

Before the Board of Supervisors County of Placer, State of California

In the matter of:

Ordinance No. 5565-B

AN ORDINANCE AMENDING THE PLACER COUNTY CODE,
CHAPTER 17, ZONING TEXT AMENDMENT (PZTA 20090114)
RELATED TO OUTDOOR EATING AREAS.

The following Ordinance was duly passed by the Board of Supervisors
of the County of Placer at a regular meeting held July 7, 2009,
by the following vote on roll call:

Ayes: WEYGANDT, HOLMES, MONTGOMERY, UHLER

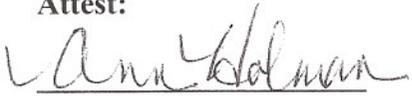
Noes: NONE

Absent: ROCKHOLM

Signed and approved by me after its
passage.


Chairman, Board of Supervisors

Attest:



Ann Holman
Clerk of said Board

THE BOARD OF SUPERVISORS OF THE COUNTY OF PLACER, STATE OF CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

Section 1: Article 17.04.030 of Chapter 17 of the Placer County Code is amended as follows:

17.04.30 Definitions

“Restaurants and bars” (land use) means restaurants, bars and other establishments selling prepared foods and drinks for on-premise consumption, as well as facilities for dancing and other entertainment that are secondary and subordinate to the principal use of the establishment as an eating and drinking place. Also includes drive-in restaurants, lunch counters, brew pubs, outdoor

eating areas, wine tasting rooms not on winery premises and refreshment stands selling prepared goods and drinks for either immediate or off-premises consumption. Restaurants, lunch counters, and drinking places operated as subordinate service facilities within other establishments are not included here unless they are operated as leased departments by outside operators, includes catering services incidental to food preparation for on-site consumption. See Section 17.56.190 for specific use requirements applicable to restaurants with outdoor eating area. (SIC: Group 58)

Section 2: Article 17.54.060 of Chapter 17 of the Placer County Code is amended as follows:

17.54.060 Parking space requirements by land use

6. Retail Trade Uses shall provide the following number of off-street spaces, but no less than two spaces for each separate retail trade use or rental tenancy.

| Retail Trade Land Uses | Number of Parking Spaces Required |
|---|---|
| Auto, mobile home, vehicle and parts sales | 1 per 1,500 sq. ft. of use area |
| Building material and hardware stores | 1 per 1,500 sq. ft. of use area |
| Farm equipment and supplies sales | 1 per 700 sq. ft. of use area |
| Fuel and ice dealers | 1 per 1,500 sq. ft. of use area |
| Furniture, furnishings and equipment stores | 1 per 1,500 sq. ft. of use area |
| Grocery and liquor stores | 1 per 300 sq. ft. of use area |
| Mail order and vending | 1 per 300 sq. ft. of use area |
| Nursery products | 1 per 1,500 sq. ft. of use area |
| Outdoor Retail Sales | As required by subsection (B)(1) for seasonal sales As required for principal use for other outdoor sales |
| Restaurants and bars | 1 per 100 sq. ft. of floor area |
| Restaurants, fast food | 1 per 100 sq. ft. of floor area |
| <u>Restaurants, outdoor eating areas</u> | <u>1 per 100 hundred sq. ft. of outdoor eating area, or one per four seats within an outdoor eating area, whichever is more restrictive*</u> |
| Retail stores, general merchandise | 1 per 300 sq. ft. of floor area |
| Roadside stands for agricultural products | 1 per 100 sq. ft. of floor area |
| Secondhand stores | 1 per 300 sq. ft. of floor area |
| Shopping centers | 1 per 200 sq. ft. of floor area |

***Seasonal outdoor eating areas established by relocating seating from the interior of the restaurant to the exterior of the restaurant that do not change the total possible number of patrons to be served shall not be required to provide additional parking required by this standard.**

Section 3: Article 17.56.190 of Chapter 17 of the Placer County Code is amended as follows:

Section 17.56.190 Restaurants.

A. Outdoor eating areas. When restaurants and bars are allowed by Sections 17.06.030 et seq. (Allowable land uses and permit requirements) in the zone applicable to a site, any proposed outdoor eating areas are subject to the requirements of this section.

1. Permit Requirement. Outdoor eating areas shall be subject to those permit requirements established by this chapter for the restaurant or bar with which said areas are associated, where the outdoor eating area also conforms to the requirements of this section.

Outdoor eating areas that do not conform to the requirements of this section (such as hot dog stands, shaved ice vendors, etc.) may be authorized by minor use permit approval (see also Section 17.56.160(E) (Sales from Vehicles)).

- ~~2. Capacity of Outdoor Eating Area. An outdoor eating area shall not exceed the most restrictive of the following limits, except where authorized by Minor Use Permit approval:~~

~~a. Twenty five (25) percent of the indoor dining area of the restaurant; or~~

~~b. Five tables; or~~

~~c. A capacity of twenty (20) people.~~

- ~~2.3. Parking. Off-street parking shall be provided for use by patrons of the outdoor eating area at a ratio of one half that required for the interior of the restaurant or bar by one parking space per 100 square feet of outdoor eating area or one parking space per four seats within an outdoor eating area, whichever is more restrictive by (See Section 17.54.060 (Parking space requirements by land use).~~

Section 4: This ordinance shall be in full force and effect upon thirty (30) days after its passage. The Clerk is directed to publish a summary of this ordinance within fifteen (15) days in accordance with Government Code Section 25124.