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CITY OF SACRAMENTO

CITY PLANNING DEPARTMENT

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MARTY VAN DUYN

PLANNING DIRECTOR

July 31, 1980

City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: An Ordinance Exempting Certain Group Care Facilities from Provisions of the Comprehensive Zoning Ordinance of the City of Sacramento, Ordinance No. 2550, Fourth Series, relating to Special Permits and Declaring said Ordinance to be an Emergency Measure to take Affect Immediately. (M-488)

SUMMARY

This item is presented at this time for City Council approval of its publication for legal advertisement purposes. A location map is attached for the Council's information.

BACKGROUND

Prior to publication of an item in a local paper to meet legal advertising requirements, the City Council must first pass the item for publication. The City Clerk then transmits the title of the item to the paper for publication and for advertising the meeting date.

RECOMMENDATION

It is recommended that the item be passed for publication.

Respectfully submitted,

Marty Van Duyn
Planning Director

FOR CITY COUNCIL INFORMATION

WALTER J. SLIPE
CITY MANAGER

APPROVED
BY THE CITY COUNCIL

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OFFICE OF THE
CITY CLERK

August 5, 1980
All Districts

jm
Attachment
M-488

AN ORDINANCE EXEMPTING CERTAIN GROUP CARE FACILITIES FROM PROVISIONS OF THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SACRAMENTO, ORDINANCE NO. 2550, FOURTH SERIES, RELATING TO SPECIAL PERMITS AND DECLARING SAID ORDINANCE TO BE AN EMERGENCY MEASURE TO TAKE EFFECT IMMEDIATELY

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

SECTION 1. Exemption.

The City Council hereby finds that a special permit is necessary to establish a group care facility in any zone in the City of Sacramento. Under the provisions of the Comprehensive Zoning Ordinance of the City of Sacramento, Ordinance No. 2550, Fourth Series, a special permit may be granted at the discretion of the City Planning Commission after notice and a hearing, and the decision of the City Planning Commission is appealable to the City Council.

The City Council further finds that the State of California is in the process of phasing out certain mental health services which provide housing for mentally disabled persons, and the County of Sacramento must assume the responsibility of providing these services to the public effective January 1, 1981. The County of Sacramento wishes to meet this obligation by working with the Sacramento Housing and Redevelopment Agency and by contracting with private organizations to operate group care facilities to provide the services. The private organizations, however, must comply with the City's special permit requirement before establishing such a group care facility.

The City further finds that it is in the interest of the public health, safety and welfare that the County meet its obligation to provide mental health services to the public by January 1, 1981, and it is therefore necessary to process the required special permits as expeditiously as possible to give time to complete necessary improvements and obtain state licensing.

The City Council hereby exempts from the provisions of Section 15 of the Comprehensive Zoning Ordinance, which require special permit applications to contain certain information and to be considered at a hearing before the City Planning Commission, applications for special permits for group care facilities which meet all the following criteria: the application is for a group care facility to provide housing for mentally disabled persons; the applicant is the County of Sacramento or the Sacramento Housing and Redevelopment Agency, and the application is filed before August 1, 1980. In lieu of the provisions of Section 15 of the Comprehensive Zoning Ordinance, the procedures set forth in this ordinance shall be followed.

SECTION 2. Application.

An application for a special permit for a group care facility under this ordinance shall be filed before August 1, 1980 and shall contain the information specified by the Planning Director. No application fee shall be required.

SECTION 3. Hearing Before the City Council.

(a) At least one public hearing shall be held by the City Council on an application for a special permit for a group care facility under this ordinance. The procedural requirements for said hearing and the contents of the notice required by this ordinance shall be governed by Section 18 of the Comprehensive Zoning Ordinance.

(b) Notice of the hearing shall be given as described in Section 15-C-3-c of the Comprehensive Zoning Ordinance.

(c) At the close of the hearing, the City Council may, in its discretion, grant the special permit with such conditions as may be necessary to carry out the intent and purpose of the Comprehensive Zoning Ordinance or to protect the public health, safety or welfare. The City Council shall have the same authority as the City Planning Commission if the Commission had conducted the hearing or considered the special permit.

SECTION 4. All Other Provisions Apply.

All provisions of Section 15 of the Comprehensive Zoning Ordinance which do not conflict with the provisions of this ordinance shall apply to any special permit approved under this ordinance. These provisions include the provisions of Section 15-A, SPECIAL PERMITS - QUALIFICATIONS, Section 15-D, TIME LIMITS IMPOSED ON SPECIAL PERMITS, Section 15-E, DEVIATION - PRIOR APPROVAL REQUIREMENTS, and Section 15-F, MODIFICATION OR REVOCATION OF A SPECIAL PERMIT.

SECTION 5. Waiver.

The provisions of Sections 13-A-8 and 9 of the Comprehensive Zoning Ordinance of the City of Sacramento relating to hearings before the City Planning Commission shall not apply to this ordinance.

SECTION 6. Emergency.

This ordinance is hereby declared an emergency measure to take effect immediately. The facts constituting the emergency are the need to expedite the procedure for obtaining a special permit for a group care facility for the purposes set out in this ordinance and the need to

conduct a hearing on those special permit applications so that the County of Sacramento may meet its obligation to provide the needed mental health services by January 1, 1981.

ENACTED:

EFFECTIVE:

MAYOR

ATTEST:

CITY CLERK