

ORDINANCE NO. 97-019

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF MAR 25 1997

**AN ORDINANCE AMENDING
TITLE 84, SECTION 84.04.400 OF THE
SACRAMENTO CITY CODE RELATING TO
HABITAT CONSERVATION FEES AND
DECLARING THIS ORDINANCE TO BE AN
EMERGENCY ORDINANCE TO BECOME
EFFECTIVE IMMEDIATELY UPON ITS ADOPTION**

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

SECTION 1.

Title 84, Section 84.04.400 of the Sacramento City Code is amended to read as follows:

84.04.400. Purposes; Applicability

a. This Chapter 84.04 is enacted pursuant to the general powers reserved to the City of Sacramento under its City Charter for the purpose of establishing and imposing a fee relating to the mitigation of the loss of plant and animal species and their habitat in connection with development of land within the North Natomas Finance Plan Area. It is anticipated that a multi-species habitat conservation plan will be approved and adopted by state and federal agencies and the City which will provide a method by which landowners may satisfy local, state and federal mandated mitigation requirements in order to develop their properties. This Chapter establishes and imposes, as an interim measure, a fee which landowners may elect to pay in order to continue with development activity in North Natomas prior to the adoption of such habitat conservation plan. Upon adoption of such plan and establishment of a fee implementing the same, the interim fee established hereby will be repealed and replaced by such implementing fee.

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b. The City Council may, by resolution, designate other areas within the City of Sacramento that will be subject to payment of the fees specified in this chapter.

SECTION 2.

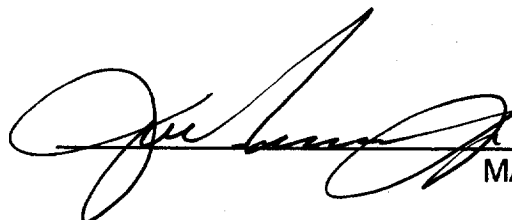
This ordinance is declared to be an emergency ordinance, to take effect immediately upon its adoption. The facts constituting the emergency are as follows: on October 31, 1995, the City Council adopted Ordinance No. 95-060 as an emergency ordinance, establishing an interim habitat conservation fee for development within the North Natomas Finance Plan Area, as defined. At that time it was not anticipated that land outside that area would be subject to the Natomas Basin Habitat Conservation Plan. As the said plan has developed, the area which it covers within the City of Sacramento which will be covered by the plan will likely extend beyond the North Natomas Finance Plan Area. Specifically, certain lands within the South Natomas Community Plan area, which will be developing within the near future, may be included within the Permit Area. It is therefore necessary to extend the coverage of the interim fee program for the habitat conservation plan to include such areas, in order to preclude development to occur without payment of the fees necessary to support and implement the plan. Because of the possibility of development occurring within the near future in areas outside the North Natomas Finance Plan Area, but within the proposed Permit Area, it is necessary for this ordinance to become effective immediately in order to give the City Council the authority to designate by resolution additional areas to be covered by the interim fee. The findings set forth in section 3 of Ordinance No. 95-060 are also incorporated herein by this reference, as additional information establishing the necessity for declaring this ordinance to be an emergency ordinance.

DATE ENACTED: March 25, 1997

DATE EFFECTIVE: March 25, 1997

ATTEST:

Therese A. Burrows
CITY CLERK


MAYOR

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