

# ORDINANCE NO. 2006-053

Adopted by the Sacramento City Council

October 3, 2006

## AMENDING SECTIONS 17.108.020 AND 17.108.030 OF TITLE 17 OF THE SACRAMENTO CITY CODE (THE ZONING CODE) RELATING TO USES IN THE DEL PASO BOULEVARD SPECIAL PLANNING DISTRICT (M06-040)

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

**SECTION 1.** Section 17.16.010 of Title 17 of the Sacramento City Code (the Zoning Code) is amended as follows:

- A. Section 17.16.010 is amended by adding the definition of "retail tobacco store" to read as follows:

"Tobacco store" means a place utilized primarily for the sale to members of the general public at retail of tobacco products or accessories, and in which the sale of other products is merely incidental.

- B. Except as specifically amended in this Section 1, all other provisions of section 17.16.010 remain unchanged and in full force and effect.

**SECTION 2.** Section 17.108.020 of Title 17 of the Sacramento City Code (the Zoning Code) is amended as follows:

17.108.020 C-2 SPD—Special regulations and restrictions.

Development for properties with C-2 zoning within Del Paso Boulevard SPD shall be subject to the following special rules and regulations, in addition to the other regulations of this title. In the event of conflict between the provisions of this section and other provisions of this title, the provisions of this section shall prevail.

- A. Prohibited Uses.

In addition to other uses prohibited in the underlying zone, the following additional uses are prohibited for properties with C-2 zoning in the Del Paso Boulevard SPD:

1. Adult entertainment business;
2. Adult related establishment;

3. Astrology and related practices;
4. Tattoo and/or body piercing parlors;
5. Used appliance sales;
6. Auto sales (new and used), storage;
7. RV/mobilehome sales yard;
8. RV storage;
9. RV repair;
10. Mini storage/surface storage;
11. Used tire storage and sales;
12. Check cashing center and check cashing facility;
13. Money lender;
14. Mortuary;
15. Card room;
16. Bingo activities licensed under Chapter 5.24 of this code;
17. Retail tobacco store;
18. Laundromat.

B. Planning Commission Approval Required.

The following uses, although generally discouraged because of overconcentration problems and the potential nuisance and other problems associated with such uses, are permitted in the C-2 zone in the special planning district, subject to the issuance of a special permit by the planning commission, provided that, in addition to other findings required by Chapter 17.212 of this title, the planning commission must find that the use will meet one or more of the goals set forth above:

1. Auto service and repair, rental;
2. Bed and breakfast inn;

3. Hotel;
4. Motel;
5. Social services;
6. Thrift stores/Pawn Shops

C. Manufacturing Establishments.

Notwithstanding the provisions of Section 17.24.040(B) of this title, the zoning administrator may approve the use of a total of twenty thousand (20,000) square feet of gross floor area of a building for manufacturing purposes, subject to the following requirements:

1. The manufacturing use shall not create noise levels that exceed the standards set forth in Section 8.68.060 of this code.
2. Building expansions shall meet the adopted design guidelines for North Sacramento project area.
3. New buildings in the C-2 zone shall be designed to be convertible to the commercial uses of the underlying C-2 zone.

D. Residential Uses in C-2 Zones.

Notwithstanding the provisions of Section 17.24.020 of this title, residential uses in the C-2 zone are permitted upon approval of a zoning administrator's special permit.

E. Fraternity and Sorority Uses in Certain C-2 Zone Areas.

Notwithstanding Section 17.24.050(47) of this title, fraternity/sorority house/dormitory uses for the C-2 zone lying between Arden Way, El Monte Avenue, and Colfax Street, are allowed subject to a zoning administrator's special permit.

F. Design Review Guidelines.

Properties within the Del Paso SPD are subject to the North Sacramento design review guidelines. These guidelines address aesthetics, setbacks, fencing and landscaping.

**SECTION 3.** Section 17.108.030 of Title 17 of the Sacramento City Code (the Zoning

Code) is amended as follows:

17.108.030 M-1 SPD—Special regulations and restrictions.

Development for properties with M-1 zoning within Del Paso Boulevard SPD shall be subject to the following special rules and regulations, in addition to the other regulations of this title. In the event of conflict between the provisions of this section and other provisions of this title, the provisions of this section shall prevail.

A. Prohibited Uses.

In addition to other uses prohibited in the underlying zone, the following additional uses are prohibited for properties with M-1 zoning in the Del Paso Boulevard SPD:

1. Adult entertainment business;
2. Adult related establishment;
3. Astrology and related practices;
4. Tattoo and/or body piercing parlors;
5. Used appliance sales;
7. Auto sales (new and used), storage;
8. RV/mobilehome sales yard;
9. RV storage;
10. RV repair;
11. Recycling facilities;
12. Auto dismantler;
13. Used tire storage and sales;
14. Check cashing center and check cashing facility;
15. Money lender;
16. Pawn shop;
17. Mortuary;

18. Card room;
19. Bingo activities licensed under Chapter 5.24 of this code;
20. Retail tobacco stores;
21. Laundromat.

B. Planning Commission Approval Required.

The following uses, although generally discouraged because of over-concentration problems and the potential nuisance and other problems associated with such uses, are permitted in the M-1 zone in the special planning district, subject to the issuance of a special permit by the planning commission, provided that, in addition to other findings required by Chapter 17.212 of this title, the planning commission must find that the use will meet one or more goals for the Triangle Area, as set forth in Section 17.108.010(B) of this chapter.

1. Auto service and repair, rental;
2. Bed and breakfast inn;
3. Hotel;
4. Motel;
5. Social services.
6. Thrift store.

C. Special Permit Requirements for Office Use in M-1 Zone.

Notwithstanding the provisions of Section 17.24.050(35) of this title, office uses zoned M-1-SPD are not required to be incidental to an industrial use, and are permitted as a matter of right up to thirty-five (35) percent of the gross floor area of the building(s) on the property used for the underlying business. The zoning administrator shall also have authority to issue a special permit for up to forty thousand (40,000) square feet of office uses for properties zoned M-1-SPD.

D. Outdoor Storage Use in the M-1 Zone.

Outdoor storage is not allowed unless such use is incidental to allowed

manufacturing uses in the M-1 zone. Outdoor storage that is incidental to the allowed manufacturing uses may be approved within one hundred (100) feet of the manufacturing use by right. A zoning administrator's special permit shall be required for outdoor storage up to three hundred (300) feet from the manufacturing use. All outdoor storage shall be adequately screened within an area enclosed on all sides by a solid fence (such as woven wire with slats), or a solid wall which is at least six feet in height.

E. Design Review Guidelines.

Properties within the Del Paso SPD are subject to the North Sacramento design review guidelines. These guidelines address aesthetics, setbacks, fencing and landscaping.

Adopted by the City of Sacramento City Council on October 3, 2006 by the following vote:

Ayes: Councilmembers, Fong, Hammond, McCarty, Pannell, Sheedy, Tretheway, Waters.


Noes: None.

Abstain: Mayor Fargo.

Absent: Councilmember Cohn.

Attest:

  
Shirley Concolino, City Clerk

  
Mayor, Heather Fargo