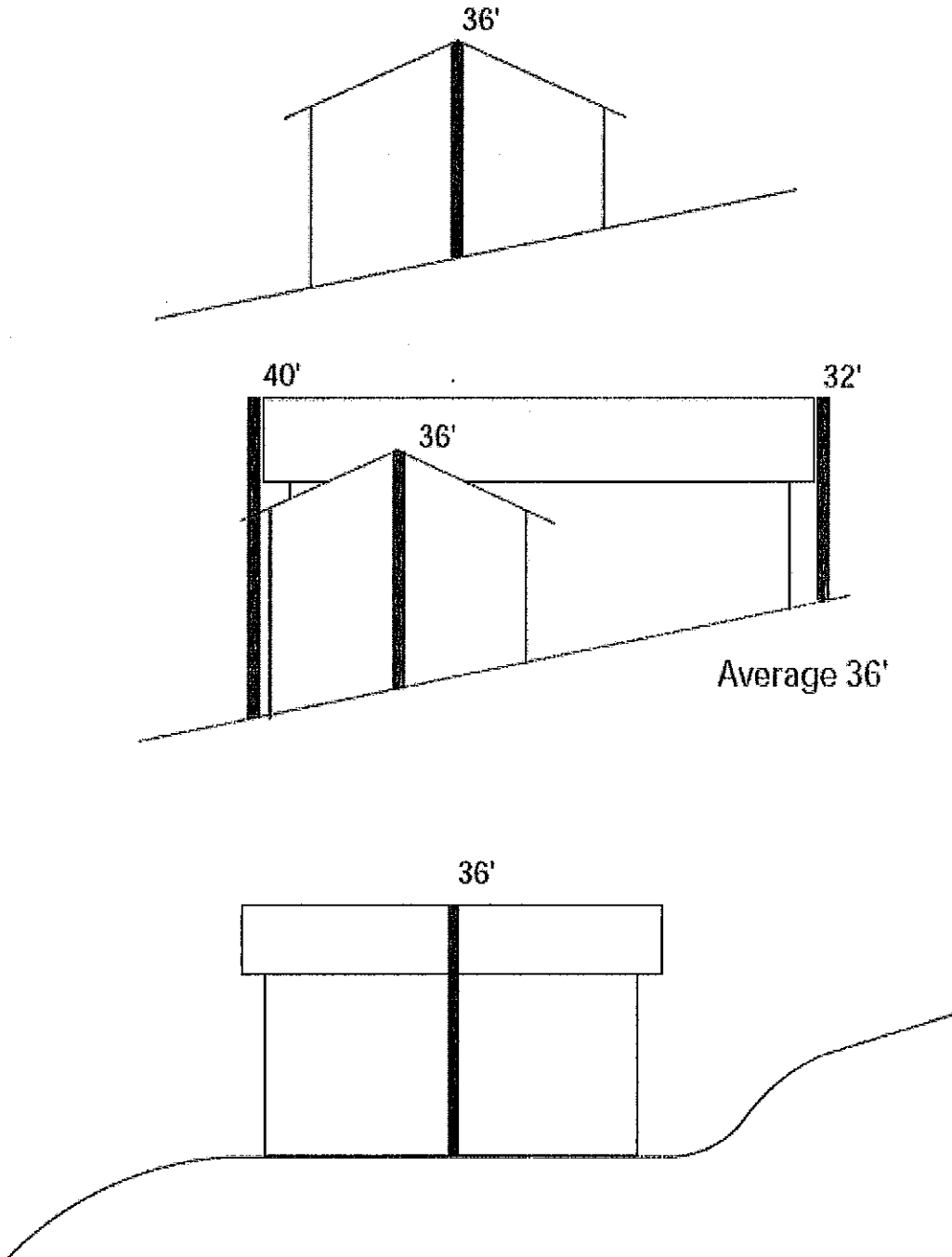
- a. Existing streets shall be maintained without curbs, gutters, sidewalks, and sidewalks (Class C standards), and without street lighting, wherever possible.
- b. Each new lot created by subdivision within the RD-5 (NPA) zone area shall have a minimum net area of 8,712 square feet (one-fifth acre). No existing lot shall be deemed non-conforming as a result of adoption of this NPA.
- c. The following maximum total coverage shall apply to all newly or remodeled building construction within the area. Structures that shall be included in the coverage calculation are primary dwellings, accessory dwellings, sheds that are over 120 square feet, detached garages and barns. Structures that shall not be included in the coverage calculation are covered porches, eaves, gazebos, patio covers, awnings, retractable sun screens, decks, umbrellas, fountains and pools.
 1. Single story homes on lots less than $\frac{1}{4}$ acre – lot coverage shall not exceed 40%.
 2. Two story homes on lots less than $\frac{1}{4}$ acre – lot coverage shall not exceed 33%.
 3. Single story or two story homes on lots $\frac{1}{4}$ acre or larger – lot coverage shall not exceed 25%.
- d. Building height for residential dwellings shall be measured from the ridgeline of the structure to the ground directly beneath, not to exceed 36 feet. For sloped lots, the measurement of the ridgeline height shall be an average as measured from the various sides of the structure. Section 537-28 illustrates several examples for calculating building height for residential dwellings.
- e. Applications for variances within the NPA shall be noticed to all property owners within the NPA and shall be subject to approval by the Fair Oaks Community Council.

537-25. RECONSTRUCTION OF NONCONFORMING STRUCTURES Notwithstanding any other provision of the Sacramento County Zoning Code, where pre-existing homes or other structures are made nonconforming as a result of adoption of this NPA, the owner shall be entitled to repair or rebuild the home or structure to its prior size, footprint, square footage and height in the event it is damaged or destroyed. Any reconstruction shall not exceed the dimensions of the preexisting home or structure. This section shall apply only to homes or structures that were originally constructed in accordance with valid building permits. This provision shall not be read to waive any obligation of the property owner to obtain required permits for building construction.

537-26. FINDINGS. During the public hearings on this Ordinance, the Fair Oaks Community Council and the Board of Supervisors determined that:

- a. The Fair Oaks Village neighborhood as depicted in Section 537-27 is of sufficient size to constitute an identifiable neighborhood. The area is largely developed with single-family residential uses and contains a special blend of characteristics that should be preserved.
- b. The area described in Section 537-27 is a distinctive area of semi-rural character typified by tranquil, uncongested streets and roads, narrow public streets, dense trees and vegetation, abundant wildlife and safe walking areas. The diversity of single family residences, lot sizes and architecture contribute to the charm and uniqueness of the area.
- c. It is in the best interest of the residents of the Fair Oaks Neighborhood and the County of Sacramento that the unique semi-rural character of this area be preserved, protected and maintained and that any future developments should be designed to complement the existing character of the area.

Examples of how structure height is measured



Fair Oaks Village NPA Parcels

244-0152-010	244-0183-005	244-0214-003	244-0215-021
244-0152-009	246-0154-002	244-0250-009	244-0215-018
244-0152-007	246-0154-003	244-0211-016	244-0242-023
244-0152-034	244-0182-004	244-0214-002	244-0242-030
244-0152-047	246-0213-021	246-0213-009	246-0213-017
244-0152-042	246-0213-020	244-0211-014	244-0242-002
244-0152-043	244-0182-005	244-0214-008	244-0242-011
244-0152-011	246-0213-019	244-0215-001	244-0215-017
244-0152-046	244-0182-008	244-0250-010	246-0213-018
244-0152-028	244-0182-009	244-0214-007	244-0250-018
244-0152-033	244-0250-001	246-0213-028	244-0241-001
244-0152-013	244-0173-001	244-0250-026	244-0215-016
244-0152-021	244-0250-029	244-0211-017	244-0250-020
244-0152-001	246-0213-007	244-0214-004	244-0242-007
244-0152-030	244-0250-032	246-0213-026	244-0250-023
244-0152-044	244-0250-002	244-0215-020	244-0242-012
244-0152-020	244-0214-022	246-0213-029	244-0242-015
244-0152-037	244-0214-021	244-0242-025	246-0250-003
244-0152-017	246-0213-022	244-0242-024	244-0241-012
244-0152-049	246-0213-023	244-0250-028	244-0241-015
244-0152-048	244-0214-020	244-0214-005	246-0250-013
244-0181-002	244-0214-015	244-0250-033	244-0250-022
244-0181-003	244-0214-014	244-0242-028	244-0242-006
244-0181-004	244-0214-013	244-0215-019	244-0241-016
244-0183-010	244-0214-012	246-0213-012	244-0242-022
244-0183-011	244-0211-003	246-0213-014	244-0283-015
244-0183-013	244-0214-009	244-0215-015	244-0241-005
244-0183-012	246-0213-006	244-0214-006	244-0283-004
244-0183-001	244-0250-003	244-0215-005	244-0283-003
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244-0172-011	244-0214-011	244-0215-022	244-0242-017
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244-0172-009	244-0242-009	244-0250-024	246-0250-020

Fair Oaks Village NPA Parcels

244-0232-007	244-0282-022	244-0293-007
244-0232-022	244-0263-010	
244-0283-007	244-0282-015	
246-0250-015	244-0274-001	
244-0241-031	244-0282-023	
244-0282-013	244-0263-017	
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244-0241-009	244-0282-024	
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244-0283-009	244-0275-009	
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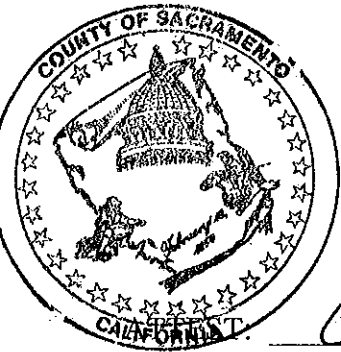
SECTION 2: This ordinance shall take effect and be in full force on and after thirty (30) days from the date of its passage hereof, and, before expiration of fifteen (15) days from the date of its passage, it shall be published once with the names of the members of the Board of Supervisors voting for and against the same, said publication to be made in a newspaper of general circulation published within County of Sacramento, State of California.

On a motion by Supervisors MacGlashan, seconded by Supervisor Peters, 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 21st day of August, 2007, by the following vote, to wit:

AYES: Supervisor, Dickinson, MacGlashan, Peters, Yee, Nottoli
NOES: Supervisor, None
ABSENT: Supervisor, None
ABSTAIN: Supervisor, None

Don Nottoli

CHAIRPERSON, Board of Supervisors
County of Sacramento, California



Cindy H. Turner
CLERK OF THE
BOARD OF SUPERVISORS

In accordance with Section 25103 of the Government Code of the State of California a copy of this document has been delivered to the Chairman of the Board of Supervisors, County of Sacramento on

AUG 21 2007

By *Alison Munsley*
Deputy Clerk, Board of Supervisors

FILED

AUG 21 2007

BOARD OF SUPERVISORS
BY *Cindy H. Turner*
CLERK OF THE BOARD

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

STATE OF CALIFORNIA

COUNTY OF SACRAMENTO

On September 13, 2007, before me, Marcia Grunwaldt, personally appeared Cindy H. Turner, personally known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacities, and that by her signature on the instrument the person, or the entities upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.



Marcia Grunwaldt



OPTIONAL SECTION

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the document.

- INDIVIDUAL
- CORPORATE OFFICER(S)

Title(s)

- PARTNER(S)
- LIMITED
- GENERAL
- ATTORNEY-IN-FACT
- TRUSTEE(S)
- GUARDIAN
- CONSERVATOR

OTHER: Clerk to the Board of Supervisors

SIGNER IS REPRESENTING County of Sacramento

OPTIONAL SECTION

DATA REQUESTED HERE IS NOT REQUIRED BY LAW.

TITLE OR TYPE OF DOCUMENT: Ordinance No. SZC-2007-0046, for Fair Oaks Village Neighborhood Planning Area

DOCUMENT DATE: August 21, 2007.

No. of Pages: 8 pages

SIGNER(S) OTHER THAN NAMED ABOVE: None