

ORDINANCE NO. 1679

ORDINANCE AMENDING TITLE 19 (ZONING) OF THE AMADOR COUNTY CODE, CHAPTER 19.24 DISTRICT REGULATIONS, SECTION 19.24.040 DISTRICT REGULATIONS GENERALLY, SECTION 19.24.044 MM, MEDIUM MANUFACTURING DISTRICT, AND CHAPTER 19.48 GENERAL PROVISIONS AND EXCEPTIONS BY AMENDING SECTION 19.48.160 SEA/LAND STORAGE CONTAINER REGULATIONS.

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

SECTION 1. Recitals of Fact:

WHEREAS, the Amador County Board of Supervisors considers the orderly placement of cargo containers necessary to encourage appropriate locations, protect the character of the neighborhoods and communities, reduce the potential for health and safety hazards, and maintain the visual quality of Amador County; and

WHEREAS, the Amador County Board of Supervisors determined the limitations of the existing sea/land container ordinance warranted amendments so that it more adequately meets the needs and the desires of the County; and

WHEREAS, the Board of Supervisors adopts this ordinance with the findings contained in the pertinent Board minutes and because the public necessity, convenience, and general welfare require such an amendment.

SECTION II. Chapter 19.24 District regulations, Section 19.24.040 District Regulations- Generally, Subsection "C1," is amended by deleting item 6.

SECTION III. Chapter 19.24 District Regulations, Section 19.24.040 District Regulations- Generally, Subsection "C2," is amended by deleting item 10.

SECTION IV. Chapter 19.24 District Regulations, Section 19.24.040 District Regulations- Generally, Subsection "M," is amended by deleting item 15.

SECTION V. Chapter 19.24 District Regulations, Section 19.24.044 MM medium manufacturing district, Subsection D. Uses Permitted Subject to First Securing an Approved Use Permit is amended by deleting item 7.

SECTION VI. Chapter 19.48 General Provisions of Title 19 (Zoning) of Amador County Code is amended by amending Section 19.48.160 Sea/Land Storage Container Regulations to read as follows:

19.48.160 Cargo container regulations.

A. Purpose. This section establishes regulations for the use of cargo containers that will provide for the orderly placement of cargo containers in appropriate locations to protect the character of neighborhoods and communities, reduce the potential for health and safety hazards, and maintain the visual quality of Amador County.

B. Definition. A "cargo container" refers to a container made of steel or other similar material which is designed for securing and protecting items for transport or temporary storage. Cargo containers include, but are not limited to, containers commonly used as a shipping container on ships and railroads, and/or tractor-trailers, PODS (Portable On Demand Storage) and other similar units. Signs shall not be permitted on, or attached to, cargo containers, except those signs required by law that contain public safety information for the container. For the purposes of this section a cargo container shall be referred to as a "container."

C. Temporary use. Containers shall be allowed in any of the zone districts listed in subsection (D) of this Section for a period not to exceed sixty (60) consecutive days in any one calendar year. If the placement of the container(s) exceeds sixty (60) consecutive days in any one calendar year, the container(s) shall meet the requirements specified in subsection (D) of this Section.

D. Allowed Zone Districts. Containers shall be allowed in the "A," "AG," "TPZ," "R1A," "RE," "R1," "R2A," "R2," and "X" (when in a residential, agricultural, or MRZ, Mineral Resource Zone general plan designation), "C1," "C2," "MM," and "M" zone districts subject to meeting the following criteria:

1) Parcels six (6) acres or less in size and zoned "R1," "R2," "R2A," "R1A," "RE," and "X," (when in a residential general plan) shall be limited to one container.

2) All containers placed in a zone district listed in this subsection shall, at a minimum, meet structural setbacks for the zone district in which located or those required pursuant to Amador County Code Section 15.30, which ever is greater as well as those setbacks outlined in Section 19.48.110.I (Yards and Setbacks).

3) Containers shall be painted a solid neutral color, or a color(s) that match the adjacent structures. Acceptable neutral colors include, but are not limited to, beige, taupe, and browns. Colors shall be maintained for the life of the container.

4) Storage of hazardous materials shall be subject to applicable regulations established in the Health and Safety Code Section 25503.5.

E. Additional Requirements. Containers proposed to be utilized as mini-warehouses or in conjunction with a mini-warehouse operation shall be subject to a use permit pursuant to Chapter 19.56. The use permit shall, at a minimum, comply with the criteria established for mini-warehouses in Section 19.08.396 as well as the criteria established in Subsection (C) of this Section.

F. All Other Zone Districts. Containers may be allowed in all other zone districts subject to obtaining a use permit pursuant to Chapter 19.56.

G. Building Permits. Building permits shall not be required for the placement of containers unless or until the container is altered or modified (in a manner that requires a building permit). Additionally, cargo containers may only be used for human occupancy, subject to a building permit, when consistent with all general plan policies and zoning regulations.

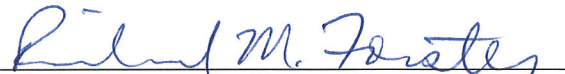
SECTION VII. This ordinance or a summary thereof shall be published in the manner prescribed in Government Code Section 25124 and shall become effective thirty (30) days after the date of adoption.

The foregoing ordinance was duly passed and adopted by the Board of Supervisors of the County of Amador at a regular meeting thereof, held on the 19th day of August 2008, by the following vote:

AYES: Richard M. Forster, Theodore Novelli, Louis Boitano, Brian Oneto

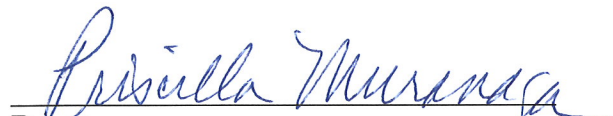
NOES: None

ABSENT: Rich F. Escamilla


Chairman, Board of Supervisors

ATTEST:

JENNIFER BURNS, Clerk of the
Board of Supervisors, Amador County,
California


Deputy