

## **RESOLUTION NO. 2011-581**

Adopted by the Sacramento City Council

October 25, 2011

### **AMENDING RESOLUTION NO. 2003-688 RELATING TO INITIATING THE REZONING OF THE FORMER AIRGAS ACADEMY WAY SITE AND AN AMENDMENT OF TITLE 17 OF THE SACRAMENTO CITY CODE (THE ZONING CODE) RELATING TO FUEL STORAGE YARDS**

#### **BACKGROUND**

- A. In response to the explosion in 2003 at the former Airgas NCN, Inc. fuel storage facility at 3011 Academy Way (APN 265-0401-006, 007, and 008) ("Academy Way Site"), the City Council adopted Resolution No. 2003-688 to initiate the rezoning of the Academy Way Site to an appropriate zone that would prohibit fuel storage yards (Section 1), and to initiate an amendment to Title 17 of the Sacramento City Code (the Zoning Code) to require a special permit for fuel storage yards that meet defined criteria (Section 2).
- B. The purpose of initiating the rezoning and the Zoning Code amendment was to prevent another fuel storage yard from locating at the Academy Way Site once Airgas vacated the property, and to protect residential areas throughout the City from potential fire and explosion hazards associated with fuel storage yards.
- C. In 2007 and 2010, the City Council adopted Ordinance Nos. 2007-081 and 2010-029 to establish fuel storage yard location restrictions and special permit requirements in the Zoning Code. These restrictions and requirements have the effect of prohibiting the establishment of a fuel storage yard at the Academy Way Site, and protect residential areas throughout the City from the potential hazards associated with fuel storage yards. These amendments to the Zoning Code make rezoning of the Academy Way Site unnecessary.
- D. The current zoning of the Academy Way Site, Light Industrial (M-1), is consistent with the Employment Center Low Rise land use designation for the Site under the 2030 General Plan.

#### **BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:**

Section 1. The City Council hereby amends Resolution No. 2003-688 to delete the provisions of Section 1 relating to the initiation of the rezoning of the Academy Way Site.

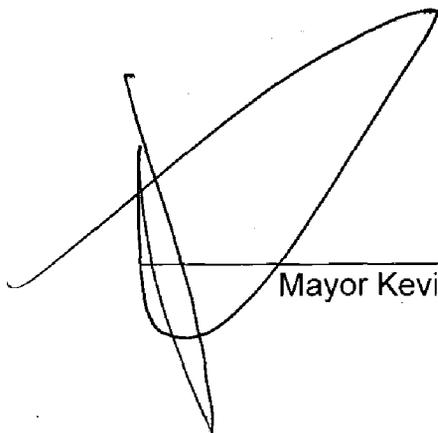
Adopted by the City of Sacramento City Council on October 25, 2011 by the following vote:

Ayes: Councilmembers Ashby, Cohn, D Fong, R Fong, McCarty, Pannell, Schenirer, Sheedy, and Mayor Johnson.

Noes: None.

Abstain: None.

Absent: None.



Mayor Kevin Johnson

Attest:

  
Shirley Concolino, City Clerk