

**LAGUNA DEL SOL SPECIAL PLANNING AREA
(5-10-1)**

510-10. INTENT. It is the intent of the Board of Supervisors (“Board”) in adopting this Special Planning Area Ordinance to recognize the importance of Laguna del Sol to the County of Sacramento. In order to allow Laguna del Sol to coexist in a manner that is compatible in a spatial and aesthetic sense, and with the overall rural character of the surrounding community of Wilton, the Board believes that it is necessary to allow the continuation of historical uses of the property described in Section 510-21.1 in a manner which is compatible with the existing physical environment and surrounding land uses, and that conforms to the County General Plan goals and policies, and does not erode the community character of Wilton, but instead provides for a rational use of Laguna del Sol which is appropriately situated in a rural community such as Wilton.

510-11. APPLICABILITY. The Special Planning Area zoning is applicable to existing uses within the boundaries indicated in Section 510-21.1 and 510-21.2, attached. Uses within the area defined in Section 510-21.1 and 510-21.2 must conform to the approved Special Planning Area site plan as shown in Section 510-21.3, attached, and the development criteria established in Section 510-15 of this Ordinance, and must be approved by the Planning Director, or as otherwise provided herein.

510-12. BOUNDARIES. The boundaries of the Special Planning Area are shown in Section 510-21.1 and 510-21.2.

510-13. PERMITTED USES. This Special Planning Area includes a combination of residential, recreational, open space, and related uses for a resort and supporting mobile home park necessary to create a safe, healthy, and attractive living and recreation environment at Laguna del Sol. In furtherance of the intent expressed in Section 510-10, the Board declares that each principle building including all mobile homes, Park Models, and recreational vehicles, and each use, in existence as of June 3, 1994, is a conforming building, and a conforming use.

The following are the permitted uses within this Special Planning Area, and their locations are depicted in Section 510-21.2. Note that the uses approved by the State Department of Housing and Community Development as part of the mobile home park, are used in conjunction with the resort operations. Otherwise, all facilities for the resort are ancillary facilities to the mobile home park.

(a) Mobile Home Park/Resort

1. Permanent mobile home resident sites, 42 units;
2. Recreational vehicles, 74 units; seasonal use only.
3. Park Models, 51 units; seasonal use only.

4. Clubhouse containing offices and lounge;
5. Restaurant (The Lakeside Inn);
6. Boutique (1);
7. Weight room (1);
8. Sauna facility (1);
9. Laundry rooms (2);
10. Open air stage (1);
11. Volley ball courts (2);
12. Tennis courts (2);
13. Swimming pools (2);
14. Dormitory for 8 temporary employees (1 building)
15. Maintenance landscaping sheds (2);
16. Showers and bathroom buildings (3);
17. Office grounds and maintenance mobile home (1);
18. RV storage (1);
19. Shuffleboard and horseshoes (2 each);
20. Recreation room (1);
21. Picnic areas (2);
22. Playgrounds (2);
23. 25 acre lake (1).
24. Partial RV hook-up - electric only (11);
25. Dry camping facilities (combined tents and RVs without hook-ups), 300 sites.

(b) Accessory Uses

Other existing accessory uses and buildings customarily appurtenant to a permitted use as specified in Title 1 of the Zoning Code.

510.14. **CONDITIONAL USES.** Except as provided herein in Section 510-13 which identifies permitted uses and except for routine maintenance, repairs and replacements, the Owner agrees that there shall be no further expansion of existing non-agricultural commercial facilities of the property; i.e., no major add-ons to stores, shops, boutiques, gyms, eateries, etc., for a period of eight (8) years, to and including January 1, 2004. The Owner agrees that no additional non-agricultural commercial facilities will be introduced onto the property for a period of eight (8) years, to and including January 1, 2004. Any proposal thereafter for any major additions (25% or more of floor area) to existing structures, construction of new structures or any new uses on the property shall be subject to the approval of a conditional use permit by the Project Planning Commission. Such a use permit application must comply with all the applicable provisions outlined in Title I, Chapter 10, Article 1 and Article 3 of this Code.

Prior to action by the Planning Commission, any application for a use permit shall first be referred to the Cosumnes Community Planning Advisory Council for a public hearing and for the Council's review and advisory recommendation.

510.15. DEVELOPMENT AND PERFORMANCE STANDARDS. The following standards shall apply to the property identified in Sections 510-21.1 and 510-21.2:

(a) Height Requirements

No structure shall exceed 30 feet in height.

(b) Separation of Mobile Homes

As to mobile homes, recreational vehicles, and Park Models, there should not be less than six feet between any such unit. The front and rear yard shall have a setback of no less than 20 feet from perimeter property lines. As to other structures, there shall be a minimum setback from adjacent properties not less than 30 feet.

(c) Parking

As to all mobile homes, recreational vehicles, and Park Models, there shall be at least two off-street auto parking spaces, and at least one additional space for guest parking for each eight mobile homes, recreational vehicles, or Park Models, within the park. For other occupied structures, there shall be one parking space per every 250 square feet of building space, except buildings used for storage purposes, for which parking is not required.

The public parking lot located outside the main gate shall comply with the development criteria for parking space size (Section 330-80 and 81), handicap parking (330-82), interior landscaping (330-94(c)) and interior shading (330-94(d)).

(d) Storage

One storage area may be provided for the storage of boats, campers, camping trailers, utility trailers, and extra vehicles. Any storage yard shall be screened with fast growing vegetation selected from the County's approved list of Plant Materials for Parking Lot Landscaping.

(e) Recreation Areas

Recreation areas must be landscaped and maintained in a dust free condition.

(f) Landscaping

The naturally rolling terrain of Laguna del Sol is tree-covered, and contains established vegetation. These feature have been, and will continue to be, utilized as landscaping for the site. Landscaping is required in the clubhouse/offices parking facility, and will comply with all shading requirements.

510.16. DEVELOPMENT PLAN REVIEW. Reconstruction, restoration and minor additions (less than 25% of the floor area) to existing structures shall be subject to Development Plan Review by the Director of the Planning and Community Development Department, pursuant to the procedures outlined in Title I, Chapter 10, Article 7 of this Code.

510-17. SIGNAGE. On-site directional/informational signage is present and shall be permitted on the privately owned portions of the site. Any signage visible from surrounding areas or located beyond the limits of the subject property shall be permitted subject to issuance of a use permit by the Zoning Administrator.

510-18. ACCESS/CIRCULATION. Access to Laguna del Sol via Quince Lane, portions of which are public right-of-way and privately owned roadway terminating at the entrance of the site. Public access to Laguna del Sol is controlled by the presence of a security gate. Internally, there exists a circulation network of roadways and pedestrianways which provide access to the facilities contained therein.

510-19. CONDITIONS. The following conditions shall apply to all properties regulated by this Special Planning Area Ordinance, as described in Sections 510-21.1 and 510-21.2:

1. Prior to any expansion, increase in density, change in use, and/or development plan review as required in the SPA, submit a letter to the Planning Department, from the fire district having jurisdiction, stating that the proposed changes meet the requirements of the fire district.
2. Prior to additional development or improvements to the project site, the site shall be inspected by the County Environmental Management Department to determine the adequacy of the water supply facilities. Any additional facilities shall be installed pursuant to Sacramento County Code Chapter 6.28 which is enforced by the County Environmental Management Department.
3. Prior to additional development or improvements to the project site, the site shall be inspected by the County Environmental Management Department to determine the adequacy of the sewage treatment facilities. Any additional facilities shall be

installed pursuant to Sacramento County Code Chapter 6.32 which is enforced by the County Environmental Management Department.

4. During review of Development Plans for the project site, the plans shall be submitted to the County Water Resources Division for review regarding compliance with the County Landscape Ordinance (SCC 14.10).
5. Prior to issuance of a grading permit, building permit, development plan approval, and/or any other County approval of development on the project site, the project applicant or property owner shall submit, to the Department of Environmental Review and Assessment and the Planning and Community Development Department, the U.S. Army Corps of Engineers approved permit with an approved mitigation plan for the nine acres of existing wetlands loss in the lake area.
6. Prior to issuance of a grading permit, building permit, development plan approval, and/or any other County approval of future development on the project site, the project applicant or property owner shall obtain all applicable permits from the U.S. Army Corps of Engineers and shall comply with all conditions imposed by the permits.
7. The oak trees on the project site which are located in the area of the property proposed for development, all portions of adjacent off-site oak trees which extend onto the area of the property proposed for development, and all off-site oak trees which may be impacted by utility installation and/or improvements associated with the development, shall be preserved and protected as follows:
 - a. An arborist report and/or encroachment impact assessment prepared by a certified arborist shall be submitted to the Planning Department with each Development Plan Review request. the report and/or assessment shall include the following:
 - (1) Trunk location, dripline radius, species, size and health of all oak trees and all portion of oak trees which extend onto the area of the property proposed for development, and
 - (2) General maintenance recommendations (i.e., cabling, crown clean out, fertilization, etc.), and corrective measures designed to minimize impacts created by encroachment into the dripline radius and/or tree canopy for all oak trees and all portions of oak trees which extend onto the area of the property proposed for development.

- b. Any trees proposed for removal shall be indicated on the Development Plans. Only those trees approved for removal shall be removed under the direct supervision of a certified arborist. The oak trees which are removed and those determined to be severely impacted (lost) by the certified arborist pursuant to measures 5 and/or 8 below, shall be replaced at a ratio of one fifteen gallon native oak tree for each inch of diameter at breast height (dbh) lost and/or impacted. The replacement oak trees shall be either valley oak (Quercus lobata) and/or interior live oak (Quercus wislizenii) and shall be planted on the project site. An oak tree replacement planting plan shall be submitted to the Planning Department with each Development Plan Review request which results in either removal and/or potential severe impacts to native oak trees. The replacement planting plan shall include, at a minimum, the following elements:
- (1) Location of the replacement planting areas within the Laguna del Sol community and the species which are proposed to be planted. the replacement trees shall be planted within the 12 months following the date that the building permit is approved and shall be planted in accordance with Exhibit M in the Initial Study.
 - (2) Maintenance arrangements that will provide care and irrigation of the replacement trees for a three year establishment period. The name of the entity that is responsible for implementing the maintenance program.
 - (3) Planting schedules and maintenance schedules shall be identified.
- c. A circle with a radius measurement from the trunk of the tree to the tip of its longest limb shall constitute the dripline protection area of each tree. Limbs must not be cut back in order to change the dripline. The area beneath the dripline is a critical portion of the root zone and defines the minimum protected area of each tree. Removing limbs which make up the driplines does not change the protected area..
- d. Chain link fencing or a similar protective barrier shall be installed one foot outside the driplines of oak trees in the project development area and all portions of off-site oak tree driplines which extend onto the project development area prior to initiating project construction, in order to avoid damage to the trees and their root systems. The barrier around those oak tree driplines which will be encroached into by the structure or driveway can be moved subsequent to grading to allow construction. The new barrier location shall be four (4) feet outside the structure wall and/or driveway location.

- e. A piped aeration system shall be installed at all locations where impervious surfaces and/or structural development will occur within the dripline protection area of the oak trees located in the area of proposed development. Plans for the aeration system shall be consistent with Exhibit L in the Initial Study. Installation of the aeration system shall be performed under the direct supervision of a certified arborist. If, in the opinion of the certified arborist, encroachment into the dripline protection area is severe, then the affected tree shall be retained on site but determined lost, and mitigation as required in Condition 7.b. shall be imposed.
- f. No signs, ropes, cables (except cables which may be installed by a certified arborist to provide limb support) or any other items shall be attached to the oak trees.
- g. No vehicles, construction equipment, mobile home/office, supplies, materials or facilities shall be driven, parked, stockpiled or located within the dripline of oak trees.
- h. No grading (grade cuts or fills) shall be allowed within the driplines of oak trees with the exception of minor encroachment on the Final Development Plans. If, in the opinion of the certified arborist, permitted grading in the dripline protection area is severe, then the affected oak tree shall be retained on-site but determined lost, and mitigation for oak tree replacement shall be imposed.
- i. All driveways which pass through the driplines of oak trees shall be constructed such that the entire driveway section is placed directly above existing grade. No excavation for driveway construction shall be allowed within oak tree driplines.
- j. No trenching shall be allowed within the driplines of oak trees. If it is absolutely necessary to install underground utilities within the dripline of a tree, the utility line shall be either bored or drilled under the supervision of a certified arborist.
- k. Landscaping beneath oak trees may include nonplant materials such as boulders, decorative rock, wood chips, organic mulch, non-compacted decomposed granite, etc. Landscape materials shall be kept two (2) feet away from the base of the trunk. The only plant species which shall be planted within the driplines of oak trees are those which are tolerant of the natural

semiarid environs of the trees. A list of such drought-tolerant species is included as Attachment 6 in the Initial Study. Limited drip irrigation approximately twice per summer is recommended for the understory plants.

- l. No sprinkler or irrigation system shall be installed in such a manner that it sprays water within the driplines of the oak trees.
 - m. Include all of the above measures verbatim as Construction Notes on any/all Preliminary Grading Plans, Improvement Plans and Building/Development Plans which are submitted to the Department of County Engineering and/or the Planning Department for each project, as well as any/all revisions to those Plans which are subsequently submitted.
8. Should any cultural resources, such as structural features, unusual amounts of bone or shell, artifacts, human remains, or architectural remains be encountered during any development activities, work shall be suspended and the Department of Environmental Review and Assessment shall be immediately notified at 440-7914. At that time, the Department of Environmental Review and Assessment will coordinate any necessary investigation of the site with appropriate specialists as needed. The project proponent shall be required to implement any mitigation deemed necessary for the protection of the cultural resources. In addition, pursuant to Section 5097.98 of the State Public Resources Code, and Section 7050.5 of the State Health and Safety Code, in the event of the discover of human remains, all work is to stop and the County Coroner shall be immediately notified. If the remains are determined to be Native American, guidelines of the Native American Heritage Commission shall be adhered to in the treatment and disposition of the remains.
 9. Nothing in this Zoning Ordinance, wherein reference is made to agreements to limit non-agricultural commercial expansions or additions for a specified period of time; i.e., for eight (8) years, shall be construed to imply that the community will support such expansions or additions once the period of time has elapsed.
 10. Out-dated recreational vehicles shall be substituted with Park Models, and the occupancy of Park Models shall be subject to change every 180 days.
 11. Each recreational vehicle may stay on-site subject to change in occupancy every 180 days.

12. No occupant of either a Park Model or recreational vehicle may circumvent the permanent occupancy restrictions herein by moving from one unit to another beyond the 180 day time constraint.
13. The dry camping facilities shall reach maximum usage (300 sites) on a maximum of three (3) weekend periods (each weekend period not to exceed four days) from May 15 through September 15 of each year.
14. Except as set forth in Condition No. 13 above, dry camping facilities shall not exceed a maximum of 150 sites from May 15 through September 15 of each year.

510-20. FINDINGS.

- (1) The area known as the Laguna del Sol has a combination of environmental, historic, and architectural features which together, create a unique ambiance and resource which justifies the adoption of this Special Planning Area zone.
- (2) These features cannot be adequately protected by adoption of any other zone.
- (3) This Special Planning Area zone is of sufficient size that adoption of the regulation contained herein will not constitute the granting of a special privilege, nor deprivation, of property rights.
- (4) This Special Planning Area zone provides for reasonable uses of the land and will not cause undue hardships on property owners within or outside of this zone.

510-21. EXHIBITS. Sections 510-21.1 through 510-21.3 regulate the property described in Section 510-11 and are attached hereto and by this reference incorporated in the SPA.

Section 510-21.1	Area Regulated by the SPA
Section 510-21.2	Zoning Exhibit
Section 510-21.3	Site Plan