

**COUNTY OF SACRAMENTO
INTER-OFFICE CORRESPONDENCE**

September 11, 2006

TO: PLANNING AND COMMUNITY DEVELOPMENT

FROM: *C* CINDY H. TURNER, Clerk
Board of Supervisors

SUBJECT: **06-ZOB-0193** - (COUNTY-WIDE/STEVENS)
**ZONING ORDINANCE AMENDMENT
SACRAMENTO COUNTY PLANNING AND COMMUNITY
DEVELOPMENT DEPARTMENT** - Located: County-wide

The Board of Supervisors meeting in regular session on August 29, 2006, took the following actions on the above referenced matter:

ZONING CODE AMENDMENT

Adopted a Zoning Code Amendment by Ordinance No. **SZC-2006-0031**, to implement a Design Review Process, as amended in Addendum #1 and #2, subject to the findings recommended by staff.

COMMERCIAL AND MIXED USE DESIGN GUIDELINES

Adopted the Commercial and Mixed Use Community Design Guidelines.

The Board recognized the Exempt status of the environmental document and directed staff to report back September 26, 2006 at 3:15 p.m. on any proposed amendments.

The complete file and copies of all documents are attached.

CHT:am

Attachment: Ordinance No. SZC-2006-0031

cc: In-House

ORDINANCE NO. SZC 2006-0031

**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE
COUNTY OF SACRAMENTO TO AMEND THE ZONING CODE
OF SACRAMENTO COUNTY, ORDINANCE NO. 83-10,
AS AMENDED RELATING TO DESIGN REVIEW**

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

SECTION 1: Chapter 10 , Article 11 of the Zoning Code is added as follows:

ARTICLE 11: DESIGN REVIEW

110-120. Generally

Compliance with the Community Design Guidelines is required for any commercial, industrial, residential, mixed-use, or public works project that meets all the following criteria:

- (a) Located in any one of the following land use zones:
 - Commercial Zones: BP, SC, LC, GC, AC, TC, C-O
 - Industrial Zones: MP, M-1, M-2
 - Special Zones: SPA
 - Non-residential projects in residential zones
 - Residential projects in commercial zones

- (b) Requires any one or more of the following discretionary entitlements or approvals:
 - General Plan Amendment
 - Community Plan Amendment
 - Rezone
 - Conditional Use Permit
 - Variance
 - Exception

Development Plan Review
Special Development Permit
County facility or public works projects not already subject to the
Pedestrian Master Plan

- (c) Requires any one or more of the following non-discretionary approvals:

Building permits.

Development Plan Approvals – staff level and others that are designated as non-discretionary.

Improvement Plans involving the reconstruction of parking lots.

Building permits for interior remodeling are exempt from this requirement.

110-121. Purpose

The purpose of Design Review is to: 1) create a sense of place in Sacramento County's mixed-use, commercial and business districts; 2) create mixed-use, commercial and business districts that are designed to promote the safety and convenience of the pedestrian; 3) promote high quality design; and 4) promote compatibility between new development and surrounding development.

110-122. Appropriate Authority to Conduct Design Review

- (a) Design Review Administrator. For discretionary projects, the Design Review Administrator shall conduct design review and make findings and recommendations to the appropriate hearing body regarding compliance with the Community Design Guidelines. For non-discretionary projects, the Design Review Administrator shall conduct design review and make findings and recommendations to the Planning Director regarding compliance with the Community Design Guidelines.
- (b) Design Review Advisory Committee. The Design Review Advisory Committee shall conduct design review and make findings and recommendations regarding compliance with the Community Design Guidelines. The Design Review Advisory Committee shall not have any final authority over projects and shall serve in an advisory and technical guidance capacity to the Design Review Administrator and Planning Director. The Planning Director shall adopt administrative procedures for conduct of meetings of the DRAC and the referral and review process. The Design Review Advisory Committee shall consist of the following three members: three individuals with a professional background in architecture, landscape architecture, or urban design appointed by the Planning Director. At least one of the design professionals shall have significant and demonstrated experience in the design of retail commercial development. Each member of the Design Review Advisory Committee shall be appointed to serve a one-year term.

110-123. Application

In addition to the information required by Section 110-01, the following information shall be submitted as part of the application for any project subject to design review:

- (a) Context analysis board;
- (b) Preliminary concepts; and
- (c) Completed design review checklist.

110-124. Findings and Recommendations

The appropriate hearing body for approval of discretionary projects, or the Planning Director for issuance of non-discretionary permits, shall find that the project: 1) substantially complies with the Community Design Guidelines as proposed or modified; or 2) would substantially comply with the Community Design Guidelines if modified with recommended modifications; or 3) does not comply with the Community Design Guidelines and should, as consequence, not be approved.

110-125. Conflicts with Other Provisions of the Zoning Code or County Code

To the extent that any other provision of the Zoning Code or Sacramento County Code conflicts with any provision of this Article or the Community Design Guidelines approved by the Board of Supervisors, the provisions of this Article or the Community Design Guidelines shall prevail.

110-126. Appeals

- (a) Non-discretionary projects. Any appeal of the Planning Director for which design review was conducted pursuant to this Article shall be heard by the appropriate Community Council, or if there is no Community Council, by the Project Planning Commission, notwithstanding Section 115-34 of this Code.
- (b) Discretionary projects. Appeals shall be made pursuant to Title I Article 3 of this Code.

SECTION 2. Section 115-34, Chapter 15, Article 2, of the Zoning Code is amended as follows:

Except as provided in Section 110-26, the Board of Zoning Appeals shall hear and decide all appeals from the actions of the Subdivision Review Committee, Zoning Administrator, Chief Building Inspector, Planning Director, or Secretary of the Planning Commission relating to the provisions of this Code. However, the appeal shall be heard by the Board of Supervisors if it is filed on the basis of any of the following:

- (a) The action appealed may have a significant effect upon the environment, or
- (b) An Environmental Impact Report has not been prepared or is deficient in any manner; or
- (c) A decision of the above-named decision-makers relates in any manner to an adult bookstore, adult motion picture theater, adult live theater, or an adult video tape store. (Amended 11/95)

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 the County of Sacramento, State of California.

On a motion by Supervisor Dickinson, seconded by Supervisor Collin, 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 29th day of August, 2006, by the following vote, to wit:

AYES: Supervisors Collin, Dickinson, Peters, MacGlashan
 NOES: Supervisors None
 ABSENT: Supervisors Nottoli
 ABSTAIN: Supervisors None



Roberta MacGlashan

CHAIRPERSON, Board of Supervisors
 County of Sacramento, California

In accordance with Section 26103 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

Cindy H. Turner
 CLERK OF THE
 BOARD OF SUPERVISORS

AUG 29 2006

By *Alison Murphy*
 Deputy Clerk, Board of Supervisors

FILED

AUG 29 2006

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

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

STATE OF CALIFORNIA

COUNTY OF SACRAMENTO

On September 21, 2006, before me, Marcia Grunwaldt, personally appeared Cindy H. Turner, proved 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-2006-0031.
DOCUMENT DATE: August 29, 2006
No. of Pages: 4 pages
SIGNER(S) OTHER THAN NAMED ABOVE: None