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OAKLAND

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DRAFT

Oakland City Attorney's Office

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OAKLAND CITY COUNCIL

ORDINANCE NO. _____ C.M.S.

**AN INTERIM ORDINANCE PURSUANT TO CHARTER SECTION 213
REQUIREMENT FOR A MAJOR CONDITIONAL USE PERMIT TO ESTABLISH
ANY NEW ACTIVITY RELATING TO THE CREATION OF CREMATORIUM
ACTIVITY AS IT IS CURRENTLY DEFINED AS MANUFACTURING AND
INDUSTRIAL USEAGE (INTERIM CONTROL)**

WHEREAS, Currently Crematoria are permitted uses in certain industrial areas within the City - under code section 17.10.0570, General Manufacturing Industrial Activities of the Zoning Ordinance. No planning permits or public notice are required prior to issuance of a building permit for such a use

WHEREAS, The issue of whether it is appropriate to allow crematoria as a permitted use under General Manufacturing or under code section 17.10.240 (B) Extensive Impact Civic Activities of the Zone Ordinance has been raised in the context of the public exposure to certain types of pollutants and emissions and the ability to review those impacts

WHEREAS, Crematoria emit particulate matter falling under the category of toxic pollutants, and the possibility of trucking many thousands of bodies into Oakland from the Bay Area and beyond would add to those emissions, increase traffic congestion, and tax Oakland's infrastructure, and;

WHEREAS, Crematoria may release the following toxic substances as part of their operations:

- Acetaldehyde
- Arsenic
- Benzene
- Beryllium
- Cadmium
- Chromium, hexavalent
- Copper

- Formaldehyde
- Hydrogen Chloride
- Hydrogen Fluoride
- Lead
- Mercury
- Nickel
- Selenium
- Zinc
- Chlorinated dibenzo-dioxins and furans of concern
- Polycyclic aromatic hydrocarbons
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WHEREAS, A Regional cremation center in Oakland would impact the total environment of our neighborhoods and backslide efforts to address the cumulative impacts of environmental inequalities in less than fortunate areas of Oakland, and;

RESOLVED, Therefore be it resolved, that the Oakland City Council Adopt an Interim Ordinance Pursuant to Charter Section 213 Requirement for a Major Conditional Use Permit to establish any new activity relating to the creation of crematorium activity as it is currently defined as manufacturing and industrial usage (Interim Control)

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL,
 SCHAFF, BRUNNER, AND PRESIDENT REID

NOES –
ABSENT –
ABSTENTION –

ATTEST:

LATONDA SIMMONS
City Clerk and Clerk of the Council of
the City of Oakland, California