

Meeting Date: 1/12/2016

Report Type: Public Hearing

Report ID: 2016-00046

Title: Urban Agriculture Clean-up Amendments and Update (Noticed 12/30/2015; Passed for Publication 01/05/2016; Published 01/08/2016)

Location: Citywide

Recommendation: 1) Pass an Ordinance a) amending sections 5.88.200; and b) amending, adding, and repealing various sections in Title 17 of the Sacramento City Code relating to urban agriculture; and 2) review six-month update on urban agriculture.

Contact: Helen Selph, Associate Planner, (916) 808-7852

Presenter: Helen Selph, Associate Planner, (916) 808-7852

Department: Community Development Dept

Division: Long Range Planning

Dept ID: 21001222

Attachments:

- 1-Description/Analysis
- 2-Ordinance (Redline)
- 3-Ordinance (Clean)
- 4-Best Practices for Beekeeping
- 5-Regulations for Community Food Producers

City Attorney Review

Approved as to Form
Jeffrey Heeren
1/5/2016 11:21:14 AM

Approvals/Acknowledgements

Department Director or Designee: Ryan Devore - 12/15/2015 8:51:07 AM

Description/Analysis

Issue Detail: The Urban Agriculture Ordinance was established to reduce regulatory barriers for urban agriculture. The ordinance amended the Sacramento City Code to allow urban agriculture as a primary land use on vacant land in residential, commercial, industrial, and manufacturing zones throughout the city.

Amendments are needed to clarify the intent of the Urban Agriculture Ordinance and remove inconsistencies in the Sacramento City Code related to urban agriculture.

City Council directed staff to provide an update after six months regarding the impacts and effects of the Urban Agriculture Ordinance and related concerns, which was adopted on March 24, 2015.

This report focuses on two items: (1) clean-up amendments to the original ordinance, and (2) a follow-up report on issues identified at adoption of the ordinance.

1) The clean-up amendments needed are as follows:

- Outdoor vending – The proposed amendments make clear that urban agriculture stands do not violate the code’s general prohibition on outdoor vending (found in section 5.88.190 of the City Code). The amendments also cleanup and clarify section 5.88.200.
- Correct a cross reference – Modify the land use tables in various sections of Title 17 of the City Code, to correct an incorrect cross-reference to the urban-beekeeping code section.
- Home occupation permits – Modify section 17.228.810 to make clear that urban agriculture stands that sell only fresh produce and are located in residential zones are not considered home occupations and therefore do not require a home occupation permit.

Redline and clean versions of these amendments are included as Attachment 2 and Attachment 3.

2) Key areas of concern for the six-month report back were:

- Complaints and code violations related to the Urban Agriculture Ordinance, or to urban agriculture stands in residential neighborhoods, if applicable
- Best practices for beekeeping
- Food regulations and public safety
- Water conservation and water use by urban agriculture

Planning staff worked with Code Enforcement and the 311 call center staff to identify any calls, complaints, and violations that could potentially occur related to urban agriculture. Call center staff conducted queries of call data from March 24, 2015 to September 24, 2015 and found no complaints related to the Urban Agriculture Ordinance or urban agriculture stands. Follow-up

conversations with Code Enforcement and the 311 call center staff confirmed that there have not been complaints or code cases related to the Urban Agriculture Ordinance.

In addition, the Senior Council Representatives for all Council districts were contacted to find out if Council Members have received calls or complaints about urban agriculture activities. None of the Senior Council Representatives reported receiving complaints about urban agriculture following the adoption of the Ordinance.

Best practices for beekeeping, a summary of 311 call center data on bees, and a comparison of zoning code regulations for beekeeping in various California cities, are included in Attachment 4.

Regulations that apply to urban agriculture stands to protect food supply and public safety are summarized in Attachment 5.

Proactive water conservation measures taken so far include the requirement for metered water service connections (or approved wells) in the Urban Agriculture Incentive Zone contract, as stipulated by the Urban Agriculture Incentive Zone Ordinance, and a requirement for a consultation on the City's water conservation regulations, which has been included in the application process for an Urban Agriculture Incentive Zone contract. The City's ability to track urban agriculture water use will be significantly improved when water meters are installed, and when there is a more comprehensive list of properties dedicated to urban agriculture.

Policy Considerations: The 2035 General Plan includes the following policies and goals related to urban agriculture and water conservation:

GOAL ER 4.1

Urban Agriculture and Access to Locally Grown Foods. Expand urban agriculture and food production and increase the distribution and sale of locally grown fresh food.

ER 4.1.1 Community and Rooftop Gardens. The City shall provide incentives for developers to include community gardens and rooftop gardens in new development projects (RDR/PI).

ER 4.1.2 Local Food Production, Distribution, and Sale. The City shall promote urban agriculture with zoning provisions that support means for production, distribution, and sale of locally grown foods, such as market gardens, farmer's markets, community markets, and farm stands, particularly in areas that have vacant or underutilized land.

LU 8.2.7 Locally-Grown and Organic Foods. The City shall allow urban farms and market gardens at a scale that is appropriate to Sacramento's neighborhoods, particularly in areas that lack access to fresh healthy foods, and have vacant or underutilized land.

GOAL U 2.1

High-Quality and Reliable Water Supply. Provide water supply facilities to meet future growth within the city's Place of Use and assure a high-quality and reliable supply of water to existing and future residents.

U 2.1.7 Water Supply During Emergencies. The City shall, to the extent feasible, maintain adequate water supply during emergencies.

U 2.1.8 Emergency Water Conservation. The City shall reduce water use during periods of water shortages and emergencies.

U 2.1.10 Water Conservation Standards. The City shall achieve a 20 percent reduction in per-capita water use by 2020 consistent with the State's 20x2020 Water Conservation Plan (California Water Resources Control Board, 2010).

U 2.1.11 Water Conservation Programs. The City shall implement conservation programs that increase water use efficiency, including providing incentives for adoption of water efficiency measures.

U 2.1.12 Water Conservation Enforcement. The City shall continue to enforce City ordinances that prohibit the waste or runoff of water, establish limits on outdoor water use, and specify applicable penalties.

Economic Impacts: Not Applicable.

Environmental Considerations: The proposed ordinance is not subject to the provisions of CEQA, consistent with section 15061(b)(3) of the CEQA Guidelines. Under this section, where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

Sustainability: The proposed ordinance is consistent with the City's sustainability goals because urban agriculture helps to address issues of food access, promote economic resilience, and community building.

Commission/Committee Action: On December 8, 2015, the Law and Legislation Committee held a public hearing on the proposed Urban Agriculture Clean-up Amendments and voted to forward the staff recommendation to City Council for adoption. The Law and Legislation Committee also directed staff to provide a written update on urban agriculture in six months.

On December 10, 2015 the Planning and Design Commission held a public hearing on the proposed Urban Agriculture Clean-up Amendments and voted to forward the staff recommendation to City Council for adoption.

Rationale for Recommendation: The amendments to the urban agriculture ordinance are recommended in order to clarify the intent of the ordinance and remove inconsistencies in the Sacramento City Code as they relate to urban agriculture.

Financial Considerations: Not applicable.

Local Business Enterprise (LBE): Not applicable.

ORDINANCE NO.

Adopted by the Sacramento City Council

Date Adopted

AN ORDINANCE AMENDING SECTION 5.88.200 AND VARIOUS SECTIONS OF TITLE 17 OF THE SACRAMENTO CITY CODE RELATING TO URBAN AGRICULTURE

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

SECTION 1.

Section 5.88.200 of the Sacramento City Code is amended to read as follows:

5.88.200 Certain activities or businesses excepted.

The prohibition of section 5.88.190 ~~of this chapter~~ shall not apply to the following activities or businesses:

~~A. Sales or displays of merchandise, when conducted in a zone~~ where such sales or displays ~~is are~~ permitted as a matter of right pursuant to the ~~city's~~ Planning and Development Code;

~~—AB.—~~ Display of merchandise outside a fully enclosed building, in association with a business where purchase of such merchandise ordinarily takes place within the building, unless otherwise prohibited by this code;

~~—B.— Automobile, boat, trailer, camper, motorcycle and construction equipment sales and rentals;~~

~~—C.— Retail lumber yards;~~

~~—D.— Fruit and vegetable stands possessing a valid special permit from the city planning and design commission and authorization from the California Department of Agriculture;~~

~~—E.— Horticultural nurseries;~~

—FC.— Vending machines, when located in service stations, motels, and other “drive-in” businesses;

~~_____G. Gasoline pumps, oil racks and accessory items when located on pump islands;~~

~~_____H.D. Christmas tree sales conducted in accordance with chapter 5.44;~~

~~_____E. Fireworks sales conducted in accordance with chapter 8.48;~~

~~_____F. Yard sales (maximum one per calendar year not to exceed two consecutive days);~~

~~_____K.G. Sale of newspapers, books, periodicals and other printed material;~~

~~_____H. Mobile health and veterinary clinics; and~~

~~_____M.I. Fund-raising activities conducted by organizations exempted from the business operations tax by Section-section 3.08.030(.B) of this code;~~

~~_____N. Flea markets. (Ord. 2013-0021 § 11; Ord. 2012-004 § 22; prior code § 7.07.073)~~

SECTION 2.

A. Subsection C of section 17.204.110 of the Sacramento City Code is amended to read as follows:

C. Accessory uses. The following uses are permitted in the RE zone when accessory to a permitted or conditional use, subject to the limitations specified:

Use	Limitations
Accessory antenna	
Common area	
Dwelling unit, secondary	Subject to special use regulations in section 17.228.105
Home occupation	Subject to special use regulations in section 17.228.200 et seq.
Private garden	Subject to special use regulations in section 17.228.810 et seq.
Personal auto storage	Subject to special use regulations in section 17.228.101
Urban beekeeping	Subject to special use regulations in section 17.228.810 et seq. <u>9.44.330</u>

B. Except as specifically amended in subsection A, above, all other provisions of section 17.204.110 remain unchanged and in full effect.

SECTION 3.

A. Subsection C of section 17.204.210 of the Sacramento City Code is amended to read as follows:

C. Accessory uses. The following uses are permitted in the R-1 zone when accessory to a permitted or conditional use, subject to the limitations specified:

Use	Limitations
Accessory antenna	
Aquaculture	Subject to special use regulations in section 17.228.810 et seq.
Childcare, in-home (family day care home)	
Common area	
Dwelling unit, secondary	Subject to special use regulations in section 17.228.105
Family care facility	
Family day care facility	
Home occupation	Subject to special use regulations in section 17.228.200 et seq.
Personal auto storage	Subject to special use regulations in section 17.228.101
Private garden	Subject to special use regulations in section 17.228.810 et seq.
Urban beekeeping	Subject to special use regulations in section 17.228.810 et seq. 9.44.330

B. Except as specifically amended in subsection A, above, all other provisions of section 17.204.210 remain unchanged and in full effect.

SECTION 4.

A. Subsection C of section 17.204.310 of the Sacramento City Code is amended to read as follows:

C. Accessory uses. The following uses are permitted in the R-1-A zone when accessory to a permitted or conditional use, subject to the limitations specified:

Use	Limitations
Accessory antenna	
Aquaculture	Subject to special use regulations in section 17.228.810 et seq.
Childcare, in-home (family day care home)	
Common area	
Dwelling unit, secondary	Subject to special use regulations in section 17.228.105
Family care facility	
Family day care facility	
Home occupation	Subject to special use regulations in section 17.228.200 et seq.
Personal auto storage	Subject to special use regulations in section 17.228.101
Private garden	Subject to special use regulations in section 17.228.810 et seq.
Urban beekeeping	Subject to special use regulations in section 17.228.810 et <u>seq.9.44.330</u>

B. Except as specifically amended in subsection A, above, all other provisions of section 17.204.310 remain unchanged and in full effect.

SECTION 5.

A. Subsection C of section 17.204.410 of the Sacramento City Code is amended to read as follows:

C. Accessory uses. The following uses are permitted in the R-1B zone when accessory to a permitted or conditional use, subject to the limitations specified:

Use	Limitations
Accessory antenna	
Childcare, in-home (family day care home)	
Common area	
Dwelling unit, secondary	Subject to special use regulations in section 17.228.105
Family care facility	
Family day care facility	

Home occupation	Subject to special use regulations in section 17.228.200 et seq.
Aquaculture	Subject to special use regulations in section 17.228.810 et seq.
Personal auto storage	Subject to special use regulations in section 17.228.101
Private garden	Subject to special use regulations in section 17.228.810 et seq.
Urban beekeeping	Subject to special use regulations in section 17.228.810 et <u>seq.9.44.330</u>

B. Except as specifically amended in subsection A, above, all other provisions of section 17.204.410 remain unchanged and in full effect.

SECTION 6.

A. Subsection C of section 17.204.510 of the Sacramento City Code is amended to read as follows:

C. Accessory uses. The following uses are permitted in the R-2 zone when accessory to a permitted or conditional use, subject to the limitations specified:

Use	Limitations
Accessory antenna	
Aquaculture	Subject to special use regulations in section 17.228.810 et seq.
Childcare, in-home (family day care home)	
Common area	
Dwelling unit, secondary	Subject to special use regulations in section 17.228.105
Family care facility	
Family day care facility	
Home occupation	Subject to special use regulations in section 17.228.200 et seq.
Personal auto storage	Subject to special use regulations in section 17.228.101
Private garden	Subject to special use regulations in section 17.228.810 et seq.

Urban beekeeping	Subject to special use regulations in section 17.228.810 et seq. <u>9.44.330</u>
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B. Except as specifically amended in subsection A, above, all other provisions of section 17.204.510 remain unchanged and in full effect.

SECTION 7.

A. Subsection C of section 17.208.110 of the Sacramento City Code is amended to read as follows:

C. Accessory uses. The following uses are permitted in the R-2A zone when accessory to a permitted or conditional use, subject to the limitations specified:

Use	Limitations
Accessory antenna	
Aquaculture	Subject to special use regulations in section 17.228.810 et seq.
Childcare, in-home (family day care home)	
Common area	
Dwelling unit, secondary	Subject to special use regulations in section 17.228.105
Family care facility	
Family day care facility	
Home occupation	Subject to special use regulations in section 17.228.200 et seq.
Personal auto storage	Subject to special use regulations in section 17.228.101
Private garden	Subject to special use regulations in section 17.228.810 et seq.
Urban beekeeping	Subject to special use regulations in section 17.228.810 et seq. <u>9.44.330</u>

B. Except as specifically amended in subsection A, above, all other provisions of section 17.208.110 remain unchanged and in full effect.

SECTION 8.

A. Subsection C of section 17.208.210 of the Sacramento City Code is amended to read as

follows:

C. Accessory uses. The following uses are permitted in the R-2B zone when accessory to a permitted or conditional use, subject to the limitations specified:

Use	Limitations
Accessory antenna	
Aquaculture	Subject to special use regulations in section 17.228.810 et seq.
Childcare, in-home (family day care home)	
Common area	
Dwelling unit, secondary	Subject to special use regulations in section 17.228.105
Family care facility	
Family day care facility	
Home occupation	Subject to special use regulations in section 17.228.200 et seq.
Personal auto storage	Subject to special use regulations in section 17.228.101
Private garden	Subject to special use regulations in section 17.228.810 et seq.
Urban beekeeping	Subject to special use regulations in section 17.228.810 et seq. 9.44.330

B. Except as specifically amended in subsection A, above, all other provisions of section 17.208.210 remain unchanged and in full effect.

SECTION 9.

A. Subsection C of section 17.208.310 of the Sacramento City Code is amended to read as follows:

C. Accessory uses. The following uses are permitted in the R-3 zone when accessory to a permitted or conditional use, subject to the limitations specified:

Use	Limitations
Accessory antenna	
Aquaculture	Subject to special use regulations in section 17.228.810 et seq.

Childcare, in-home (family day care home)	
Common area	
Dwelling unit, secondary	Subject to special use regulations in section 17.228.105
Family care facility	
Family day care facility	
Home occupation	Subject to special use regulations in section 17.228.200 et seq.
Personal auto storage	Subject to special use regulations in section 17.228.101
Private garden	Subject to special use regulations in section 17.228.810 et seq.
Urban beekeeping	Subject to special use regulations in section 17.228.810 et seq. <u>9.44.330</u>

B. Except as specifically amended in subsection A, above, all other provisions of section 17.208.310 remain unchanged and in full effect.

SECTION 10.

A. Subsection C of section 17.208.410 of the Sacramento City Code is amended to read as follows:

C. Accessory uses. The following uses are permitted in the R-3A zone when accessory to a permitted or conditional use, subject to the limitations specified:

Use	Limitations
Accessory antenna	
Aquaculture	Subject to special use regulations in section 17.228.810 et seq.
Childcare, in-home (family day care home)	
Common area	
Dwelling unit, secondary	Subject to special use regulations in section 17.228.105
Family care facility	
Family day care facility	
Home occupation	Subject to special use regulations in section 17.228.200 et

	seq.
Personal auto storage	Subject to special use regulations in section 17.228.101
Private garden	Subject to special use regulations in section 17.228.810 et seq.
Urban beekeeping	Subject to special use regulations in section 17.228.810 et seq. <u>9.44.330</u>

B. Except as specifically amended in subsection A, above, all other provisions of section 17.208.410 remain unchanged and in full effect.

SECTION 11.

A. Subsection C of section 17.208.510 of the Sacramento City Code is amended to read as follows:

C. Accessory uses. The following uses are permitted in the R-4 zone when accessory to a permitted or conditional use, subject to the limitations specified:

Use	Limitations
Accessory antenna	
Accessory drive-through facility	Subject to special use regulations in section 17.228.110
Aquaculture	Subject to special use regulations in section 17.228.810 et seq.
Childcare, in-home (family day care home)	
Common area	
Dwelling unit, secondary	Subject to special use regulations in section 17.228.105
Family care facility	
Family day care facility	
Home occupation	Subject to special use regulations in section 17.228.200 et seq.
Personal auto storage	Subject to special use regulations in section 17.228.101
Private garden	Subject to special use regulations in section 17.228.10 et seq.
Urban beekeeping	Subject to special use regulations in section 17.228.10 et seq. <u>9.44.330</u>

B. Except as specifically amended in subsection A, above, all other provisions of section 17.208.510 remain unchanged and in full effect.

SECTION 12.

A. Subsection C of section 17.208.610 of the Sacramento City Code is amended to read as follows:

C. Accessory uses. The following uses are permitted in the R-4A zone when accessory to a permitted or conditional use, subject to the limitations specified:

Use	Limitations
Accessory antenna	
Accessory drive-through facility	Subject to special use regulations in section 17.228.110
Aquaculture	Subject to special use regulations in section 17.228.810 et seq.
Childcare, in-home (family day care home)	
Common area	
Dwelling unit, secondary	Subject to special use regulations in section 17.228.105
Family care facility	
Family day care facility	
Home occupation	Subject to special use regulations in section 17.228.200 et seq.
Personal auto storage	Subject to special use regulations in section 17.228.101
Private garden	Subject to special use regulations in section 17.228.810 et seq.
Urban beekeeping	Subject to special use regulations in section 17.228.810 et <u>seq.9.44.330</u>

B. Except as specifically amended in subsection A, above, all other provisions of section 17.208.610 remain unchanged and in full effect.

SECTION 13.

A. Subsection C of section 17.208.710 of the Sacramento City Code is amended to read as follows:

C. Accessory uses. The following uses are permitted in the R-5 zone when accessory to a permitted or conditional use, subject to the limitations specified:

Use	Limitations
Accessory antenna	
Accessory drive-through facility	Subject to special use regulations in section 17.228.110
Aquaculture	Subject to special use regulations in section 17.228.810 et seq.
Childcare, in-home (family day care home)	
Common area	
Dwelling unit, secondary	Subject to special use regulations in section 17.228.105
Family care facility	
Family day care facility	
Home occupation	Subject to special use regulations in section 17.228.200 et seq.
Personal auto storage	Subject to special use regulations in section 17.228.101
Private garden	Subject to special use regulations in section 17.228.810 et seq.
Urban beekeeping	Subject to special use regulations in section 17.228.810 et seq. <u>9.44.330</u>

B. Except as specifically amended in subsection A, above, all other provisions of section 17.208.710 remain unchanged and in full effect.

SECTION 14.

A. Subsection C of section 17.212.110 of the Sacramento City Code is amended to read as follows:

C. Accessory uses. The following uses are permitted in the RMX zone when accessory to a permitted or conditional use, subject to the limitations specified:

Use	Limitations
Accessory antenna	
Aquaculture	Subject to special use regulations in section 17.228.810

	et seq.
Childcare, in-home (family day care home)	
Common area	
Dwelling unit, secondary	Subject to special use regulations in section 17.228.105
Family care facility	
Family day care facility	
Home occupation	Subject to special use regulations in section 17.228.200 et seq.
Private garden	Subject to special use regulations in section 17.228.810 et seq.
Urban beekeeping	Subject to special use regulations in section 17.228.810 et seq. <u>9.44.330</u>

B. Except as specifically amended in subsection A, above, all other provisions of section 17.212.110 remain unchanged and in full effect.

SECTION 15.

A. Subsection C of section 17.212.210 of the Sacramento City Code is amended to read as follows:

C. Accessory uses. The following uses are permitted in the RO zone when accessory to a permitted or conditional use, subject to the limitations specified:

Use	Limitations
Accessory antenna	
Aquaculture	Subject to special use regulations in section 17.228.810 et seq.
Childcare, in-home (family day care home)	
Common area	
Dwelling unit, secondary	Subject to special use regulations in section 17.228.105
Family care facility	
Family day care facility	
Home occupation	Subject to special use regulations in section 17.228.200

	et seq.
Private garden	Subject to special use regulations in section 17.228.810 et seq.
Urban beekeeping	Subject to special use regulations in section 17.228.810 <u>et seq. 9.44.330</u>

B. Except as specifically amended in subsection A, above, all other provisions of section 17.212.210 remain unchanged and in full effect.

SECTION 16.

A. Subsection C of section 17.216.110 of the Sacramento City Code is amended to read as follows:

C. Accessory uses. The following uses are permitted in the OB zone when accessory to a permitted or conditional use, subject to the limitations specified:

Use	Limitations
Accessory antenna	
Accessory drive-through facility	Subject to special use regulations in section 17.228.110
Child care, in-home (family day care home)	
Common area	
Family care facility	
Family day care facility	
Home occupation	Subject to special use regulations in section 17.228.200 et seq.
Private garden	Subject to special use regulations in section 17.228.810 et seq.
Urban beekeeping	Subject to special use regulations in section 17.228.810 <u>et seq. 9.44.330</u>

B. Except as specifically amended in subsection A, above, all other provisions of section 17.216.110 remain unchanged and in full effect.

SECTION 17.

A. Subsection C of section 17.216.210 of the Sacramento City Code is amended to read as

follows:

C. Accessory uses. The following uses are permitted in the OB-2 zone when accessory to a permitted or conditional use, subject to the limitations specified:

Use	Limitations
Accessory antenna	
Accessory drive-through facility	Subject to special use regulations in section 17.228.110
Childcare, in-home (family day care home)	
Common area	
Family care facility	
Family day care facility	
Home occupation	Subject to special use regulations in section 17.228.200 et seq.
Private garden	Subject to special use regulations in section 17.228.810 et seq.
Urban beekeeping	Subject to special use regulations in section 17.228.810 et seq. <u>9.44.330</u>

B. Except as specifically amended in subsection A, above, all other provisions of section 17.216.210 remain unchanged and in full effect.

SECTION 18.

A. Subsection C of section 17.216.310 of the Sacramento City Code is amended to read as follows:

C. Accessory uses. The following uses are permitted in the OB-3 zone when accessory to a permitted or conditional use, subject to the limitations specified:

Use	Limitations
Accessory antenna	
Accessory drive-through facility	Subject to special use regulations in section 17.228.110
Childcare, in-home (family day care home)	
Common area	

Family care facility	
Family day care facility	
Home occupation	Subject to special use regulations in section 17.228.200 et seq.
Private garden	Subject to special use regulations in section 17.228.810 et seq.
Urban beekeeping	Subject to special use regulations in section 17.228.810 et seq. <u>9.44.330</u>

B. Except as specifically amended in subsection A, above, all other provisions of section 17.216.310 remain unchanged and in full effect.

SECTION 19.

A. Subsection C of section 17.216.510 of the Sacramento City Code is amended to read as follows:

C. Accessory uses. The following uses are permitted in the SC zone when accessory to a permitted or conditional use, subject to the limitations specified:

Use	Limitations
Accessory antenna	
Accessory drive-through facility	Subject to special use regulations in section 17.228.110
Childcare, in-home (family day care home)	
Common area	
Dwelling unit, secondary	Subject to special use regulations in section 17.228.105
Family care facility	
Family day care facility	
Home occupation	Subject to special use regulations in section 17.228.200 et seq.
Private garden	Subject to special use regulations in section 17.228.810 et seq.
Recycling facility, convenience	Subject to special use regulations in section 17.228.400 et seq.

Urban beekeeping	Subject to special use regulations in section 17.228.810 et seq. <u>9.44.330</u>
Watchperson's quarters	The structure shall be limited to 1,000 square feet

B. Except as specifically amended in subsection A, above, all other provisions of section 17.216.510 remain unchanged and in full effect.

SECTION 20.

A. Subsection C of section 17.216.610 of the Sacramento City Code is amended to read as follows:

C. Accessory uses. The following uses are permitted in the C-1 zone when accessory to a permitted or conditional use, subject to the limitations specified:

Use	Limitations
Accessory antenna	
Childcare, in-home (family day care home)	
Common area	
Dwelling unit, secondary	Subject to special use regulations in section 17.228.105
Family care facility	
Family day care facility	
Home occupation	Subject to special use regulations in section 17.228.200 et seq.
Private garden	Subject to special use regulations in section 17.228.810 et seq.
Recycling facility, convenience	Subject to special use regulations in section 17.228.400 et seq.
Urban beekeeping	Subject to special use regulations in section 17.228.810 et seq. <u>9.44.330</u>
Watchperson's quarters	The structure shall be limited to 1,000 square feet

B. Except as specifically amended in subsection A, above, all other provisions of section 17.216.610 remain unchanged and in full effect.

SECTION 21.

A. Subsection C of section 17.216.710 of the Sacramento City Code is amended to read as follows:

C. Accessory uses. The following uses are permitted in the C-2 zone when accessory to a permitted or conditional use, subject to the limitations specified:

Use	Limitations
Accessory antenna	
Accessory drive-through facility	Subject to special use regulations in section 17.228.110
Childcare, in-home (family day care home)	
Common area	
Dwelling unit, secondary	Subject to special use regulations in section 17.228.105
Family care facility	
Family day care facility	
Home occupation	Subject to special use regulations in section 17.228.200 et seq.
Private garden	Subject to special use regulations in section 17.228.810 et seq.
Recycling facility, convenience	Subject to special use regulations in section 17.228.400 et seq.
Urban beekeeping	Subject to special use regulations in section 17.228.810 et seq. 9.44.330
Watchperson's quarters	The structure shall be limited to 1,000 square feet

B. Except as specifically amended in subsection A, above, all other provisions of section 17.216.710 remain unchanged and in full effect.

SECTION 22.

A. Subsection C of section 17.216.810 of the Sacramento City Code is amended to read as follows:

C. Accessory uses. The following uses are permitted in the C-3 zone when accessory to a permitted or conditional use, subject to the limitations specified:

Use	Limitations
Accessory antenna	
Childcare, in-home (family day care home)	
Common area	
Dwelling unit, secondary	Subject to special use regulations in section 17.228.105
Family care facility	
Family day care facility	
Home occupation	Subject to special use regulations in section 17.228.200 et seq.
Private garden	Subject to special use regulations in section 17.228.810 et seq.
Recycling facility, convenience	Subject to special use regulations in section 17.228.400 et seq.
Urban beekeeping	Subject to special use regulations in section 17.228.810 et seq. <u>9.44.330</u>
Watchperson's quarters	The structure shall be limited to 1,000 square feet

B. Except as specifically amended in subsection A, above, all other provisions of section 17.216.810 remain unchanged and in full effect.

SECTION 23.

A. Subsection C of section 17.216.910 of the Sacramento City Code is amended to read as follows:

C. Accessory uses. The following uses are permitted in the C-4 zone when accessory to a permitted or conditional use, subject to the limitations specified:

Use	Limitations
Accessory antenna	
Accessory drive-through facility	Subject to special use regulations in section 17.228.110

Child care, in-home (family day care home)	
Common area	
Family care facility	
Family day care facility	
Home occupation	Subject to special use regulations in section 17.228.200 et seq.
Private garden	Subject to special use regulations in section 17.228.810 et seq.
Recycling facility, convenience	Subject to special use regulations in section 17.228.400 et seq.
Tasting room, on-site	Limited to on-site consumption and off-site sales of malt beverages or wine produced on the premises
Urban beekeeping	Subject to special use regulations in section 17.228.810 et seq. <u>9.44.330</u>
Watchperson's quarters	The structure shall be limited to 1,000 square feet

B. Except as specifically amended in subsection A, above, all other provisions of section 17.216.910 remain unchanged and in full effect.

SECTION 24.

A. Subsection C of section 17.220.110 of the Sacramento City Code is amended to read as follows:

C. Accessory uses. The following uses are permitted in the M-1 zone when accessory to a permitted or conditional use, subject to the limitations specified:

Use	Limitation
Accessory antenna	
Accessory drive-through facility	Subject to special use regulations in section 17.228.110
Childcare, in-home (family day care home)	
Common area	
Family care facility	
Family day care facility	

Home occupation	Subject to special use regulations in section 17.228.200 et seq.
Private garden	Subject to special use regulations in section 17.228.810 et seq.
Recycling facility, convenience	Subject to special use regulations in section 17.228.400 et seq.
Tasting room, on-site	Limited to on-site consumption and off-site sales of malt beverages or wine produced on the premises
Urban beekeeping	Subject to special use regulations in section 17.228.810 et seq. <u>9.44.330</u>
Watchperson's quarters	The structure shall be limited to 1,000 square feet

B. Except as specifically amended in subsection A, above, all other provisions of section 17.220.110 remain unchanged and in full effect.

SECTION 25.

A. Subsection C of section 17.220.210 of the Sacramento City Code is amended to read as follows:

C. Accessory uses. The following in the M-1(S) zone are permitted when accessory to a permitted or conditional use, subject to the limitations specified:

Use	Limitation
Accessory antenna	
Accessory drive-through facility	Subject to special use regulations in section 17.228.110
Childcare, in-home (family day care home)	
Common area	
Family care facility	
Family day care facility	
Home occupation	Subject to special use regulations in section 17.228.200 et seq.
Private garden	Subject to special use regulations in section 17.228.810 et seq.
Recycling facility, convenience	Subject to special use regulations in section 17.228.400 et seq.

Tasting room, on-site	Limited to on-site consumption and off-site sales of malt beverages or wine produced on the premises
Urban beekeeping	Subject to special use regulations in section 17.228.810 et seq. <u>9.44.330</u>
Watchperson's quarters	The structure shall be limited to 1,000 square feet

B. Except as specifically amended in subsection A, above, all other provisions of section 17.220.210 remain unchanged and in full effect.

SECTION 26.

A. Subsection C of section 17.220.310 of the Sacramento City Code is amended to read as follows:

C. Accessory uses. The following uses are permitted in the M-2 zone when accessory to a permitted or conditional use, subject to the limitations specified:

Use	Limitations
Accessory antenna	
Accessory drive-through facility	Subject to special use regulations in section 17.228.110 et seq.
Child care, in-home (family day care home)	
Common area	
Family care facility	
Family day care facility	
Home occupation	Subject to special use regulations in section 17.228.200 et seq.
Private garden	Subject to special use regulations in section 17.228.810 et seq.
Recycling facility, convenience	Subject to special use regulations in section 17.228.400 et seq.
Tasting room, on-site	Limited to on-site consumption and off-site sales of malt beverages or wine produced on the premises
Urban beekeeping	Subject to special use regulations in section 17.228.810 et seq. <u>9.44.330</u>
Watchperson's quarters	The structure shall be limited to 1,000 square feet

B. Except as specifically amended in subsection A, above, all other provisions of section 17.220.310 remain unchanged and in full effect.

SECTION 27.

A. Subsection C of section 17.220.410 of the Sacramento City Code is amended to read as follows:

C. Accessory uses. The following uses are permitted in the M-2(S) zone when accessory to a permitted or conditional use, subject to the limitations specified:

Use	Limitations
Accessory antenna	
Accessory drive-through facility	Subject to special use regulations in section 17.228.110
Childcare, in-home (family day care home)	
Common area	
Family care facility	
Family day care facility	
Home occupation	Subject to special use regulations in section 17.228.200 et seq.
Private garden	Subject to special use regulations in section 17.228.810 et seq.
Recycling facility, convenience	Subject to special use regulations in section 17.228.400 et seq.
Tasting room, on-site	Limited to on-site consumption and off-site sales of malt beverages or wine produced on the premises
Urban beekeeping	Subject to special use regulations in section 17.228.810 et seq. <u>9.44.330</u>
Watchperson's quarters	The structure shall be limited to 1,000 square feet

B. Except as specifically amended in subsection A, above, all other provisions of section 17.220.410 remain unchanged and in full effect.

SECTION 28.

A. Subsection C of section 17.220.610 of the Sacramento City Code is amended to read as

follows:

C. Accessory uses. The following uses are permitted in the MRD zone when accessory to a permitted or conditional use, subject to the limitations specified:

Use	Limitations
Accessory antenna	
Child care, in-home (family day care home)	
Common area	
Family care facility	
Family day care facility	
Home occupation	Subject to special use regulations in section 17.228.200 et seq.
Private garden	Subject to special use regulations in section 17.228.810 et seq.
Urban beekeeping	Subject to special use regulations in section 17.228.810 et seq. <u>9.44.330</u>
Watchperson's quarters	The structure shall be limited to 1,000 square feet

B. Except as specifically amended in subsection A, above, all other provisions of section 17.220.610 remain unchanged and in full effect.

SECTION 29.

A. Subsection C of section 17.224.110 of the Sacramento City Code is amended to read as follows:

C. Accessory uses. The following uses are permitted in the H zone when accessory to a permitted or conditional use, subject to the limitations specified:

Use	Limitations
Accessory antenna	
Accessory drive-through facility	Subject to special use regulations in section 17.228.110
Common area	
Family care facility	

Family day care facility	
Home occupation	Subject to special use regulations in section 17.228.200 et seq.
Private garden	Subject to special use regulations in section 17.228.810 et seq.
Recycling facility, convenience	Subject to special use regulations in section 17.228.400 et seq.
Urban beekeeping	Subject to special use regulations in section 17.228.810 et seq. <u>9.44.330</u>
Watchperson's quarters	The structure shall be limited to 1,000 square feet

B. Except as specifically amended in subsection A, above, all other provisions of section 17.224.110 remain unchanged and in full effect.

SECTION 30.

A. Subsection B of section 17.224.210 of the Sacramento City Code is amended to read as follows:

B. Accessory uses. The following uses are permitted in the SPX zone when accessory to a conditional use, subject to the limitations specified:

Use	Limitations
Accessory antenna	
Accessory drive-through facility	Subject to special use regulations in section 17.228.110
Common area	
Home occupation	Subject to special use regulations in section 17.228.200 et seq.
Private garden	Subject to special use regulations in section 17.228.810 et seq.
Recycling facility, convenience	Subject to special use regulations in section 17.228.400 et seq.
Urban beekeeping	Subject to special use regulations in section 17.228.810 et seq. <u>9.44.330</u>
Watchperson's quarters	The structure shall be limited to 1,000 square feet

B. Except as specifically amended in subsection A, above, all other provisions of section 17.224.210 remain unchanged and in full effect.

SECTION 31.

A. Subsection C of section 17.224.410 of the Sacramento City Code is amended to read as follows:

C. Accessory uses. The following uses in the HC zone are permitted when accessory to a permitted or conditional use, subject to the limitations specified:

Use	Limitations
Accessory antenna	
Accessory drive-through facility	Subject to special use regulations in section 17.228.110
Child care, in-home (family day care home)	
Common area	
Family care facility	
Family day care facility	
Private garden	Subject to special use regulations in section 17.228.810 et seq.
Urban beekeeping	Subject to special use regulations in section 17.228.810 et seq. 9.44.330
Watchperson’s quarters	The structure shall be limited to 1,000 square feet

B. Except as specifically amended in subsection A, above, all other provisions of section 17.224.410 remain unchanged and in full effect.

SECTION 32.

Section 17.228.810 of the Sacramento City Code is amended to read as follows:

17.228.810 Development standards.

Urban agriculture in residential and non-residential zones shall comply with the development standards in this section.

A. Maintenance. Urban agriculture uses shall be maintained in an orderly manner, including litter removal, irrigation, weeding, pruning, pest control and removal of dead or diseased plant materials.

B. Equipment.

1. Use of mechanized farm equipment is prohibited in residential districts.

2. Exceptions.

a. Heavy equipment may be used initially to prepare the land for agriculture use.

b. Landscaping equipment designed for household use is permitted.

c. Equipment when not in use must be enclosed or otherwise screened from sight.

C. Structures. Structures to support urban agriculture, such as storage sheds, hoop-houses, and greenhouses, are permitted, subject to the regulations of the underlying zone.

D. Aquaculture operations.

1. Are allowed as an accessory use in residential and residential mixed use zones (R-1, R-1A, R-1B, R-2, R-2A, R-2B, R-3, R-3A, R-4, R-4A, R-5, RMX, and RO). The operation shall be contained entirely within an enclosed structure that meets the requirements of chapter 17.624, or in a yard that is screened from view of adjacent streets by fencing or landscaping.

2. Aquaculture operations in non-residential zones are allowed, subject to the regulations of the underlying zone.

E. Urban agriculture stands.

~~1.~~ Urban agriculture stands are permitted on the site of an urban agriculture use subject to the following regulations:

~~1a.~~ Urban agriculture stands up to 120 square feet are allowed by right.

~~2b.~~ Urban agriculture stands larger than 120 square feet shall be subject to the approval of a Zoning Administrator Conditional Use Permit.

3c. Urban agriculture stands must be temporary, and must be dismantled and removed during non-operating hours.

4d. Product sales are limited to produce and value-added products grown and produced on-site.

5e. Operating hours for an urban agriculture stand are limited to 8:00 a.m. to 7:00 p.m. In R-zones, operations shall be further limited to Tuesdays and Saturdays, and a private garden shall be prohibited in the front yard of a lot where an urban agriculture stand is operated. The limitation on the days of operation does not apply to vacant sites in R-zones.

6f. Parking for two cars shall be available either on-street or provided in an off-street parking facility accessed by an approved driveway.

2. Urban agriculture stands that sell only fresh produce and are located in residential zones are not home occupations under article II of chapter 17.228.

F. Urban agriculture activities shall include best practices to prevent pollutants from entering the stormwater conveyance system and shall comply with all applicable federal, state, and local laws, ordinances, or regulations, including, but not limited to, the stormwater management and discharge control code in chapter 13.16 and the grading, erosion, and sediment control ordinance in chapter 15.88.

ORDINANCE NO.

Adopted by the Sacramento City Council

Date Adopted

AN ORDINANCE AMENDING SECTION 5.88.200 AND VARIOUS SECTIONS OF TITLE 17
OF THE SACRAMENTO CITY CODE RELATING TO URBAN AGRICULTURE

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

SECTION 1.

Section 5.88.200 of the Sacramento City Code is amended to read as follows:

5.88.200 Certain activities or businesses excepted.

The prohibition of section 5.88.190 shall not apply to the following activities or businesses:

- A. Sales or displays of merchandise where such sales or displays are permitted as a matter of right pursuant to the Planning and Development Code;
- B. Display of merchandise outside a fully enclosed building, in association with a business where purchase of such merchandise ordinarily takes place within the building, unless otherwise prohibited by this code;
- C. Vending machines, when located in service stations, motels, and other "drive-in" businesses;
- D. Christmas tree sales conducted in accordance with chapter 5.44;
- E. Fireworks sales conducted in accordance with chapter 8.48;
- F. Yard sales (maximum one per calendar year not to exceed two consecutive days);
- G. Sale of newspapers, books, periodicals and other printed material;
- H. Mobile health and veterinary clinics; and
- I. Fund-raising activities conducted by organizations exempted from the business operations tax by section 3.08.030.B.

SECTION 2.

A. Subsection C of section 17.204.110 of the Sacramento City Code is amended to read as follows:

C. Accessory uses. The following uses are permitted in the RE zone when accessory to a permitted or conditional use, subject to the limitations specified:

Use	Limitations
Accessory antenna	
Common area	
Dwelling unit, secondary	Subject to special use regulations in section 17.228.105
Home occupation	Subject to special use regulations in section 17.228.200 et seq.
Private garden	Subject to special use regulations in section 17.228.810 et seq.
Personal auto storage	Subject to special use regulations in section 17.228.101
Urban beekeeping	Subject to section 9.44.330

B. Except as specifically amended in subsection A, above, all other provisions of section 17.204.110 remain unchanged and in full effect.

SECTION 3.

A. Subsection C of section 17.204.210 of the Sacramento City Code is amended to read as follows:

C. Accessory uses. The following uses are permitted in the R-1 zone when accessory to a permitted or conditional use, subject to the limitations specified:

Use	Limitations
Accessory antenna	
Aquaculture	Subject to special use regulations in section 17.228.810 et seq.
Childcare, in-home (family day care home)	
Common area	

Dwelling unit, secondary	Subject to special use regulations in section 17.228.105
Family care facility	
Family day care facility	
Home occupation	Subject to special use regulations in section 17.228.200 et seq.
Personal auto storage	Subject to special use regulations in section 17.228.101
Private garden	Subject to special use regulations in section 17.228.810 et seq.
Urban beekeeping	Subject to section 9.44.330

B. Except as specifically amended in subsection A, above, all other provisions of section 17.204.210 remain unchanged and in full effect.

SECTION 4.

A. Subsection C of section 17.204.310 of the Sacramento City Code is amended to read as follows:

C. Accessory uses. The following uses are permitted in the R-1A zone when accessory to a permitted or conditional use, subject to the limitations specified:

Use	Limitations
Accessory antenna	
Aquaculture	Subject to special use regulations in section 17.228.810 et seq.
Childcare, in-home (family day care home)	
Common area	
Dwelling unit, secondary	Subject to special use regulations in section 17.228.105
Family care facility	
Family day care facility	
Home occupation	Subject to special use regulations in section 17.228.200 et seq.
Personal auto storage	Subject to special use regulations in section 17.228.101
Private garden	Subject to special use regulations in section 17.228.810 et seq.
Urban beekeeping	Subject to section 9.44.330

B. Except as specifically amended in subsection A, above, all other provisions of section 17.204.310 remain unchanged and in full effect.

SECTION 5.

A. Subsection C of section 17.204.410 of the Sacramento City Code is amended to read as follows:

C. Accessory uses. The following uses are permitted in the R-1B zone when accessory to a permitted or conditional use, subject to the limitations specified:

Use	Limitations
Accessory antenna	
Childcare, in-home (family day care home)	
Common area	
Dwelling unit, secondary	Subject to special use regulations in section 17.228.105
Family care facility	
Family day care facility	
Home occupation	Subject to special use regulations in section 17.228.200 et seq.
Aquaculture	Subject to special use regulations in section 17.228.810 et seq.
Personal auto storage	Subject to special use regulations in section 17.228.101
Private garden	Subject to special use regulations in section 17.228.810 et seq.
Urban beekeeping	Subject to section 9.44.330

B. Except as specifically amended in subsection A, above, all other provisions of section 17.204.410 remain unchanged and in full effect.

SECTION 6.

A. Subsection C of section 17.204.510 of the Sacramento City Code is amended to read as follows:

C. Accessory uses. The following uses are permitted in the R-2 zone when accessory to a permitted or conditional use, subject to the limitations specified:

Use	Limitations
Accessory antenna	
Aquaculture	Subject to special use regulations in section 17.228.810 et seq.
Childcare, in-home (family day care home)	
Common area	
Dwelling unit, secondary	Subject to special use regulations in section 17.228.105
Family care facility	
Family day care facility	
Home occupation	Subject to special use regulations in section 17.228.200 et seq.
Personal auto storage	Subject to special use regulations in section 17.228.101
Private garden	Subject to special use regulations in section 17.228.810 et seq.
Urban beekeeping	Subject to section 9.44.330

B. Except as specifically amended in subsection A, above, all other provisions of section 17.204.510 remain unchanged and in full effect.

SECTION 7.

A. Subsection C of section 17.208.110 of the Sacramento City Code is amended to read as follows:

C. Accessory uses. The following uses are permitted in the R-2A zone when accessory to a permitted or conditional use, subject to the limitations specified:

Use	Limitations
Accessory antenna	
Aquaculture	Subject to special use regulations in section 17.228.810 et seq.
Childcare, in-home (family day care home)	

Common area	
Dwelling unit, secondary	Subject to special use regulations in section 17.228.105
Family care facility	
Family day care facility	
Home occupation	Subject to special use regulations in section 17.228.200 et seq.
Personal auto storage	Subject to special use regulations in section 17.228.101
Private garden	Subject to special use regulations in section 17.228.810 et seq.
Urban beekeeping	Subject to section 9.44.330

B. Except as specifically amended in subsection A, above, all other provisions of section 17.208.110 remain unchanged and in full effect.

SECTION 8.

A. Subsection C of section 17.208.210 of the Sacramento City Code is amended to read as follows:

C. Accessory uses. The following uses are permitted in the R-2B zone when accessory to a permitted or conditional use, subject to the limitations specified:

Use	Limitations
Accessory antenna	
Aquaculture	Subject to special use regulations in section 17.228.810 et seq.
Childcare, in-home (family day care home)	
Common area	
Dwelling unit, secondary	Subject to special use regulations in section 17.228.105
Family care facility	
Family day care facility	
Home occupation	Subject to special use regulations in section 17.228.200 et seq.
Personal auto storage	Subject to special use regulations in section 17.228.101
Private garden	Subject to special use regulations in section 17.228.810 et

	seq.
Urban beekeeping	Subject to section 9.44.330

B. Except as specifically amended in subsection A, above, all other provisions of section 17.208.210 remain unchanged and in full effect.

SECTION 9.

A. Subsection C of section 17.208.310 of the Sacramento City Code is amended to read as follows:

C. Accessory uses. The following uses are permitted in the R-3 zone when accessory to a permitted or conditional use, subject to the limitations specified:

Use	Limitations
Accessory antenna	
Aquaculture	Subject to special use regulations in section 17.228.810 et seq.
Childcare, in-home (family day care home)	
Common area	
Dwelling unit, secondary	Subject to special use regulations in section 17.228.105
Family care facility	
Family day care facility	
Home occupation	Subject to special use regulations in section 17.228.200 et seq.
Personal auto storage	Subject to special use regulations in section 17.228.101
Private garden	Subject to special use regulations in section 17.228.810 et seq.
Urban beekeeping	Subject to section 9.44.330

B. Except as specifically amended in subsection A, above, all other provisions of section 17.208.310 remain unchanged and in full effect.

SECTION 10.

A. Subsection C of section 17.208.410 of the Sacramento City Code is amended to read as follows:

C. Accessory uses. The following uses are permitted in the R-3A zone when accessory to a permitted or conditional use, subject to the limitations specified:

Use	Limitations
Accessory antenna	
Aquaculture	Subject to special use regulations in section 17.228.810 et seq.
Childcare, in-home (family day care home)	
Common area	
Dwelling unit, secondary	Subject to special use regulations in section 17.228.105
Family care facility	
Family day care facility	
Home occupation	Subject to special use regulations in section 17.228.200 et seq.
Personal auto storage	Subject to special use regulations in section 17.228.101
Private garden	Subject to special use regulations in section 17.228.810 et seq.
Urban beekeeping	Subject to section 9.44.330

B. Except as specifically amended in subsection A, above, all other provisions of section 17.208.410 remain unchanged and in full effect.

SECTION 11.

A. Subsection C of section 17.208.510 of the Sacramento City Code is amended to read as follows:

C. Accessory uses. The following uses are permitted in the R-4 zone when accessory to a permitted or conditional use, subject to the limitations specified:

Use	Limitations
Accessory antenna	
Accessory drive-through facility	Subject to special use regulations in section 17.228.110
Aquaculture	Subject to special use regulations in section 17.228.810 et seq.

Childcare, in-home (family day care home)	
Common area	
Dwelling unit, secondary	Subject to special use regulations in section 17.228.105
Family care facility	
Family day care facility	
Home occupation	Subject to special use regulations in section 17.228.200 et seq.
Personal auto storage	Subject to special use regulations in section 17.228.101
Private garden	Subject to special use regulations in section 17.228.10 et seq.
Urban beekeeping	Subject to section 9.44.330

B. Except as specifically amended in subsection A, above, all other provisions of section 17.208.510 remain unchanged and in full effect.

SECTION 12.

A. Subsection C of section 17.208.610 of the Sacramento City Code is amended to read as follows:

C. Accessory uses. The following uses are permitted in the R-4A zone when accessory to a permitted or conditional use, subject to the limitations specified:

Use	Limitations
Accessory antenna	
Accessory drive-through facility	Subject to special use regulations in section 17.228.110
Aquaculture	Subject to special use regulations in section 17.228.810 et seq.
Childcare, in-home (family day care home)	
Common area	
Dwelling unit, secondary	Subject to special use regulations in section 17.228.105
Family care facility	
Family day care facility	
Home occupation	Subject to special use regulations in section 17.228.200 et

	seq.
Personal auto storage	Subject to special use regulations in section 17.228.101
Private garden	Subject to special use regulations in section 17.228.810 et seq.
Urban beekeeping	Subject to section 9.44.330

B. Except as specifically amended in subsection A, above, all other provisions of section 17.208.610 remain unchanged and in full effect.

SECTION 13.

A. Subsection C of section 17.208.710 of the Sacramento City Code is amended to read as follows:

C. Accessory uses. The following uses are permitted in the R-5 zone when accessory to a permitted or conditional use, subject to the limitations specified:

Use	Limitations
Accessory antenna	
Accessory drive-through facility	Subject to special use regulations in section 17.228.110
Aquaculture	Subject to special use regulations in section 17.228.810 et seq.
Childcare, in-home (family day care home)	
Common area	
Dwelling unit, secondary	Subject to special use regulations in section 17.228.105
Family care facility	
Family day care facility	
Home occupation	Subject to special use regulations in section 17.228.200 et seq.
Personal auto storage	Subject to special use regulations in section 17.228.101
Private garden	Subject to special use regulations in section 17.228.810 et seq.
Urban beekeeping	Subject to section 9.44.330

B. Except as specifically amended in subsection A, above, all other provisions of section

17.208.710 remain unchanged and in full effect.

SECTION 14.

A. Subsection C of section 17.212.110 of the Sacramento City Code is amended to read as follows:

C. Accessory uses. The following uses are permitted in the RMX zone when accessory to a permitted or conditional use, subject to the limitations specified:

Use	Limitations
Accessory antenna	
Aquaculture	Subject to special use regulations in section 17.228.810 et seq.
Childcare, in-home (family day care home)	
Common area	
Dwelling unit, secondary	Subject to special use regulations in section 17.228.105
Family care facility	
Family day care facility	
Home occupation	Subject to special use regulations in section 17.228.200 et seq.
Private garden	Subject to special use regulations in section 17.228.810 et seq.
Urban beekeeping	Subject to section 9.44.330

B. Except as specifically amended in subsection A, above, all other provisions of section 17.212.110 remain unchanged and in full effect.

SECTION 15.

A. Subsection C of section 17.212.210 of the Sacramento City Code is amended to read as follows:

C. Accessory uses. The following uses are permitted in the RO zone when accessory to a permitted or conditional use, subject to the limitations specified:

Use	Limitations
-----	-------------

Accessory antenna	
Aquaculture	Subject to special use regulations in section 17.228.810 et seq.
Childcare, in-home (family day care home)	
Common area	
Dwelling unit, secondary	Subject to special use regulations in section 17.228.105
Family care facility	
Family day care facility	
Home occupation	Subject to special use regulations in section 17.228.200 et seq.
Private garden	Subject to special use regulations in section 17.228.810 et seq.
Urban beekeeping	Subject to section 9.44.330

B. Except as specifically amended in subsection A, above, all other provisions of section 17.212.210 remain unchanged and in full effect.

SECTION 16.

A. Subsection C of section 17.216.110 of the Sacramento City Code is amended to read as follows:

C. Accessory uses. The following uses are permitted in the OB zone when accessory to a permitted or conditional use, subject to the limitations specified:

Use	Limitations
Accessory antenna	
Accessory drive-through facility	Subject to special use regulations in section 17.228.110
Child care, in-home (family day care home)	
Common area	
Family care facility	
Family day care facility	
Home occupation	Subject to special use regulations in section 17.228.200 et seq.

Private garden	Subject to special use regulations in section 17.228.810 et seq.
Urban beekeeping	Subject to section 9.44.330

B. Except as specifically amended in subsection A, above, all other provisions of section 17.216.110 remain unchanged and in full effect.

SECTION 17.

A. Subsection C of section 17.216.210 of the Sacramento City Code is amended to read as follows:

C. Accessory uses. The following uses are permitted in the OB-2 zone when accessory to a permitted or conditional use, subject to the limitations specified:

Use	Limitations
Accessory antenna	
Accessory drive-through facility	Subject to special use regulations in section 17.228.110
Childcare, in-home (family day care home)	
Common area	
Family care facility	
Family day care facility	
Home occupation	Subject to special use regulations in section 17.228.200 et seq.
Private garden	Subject to special use regulations in section 17.228.810 et seq.
Urban beekeeping	Subject to section 9.44.330

B. Except as specifically amended in subsection A, above, all other provisions of section 17.216.210 remain unchanged and in full effect.

SECTION 18.

A. Subsection C of section 17.216.310 of the Sacramento City Code is amended to read as follows:

C. Accessory uses. The following uses are permitted in the OB-3 zone when accessory to a permitted or conditional use, subject to the limitations specified:

Use	Limitations
Accessory antenna	
Accessory drive-through facility	Subject to special use regulations in section 17.228.110
Childcare, in-home (family day care home)	
Common area	
Family care facility	
Family day care facility	
Home occupation	Subject to special use regulations in section 17.228.200 et seq.
Private garden	Subject to special use regulations in section 17.228.810 et seq.
Urban beekeeping	Subject to section 9.44.330

B. Except as specifically amended in subsection A, above, all other provisions of section 17.216.310 remain unchanged and in full effect.

SECTION 19.

A. Subsection C of section 17.216.510 of the Sacramento City Code is amended to read as follows:

C. Accessory uses. The following uses are permitted in the SC zone when accessory to a permitted or conditional use, subject to the limitations specified:

Use	Limitations
Accessory antenna	
Accessory drive-through facility	Subject to special use regulations in section 17.228.110
Childcare, in-home (family day care home)	
Common area	
Dwelling unit, secondary	Subject to special use regulations in section 17.228.105

Family care facility	
Family day care facility	
Home occupation	Subject to special use regulations in section 17.228.200 et seq.
Private garden	Subject to special use regulations in section 17.228.810 et seq.
Recycling facility, convenience	Subject to special use regulations in section 17.228.400 et seq.
Urban beekeeping	Subject to section 9.44.330
Watchperson's quarters	The structure shall be limited to 1,000 square feet

B. Except as specifically amended in subsection A, above, all other provisions of section 17.216.510 remain unchanged and in full effect.

SECTION 20.

A. Subsection C of section 17.216.610 of the Sacramento City Code is amended to read as follows:

C. Accessory uses. The following uses are permitted in the C-1 zone when accessory to a permitted or conditional use, subject to the limitations specified:

Use	Limitations
Accessory antenna	
Childcare, in-home (family day care home)	
Common area	
Dwelling unit, secondary	Subject to special use regulations in section 17.228.105
Family care facility	
Family day care facility	
Home occupation	Subject to special use regulations in section 17.228.200 et seq.
Private garden	Subject to special use regulations in section 17.228.810 et seq.
Recycling facility, convenience	Subject to special use regulations in section

	17.228.400 et seq.
Urban beekeeping	Subject to section 9.44.330
Watchperson's quarters	The structure shall be limited to 1,000 square feet

B. Except as specifically amended in subsection A, above, all other provisions of section 17.216.610 remain unchanged and in full effect.

SECTION 21.

A. Subsection C of section 17.216.710 of the Sacramento City Code is amended to read as follows:

C. Accessory uses. The following uses are permitted in the C-2 zone when accessory to a permitted or conditional use, subject to the limitations specified:

Use	Limitations
Accessory antenna	
Accessory drive-through facility	Subject to special use regulations in section 17.228.110
Childcare, in-home (family day care home)	
Common area	
Dwelling unit, secondary	Subject to special use regulations in section 17.228.105
Family care facility	
Family day care facility	
Home occupation	Subject to special use regulations in section 17.228.200 et seq.
Private garden	Subject to special use regulations in section 17.228.810 et seq.
Recycling facility, convenience	Subject to special use regulations in section 17.228.400 et seq.
Urban beekeeping	Subject to section 9.44.330
Watchperson's quarters	The structure shall be limited to 1,000 square feet

B. Except as specifically amended in subsection A, above, all other provisions of section 17.216.710 remain unchanged and in full effect.

SECTION 22.

A. Subsection C of section 17.216.810 of the Sacramento City Code is amended to read as follows:

C. Accessory uses. The following uses are permitted in the C-3 zone when accessory to a permitted or conditional use, subject to the limitations specified:

Use	Limitations
Accessory antenna	
Childcare, in-home (family day care home)	
Common area	
Dwelling unit, secondary	Subject to special use regulations in section 17.228.105
Family care facility	
Family day care facility	
Home occupation	Subject to special use regulations in section 17.228.200 et seq.
Private garden	Subject to special use regulations in section 17.228.810 et seq.
Recycling facility, convenience	Subject to special use regulations in section 17.228.400 et seq.
Urban beekeeping	Subject to section 9.44.330
Watchperson's quarters	The structure shall be limited to 1,000 square feet

B. Except as specifically amended in subsection A, above, all other provisions of section 17.216.810 remain unchanged and in full effect.

SECTION 23.

A. Subsection C of section 17.216.910 of the Sacramento City Code is amended to read as follows:

C. Accessory uses. The following uses are permitted in the C-4 zone when accessory to a permitted or conditional use, subject to the limitations specified:

Use	Limitations
Accessory antenna	
Accessory drive-through facility	Subject to special use regulations in section 17.228.110
Child care, in-home (family day care home)	
Common area	
Family care facility	
Family day care facility	
Home occupation	Subject to special use regulations in section 17.228.200 et seq.
Private garden	Subject to special use regulations in section 17.228.810 et seq.
Recycling facility, convenience	Subject to special use regulations in section 17.228.400 et seq.
Tasting room, on-site	Limited to on-site consumption and off-site sales of malt beverages or wine produced on the premises
Urban beekeeping	Subject to section 9.44.330
Watchperson's quarters	The structure shall be limited to 1,000 square feet

B. Except as specifically amended in subsection A, above, all other provisions of section 17.216.910 remain unchanged and in full effect.

SECTION 24.

A. Subsection C of section 17.220.110 of the Sacramento City Code is amended to read as follows:

C. Accessory uses. The following uses are permitted in the M-1 zone when accessory to a permitted or conditional use, subject to the limitations specified:

Use	Limitation
Accessory antenna	
Accessory drive-through facility	Subject to special use regulations in section 17.228.110
Childcare, in-home (family day care home)	

Common area	
Family care facility	
Family day care facility	
Home occupation	Subject to special use regulations in section 17.228.200 et seq.
Private garden	Subject to special use regulations in section 17.228.810 et seq.
Recycling facility, convenience	Subject to special use regulations in section 17.228.400 et seq.
Tasting room, on-site	Limited to on-site consumption and off-site sales of malt beverages or wine produced on the premises
Urban beekeeping	Subject to section 9.44.330
Watchperson's quarters	The structure shall be limited to 1,000 square feet

B. Except as specifically amended in subsection A, above, all other provisions of section 17.220.110 remain unchanged and in full effect.

SECTION 25.

A. Subsection C of section 17.220.210 of the Sacramento City Code is amended to read as follows:

C. Accessory uses. The following in the M-1(S) zone are permitted when accessory to a permitted or conditional use, subject to the limitations specified:

Use	Limitation
Accessory antenna	
Accessory drive-through facility	Subject to special use regulations in section 17.228.110
Childcare, in-home (family day care home)	
Common area	
Family care facility	
Family day care facility	
Home occupation	Subject to special use regulations in section 17.228.200 et seq.
Private garden	Subject to special use regulations in section 17.228.810 et

	seq.
Recycling facility, convenience	Subject to special use regulations in section 17.228.400 et seq.
Tasting room, on-site	Limited to on-site consumption and off-site sales of malt beverages or wine produced on the premises
Urban beekeeping	Subject to section 9.44.330
Watchperson's quarters	The structure shall be limited to 1,000 square feet

B. Except as specifically amended in subsection A, above, all other provisions of section 17.220.210 remain unchanged and in full effect.

SECTION 26.

A. Subsection C of section 17.220.310 of the Sacramento City Code is amended to read as follows:

C. Accessory uses. The following uses are permitted in the M-2 zone when accessory to a permitted or conditional use, subject to the limitations specified:

Use	Limitations
Accessory antenna	
Accessory drive-through facility	Subject to special use regulations in section 17.228.110 et seq.
Child care, in-home (family day care home)	
Common area	
Family care facility	
Family day care facility	
Home occupation	Subject to special use regulations in section 17.228.200 et seq.
Private garden	Subject to special use regulations in section 17.228.810 et seq.
Recycling facility, convenience	Subject to special use regulations in section 17.228.400 et seq.
Tasting room, on-site	Limited to on-site consumption and off-site sales of malt beverages or wine produced on the premises

Urban beekeeping	Subject to section 9.44.330
Watchperson's quarters	The structure shall be limited to 1,000 square feet

B. Except as specifically amended in subsection A, above, all other provisions of section 17.220.310 remain unchanged and in full effect.

SECTION 27.

A. Subsection C of section 17.220.410 of the Sacramento City Code is amended to read as follows:

C. Accessory uses. The following uses are permitted in the M-2(S) zone when accessory to a permitted or conditional use, subject to the limitations specified:

Use	Limitations
Accessory antenna	
Accessory drive-through facility	Subject to special use regulations in section 17.228.110
Childcare, in-home (family day care home)	
Common area	
Family care facility	
Family day care facility	
Home occupation	Subject to special use regulations in section 17.228.200 et seq.
Private garden	Subject to special use regulations in section 17.228.810 et seq.
Recycling facility, convenience	Subject to special use regulations in section 17.228.400 et seq.
Tasting room, on-site	Limited to on-site consumption and off-site sales of malt beverages or wine produced on the premises
Urban beekeeping	Subject to section 9.44.330
Watchperson's quarters	The structure shall be limited to 1,000 square feet

B. Except as specifically amended in subsection A, above, all other provisions of section 17.220.410 remain unchanged and in full effect.

SECTION 28.

A. Subsection C of section 17.220.610 of the Sacramento City Code is amended to read as follows:

C. Accessory uses. The following uses are permitted in the MRD zone when accessory to a permitted or conditional use, subject to the limitations specified:

Use	Limitations
Accessory antenna	
Child care, in-home (family day care home)	
Common area	
Family care facility	
Family day care facility	
Home occupation	Subject to special use regulations in section 17.228.200 et seq.
Private garden	Subject to special use regulations in section 17.228.810 et seq.
Urban beekeeping	Subject to section 9.44.330
Watchperson's quarters	The structure shall be limited to 1,000 square feet

B. Except as specifically amended in subsection A, above, all other provisions of section 17.220.610 remain unchanged and in full effect.

SECTION 29.

A. Subsection C of section 17.224.110 of the Sacramento City Code is amended to read as follows:

C. Accessory uses. The following uses are permitted in the H zone when accessory to a permitted or conditional use, subject to the limitations specified:

Use	Limitations
Accessory antenna	
Accessory drive-through facility	Subject to special use regulations in section 17.228.110
Common area	

Family care facility	
Family day care facility	
Home occupation	Subject to special use regulations in section 17.228.200 et seq.
Private garden	Subject to special use regulations in section 17.228.810 et seq.
Recycling facility, convenience	Subject to special use regulations in section 17.228.400 et seq.
Urban beekeeping	Subject to section 9.44.330
Watchperson's quarters	The structure shall be limited to 1,000 square feet

B. Except as specifically amended in subsection A, above, all other provisions of section 17.224.110 remain unchanged and in full effect.

SECTION 30.

A. Subsection B of section 17.224.210 of the Sacramento City Code is amended to read as follows:

B. Accessory uses. The following uses are permitted in the SPX zone when accessory to a conditional use, subject to the limitations specified:

Use	Limitations
Accessory antenna	
Accessory drive-through facility	Subject to special use regulations in section 17.228.110
Common area	
Home occupation	Subject to special use regulations in section 17.228.200 et seq.
Private garden	Subject to special use regulations in section 17.228.810 et seq.
Recycling facility, convenience	Subject to special use regulations in section 17.228.400 et seq.
Urban beekeeping	Subject to section 9.44.330
Watchperson's quarters	The structure shall be limited to 1,000 square feet

B. Except as specifically amended in subsection A, above, all other provisions of section

17.224.210 remain unchanged and in full effect.

SECTION 31.

A. Subsection C of section 17.224.410 of the Sacramento City Code is amended to read as follows:

C. Accessory uses. The following uses in the HC zone are permitted when accessory to a permitted or conditional use, subject to the limitations specified:

Use	Limitations
Accessory antenna	
Accessory drive-through facility	Subject to special use regulations in section 17.228.110
Child care, in-home (family day care home)	
Common area	
Family care facility	
Family day care facility	
Private garden	Subject to special use regulations in section 17.228.810 et seq.
Urban beekeeping	Subject to section 9.44.330
Watchperson's quarters	The structure shall be limited to 1,000 square feet

B. Except as specifically amended in subsection A, above, all other provisions of section 17.224.410 remain unchanged and in full effect.

SECTION 32.

Section 17.228.810 of the Sacramento City Code is amended to read as follows:

17.228.810 Development standards.

Urban agriculture in residential and non-residential zones shall comply with the development standards in this section.

A. Maintenance. Urban agriculture uses shall be maintained in an orderly manner, including litter removal, irrigation, weeding, pruning, pest control and removal of dead or diseased plant materials.

B. Equipment.

1. Use of mechanized farm equipment is prohibited in residential districts.
2. Exceptions.
 - a. Heavy equipment may be used initially to prepare the land for agriculture use.
 - b. Landscaping equipment designed for household use is permitted.
 - c. Equipment when not in use must be enclosed or otherwise screened from sight.

C. Structures. Structures to support urban agriculture, such as storage sheds, hoop-houses, and greenhouses, are permitted, subject to the regulations of the underlying zone.

D. Aquaculture operations.

1. Are allowed as an accessory use in residential and residential mixed use zones (R-1, R-1A, R-1B, R-2, R-2A, R-2B, R-3, R-3A, R-4, R-4A, R-5, RMX, and RO). The operation shall be contained entirely within an enclosed structure that meets the requirements of chapter 17.624, or in a yard that is screened from view of adjacent streets by fencing or landscaping.

2. Aquaculture operations in non-residential zones are allowed, subject to the regulations of the underlying zone.

E. Urban agriculture stands.

1. Urban agriculture stands are permitted on the site of an urban agriculture use subject to the following regulations:

- a. Urban agriculture stands up to 120 square feet are allowed by right.
- b. Urban agriculture stands larger than 120 square feet shall be subject to the approval of a Zoning Administrator Conditional Use Permit.
- c. Urban agriculture stands must be temporary, and must be dismantled and removed during non-operating hours.
- d. Product sales are limited to produce and value-added products grown and produced on-site.

e. Operating hours for an urban agriculture stand are limited to 8:00 a.m. to 7:00 p.m. In R-zones, operations shall be further limited to Tuesdays and Saturdays, and a private garden shall be prohibited in the front yard of a lot where an urban agriculture stand is operated. The limitation on the days of operation does not apply to vacant sites in R-zones.

f. Parking for two cars shall be available either on-street or provided in an off-street parking facility accessed by an approved driveway.

2. Urban agriculture stands that sell only fresh produce and are located in residential zones are not home occupations under article II of chapter 17.228.

F. Urban agriculture activities shall include best practices to prevent pollutants from entering the stormwater conveyance system and shall comply with all applicable federal, state, and local laws, ordinances, or regulations, including, but not limited to, the stormwater management and discharge control code in chapter 13.16 and the grading, erosion, and sediment control ordinance in chapter 15.88.

Beekeeper’s associations generally recommend the following measures to minimize conflicts with neighbors. The primary goal is to avoid the bee colony’s flight path, which is concentrated within the first ten feet from the colony’s entrance:

- Hives should be placed in a quiet area and not directly against a neighboring property unless a solid fence or dense plant barrier of six feet or higher forms the property boundary.
- Where there is no fence or flyway barrier, orient the entrance to the hive away from the entrances and walkways, and toward the most distant property line.
- Maintain a clear flight path at least ten feet from the hive entrance.

The table below summarizes zoning regulations for selected California cities.

Jurisdiction	Number of hives allowed on lots in residential Zones?	Setbacks	Setback from Buildings	Flyway Barrier
Sacramento	No more than 2 hives per parcel	None	None	None
Davis	No specific limits	None	None	None
Roseville	No more than 2 hives	None	500 feet from any structure in which persons or animals normally live or are kept	None
San Francisco	No specific limits			
West Sacramento	None/Not permitted	None	None	None
San Diego	2 hives (if 3 or more hives, much greater setback distances must be maintained)	15 feet from property line, 20 feet from sidewalk	20 feet setback from principal building on abutting lot	Yes

The table below summarizes bee-related calls received in 2014 and from January 1 to September 22, 2015. These calls are not limited to beekeeping. Many of them are related to requests for removal of naturally occurring beehives.

Month	2014 Bee-related Calls	2015 Bee-related Calls
January	0	0
February	2	0
March	6	10
April	12	12
May	8	12
June	8	14
July	6	3
August	2	0
September	2	3
October	4	-
November	1	-
December	1	-

On September 26, 2014, the California Legislature amended the Food and Agricultural Code and the Health and Safety Code to authorize a *community food producer* (CFP) to sell or provide whole uncut fruits or vegetables, or unrefrigerated shell eggs, directly to the public, to a permitted restaurant, or a cottage food operation if the Community Food Producer meets all of the requirements in the California Retail Food Code.

The Sacramento County Environmental Management Department enforces the requirements for CFP's and all retail food sales in the Sacramento County, as follows:

- (1) Agricultural products shall be grown or produced in compliance with all applicable federal, state, or local laws, regulations, and food safety guidelines issued by the regulatory agency.
- (2) Agricultural products shall be labeled with the name and address of the community food producer.
- (3) Conspicuous signage shall be provided in lieu of a product label if the agricultural product is being sold by the community food producer on the site of production. The signage shall include, but not be limited to, the name and address of the community food producer.
- (4) Best management practices as described by the Department of Food and Agriculture's *Small Farm Food Safety Guidelines*, which includes safe production, processing, and handling of both non-potentially hazardous and potentially hazardous foods (see [Small Farm Food Safety Guidelines- CDFA](#)).
- (5) Egg production shall be limited to 15 dozen eggs per month and producer must register as an *Egg Handler* with the Department of Food and Agriculture (see [Egg handler registration](#)).

If you have any questions about CFP's or other foods sold at the retail level then contact the Sacramento County Environmental Management Department (EMD) (916) 875-8440.