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CITY OF SACRAMENTO

CITY MANAGER'S OFFICE
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JAN 21 1982

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January 21, 1982

Hon. City Council
City Hall
Sacramento, CA 95814

Re: ORDINANCE RELATING TO VARIANCES TO DRIVEWAY REGULATIONS

Members in Session:

SUMMARY

The attached ordinance establishes a procedure for granting variances to driveway regulations. The ordinance is an emergency measure, to take effect immediately.

BACKGROUND INFORMATION

The attached ordinance adds Section 38.166-1 to the City Code. The section establishes a procedure for the granting of variances to the provisions of City Code Sections 38.164 and 38.166. These sections presently establish regulations relating to driveways in the City. There is currently no procedure to grant a variance to these regulations. The Sacramento Regional Transit District has asked for a variance for their new maintenance facility. The City staff recommends that the ordinance be approved so that the Council may consider Regional Transit's request. The ordinance is an emergency measure, to take effect immediately. If the ordinance is approved, the variance hearing would be held on February 2 or 9, 1982.

RECOMMENDATION

The City Manager and City Engineer recommend approval of the ordinance.

Very truly yours,

JAMES P. JACKSON
City Attorney

APPROVED
BY THE CITY COUNCIL

JAN 26 1982

OFFICE OF THE
CITY CLERK

JPJ/p

Recommendation approved:

WALTER J. SLIPE, City Manager

January 26, 1982

All Districts

ORDINANCE NO. 82-006

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

AN ORDINANCE ADDING SECTION 38.166-1 TO THE CITY CODE RELATING TO VARIANCES TO DRIVEWAY REGULATIONS AND DECLARING THIS ORDINANCE TO BE AN EMERGENCY MEASURE TO TAKE EFFECT IMMEDIATELY

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

SECTION 1.

Section 38.166-1 is added to the Sacramento City Code to read as follows:

Sec. 38.166-1 Variance.

The City Council may grant variances to the provisions of City Code Sections 38.164 and 38.166. A variance may be granted only after an application for a variance is filed with the City Clerk, a notice is given, and a hearing is held by the Council. Notice shall be given by publishing a notice of the date, time and place of the hearing once in the official newspaper of the City at least five days before the hearing. A variance may be granted only if the Council determines that special circumstances exist to justify it and that the public health, safety and welfare do not suffer thereby. A variance may be granted subject to conditions. If a variance application is denied, no new request for the same or similar variance shall be filed within one year of the date of denial.

SECTION 2.

This ordinance is an emergency measure to take effect immediately. The reason for the emergency is that there is now no flexibility in certain driveway regulations in the City Code, a variance to the Code is desired by certain applicants, and the Council wishes to consider said variance issue as soon as possible.

DATE ENACTED:

DATE EFFECTIVE:

ATTEST:

CITY CLERK

MAYOR

APPROVED
BY THE CITY COUNCIL

JAN 26 1982

OFFICE OF THE
CITY CLERK