

APPROVED
BY THE CITY COUNCIL

JUN 8 1999

OFFICE OF THE
CITY CLERK



3.1

NEIGHBORHOODS, PLANNING,
AND DEVELOPMENT
SERVICES DEPARTMENT

CITY OF SACRAMENTO
CALIFORNIA

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SACRAMENTO, CA
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PLANNING
916-264-5567
FAX 916-264-5328

May 21, 1999

City Council
Sacramento, California

Honorable Members in Session

**SUBJECT: CONSIDERATION OF AMENDMENTS TO ORDINANCE 98-049 REGARDING
SOLID WASTE TRANSFER OR PROCESSING STATIONS.**

LOCATION AND COUNCIL DISTRICT: City wide

RECOMMENDATION: Amend the Ordinance to extend and expand the temporary limitation on accepting or processing applications for certain solid waste transfer or processing facilities.

CONTACT PERSON: Gary L. Stonehouse, Planning Director (264-5567)

FOR COUNCIL MEETING OF: June 8, 1999 (afternoon)

SUMMARY:

Councilmember Jones requested that this ordinance be agendized for consideration of amendments. The proposed amendments would extend and expand the moratorium on processing applications for major solid waste facilities, and in conjunction with amendments to the Zoning ordinance will ensure that new solid waste and recycling facilities will be adequately reviewed and conditioned.

BACKGROUND INFORMATION:

On November 10, 1998, the council adopted Ordinance 98-049 , attachment A, which established a temporary prohibition on accepting or processing applications for major solid waste transfer or processing stations until new policies were in place regarding the size and spacing of such facilities to avoid over concentrations. The temporary ordinance expires with



building better neighborhoods block by block

www.sacto.org/npsd/

the adoption of the appropriate policies or on June 10, 1999, whichever is first.

Councilmember Jones has been working with staff from the Solid Waste Division and from the Planning Division on a variety of matters related to solid waste facilities. To date, the locational policies have not been developed. There is agreement, however on the need to extend the ordinance, on language slightly expanding the coverage of the ordinance, and on some amendments to the Zoning Ordinance relating to the administrative review of certain recycling facilities.

Because this ordinance is scheduled to expire on June 10, 1999, the action before the Council today is to extend the life of the ordinance by one additional year, to June 10, 2000, and to include yard waste compost facilities within the prohibition. The ordinance has also been modified to contain a whereas indicating that Solid Waste Division staff has determined that there is adequate approved transfer station capacity for three to five years. Planning and Solid Waste Division Staff are developing a work program and schedule for the development of the policies described by the ordinance.

The Zoning Ordinance amendments will be presented to the Council in several weeks. Generally, they will provide for some level of notice and review for Large Recyclable Collection Facilities and for Recycled Material Recovery Facilities. The level of notice and review will depend upon the size of the facility and its ability to meet specified development standards. Currently these facilities, at any size, can be approved administratively in the industrial zones.

FINANCIAL CONSIDERATIONS:

None

ENVIRONMENTAL DETERMINATION:

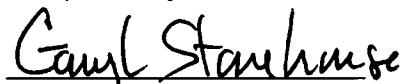
The adoption of this ordinance is not a project under CEQA.

POLICY CONSIDERATIONS:

The Council has previously determined that new policies regarding the regulation and distribution of solid waste transfer stations need to be in effect prior to processing applications for additional facilities. This action extends the time frame for the development of those policies.

ESBD CONSIDERATION: None

Respectfully Submitted,



GARY U. STONEHOUSE

Planning Director

FOR CITY COUNCIL INFORMATION:

ROBERT P. THOMAS

City Manager

APPROVED:



JACK CRIST, DEPUTY CITY
MANAGER

Neighborhoods; Planning and
Development Services Department

Attachments:

- A. Existing Ordinance
- B. Proposed Ordinance

ORDINANCE NO. 98-049

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF NOV 10 1998

AN ORDINANCE ESTABLISHING A TEMPORARY PROHIBITION ON ACCEPTANCE OR PROCESSING OF APPLICATIONS FOR SPECIAL PERMITS OR OTHER DISCRETIONARY DEVELOPMENT ENTITLEMENTS FOR TRANSFER OR PROCESSING STATIONS IN THE CITY OF SACRAMENTO.

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

SECTION 1.

WHEREAS:

1. The City Council has recently approved entitlements for two transfer or processing stations, both of which are located in Council District 6, in southeast Sacramento; and
2. Transfer or processing stations can impact nearby communities with truck traffic, noise; air quality impacts and hazards to human health; and
3. The City has received applications for special permits and/or other discretionary development entitlements for additional transfer or processing stations and has been advised that others are interested in establishing transfer or processing stations in southeast Sacramento; and
4. The City Council is concerned about the necessity of additional transfer or processing stations in the City of Sacramento generally, and in southeast Sacramento in particular; and
5. The City Council acknowledges the need to establish policies for the development of transfer or processing stations, including policies regarding facility size, spacing requirements to avoid facility over-concentration, and other policies regarding operation of the facilities, and on October 20, 1998, directed staff to proceed with the formulation of such policies regarding transfer or processing stations; and

FOR CITY CLERK USE ONLY

ORDINANCE NO. 98-049

DATE ADOPTED. NOV 10 1998

PLATE 1

6. Policies regarding the development of transfer or processing stations need to be in effect before processing applications for special permits or other discretionary development entitlements for additional facilities.

SECTION 2.

- A. No application for a special permit or other discretionary development entitlement required by the Comprehensive Zoning Ordinance No. 2550, Fourth Series, as amended, for transfer or processing stations, shall be accepted for processing, processed or granted until the earlier of:
- (1) June 10, 1999, or
 - (2) The approval and implementation, by resolution or ordinance, of the appropriate policies by City Council.
- B. For purposes of Paragraph A, the term "transfer or processing station" shall have the same meaning as set forth in section 40200 of the California Public Resources Code.
- C. For purposes of Paragraph A, administrative permits authorized by Section 34.1 of the Comprehensive Zoning Ordinance shall not be considered discretionary entitlements and shall not be subject to the restrictions on processing and granting discretionary entitlements established by that Paragraph.
- D. Exception: Paragraph A shall not apply to the processing of, and issuance of a final decision upon, Application Z-98-114, for a minor deviation to the existing special permit to establish a 500 ton facility, consisting of 8 tons of transferable materials and 492 tons of recyclable materials.

DATE ENACTED: 11/10/98
TITLE PUBLISHED IN FULL: 11/23/98
DATE EFFECTIVE: 11/10/98

JOE SERNA, JR.

MAYOR

ATTEST:

VALERIE BURROWES

CITY CLERK

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ORDINANCE NO. 98-049

DATE ADOPTED: NOV 10 1998

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APPROVED
BY THE CITY COUNCIL

ATTACHMENT B

JUN 8 1999

ORDINANCE NO. 99-032

OFFICE OF THE
CITY CLERK

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

**AN ORDINANCE ESTABLISHING A TEMPORARY PROHIBITION ON
ACCEPTANCE OR PROCESSING OF APPLICATIONS FOR SPECIAL PERMITS OR
OTHER DISCRETIONARY DEVELOPMENT ENTITLEMENTS FOR TRANSFER OR
PROCESSING STATIONS IN THE CITY OF SACRAMENTO**

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

SECTION 1.

WHEREAS:

1. The City Council has recently approved entitlements for two transfer or processing stations, both of which are located in Council District 6, in southeast Sacramento; and
2. Solid Waste Division staff has determined that these facilities provide adequate capacity for a 3-5 year period.
3. Transfer or processing stations can impact nearby communities with truck traffic, noise, air quality impacts and hazards to human health; and
4. The City has received applications for special permits and/or other discretionary development entitlements for additional transfer or processing stations and has been advised that others are interested in establishing transfer or processing stations in southeast Sacramento; and
5. The City Council is concerned about the necessity of additional transfer or processing stations in the City of Sacramento generally, and in southeast Sacramento in particular; and
6. The City Council acknowledges the need to establish policies for the development of transfer or processing stations, including policies regarding facility size, spacing requirements to avoid facility over-concentration, and other policies regarding operation of the facilities, and on October 20, 1998, directed staff to proceed with the formulation of such policies regarding transfer or processing stations; and

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ORDINANCE NO.: _____

DATE ADOPTED: _____

7. Policies regarding the development of transfer or processing stations need to be in effect before processing applications for special permits or other discretionary development entitlements for additional facilities.

SECTION 2.

- A. No application for a special permit or other discretionary development entitlement required by the Comprehensive Zoning Ordinance No. 2550, Fourth Series, as amended, for transfer or processing stations or for yard waste composting facilities; shall be accepted for processing, processed or granted until the earlier of:
- (1) June 10, 2000, or
 - (2) The approval and implementation, by resolution or ordinance, of the appropriate policies by City Council.
- B. For purposes of Paragraph A, the term "transfer or processing station" shall have the same meaning as set forth in section 40200 of the California Public Resources Code.
- C. For purposes of Paragraph A, administrative permits authorized by Section 34.1 of the Comprehensive Zoning Ordinance shall not be considered discretionary entitlements and shall not be subject to the restrictions on processing and granting discretionary entitlements established by that Paragraph.
- D. Exception: Paragraph A shall not apply to the processing of, and issuance of a final decision upon, Application Z-98-114, for a minor deviation to the existing special permit to establish a 500 ton facility, consisting of 8 tons of transferable materials and 492 tons of recyclable materials.

DATE ENACTED:

PASSED FOR PUBLICATION:

DATE EFFECTIVE:

MAYOR

ATTEST:

CITY CLERK

FOR CITY CLERK USE ONLY

ORDINANCE NO.: _____

DATE ADOPTED: _____