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CITY OF SACRAMENTO

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OFFICE OF THE
CITY ATTORNEY

CITY OF SACRAMENTO
CALIFORNIA

812 TENTH STREET
SACRAMENTO, CA
95814-2694

JAMES P. JACKSON
CITY ATTORNEY

August 28, 1987

916-449-5346

THEODORE H. KOBAY, JR.
ASSISTANT CITY ATTORNEY

DEPUTY CITY
ATTORNEYS:
SAMUEL L. JACKSON
WILLIAM P. CARNAZZO
LAWRENCE M. LUNARDINI
GARLAND E. BURRELL, JR.
DIANE B. BALTER
RICHARD F. ANTOINE
TAMARA MILLIGAN-HARMON
LINDA M. GONZALEZ

City Council
City Hall
Sacramento, CA 95814

Honorable Members in Session:

SUBJECT: Moratorium on Residential and Non-Residential
Care Facilities in the Central City

DISCUSSION

Attached is a moratorium ordinance requested by Councilmember Shore, which prohibits for 60 days applications for residential and non-residential care facilities in the Central City. The Planning Department has undertaken a survey of such uses to determine whether they are overconcentrated in the Central City, and if so, what might be done to alleviate that overconcentration.

The moratorium would prohibit uses which might be in conflict with measures to alleviate any overconcentration, and would enable the Planning Department to concentrate its efforts on its study, rather than care facility special permit applications which might otherwise be forthcoming.

If the Council wants to enact the moratorium, the attached ordinance should be adopted.

Respectfully submitted,

THEODORE H. KOBAY, JR.
Assistant City Attorney

RECOMMENDATION APPROVED:

Asst. City Manager

APPROVED
BY THE CITY COUNCIL

SEP 1 1987

OFFICE OF THE
CITY CLERK

ORDINANCE NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

ORDINANCE IMPOSING A MORATORIUM ON ISSUANCE OF SPECIAL PERMITS AND OTHER ENTITLEMENTS FOR USE FOR RESIDENTIAL AND NON-RESIDENTIAL CARE FACILITIES IN THE CENTRAL CITY (AREA BOUNDED BY THE SOUTHERN PACIFIC RAILROAD LEVEE ON THE NORTH, BROADWAY ON THE SOUTH, THE SACRAMENTO RIVER ON THE WEST, AND ALHAMBRA BOULEVARD ON THE EAST), AND DECLARING THIS ORDINANCE AN EMERGENCY MEASURE TO TAKE EFFECT IMMEDIATELY

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

SECTION 1. Moratorium Imposed.

Except as provided in Section 2, no special permit under the City Zoning Ordinance shall be issued, and no application therefor shall be accepted or processed, for a period of sixty (60) days after the effective date of this ordinance for a non-residential care facility or residential care facility (as defined in Sections 22-A-51 and 22-A-52, respectively, of the Zoning Ordinance) in the Central City. (Central City means that area bounded by the Southern Pacific Railroad levee on the north, Broadway on the south, the Sacramento River on the West, and Alhambra Boulevard on the east.)

SECTION 2. Exceptions.

The prohibition of Section 1 shall not apply to any special permit application filed prior to the effective date of this ordinance or filed as a result of or in connection with litigation commenced by the City prior to the effective date of this ordinance.

SECTION 3. Emergency.

This ordinance is hereby declared to be an emergency measure to take effect immediately. The facts constituting the emergency are

the need to prohibit applications for care facilities in the Central City pending Planning Department study of possible overconcentration of such facilities. Prohibiting such special permits will remove the possibility of issuance of permits which might conflict with the study and policies resulting therefrom. The prohibition of applications and processing will enable the Planning Department to focus its efforts in this subject area on the study and policy recommendations, rather than specific applications for special permits.

DATE ENACTED:

DATE EFFECTIVE:

MAYOR

ATTEST:

CITY CLERK

ORDINANCE NO.

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DATE ENACTED:

DATE EFFECTIVE:

MAYOR

ATTEST:

CITY CLERK

MEMORANDUM

TO: JAMES P. JACKSON, CITY ATTORNEY
FROM: LORRAINE MAGANA, CITY CLERK
SUBJECT: REFERRAL OF ITEM NO. 17-1B, COUNCIL
AGENDA OF September 1, 1987
DATE: September 3, 1987

Pursuant to Council action, the following matter is referred to you:

Ascertain if City is being notified of parolees and location
when released in Sacramento area.

LM/cc/#17-1B

cc: Walter J. Slipe, City Manager



17-1

OFFICE OF THE
CITY ATTORNEY

JAMES P. JACKSON
CITY ATTORNEY

THEODORE H. KOBEY, JR.
ASSISTANT CITY ATTORNEY

City Council
City Hall
Sacramento, CA 95814

Honorable Members in Session:

SUBJECT: Moratorium on Residential and Non-Residential
Care Facilities in the Central City

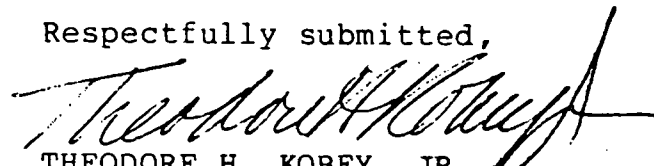
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If the Council wants to enact the moratorium, the attached ordinance should be adopted.

Respectfully submitted,



THEODORE H. KOBEY, JR.
Assistant City Attorney

RECOMMENDATION APPROVED:


Asst. City Manager

ORDINANCE NO.

89-091 17-1

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

Handwritten signatures and notes in the top left corner, including "President" and "Council" with arrows pointing to the ordinance title.

~~(Exception that from the ordinance one order)~~

ORDINANCE IMPOSING A MORATORIUM ON ISSUANCE OF SPECIAL PERMITS AND OTHER ENTITLEMENTS FOR USE FOR RESIDENTIAL AND NON-RESIDENTIAL CARE FACILITIES IN THE CENTRAL CITY (AREA BOUNDED BY THE SOUTHERN PACIFIC RAILROAD LEVEE ON THE NORTH, BROADWAY ON THE SOUTH, THE SACRAMENTO RIVER ON THE WEST, AND ALHAMBRA BOULEVARD ON THE EAST), AND DECLARING THIS ORDINANCE AN EMERGENCY MEASURE TO TAKE EFFECT IMMEDIATELY

Handwritten note: "Call Jim" with a signature.

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SECTION 2. Exceptions.

The prohibition of Section 1 shall not apply to any special permit application filed prior to the effective date of this ordinance or filed as a result of or in connection with litigation commenced by the City prior to the effective date of this ordinance, *OR to any*

children's day care center as defined in the city's zoning ordinance (Section 22-A-89).

SECTION 3. Emergency.
This ordinance is hereby declared to be an emergency measure to take effect immediately. The facts constituting the emergency are

the need to prohibit applications for care facilities in the Central City pending Planning Department study of possible overconcentration of such facilities. Prohibiting such special permits will remove the possibility of issuance of permits which might conflict with the study and policies resulting therefrom. The prohibition of applications and processing will enable the Planning Department to focus its efforts in this subject area on the study and policy recommendations, rather than specific applications for special permits.

DATE ENACTED:

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SECTION 2. Exceptions.

The prohibition of Section 1 shall not apply to any special permit application filed prior to the effective date of this ordinance or filed as a result of or in connection with litigation commenced by the City prior to the effective date of this ordinance, or to any children's day care center as defined in the City Zoning Ordinance (Section 22A-89).

SECTION 3. Emergency.

This ordinance is hereby declared to be an emergency measure to take effect immediately. The facts constituting the emergency are the need to prohibit applications for care facilities in the Central City pending Planning Department study of possible overconcentration of such facilities. Prohibiting such special permits will remove the possibility of issuance of permits which might conflict with the study and policies resulting therefrom. The prohibition of applications and processing will enable the Planning Department to focus its efforts in this subject area on the study and policy recommendations, rather than specific applications for special permits.

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