



CITY OF SACRAMENTO

DEPARTMENT OF POLICE

HALL OF JUSTICE
813 - 6TH STREET

SACRAMENTO, CALIFORNIA 95814
TELEPHONE (916) 449-5121

JOHN P. KEARNS
CHIEF OF POLICE

September 16, 1983

APPROVED
BY THE CITY COUNCIL

SEP 20 1983

OFFICE OF THE
CITY CLERK

City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: PERMISSION TO APPLY FOR OFFICE OF TRAFFIC SAFETY GRANT -
IMPLEMENTATION OF DUI AWARENESS AND APPREHENSION PROGRAM

SUMMARY

The Sacramento Police Department has identified the need for a comprehensive program to reduce fatalities and injury accidents caused by impaired drivers. Recent contact with the California Office of Traffic Safety has generated a proposal to provide this Department with grant funds for implementation of a DUI Awareness Program and Apprehension Team.

The Police Department Traffic Section has reviewed data information from the Sacramento Traffic Accident Records System with emphasis on collision factors. Driving while impaired by alcohol and/or drugs is the primary factor in many of our serious and fatal collisions. We believe that a team devoted exclusively to the impaired driver will have a direct result in the saving of life, reduction of physical and mental suffering, and lower property damage. Funds and resources provided by the Office of Traffic Safety will enhance our current ability in providing traffic safety.

This request, if authorized, will be submitted to the Office of Traffic Safety. Once the Office of Traffic Safety agrees in concept, a formal contract will be submitted for approval.

BACKGROUND

The Department's existing organization is such that the Patrol Officer's time is consumed in answering called-for-services and investigating crime and minor traffic accidents.

The Traffic Section's time is consumed with selective traffic enforcement and major accident investigation. However, this is on a limited basis due to the hours worked, which prevents twenty-four hour coverage. All traffic units are end of shift by 10:45 p.m. during the week and by 2:00 a.m. on Fridays and Saturdays.

During the calendar years of 1980, 1981 and 1982, Sacramento experienced 139 fatalities, 33 percent of which alcohol was the primary collision factor. Of the alcohol related fatalities, 99 percent were night time collisions. During the same years there was a total of 2,111 alcohol-related injury collisions, with 78 percent of these collisions occurring during the hours of darkness. Our Department arrested 7,193 persons for Driving Under the Influence (D.U.I.) in the same period.

The City of Sacramento has experienced 15 fatalities for the current year of 1983, of which five (5), or one-third, were D.U.I. related deaths.

The City of Sacramento does not have an ongoing D.U.I. program specifically aimed at getting the D.U.I. driver off the road, increasing the arrest of D.U.I. drivers with Blood Alcohol Concentration (B.A.C.) levels in the .10-.13 range, or a program to educate the public which should include the ever increasing teenage drinking driver, the number one killer of teenagers today.

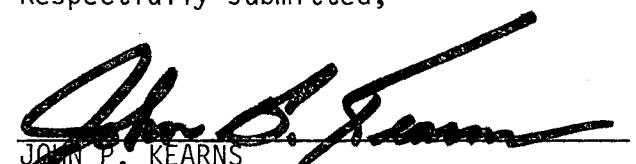
FINANCIAL DATA

The term of the grant will be two years. The projected date for implementation is January 1, 1983, causing impacts upon fiscal years 83-84, 84-85 and 85-86. The total amount necessary for the program will be \$835,780, which includes six sworn personnel, 1 sergeant and 5 police officers, two vehicles, training, equipment and indirect costs. The City's share will be \$258,158. See Proposals attached chart for complete details.

RECOMMENDATION

This report is for informational purposes only. If it appears that the Sacramento Police Department will be seriously considered for funding, the City Council will receive a formal application for review and approval.

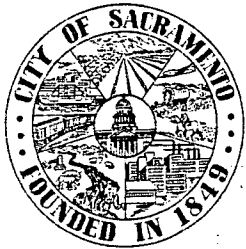
Respectfully submitted,


JOHN P. KEARNS
CHIEF OF POLICE

Recommendation Approved:


WALTER J. SLIVE
CITY MANAGER

JPK:ad
REF: 9-29



CITY OF SACRAMENTO

DEPARTMENT OF POLICE
HALL OF JUSTICE
813 - 6TH STREET
SACRAMENTO, CALIFORNIA 95814
TELEPHONE (916) 449-5121

JOHN P. KEARNS
CHIEF OF POLICE

August 30, 1983

Ref: 8-59

Patricia A. Hill
Regional Coordinator
Office of Traffic Safety
7000 Franklin Blvd., Suite 330
Sacramento, California 95823

Dear Pat:

Enclosed please find our Memorandum Proposal for assistance under the National Highway Safety Act for a Driving Under the Influence Grant.

It is hoped that if this grant request is approved, the City of Sacramento should experience a substantial decrease in its drinking driver problem.

Sincerely,


JOHN P. KEARNS
Chief of Police

JPK:njg
enc

MEMORANDUM PROPOSALA. CITY OF SACRAMENTO

The City of Sacramento, incorporated in 1849, is a charter city with a Council-Manager form of government.

The city is the capitol of the State of California and the County seat with a population of 285,403.

The city has a busy central business district including a civic center, an active downtown redevelopment program, two community colleges, one university, two law schools, twelve high schools, and numerous federal, state, county and city agencies in the core of the downtown area. With the commuter-oriented population, the traffic flow is a major problem within the city.

The city covers an area of 94.81 square miles and is a connector for freeways and highways that connect the north, west, east and south portions of the state.

B. POLICE DEPARTMENT

The Sacramento Police Department was established in 1849, and has grown steadily to its present size of 768.21 positions, (501 sworn, 211 civilian full-time, and 56.21 civilian part-time). The executive officer is the Chief of Police who has the ultimate responsibility for the quality of law enforcement and service to the community.

The Department is organized into four major offices, Office of the Chief of Police (commanded by a Captain of Police), Office of Administrative Services (commanded by a Deputy Chief of Police), Office of Investigations (commanded by a Deputy Chief of Police), and Office of Operations (commanded by a Deputy Chief of Police).

Within the Office of Operations is the Special Enforcement Division to which the Traffic Section is assigned.

The Traffic Section, commanded by a Lieutenant, is comprised of an Administrative Unit, Enforcement Unit, Investigation Unit, Auxiliary Operations Unit, and a School Crossing Guard Unit. There are twenty-four Traffic Officers and four Sergeants in the Enforcement Unit, which is divided into three teams primarily responsible for selective traffic enforcement, major injury and fatal accident investigation, with each team working an eight-hour, five-day work week.

Team One works 0645 to 1445 hours, Monday through Friday, with days off of Saturdays and Sundays. Team Two works Tuesday through Thursday, 1445 to 2245 hours (2:45 p.m. to 10:45 p.m.), Friday and Saturday 1800 to 0200 hours (6:00 p.m. to 2:00 a.m.) with Sundays and Mondays off. Team Three works Monday 1445 to 2245 hours (2:45 p.m. to 10:45 p.m.) and Tuesday through Friday 1100 to 1900 hours (11:00 a.m. to 7:00 p.m.) with Saturdays and Sundays off.

C. PROBLEM STATEMENT

The Department's existing organization is such that the Patrol Officer's time is consumed in answering called-for-services and investigating crime and minor traffic accidents.

The Traffic Section's time is consumed with selective traffic enforcement and major accident investigation. However, this is on a limited basis due to the hours worked, which prevents twenty-four hour coverage. All traffic units are end of shift by 10:45 p.m. during the week and by 2:00 a.m. on Fridays and Saturdays.

During the calendar years of 1980, 1981 and 1982, Sacramento experienced 139 fatalities, 33 percent of which alcohol was the primary collision factor. Of the alcohol related fatalities, 99 percent were nighttime collisions. During the same years there was a total of 2,111 alcohol related injury collisions, with 78 percent of these collisions occurring during the hours of darkness. Our Department arrested 7,193 persons for Driving Under the Influence(D.U.I.) in the same period.

The City of Sacramento has experienced 15 fatalities for the current year of 1983, of which five(5), or one-third, were D.U.I. related deaths.

The City of Sacramento does not have an on-going D.U.I. program specifically aimed at getting the D.U.I. driver off the road, increasing the arrest of D.U.I. drivers with Blood Alcohol Concentration(B.A.C.) levels in the .10 - .13 range, or a program to educate the public which should include the ever increasing teenage drinking driver, the number one killer of teenagers today.

D. ATTEMPTS TO SOLVE THE PROBLEM

Our Traffic Section, well aware of our traffic problem, has been attempting to take a direct course of action to attack the high injury accident rate and the drinking driver. Our traffic data shows that the majority of injury accidents are occurring between 11:00 a.m. and 7:00 p.m., while the peak period for drinking drivers occurs between 9:00 p.m. and 3:00 a.m.

On July 1, 1983, the Traffic Section realigned the Enforcement Unit in an effort to solve our traffic problems. The goals were to attempt to reduce the accident causation factors based on the number and location, and be available for major injury and fatal accident investigations. We are also scheduled to have a D.U.I. team during our holiday season, however, this will mean deviating from our current time and team structure.

This method of "Robbing Peter to pay Paul", in an attempt to maintain both selective enforcement and D.U.I. enforcement on even a temporary basis, is an impossible task. The majority of our serious accidents are occurring in the afternoon and early evening hours and our D.U.I.'s are on the road at later hours.

E. PROPOSED OBJECTIVES

The City of Sacramento proposes to attack the drinking driver problem through implementation of the following objectives:

1. Maintain a full-time D.U.I. team carefully selected and trained, specifically assigned to the detection and apprehension of the drinking driver.
2. Increase the number of persons arrested for driving under the influence of alcohol and/or drugs by 100 percent over the number of arrests in the base year. (Base year established by adding D.U.I. arrest statistics of 1980, 1981 and 1982, and factoring by three[3].) This objective will increase D.U.I. arrests from 2397.6 to 4795.2 each year of the grant.
3. Increase the number of arrests for D.U.I. in which the driver's B.A.C. level is .10-.13 range. It is unknown what the base would be at this point due to the fact that this would be a new innovative program in which there is a concentration to apprehend D.U.I. drivers with a certain B.A.C. level.
4. Decrease the number of accidents involving D.U.I. from the base year average of 766 to 652, or a 15 percent reduction.
5. Establish a "Correlation Index" to further measure the effectiveness of D.U.I. enforcement. The yearly data will consist of, but not be limited to, such factors as percentage of nighttime versus daytime D.U.I. accidents, B.A.C. levels, age, and location. It is generally felt there will be a significant reduction in these factors.
6. Implement a community awareness program through local news media, school programs, and civic organizations.
7. Decrease the number of fatal and injury accidents by 10 percent during the hours of prime D.U.I. enforcement time of 8:00 p.m. to 4:00 a.m.

F. METHOD OF PROCEDURE

If this grant is approved, the City of Sacramento will take steps to implement the D.U.I. team.

The team will consist of five Police Officers and one Sergeant from existing staff. Vacancies created by staffing the team will be filled by upgrading Community Service Officers. The Community Service Officer vacancies would then be filled by new employees. The five officers and one Sergeant will become a fourth team assigned to the Enforcement Unit in the Traffic Section of the Sacramento Police Department. The team will concentrate on persons driving under the influence of alcohol and/or drugs by working shifts established through the continuing analysis of accident and arrest data of the D.U.I. driver. The statistical information maintained will be:

1. Number of persons arrested while driving under the influence of alcohol and/or drugs.
2. Number of accidents occurring in which D.U.I. is the primary factor.
3. Number of fatal and injury accidents occurring each month throughout the city.

The Department participates in the California Statewide Integrated Traffic

Record System. In addition, we have a Sacramento Traffic Accident Records System which supplements the SWITRS System. Therefore, we should not have any problems with data information input and retrieval.

The training of the selected personnel should include detection and apprehension of the D.U.I. driver, methods and devices used for field investigation (field performance test, "gaze nystagmus"), application and legal aspects of the implied consent law, courtroom testimony, and introduction of evidence.

The community awareness programs would be operated in conjunction with our Community Resources Section of the Department. The D.U.I. team will be responsible for contact and public speaking engagements with high schools, community groups and public service organizations. The team will also handle the awareness program of the D.U.I. driver through the local news media.

G. TIME REQUIRED

The grant request will be for two years.

H. EQUIPMENT

The Sacramento Police Department has experienced budget cuts and restraints to the point that our Patrol Officers are forced to drive unmarked police vehicles to provide services to the community. Because state law requires that any police officer in the State of California who is exclusively enforcing the Vehicle Code in this state must operate a vehicle that is distinctly marked as a police vehicle and the officer must be in uniform. The Department does not have the vehicles available, therefore, we are requesting that two(2) fully equipped police traffic vehicles including emergency warning gear and mobile radios be included in this grant.

CITY OF SACRAMENTO
D.U.I. GRANT PROPOSAL COSTS

	83-84 (6 MONTHS)	84-85 (12 MONTHS)	85-86 (6 MONTHS)	TOTAL
PROGRAM COSTS				
1 SERGEANT				
Salary	18926	38799	19872	77597
Benefits	8879	18096	9217	36192
5 POLICE OFFICERS				
Salary	77705	159295	81590	318590
Benefits	35500	72775	37275	145550
OVERTIME	14801	30342	15541	60684
INDIRECT COSTS	23105	47364	24260	94729
VEHICLES (2)	26400			26400
TRAINING	5636			5636
UNIFORM ALLOWANCE	1530	3060	1530	6120
SAFETY EQUIPMENT	5154			5154
VEHICLE OPERATION	12600	25200	12600	50400
ACADEMY POSITION REPLACEMENTS	8728			8728
TOTAL COSTS	238964	394931	201885	835780
PROGRAM FUNDING				
GRANT SHARE	210952	272793	93877	577622
CITY SHARE*	28012	122138	108008	258158
TOTAL FUNDING	238964	394931	201885	835780

* City to fund total costs of Uniform Allowance, Safety Equipment, Vehicle Operation, and Academy Position Replacements. In addition, the City will fund 50% of the Employee Service and Indirect Costs during the last 12 months of the grant. All other costs to be funded through the grant.

ROLL CALL

SACRAMENTO CITY COUNCIL, SACRAMENTO REDEVELOPMENT AGENCY, SACRAMENTO HOUSING AUTHORITY, SACRAMENTO PARKING AUTHORITY

MOVED BY: Sh SECONDED BY: Kao DATE: 9/20/83

MOTION: _____

	AYE	NO	ABSTAIN	ABSENT
FISHER D2	/			
GARCIA D6	/			
KASTANIS D7	/			
POPE D3	/			
ROBIE D8	/			

	AYE	NO	ABSTAIN	ABSENT
RUDIN D4	/			
SERNA D5	/			
SHORE D1	/			
MILLER M	/			

NOTES: _____

APPROVED
BY THE CITY COUNCIL

SEP 20 1983

OFFICE OF THE
CITY CLERK

adj into Exec Session 9:37 pm

SEQUENCE ORDER _____

RESOLUTION NO. 83-738

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

SEPTEMBER 20, 1983

RESOLUTION MEMORIALIZING JUDGE LORENZO E. PATINO

IT IS HEREBY NOTED that the people of this City suffered a great loss in the passing of Judge Lorenzo E. Patino on the 18th day of September, at the age of 35, in Dallas, Texas while being transported from Wadley Institute, where he had been undergoing treatment for leukemia since September 9, 1983, to the airport to return to Sacramento, California; and,

WHEREAS, Judge Lorenzo E. Patino, an outspoken leader of Sacramento's legal and Hispanic communities, valiantly battled leukemia for nearly four years, and though his service as a lawyer, jurist and a community leader was abbreviated, it was highly distinguished. Judge Patino's colleagues remembered him as a man of courage, compassion and wit; and,

WHEREAS, from the very beginning of his ordeal, Judge Patino expressed optimism and a fierce will to live and was quoted as asserting "I made up my mind I was going to fight it...The will to live--I don't think they have ever measured that." It was that very strength of will and character that allowed Judge Lorenzo E. Patino to live to see the birth of his infant son, Lorenzo, Jr.; and,

WHEREAS, this Council believes it proper that its minutes and the official records of the City recognize the passing of Judge Lorenzo E. Patino, and so, has caused this Resolution to be prepared; and,

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that this Resolution be entered with the minutes of this meeting, in addition to which, this meeting shall be adjourned in respect for the memory of Judge Lorenzo E. Patino;

AND BE IT FURTHER RESOLVED that a suitably engrossed copy of this Resolution be tendered to Nellie Patino, bereaved wife, as an expression of this Council's deepest sympathy.

MAYOR

ATTEST:

APPROVED
BY THE CITY COUNCIL

CITY CLERK

SEP 20 1983

OFFICE OF THE
CITY CLERK

6:35

ITEM NO: Executive Session

ROLL CALL

SACRAMENTO CITY COUNCIL, SACRAMENTO REDEVELOPMENT AGENCY, SACRAMENTO HOUSING AUTHORITY, SACRAMENTO PARKING AUTHORITY

MOVED BY: _____ SECONDED BY: _____ DATE: 9-20-83

MOTION: _____

		AYE	NO	ABSTAIN	ABSENT
FISHER	D2	/			
GARCIA	D6	/			
KASTANIS	D7	/			
POPE	D3	/			
ROBIE	D8	/			

		AYE	NO	ABSTAIN	ABSENT
RUDIN	D4	/			
SERNA	* D5	/			
SHORE	D1	/			
MILLER	M	/			

NOTES: * Serna Arrived 7:15 p.m.

SEQUENCE ORDER _____

SPECIAL MEETING

SACRAMENTO CITY COUNCIL

**SEPTEMBER 20, 1983
TUESDAY
6:30 PM**

I HEREBY CALL a Special Meeting of the Sacramento City Council, in the City Council Chamber, Second Floor, City Hall, 915 "I" Street, Sacramento, California, on Tuesday, September 20, 1983, at the hour of 6:30 P.M., to meet in EXECUTIVE SESSION for the purpose of considering and acting upon Legal Matters and Personnel Matters.

ISSUED: This 19th Day of September, 1983

R. BURNETT MILLER
MAYOR

ATTEST:

LORRAINE MAGANA
CITY CLERK

PROOF OF PUBLICATION

This space is for the County Clerk's filing stamp

(2015.5 CCP)

STATE OF CALIFORNIA

S.S.

County of Sacramento

I am the principal clerk of THE DAILY RECORDER, a newspaper of general circulation published in the City of Sacramento, County of Sacramento, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Sacramento, State of California, under date of May 2, 1913, Case Number 16,180 that the notice, of which the annexed is a printed copy (set in type not smaller than non-pareil) has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

9/9

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

P. Cabano

Signature

Dated Sept 9, 1983

THE DAILY RECORDER

1115 H Street, P.O. Box 1048

Sacramento, California 95805

(916) 444-2355

Mail Proof of Publication to:

City Clerk
City of Sacramento
915 I Street, Room 203
Sacramento, CA 95814

Proof of publication of

PUB. Ordinances

CITY OF SACRAMENTO ORDINANCES

On September 6, 1983, the following ordinances were considered by the Sacramento City Council. In accordance with Section 32, Sacramento City Charter, the titles are herein published:

ORDINANCES TO BE FINALLY CONSIDERED AT THE REGULAR MEETING OF SEPTEMBER 13, 1983:

Ord. amending the districts established by the Comprehensive Zoning Ordinance No. 2550, Fourth Series, as amended, by removing property located North of Northgate Park and West of future extension of Mendel Way from A, Agricultural zone and placing same in the B-1A, Townhouse and R-1, Single Family Zone (D1) (P-83230)

Ord. amending the districts established by the Comprehensive Zoning Ordinance No. 2550, Fourth Series, as amended, by removing property located at SE corner 14th and O Streets from the R-5, Heavy Density Multiple Family zone and placing same in the C-2, General Commercial zone (D1) (P-83234)

ORDINANCES ADOPTED AS EMERGENCY MEASURES AT THE REGULAR MEETING OF SEPTEMBER 6, 1983:

Ordinance amending Ordinance No. 83-100 relating to adult related establishments and declaring ordinance to be an emergency measure (A-11)

Anyone interested in the full text of the above ordinances may contact the Office of the City Clerk, City Hall, 915 "I" Street, Room 203, phone (916) 449-5426.

SACRAMENTO CITY COUNCIL
BY: LORRAINE MAGANA
CITY CLERK

AD NO: 05285
30867-September 9, 1983

9-13-83
#10
P-83234

SEP 14 12 11 PM '83
CITY OF SACRAMENTO
CITY CLERK'S OFFICE
RECEIVED

September 20, 1983

Pacific Solar Downtown Development, Inc.
8180 Alpine Avenue, Suite 1
Sacramento, CA 95826

Dear Sir or Madam:

On September 13, 1983, the Sacramento City Council took the following action(s) for property located on SE corner of 14th and "O" Streets (P-83234):

Adopted an Ordinance rezoning 17.5± acres from A to R-1A and R-1 zones; and adopted a Resolution adopting Findings of Fact and approving a Tentative Map to divide 17.5± acres into 130 lots.

Enclosed, for your records, is a fully certified copy of above referenced resolution and ordinance.

Sincerely,

Lorraine Magana
City Clerk

LM/s1/10

Enclosure: Certified copy of Ordinance No. 83-113
Certified copy of Resolution No. CC83-716

cc: Planning Department
NK Engineering
1777 Oak, Suite A
Davis, CA 95616

approved for property in the MRD zone at the time of planned unit development designation (Page 3, Subsection 2.c).

- 4. Allowing warehousing and distribution facilities provided that such activities shall be conducted wholly within an enclosed building and shall not occupy more than 50% of the area of any building (Page 4, subsection 2.d).
- 5. Allowing educational or training facilities related to any MRD activities as a primary use (Page 3, Section 2.b).
- 6. Revised loading facility visibility requirements to exclude private street visibility standard (Page 5, Subsection 5.a).

The attached ordinance (Exhibit A-1) has been amended to reflect the changes suggested above.

Although we have met with Chamber of Commerce representatives and discussed these changes, their board has not as of the date of this writing taken a position on the ordinance as amended. Staff expects the board to be represented at the hearing to present their position.

The previous transmittal of this ordinance for initial hearing included, as attachments, earlier drafts of the ordinance, Planning Commission staff reports and a copy of the Sunnyvale, California hazardous materials storage ordinance for Council information. Due to the size and significant changes made in the previous materials, staff is attaching the prior City Council transmittal letter (dated July 15, 1983) and the draft MRD ordinance as recommended by the Planning Commission on June 30, 1983 (Exhibit A).

RECOMMENDATION

Staff is recommending approval of the amended ordinance (Exhibit A-1) and adoption of the following:

- 1. Ratify the Negative Declaration;
- 2. Adopt the new Manufacturing, Research and Development (MRD) zone (Exhibit A-1);
- 3. Refer the Sunnyvale Hazardous Materials Storage Ordinance to staff for report on development of similar Citywide regulations;
- 4. Transmit a letter to the Sacramento County Air Pollution Control District requesting the development and adoption of air pollution control regulations on the emission of organic compounds, solvents, and hazardous materials from semi-conductor and electronic industries.

Respectfully submitted,

Marty Van Duyn
A.G.

Marty Van Duyn
Planning Director

FOR CITY COUNCIL INFORMATION
WALTER J. SLIPE
CITY MANAGER

MVD:cp
Attachments
M83-037

September 6, 1983
All Districts

ORDINANCE NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

AN ORDINANCE ADDING SECTION 2.7 RELATING TO THE MANUFACTURING, RESEARCH AND DEVELOPMENT ZONE (MRD) TO THE COMPREHENSIVE ZONING ORDINANCE (ORDINANCE NO. 2550, FOURTH SERIES, AS AMENDED) (M83-037)

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

SECTION 1.

The Comprehensive Zoning of the City of Sacramento (Ordinance No. 2550, Fourth Series, as amended) is hereby amended by adding thereto Section 2.7 relating to the manufacturing, research and development zone to read:

Section 2.7 Manufacturing, Research and Development (MRD) Zone

A. Purpose

1. To ensure the proper development and use of land and improvements in a manner so as to achieve a high quality, campus park-like, nuisance free environment for manufacturing, assembly, research and development type land uses in accordance with the policies of the City General Plan, Community Plans, and the PUD Development Guidelines adopted for the area.
2. To protect and preserve prime industrial land for high quality manufacturing, assembly, research and development and related supporting uses, and prohibit unrelated and incompatible industrial, commercial, office, residential and other non-industrial uses.

3. To upgrade industrial development standards so as to:

a. Protect the owner of each parcel within the zone against development and uses which could depreciate the value of the parcel; and

b. To reduce to a minimum the impact of industry on the use and development of the surrounding non-industrial property or neighborhoods.

B. Utilization of the MRD Zone Classification; Use Regulations

1. The MRD zone classification shall only be utilized in connection with a Planned Unit Development designation established in accordance with the provisions of Section 8 of this Ordinance, and shall be adopted or removed in accordance with the provisions pertaining to rezoning set forth in Section 13 of this Ordinance. A special permit shall be required for any use in this zone.

2. Uses Allowed - No building, structure or land shall be used and no building or structure shall be erected, structurally altered, enlarged or maintained, except for one or more of the following uses:

a. Uses primarily engaged in research and development (R & D) activities, including but not limited to research laboratories and facilities, development laboratories and facilities, and compatible light manufacturing such as but not limited to the following categories:

Bio-Chemical
 Chemical
 Genetics
 Development Facilities for National Welfare on
 Land, Sea, Air or in Space
 Environmental and Natural Resources
 Film and Photography
 Electronics
 Instrumentation
 Laser Optics/Fiber Optics
 Medical, Dental, Surgical
 Metallurgy
 Pharmaceutical
 Robotics
 Solar
 Sonics and Sound Imaging
 Testing Laboratories
 X-Ray
Educational or training facilities related
 to the foregoing uses.

b. Uses primarily engaged in manufacture,
 assembly, testing and repair of components, devices, dequpment,
 systems and parts including but not limited to the following.
 categories:

Coils, Tubes, Semi-Conductors
 Communication, Navigation Control, Transmission
 and Reception Equipment, Control Equipment and
 Systems Guidance Equipment and Systems
 Data Processing Equipment and Systems
 Glass Edging, Beveling and Silvering
 Graphics and Art Equipment
 Metering Instruments
 Optical Devices, Equipment, and Systems
 Phonographs, Audio Units, Radio and
 Television Equipment
 Radar, Infra-Red and Ultra-Violet Equipment
 and Systems
 Robotics
 Scientific and Mechanical Instruments
 Solar Equipment
 Testing Equipment
Educational or training facilities related
 to the foregoing uses.

c. Offices. Offices shall be allowed, provided
that the square footage of development devoted to offices shall not
exceed 50% of the total square footage of development approved for all
property in the MRD zone at the time of planned unit development
designation which is covered by said designation.

d. Warehousing and distribution facilities provided that such activities shall be conducted wholly within a completely enclosed building and shall not occupy more than fifty percent (50%) of the area of any building.

e. Employee recreational and dining facilities as an accessory use incidental to the primary use of the parcel, including but not limited to:

Swimming pools

Gymnasium

Tennis, racquet, paddle or handball courts

f. The following commercial uses are allowed:

Commercial, as accessory uses to the primary use, may be established solely for the convenience of the employees. Such accessory commercial uses shall be located internally and have no direct customer access from the outside of the main structure. Uses may include cafeterias, children's day care or group care centers, barber shops, beauty salons, banking services. Other accessory commercial uses may be allowed on an individual project basis if the Planning Commission finds that such uses are consistent with the purposes of the MRD zone.

g. Child care centers are permitted subject to approval of a special permit.

3. The Planning Director shall have authority to determine other uses, in addition to those specifically listed in this section, which may be allowed in the MRD zone classification, if the Planning Director finds that such other uses are consistent with the purpose of the MRD zone and similar to and no more objectionable to the public welfare than those listed.

4. Open Storage - Open storage of materials, goods, parts and equipment, including company owned or operated trucks and other motor vehicles, is allowed only as an accessory use incidental to the primary use of the parcel, provided that all such activities shall be screened by a solid masonry wall no less than six (6) feet in height or by equivalent screening using landscaping and earth berms so that no stored materials, goods, parts or equipment are visible from any adjacent public ~~or private streets~~. No such storage area shall extend into any required front or street side setback area or any required landscaped setbacks established herein.

5. Loading Facilities - If loading facilities are provided, such facilities shall conform to the provisions of Section 6B of this Ordinance and shall be provided and maintained on the same parcel which they are intended to serve.

a. Loading facilities shall be designed as an integral part of the building which they serve, and shall be located in the most inconspicuous manner possible. No loading facility shall be permitted which is visible from any adjacent public or private street.

b. No loading facility, including incidental parking and maneuvering areas shall extend into any required minimum yard setbacks established herein.

6. Enclosed Building Requirement; Exceptions - All allowed uses and accessory activities shall be conducted wholly within a completely enclosed building with the exception of off-street parking spaces, off-street loading facilities, open storage areas, and employee recreational facilities.

7. Signs - All signs erected or maintained within the MRD zone shall conform with the provisions of the PUD Guidelines established for the area.

C. Area Regulations

1. No building or structure nor the enlargement of any building or structure shall be erected or maintained unless the following yard setbacks, lot coverage, lot width and lot areas are provided and maintained in connection with such building, structure or enlargement:

a. Lot Coverage - Not more than 35% of the area of any lot may be covered by buildings, including accessory buildings.

b. Front and Side Street Yards - Buildings and structures shall be set back at least fifty (50) feet from all adjacent streets having rights-of-way of one hundred (100) feet or greater, and at least thirty-five (35) feet from all adjacent streets having rights-of-way of less than one hundred (100) feet.

c. Rear and Interior Side Yards - Buildings and structures, except fences and walls, shall be set back at least fifteen (15) feet from all rear and side property lines.

d. Setbacks When Abutting Residentially Used Zoned or Designated Land; Wall Requirement - When abutting an area which is designated for residential use by the City General or the applicable Community Plan, a PUD Schematic Plan, or an area which is residentially used or zoned, buildings and structures (except fences and walls), shall be set back at least seventy-five (75) feet from

the abutting property line. The common boundary between the MRD zoned property and such property which is residentially zoned, used or designated shall be demarcated by a solid masonry wall of not less than six (6) feet in height to be constructed on the MRD zoned property at the time of development.

D. Height

1. No building or structure shall be erected, enlarged or maintained in the MRD zone which exceeds ^{forty (40)} ~~thirty five (35)~~ feet in height. However, if a mechanical penthouse is provided, an ^{ten (10)} ~~fifteen (15)~~ feet shall be permitted to accommodate the mechanical penthouse.

E. Parking

1. Off-street parking shall be provided in accordance with the provisions of Section 6 of this Ordinance in order to accommodate all of the parking needs created by each parcel, including employees, visitors, company vehicle and loading activities, except that the following additional provisions shall apply to the use of parcels within the MRD zone:

a. The following off-street parking requirements are hereby adopted:

<u>Land Use</u>	<u>Spaces Required for Each Land Use</u>
Research & Development	1 space per 300 s.f. gross floor area
Manufacture, Assembly, Testing, Repair	1 space per 350 s.f. gross floor area

Accessory uses as herein provided for shall be in accordance with Parking Standards established by the PUD Guidelines for the area.

b. Except for driveways providing street access, parking stalls and vehicle maneuvering areas shall not be permitted in the required front and street side yard setbacks.

F. Landscaping

1. All required front and street side yard setback required herein shall be landscaped with evergreen trees, shrubs and groundcover, and shall be irrigated with permanent timed automatic underground systems.

2. Minimum yard setbacks abutting public or private streets shall contain landscaped undulating berms which will screen parking areas from said streets. The height of the berms shall be determined in connection with each Special Permit.

3. Twenty-five (25) feet of the required rear and interior yard setbacks immediately abutting residentially used, zoned or designated property as described in Section C-1-(d) shall be landscaped consistent with the PUD Development Guidelines adopted for the area, including trees capable of reaching a height of thirty (30) feet at maturity to be planted at least every thirty (30) feet along the barrier wall required by Subsection C-1-(d).

4. In addition to landscaping in all required yard setbacks, landscaping shall be provided on the remainder of the parcel in accordance with a landscaping and irrigation plan submitted to and approved by the Planning Director which is consistent with the PUD guidelines in connection with each Special Permit. The term "landscaping" shall include decorative plazas, pools, fountains, streams, ponds, lakes or other comparable features in addition to trees, shrubs and groundcover.

G. Special Permit Review and Approval

1. Notwithstanding the provisions of Section 8 and 15 of this Ordinance, which require that a Special Permit be approved at a public hearing of the City Planning Commission for development within an area designated for planned unit development, the following procedure shall apply to any request for development within the MRD zone which does not utilize hazardous materials regulated by City Ordinance No. 82-097 (City Code Chapter 71) and which is consistent with the policies of the General Plan, the PUD Development Guidelines adopted for the area, and the purpose and requirements of the MRD zone:

a. Site plans and other appropriate information required by this Ordinance and the PUD Guidelines related to the requested Special Permit shall be submitted to the Planning Director.

b. The Planning Director shall review the site plans and information so submitted and if, in his judgment, the plans and information are consistent with the policies of the General Plan, the PUD Development Guidelines adopted for the area, the purposes and requirements of the MRD zone, and the Special Permit qualifications established by Section 15A of this Ordinance, the Planning Director may approve or conditionally approve the Special Permit. No Special Permit issued by the Planning Director shall become effective until the Planning Director has given fifteen (15) days notice of the issuance of the Special Permit by posting the property and by mailing to the persons in the manner described in Section 15-C-3-c.

The notice shall describe the Special Permit issued, and shall state that any person dissatisfied with the Planning Director's action can appeal to the Planning Commission within fifteen (15) days of the date of the notice. Appeals from the action of the Planning Director shall be governed by the provisions of Section 15K. The applicant shall, prior to the hearing thereon, pay a fee therefor established by resolution of the City Council to defray the City's costs.

c. The Planning Director may, at his discretion, schedule for hearing by the Planning Commission under the provisions of Section 15 of this Ordinance, any such request for Special Permit.

PASSED FOR PUBLICATION:

ENACTED:

EFFECTIVE:

MAYOR

ATTEST:

CITY CLERK

M83-037



CITY OF SACRAMENTO

35

CITY PLANNING DEPARTMENT

927 TENTH STREET
SUITE 300

SACRAMENTO, CA 95814
TELEPHONE (916) 449-5604

MARTY VAN DUYN
PLANNING DIRECTOR

July 15, 1983

City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: Zoning Ordinance amendment to create a new Manufacturing, Research and Development (MRD) Zone classification for high technology uses (M83-037)

SUMMARY

On April 13, 1982 the City Council adopted Resolution No. 82-251 approving Growth Policy Recommendations for the City of Sacramento. Recommendation No. 4 on Page 19 of the Growth Policy states:

"The City's zoning ordinance should be amended to add a new high quality industrial park zoning district which will include industrial performance standards, toxic chemical use restrictions, and aesthetic requirements."

Planning staff has drafted a new Manufacturing, Research and Development Zone classification for City Council consideration. A draft of the proposed ordinance was submitted to ECOS, the Chamber of Commerce, Board of Realtors, County Planning Department, and the SACTO organization for their review and comment.

The Planning Commission conducted two public hearings on June 16 and 30 on the proposed new MRD zone. The MRD zone as recommended to the Planning Commission is attached as Exhibit A.

BACKGROUND INFORMATION

In drafting the proposed ordinance, staff reviewed similar ordinances from other jurisdictions, as well as the CCR's from various high tech type developments throughout the country (a comparison of these to the proposed MRD zone is attached as the last three pages of Exhibit B).

Key Features of the Proposed MRD Zone

- 1) Purpose: To permit the development of high quality, campus park-like areas for the manufacturing, assembly, research and development of "high technology" type industries, which would not otherwise be possible under the City's present M-1 and M-2 zone classifications without the possibility of other incompatible industrial and commercial uses being developed as well.
- 2) PUD Required: Because of the desire to create an overall campus park-like environment, staff believes that the proposed MRD Zone should only be used in connection with a PUD designation for the area. Use of the MRD zone on a lot by lot basis would not adequately create such an environment without the possibility of intervening incompatible uses or development.
- 3) Permitted Uses: Primary uses would include research and development, manufacturing, assembly, repair and testing related to "high technology" industries. Because of the rather vague and ever changing definition of the high technology field, examples of broad categories which would be permitted are listed on page 2 of the proposed ordinance. However, recognizing the need for flexibility, item 3 on page 4 would authorize the Planning Commission to permit other uses which in its judgement would be consistent with the purpose of the MRD zone. In addition, in order to protect and preserve prime industrial land for high quality industrial uses, offices and warehousing would only be permitted as an accessory use incidental to the primary industrial use of the property. Selected commercial and recreational uses would also be permitted to serve the employees, both as an amenity consistent with the campus park-like environment and to minimize vehicular traffic in the area.
- 4) Area Regulations: Consistent with the highly landscaped park-like environment desired by many high technology industries, yard and setback requirements for the proposed MRD zone would be somewhat more restrictive than that required by the present M-1S and M-2S zones. Landscaped setbacks adjacent to residential areas are also established for the protection of both the residential and industrial area from incompatible uses.
- 5) Height: The proposed 35 foot height limit is in keeping with the campus type environment and the flexibility for ceiling heights required by some high tech users. However, provisions also permit additional height to accommodate mechanical penthouses.
- 6) Parking: Proposed parking standards are generally based on similar provisions contained in various PUD Guidelines adopted by the City Council for other projects in the City, as well as projected numbers of employees per acre for expected high tech uses. However, it is recognized that parking demand can vary widely for different types of uses due to number of shifts, mechanization and the increasing use of robots. As a result, existing provisions contained in Section 6 of the Zoning Ordinance permit the Commission to vary the amount of required parking.

- 7) Landscaping: Landscape requirements are more stringent than for the existing M-1S and M-2S zones in recognition of the desired campus park-like type of environment sought. However, design flexibility is provided by including plazas, pools, fountains, streams, ponds, lakes and other comparable features under the definition of the term landscaping.

Concerns of the Planning Commission

- 1. Does the City's Hazardous Material Disclosure Ordinance require the disclosure to the Planning Department of proposed hazardous materials to be used for a facility at the time a Special Permit is applied for? The ordinance would have to be amended for such disclosures; however, PUD Guidelines provide such requirements.
- 2. How will the City's Environmental Review Process apply to the provisions of Section I of the ordinance (which permits the approval of Special Permits by the Planning Director), especially for projects which utilize hazardous materials or generate hazardous wastes? The City Attorney indicates that this will need to be researched.
- 3. How does the 35 foot height limit (plus 10 extra feet for mechanical penthouse) contained in the proposed MRD ordinance compare with the ordinances of other jurisdictions, and with high tech structures which have been proposed or built in the Sacramento area? The 48 foot height limit is not overly restrictive and is competitive with other jurisdictions.
- 4. How should employee-related commercial uses be treated within the MRD Zone (main vs. accessory use)? Accessory commercial uses for the convenience of employees is allowed in the proposed MRD zone. Providing large commercial nodes in an MRD zone area would disrupt the campus-like atmosphere of a hi tech park.
- 5. Should child care facilities be permitted within the MRD zone for use by employees? Staff has included children's day and group care centers as an accessory use.
- 6. Should hazardous waste transfer facilities be permitted within the MRD zone as the primary use of a parcel? A waste transfer facility as opposed to treatment or disposal facility would benefit a large concentration of hi tech. The State could require such a facility to accept wastes from beyond the hi tech park, City or Sacramento area. A transfer facility should be permitted within the MRD zone at this time. This matter should be researched by the City Attorney as to the City's authority to conditionally approve such facilities.
- 7. Does the City's recently adopted Hazardous Materials Disclosure ordinance deal with storage and handling? The Commission recommended staff prepare a comprehensive hazardous material ordinance.

8. **Are there any regulations for hi tech air quality emissions?** The Sacramento County Air Pollution Control District indicated there are no regulations which limit the emissions of organic compounds, solvents and hazardous materials from semi-conductor and electronics industries. Since this subject must be dealt with on a regionwide basis, not case-by-case, the Commission recommended that the City forward a communication to the Air Pollution Control District requesting that they develop and adopt air pollution control regulations on the emission to the air of organic compounds, solvents and hazardous materials from semi-conductor and electronics industries located within its jurisdiction. It should be noted that the Bay Area Air Quality Management District has recently formulated similar regulations which are presently undergoing public hearings.

Changes by the Planning Commission

1. Subsection 5(b) on Page 5 to state that:

"No loading facility, including incidental parking and maneuvering areas, . . ."

Staff concurs with this change.

2. Section D(1) on Page 7 to provide:

". . . an additional fifteen (15) feet shall be permitted to accommodate the mechanical penthouse."

Staff does not concur with this change. Examination of the height standards contained in Exhibits B-1 and B-2 indicate that the 10 feet proposed by staff for a mechanical penthouse (thus a 45 foot height permitted overall) is consistent with most of the other jurisdictions surveyed. More importantly, each of the existing major high tech facilities in the Sacramento area today (Hewlett Packard, Shugart, NEC and Prospect Business Parks) would all comply with the height limit proposed by staff.

3. Section G(1) on the top of Page 9 would prevent the fast track Special Permit process from applying to projects which:

". . . utilize Hazardous Materials defined and regulated by City Ordinance No. 82-097. . ."

Staff does not concur with this change. The purpose of Section G is to recognize the need for fast track processing of development requests by hi tech users due to the extreme nationwide competition among jurisdictions trying to attract such industry. Since most high tech industry will utilize hazardous materials, the Commission's proposed change will prevent the high tech industry from utilizing the fast track permit process. If the Council agrees with the Commission's change, staff would recommend deleting Section G from the Ordinance entirely.

4. Subsection (b) on Page 9 was revised to require 15 day notice of the issuance of a Special Permit and a 15 day appeal period of the Planning Director's action.

Staff does not agree. All other provisions of the Zoning Ordinance require a 10 day notice and 10 day appeal period. For the sake of consistency, this should be maintained.

Attached for the Council's consideration are:

- Exhibit A - Commission recommended MRD ordinance
- Exhibit B - June 28 staff report
- Exhibit C - June 13 staff report which includes the Sunnyvale Hazardous Material Storage Ordinance

VOTE OF PLANNING COMMISSION

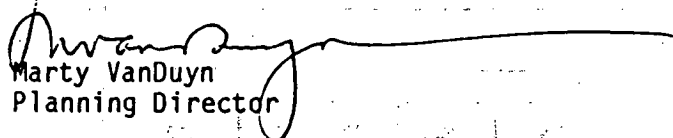
On June 30, 1983 the Planning Commission by a vote of 5 ayes, 2 abstain, and 2 absent recommended adoption of the proposed ordinance.

RECOMMENDATION

The staff and Planning Commission recommend that the City Council:

1. Ratify the Negative Declaration;
2. Adopt the new Manufacturing, Research and Development (MRD) zone classification;
3. Refer the Sunnyvale Hazardous Materials Storage Ordinance to staff for report on whether the City should develop similar Citywide regulations;
4. Transmit a letter to the Sacramento County Air Pollution Control District requesting the development and adoption of air pollution control regulations on the emission of organic compounds, solvents, and hazardous materials from semi-conductor and electronics industries.

Respectfully submitted,


Marty VanDuyn
Planning Director

FOR CITY COUNCIL INFORMATION
WALTER J. SLIPE
CITY MANAGER

MVD:CC:cp/7DSV2
Attachments
M83-037

July 19, 1983
D-All

SACRAMENTO CITY PLANNING COMMISSION

35

MEETING DATE 6/30/83
 ITEM NO. 2 FILE NO. P-
 M-83-037

- GENERAL PLAN AMENDMENT
- TENTATIVE MAP
- COMMUNITY PLAN AMENDMENT
- SUBDIVISION MODIFICATION
- REZONING
- ENVIRONMENTAL DET.
- SPECIAL PERMIT
- OTHER ESTABLISH "MRD"
- VARIANCE
- ORDINANCE
- (CONT'D FROM 6-16-83)

Recommendation LOCATION: CITY WIDE

- Favorable
- Unfavorable
- Petition
- Correspondence

<u>NAME</u>	<u>PROPOSERS</u>	<u>ADDRESS</u>
STEVE JENKINS	PLANNING STAFF	CITY
<u>NAME</u>	<u>OPPOSERS</u>	<u>ADDRESS</u>
Christina Peim	Delta Sures Village	701 Capitol
Sam Williams	resident	Meadowcroft
Emogene Grosswhite		1730 Detroit Blvd

MOTION NO. 1

MOTION:

	YES	NO	MOTION	2ND
Augusta	✓			✓
Fong	✓			
Holloway	ABSTAIN			
Hunter	✓		✓	
Ishmael	ABSTAIN			
Larson	✓			
Silva	ABSENT			
Simpson	ABSENT			
Goodin	✓			

- TO APPROVE
- TO DENY
- TO APPROVE SUBJECT TO COND. & BASED ON FINDINGS OF FACT IN STAFF REPORT
- TO DENY BASED ON FINDINGS OF FACT IN STAFF REPORT
- INTENT TO APPROVE/DENY SUBJECT TO COND. & BASED ON FINDINGS OF FACT DUE TO
- TO RECOMMEND APPROVAL & FORWARD TO CITY COUNCIL
- TO RECOMMEND APPROVAL SUBJECT TO COND. & FORWARD TO CITY COUNCIL
- TO CONTINUE TO _____ MEETING
- OTHER Recommend approval with amendments

ROLL CALL

SACRAMENTO CITY COUNCIL, SACRAMENTO REDEVELOPMENT AGENCY, SACRAMENTO HOUSING AUTHORITY, SACRAMENTO PARKING AUTHORITY

MOVED BY: Sh SECONDED BY: Reed DATE: 9/20/83

MOTION: _____

		AYE	NO	ABSTAIN	ABSENT
FISHER	D2	/			
GARCIA	D6	/			
KASTANIS	D7	/			
POPE	D3	/			
ROBIE	D8	/			

		AYE	NO	ABSTAIN	ABSENT
RUDIN	D4	/			
SERNA	D5	/			
SHORE	D1	/			
MILLER	M	/			

NOTES: _____

APPROVED

SEP 20 1983

OFFICE OF THE CITY CLERK

SEQUENCE ORDER 32