



APPROVED  
BY THE CITY COUNCIL

NOV 10 1998

4.1

CITY OF SACRAMENTO  
CALIFORNIA

OFFICE OF THE  
CITY CLERK

DEPARTMENT OF  
NEIGHBORHOODS, PLANNING  
AND DEVELOPMENT SERVICES

1231 I STREET  
ROOM 300  
SACRAMENTO, CA  
95814-2998

PH 916-264-5381  
FAX 916-264-5328

November 3, 1998

City Council  
Sacramento, California

Honorable Members in Session:

**SUBJECT:** Moratorium for processing Discretionary Entitlements for Material  
Recovery Facilities/Transfer Stations

**LOCATION AND COUNCIL DISTRICT:**

Citywide

**RECOMMENDATION:**

On October 20, 1998, the City Council directed City staff to come back with an Ordinance related to solid waste transfer capacity in the City of Sacramento which stipulates that solid waste transfer station applications not be accepted and/or processed until: 1) further analysis of the capacity issue has been adequately studied, and 2) policy is established which addresses the proliferation of solid waste transfer facilities city-wide.

It is recommended that the City Council adopt the attached Ordinance related to solid waste transfer stations in the City of Sacramento.

**CONTACT PERSON:** Gary Stonehouse, General Manager,  
Development Services 264-5567

**FOR COUNCIL MEETING OF** November 10, 1998 (Afternoon Session)

**Summary**

The City Council has requested that the City adopt the attached Ordinance to prohibit accepting or processing applications for solid waste transfer stations. City staff anticipates a report back to the City Council within 6 months with policy language and a modification of the City's Zoning Ordinance related to solid waste transfer stations.

**Financial Considerations**

None.

**Policy Considerations**

Policy language will be developed for the City Council's consideration related to the capacity and siting of transfer stations within the City of Sacramento.

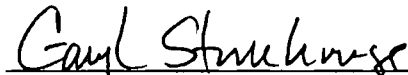
**Environmental**

Not a project under California Environmental Quality Act (CEQA).


**MBE/WBE Efforts**

Not applicable

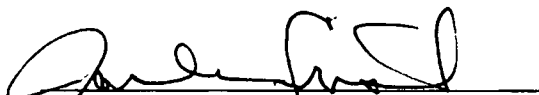
Respectfully Submitted,

  
GARY F. STONEHOUSE  
Planning Director

APPROVED:

  
JACK CRIST  
Deputy City Manager  
Neighborhoods, Planning and  
Development Services Department.

RECOMMENDATION APPROVED:

  
WILLIAM H. EDGAR  
CITY MANAGER

**ATTACHMENT**  
Ordinance

**ORDINANCE NO. 98-049**

ADOPTED BY THE SACRAMENTO CITY COUNCIL

**APPROVED**  
BY THE CITY COUNCIL

ON DATE OF \_\_\_\_\_

**NOV 10 1998**

OFFICE OF THE  
CITY CLERK

**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

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ORDINANCE NO. \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

transfer or processing stations; and

- 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.

DATE ENACTED:

DATE EFFECTIVE:

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

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DATE ADOPTED: \_\_\_\_\_

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AMENDED

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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

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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.

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- (1) June 10, 1999, or
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- 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:

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ORDINANCE NO. 98-049

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**OFFICE OF THE  
CITY ATTORNEY**

SAMUEL L. JACKSON  
CITY ATTORNEY

WILLIAM P. CARNAZZO  
ASSISTANT CITY ATTORNEY

**CITY OF SACRAMENTO  
CALIFORNIA**

980 NINTH STREET, TENTH FLOOR  
SACRAMENTO, CA 95814-2736  
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November 17, 1998

SENIOR DEPUTY CITY ATTORNEYS  
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ROBERT D. TOKUNAGA

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CITY OF SACRAMENTO

NOV 17 9 57 AM '98

REA

**MEMORANDUM**

TO: Virginia Henry, Assistant City Clerk

FROM: Samuel L. Jackson, City Attorney  
William P. Carnazzo, Assistant City Attorney  
Richard E. Archibald, Senior Deputy City Attorney

RE: processing/transfer station ordinance

Attached is the "clean" and final version of the ordinance approved by Council last week. The only difference between the attached version and the proposed ordinance is the addition of paragraph D (which provides that the restrictions on processing would not apply to the "minor modification/deviation" application, identified by number and description, pending before the ZA), which this office read into the record.<sup>1</sup>

Call if any questions. The attached is consistent with the understanding of Sam Jackson of this office and Gary Stonehouse, the latter being the staff person responsible for processing the ordinance in question.

REA/jlb

Attachment

c: Gary Stonehouse  
Samuel Jackson

g:\realordinancetransfer1.mem

<sup>1</sup>While there was much consternation and nashing of teeth over providing special call-up rules to protect against the District 6 vacancy, no such language was ever provided, and it was left as a matter of "policy" that the Mayor would use his "call-up powers" to protect the district, a goal which a number of Council members indicated they would lend assistance upon.

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