ORDINANCE NO. SZC 2017-_____

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SACRAMENTO TO AMEND THE ZONING CODE OF SACRAMENTO COUNTY PERTAINING TO THE REGULATION OF MARIJUANA

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

SECTION 1: The Zoning Code of Sacramento County, Ordinance No. 2015-0005 is amended to revise various provisions as described in Exhibit A.

SECTION 2: This ordinance shall take effect and be in full force on and after 30 days from the date of its passage hereof, and, before expiration of 15 days from the date of its passage, it shall be published once with the names of the members of the Board of Supervisors voting for and against the same, said publication to be made in a newspaper of general circulation published within the County of Sacramento, State of California.

On a motion by Supervisor _____, seconded by Supervisor _____, the foregoing ordinance was passed and adopted by the Board of Supervisors of the County of Sacramento, State of California, at a regular meeting thereof this 11th day of April 2017, by the following vote, to wit:

AYES: Supervisors,

NOES: Supervisors,

ABSENT: Supervisors,

ABSTAIN: Supervisors,

RECUSAL: Supervisors,
(PER POLITICAL REFORM ACT (§ 18702.5.))

_____
Chair of the Board of Supervisors
of Sacramento County, California

(S E A L)

ATTEST: _____
Clerk, Board of Supervisors

EXHIBIT A

ACCESSORY USES[1] [AMENDED 02-24-2017]

CZ = Conditional Use Permit by the Zoning Administrator
A = Permitted Accessory Use
[redacted] = Refer to Applicable Use Standards in Sections Identified

Agricultural		Agricultural-Residential		Residential						Recreation			Mixed Use			Commercial		
UR	IR	AR-10, AR-5	AR-2, AR-1	RD-1, RD-2	RD-3, RD-4	RD-5, RD-7	RD-10, RD-15	RD-20, RD-25, RD-30, RD-40	RM-2	RR	O	C-O	NMC	CMC	NMZ	BP	LC[2]	G
A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A

[1] In addition to the specific standards cited in this table, interim standards for SC zoning districts should refer to Title IV of the Sacramento County Zoning Code. zoning districts, interim standards for AC and TC zoning districts should refer to Title IV of the Sacramento County Zoning Code.

3.2. TABLES OF ALLOWED USES

3.2.1. Table Organization [AMENDED 04-07-2016]

In Tables 3.1, 3.2, and 3.3, land uses and activities are classified into general use categories, use subcategories, and specific use types based on common functional, product, or physical characteristics such as the type and amount of activity, the type of customers or residents, how goods or services are sold or delivered, and site conditions. This classification provides a systematic basis for assigning present and future land uses into appropriate zoning districts.

3.2.4. Uses Not Provided for in the Tables [AMENDED 02-24-2017]

3.2.4.A. If a use is not listed in Table 3.1, 3.2, or 3.3, included in a use definition, or shown as a permitted or conditionally permitted use in any zoning district, the use is prohibited, unless the Planning Director determines that either:

1. The use is substantially similar in characteristics, intensity, and compatibility to a use or uses within the zoning district, applicable to the property; or
2. The use would be appropriate in the zoning district, applicable to the property as a permitted or conditional use.

3.2.4.B. In those cases where the Planning Director makes a determination that the use meets either Sections 3.2.1 or 3.2.2, the use shall conform to all the regulations, conditions of approval, and use standards applicable to the similar described use(s). If the use would be appropriate in the zoning district as a conditional use, a Conditional Use Permit shall be heard by the designated hearing body for the similar use.

3.2.4.C. **Commercial marijuana activities as defined in Section 7.3 of this Code are prohibited in all Zoning Districts.**

3.9.3. Use-Specific Standards for Accessory Uses

The specific standards of this Section shall apply in addition to the general standards of Section 3.9.2. In the event of conflict, the more restrictive standard in the opinion of the Planning Director shall apply.

3.9.3.BB. Marijuana, Personal Cultivation

Marijuana cultivation for personal use is subject to the definitions and restrictions contained in Chapter 6.88, Title 6, of the Sacramento County Code.

7.3. CODE TERMS AND USE DEFINITIONS

This Section defines the terms used in this Code and the uses contained in Chapter 3, Use Regulations.

Marijuana, Commercial Activities
Includes all commercial activities as set forth in Business and Professions Code sections 19300.5 and 26001, including, but not limited to the cultivation, possession, manufacture, processing, storing, laboratory testing, labeling, transporting, distribution, delivery or sale of marijuana or marijuana products.

Marijuana, Personal Cultivation
The cultivation of marijuana for personal use is subject to the definitions and restrictions contained in Chapter 6.88, Title 6, of the Sacramento County Code.