

ORDINANCE NO. 2020-0024

Adopted by the Sacramento City Council

June 30, 2020

**An Ordinance Amending Sections 17.424.060 and 17.424.070 of the Sacramento City Code
Relating to Cannabis Uses in the Del Paso Boulevard/Arden Way Special Planning District**

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

SECTION 1.

The city council finds the following:

1. As amended by this ordinance, the Planning and Development Code complements, supports, and facilitates the implementation of the goals, policies, and other provisions of the general plan and the city's specific plans and transit village plans; and
2. The amendments in this ordinance promote the public health, safety, convenience, and welfare of the city.

SECTION 2.

Section 17.424.060 of the Sacramento City Code is amended to read as follows:

17.424.060 C-2 general commercial zone.

A. Allowed uses.

1. Except as provided in subsections B, C, D, and E of this section, the uses permitted in the C-2 zone under this title outside of the Del Paso Boulevard/Arden Way SPD are allowed in the C-2 zone within the Del Paso Boulevard/Arden Way SPD.
2. If this title requires the approval of a conditional use permit or other discretionary permit, or imposes other restrictions or requirements on the establishment of a particular use in the C-2 zone outside of the Del Paso Boulevard/Arden Way SPD, approval of the same discretionary permit and compliance with the same restrictions or

requirements are required for the use in the C-2 zone within the Del Paso Boulevard/Arden Way SPD.

B. Allowed uses—Manufacturing, service, and repair. Manufacturing, service, and repair uses are allowed in the C-2 zone within the Del Paso Boulevard/Arden Way SPD as follows:

1. Manufacturing, service, and repair uses not exceeding 6,400 gross square feet of floor area are allowed.

2. Manufacturing, service, and repair uses greater than 6,400 but less than 20,000 gross square feet of floor area are allowed, subject to the following requirements:

- a. The use requires a zoning administrator conditional use permit;

- b. Newly constructed buildings for this use shall be designed to be convertible to commercial use; and

- c. If located on Del Paso Boulevard, the use shall have an office or another active commercial use facing the street.

C. Allowed uses—Tobacco retailing. Tobacco retailing is allowed in the C-2 zone within the Del Paso Boulevard/Arden Way SPD with a zoning administrator conditional use permit.

D. Allowed uses – Cannabis manufacturing, cannabis distribution, and delivery-only cannabis dispensary uses are allowed on parcels that front Del Paso Boulevard or Arden Way in the C-2 zone as follows:

1. The uses do not exceed one-third of the gross square feet of the floor area of the parcel.

2. The uses can only be accessed from the rear of the parcel.

3. The uses are not visible from the public right-of-way.

E. Prohibited uses. The following uses are prohibited in the C-2 zone in the Del Paso Boulevard/Arden Way SPD:

1. Adult entertainment business;

2. Adult-related establishment;

3. Check-cashing center;

4. Mortuary; crematory; and

5. Cannabis cultivation on parcels fronting Del Paso Boulevard or Arden Way.

SECTION 3.

Section 17.424.070 of the Sacramento City Code is amended to read as follows:

17.424.070 M-1 light industrial zone.

A. Allowed uses.

1. Except as provided in subsections B, C, D, and E of this section, the uses permitted in the M-1 zone under this title outside of the Del Paso Boulevard/Arden Way SPD are allowed in the M-1 zone within the Del Paso Boulevard/Arden Way SPD.

2. If this title requires the approval of a conditional use permit, or other discretionary permit, or imposes other restrictions or requirements on the establishment of a particular use in the M-1 zone outside of the Del Paso Boulevard/Arden Way SPD, approval of the same discretionary permit and compliance with the same restrictions or requirements are required for the use in the M-1 zone within the Del Paso Boulevard/Arden Way SPD.

B. Allowed uses—Office. Office uses are allowed in the M-1 zone in the Del Paso Boulevard/Arden Way SPD, as follows:

1. Office uses not exceeding 10,000 gross square feet of floor area, or up to 35% of gross floor area of building per parcel, whichever is greater, are allowed.

2. Office uses located less than ¼ mile from a light rail station that do not exceed 40,000 gross square feet of floor area and are located in a building with a floor area ratio of 0.4 or greater are allowed.

3. Office uses that are not covered by paragraph 1 or 2 of this subsection require a planning and design commission conditional use permit.

C. Allowed uses—Tobacco retailing. Tobacco retailing is allowed in the M-1 zone within the Del Paso Boulevard/Arden Way SPD with a zoning administrator conditional use permit.

D. Allowed uses – Cannabis manufacturing, cannabis distribution, and delivery-only cannabis dispensary uses are allowed on parcels that front Del Paso Boulevard or Arden Way in the M-1 zone as follows:

1. The uses do not exceed one-third of the gross square feet of the floor area of the parcel.

2. The uses can only be accessed from the rear of the parcel.

3. The uses are not visible from the public right-of-way.

E. Prohibited uses. The following uses are prohibited in the M-1 zone in the Del Paso Boulevard/Arden Way SPD:

1. Adult entertainment business;
2. Adult-related establishment;
3. Auto dismantler;
4. Mobilehome sales, storage;
5. Recycling facility; and
6. Cannabis cultivation on parcels fronting Del Paso Boulevard or Arden Way.

F. Development standards. In the M-1 zone in the Del Paso Boulevard/Arden Way SPD, outdoor storage incidental to a manufacturing use is allowed within 100 feet of the manufacturing use it serves. Outdoor storage shall be screened within an area enclosed on all sides by a solid fence (such as woven wire with slats) or a solid wall, at least six feet in height.

Adopted by the City of Sacramento City Council on June 30, 2020, by the following vote:

Ayes: Members Carr, Guerra, Hansen, Harris, Jennings, Schenirer, Warren and Mayor Steinberg

Noes: Member Ashby

Abstain: Member Warren

Absent: None

Attest: **Mindy Cuppy** Digitally signed by Mindy Cuppy
Date: 2020.07.06 12:57:04
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Mindy Cuppy, City Clerk

The presence of an electronic signature certifies that the foregoing is a true and correct copy as approved by the Sacramento City Council.

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