

City of Sacramento  
Planning Commission  
Sacramento, California

**Members in Session:**

- Subject:**
- A. Environmental Determination
  - B. Zoning Ordinance Amendment relating to the establishment of flea markets within the City of Sacramento (M89-016)
  - C. Addition to Zoning Ordinance to include a flea market definition.

**SUMMARY:** The proposed Zoning Ordinance Amendment would add language to Section 2 of the Zoning Ordinance, identifying a flea market establishment as a land use category that will be permitted in certain zones, subject to the granting of a Special Permit. The amendment will also include conditions and standards required when establishing a flea market. Finally a definition for a flea market would be added to Section 22 of the Zoning Ordinance. Staff recommends that the Planning Commission recommend adoption of the attached Zoning Ordinance amendments to the City Council.

**BACKGROUND INFORMATION:** Under the current Zoning Ordinance a flea market is allowed by right in the M-1 and M-2 zones. A flea market land use category, however, is not specifically listed in the land use chart in Section 2 of the Zoning Ordinance. At present, the City has considered a flea market establishment as a wholesale/retail type of use which is subject to the same standards as required for a retail/wholesale type establishment (i.e. parking, fencing and screening if adjacent to residential).

Currently, there are three flea markets located in the City, including the recently approved flea market in North Sacramento. The approved indoor/outdoor flea market is located in a M-1 zone (P88-336). The flea market generated a great deal of discussion, in respect to flea markets as a permitted use by right in the M-1 and M-2 zones. There was also controversy on whether a flea market is similar in nature to a retail and wholesale type of establishment. Traffic, parking and fencing to screen the use were major concerns of the surrounding neighbors in the area. To eliminate similar controversy in the future, the City is amending its Zoning Ordinance to add a flea market category in the land use chart and is requiring flea markets in certain zones as part of the special permit review process.

The intent of the Zoning Ordinance amendment is to avoid allowing flea markets in residential, office, shopping center, highway commercial and limited commercial zones. Allowing a flea market in the above mentioned zones may result in an alteration of the present or planned land uses in the area. The proposed amendment will, however, allow flea markets in the general commercial, heavy commercial, industrial, and sports complex zones subject to a special permit. Flea market sale activities shall be confined within a building in the general commercial zone. In addition, a flea market will not be allowed in the Flood, Agriculture, Agriculture Open Space, Hospital, Manufacturing, Research and Development and Manufacturing -Industrial Park zones. A definition of a flea market is added in the Ordinance to clearly describe and define a flea market establishment.

The proposed flea market standards and conditions are necessary to:

- a. provide adequate landscaping, parking, screening and setbacks on the site; and
- b. to insure the appearance of a flea market is compatible with the surrounding area to eliminate the potential visual blight; and
- c. mitigate any potential traffic and circulation problems on and/or off the site which may be generated by the use.

The proposed amendment, under Section 2.E of the Zoning Ordinance would add language requiring all flea market establishments be subject to a special permit and meet the following standards:

1. A minimum 25 foot wide landscaped setback shall be established along all street frontages and freeway right-of-ways.
2. A mixture of evergreen trees and deciduous trees shall be planted along the entire perimeter of the site.
3. If the flea market will abut a residential use or residential zone, any outdoor storage or outdoor vendor sales area shall be screened by a minimum six-foot high solid wall of masonry, brick, stucco or similar material.
4. Outdoor trash facilities shall be located in an inconspicuous area and shall provide for easy access for the flea market customers and refuse removal.

5. Parking ratio shall be one (1) parking space per 250 square feet of gross building area and one (1) parking space per 250 square feet of gross outdoor vendor area.
6. No designated parking area shall be used for vendor space.
7. No permanent structures shall be constructed in the outdoor selling vendor area.
8. No adjacent property shall be used for parking or vendor sales.
9. Except for emergency purposes, no exterior loud speakers shall be used during the flea market operation.
10. No overnight camping shall be permitted on the flea market site.

ENVIRONMENTAL DETERMINATION: The Environmental Coordinator has determined that the proposed Zoning Ordinance Amendment will not have a significant adverse effect on the environment and has filed a Negative Declaration.

RECOMMENDATION: Staff recommends the Planning Commission take the following actions:

- A. Ratify the Negative Declaration
- B. Recommend approval of the attached Zoning Ordinance Amendment and forward to City Council.

Respectfully submitted:



Will Weitman  
Senior Planner

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ORDINANCE NO.  
ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

An Ordinance addition Section 2.C.72, 2.E.45 and 22.A.110 of the Comprehensive Zoning Ordinance of the City of Sacramento, Ordinance No. 2550, Fourth Series as amended, relating to Flea Market Establishment

(M89-016)

Be it enacted by the Council of the City of Sacramento:

Section 1:

Section 2.C.72 is hereby added to the Zoning Ordinance of the City of Sacramento, Ordinance 25500, Fourth Series, as amended, to read as follows:

	R	R	R	R	R	R	R	R	R	R	R	R	O	R	H	S	C	C	C	C	M-1	M-2	A	F	A	H	M	S	M
	E	1	1	1	2	2	2	3	3	4	4	5	B	O	C	C	1	2	3	4	M-1	M-2					1	P	R
72. Flea Market			A	B		A	B		A	A											(S)	(S)			S		P	X	D
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Section 2:

Section 2.E.45 is hereby added to the Zoning Ordinance of the City of Sacramento, Ordinance 25500, Fourth Series, as amended, to read as follows:

45. A Special Permit shall be required to establish a flea market in this zone. Unless modified as part of the Special Permit, the following standards shall apply:
1. A minimum 25 foot wide landscaped setback shall be established along all street frontages and freeway right-of-ways.
  2. A mixture of evergreen trees and deciduous trees shall be planted along the entire perimeter of the site.
  3. If the flea market will abut a residential use or residential zone, any outdoor storage or outdoor vendor sales area shall be screened by a minimum six-foot high solid wall of masonry, brick, stucco or similar material.

4. Outdoor trash facilities shall be located in an inconspicuous area and shall be screened by a minimum six foot high masonry wall and shall provide for easy access for the flea market customers and refuse removal.
5. Parking ratio shall be one (1) parking space per 250 square feet of gross building area and one (1) parking space per 250 square feet of gross outdoor vendor area.
6. No designated parking area shall be used for vendor space.
7. No permanent structures shall be constructed in the outdoor vendor area.
8. No adjacent property shall be used for parking or vendor sales.
9. Except for emergency purposes, no exterior loud speakers shall be used during the flea market operation.
10. No overnight camping shall be permitted on the flea market site.

### Section 3

Section 22.A.110 is hereby added to the Zoning Ordinance of the City of Sacramento, Ordinance 2550, Fourth Series to read as follows:

110: A flea market is an occasional or periodic market held in an open air area, or in a building used as a market, or both such an open-air area and such a building, where space is rented, leased to, or used by two or more vendor's of new or used goods, wares, merchandise or services, other than the owner or operator of the flea market.

Passed for Publication:

Enacted:

Effective:

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MAYOR

ATTEST:

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CITY CLERK

M89-016