

ORDINANCE REPEALING SECTION 40.30-4 AND
AMENDING SECTION 40.30-5 OF CHAPTER 40 OF
THE SACRAMENTO CITY CODE AND DECLARING THIS
MEASURE TO BE AN EMERGENCY MEASURE TO TAKE
EFFECT IMMEDIATELY

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

SECTION 1.

Section 40.30-4 of Chapter 40 of the Sacramento City Code is hereby repealed.

SECTION 2.

Section 40.30-5 of Chapter 40 of the Sacramento City Code is hereby amended to read as follows:

Sec. 40.30-5. Parcel Maps.

In the case of any division of land defined in Subsection (b) or (c) of Section 11535 of the Business and Professions Code, a parcel map shall be submitted to the Planning Commission and City Council for approval as to area, improvements and lot design, flood and water drainage control, and as to all other applicable requirements of this chapter.

In cases involving the subdivision of five or more lots, as specified in this section, a tentative map shall be first filed and approved as provided in the Subdivision Map Act and this chapter.

In connection with any parcel map submitted for approval under this section, the Planning Commission and City Council may require dedications or an offer of dedication by separate instrument for street opening or widening or easements. If dedications or offers of dedications are required, such dedications shall be completed prior to the filing of the parcel map. An offer of dedication shall be in such terms as to be binding on the owners' heirs, devisees, assigns or successors in interest and shall continue until the City Council accepts or rejects such offer.

Whenever the filing of a tentative map is required, within one year after its approval, a parcel map showing each new parcel or parcels may be filed with the Recorder of Sacramento County. This map shall be filed prior to the sale, lease or financing of such parcels. Conveyances may be made of the parcels shown on such map by number or other such documents. Upon application, an extension of the approval of the tentative map, not to exceed one year, may be granted by the City Council.

In the case of division of land as defined in Subsections (c) (3) and (b) of Section 11535 of the Business and Professions Code, the Planning Commission and the City Council may require the improvement of such public or private streets, highways, ways or easements as may be necessary for local traffic, drainage and sanitary needs. In addition, in the case of a division of land as defined in Subsection (b) of Section 11535 of the Business and Professions Code, the Planning Commission and City Council may require the making of such additional off-site and onsite improvements for the parcels being created as may be deemed necessary for the public health, safety and welfare or for implementation of the general plan of the city or applicable community (specific) plans. If such improvements are required, the subdivider shall enter into a subdivision improvement agreement and provide improvement security to the city prior to the recordation of the parcel map. The form of the agreement and the improvement security shall substantially conform to that required by Section 40.24 of this chapter.

SECTION 3.

The repeal of Section 40.30-4 of Chapter 40 shall in no way affect the terms, conditions or validity of any land division permit issued pursuant to said Section prior to the effective date of this ordinance and all of the terms and conditions of land division permits issued prior to the effective date of this ordinance shall remain in full force and effect.

SECTION 4.

This ordinance is hereby declared to be an emergency measure to take effect immediately. The nature of such emergency being the necessity of making amendments to Chapter 40 in order to bring its provisions in conformance with requirements contained in Chapter 1446, Laws of 1971, which will become effective on March 4, 1972.

SECTION 5.

This ordinance shall be published once within 10 days after its passage in the official newspaper of the City of Sacramento.

PASSED: March 2, 1972

EFFECTIVE: March 2, 1972

Richard H. Bennett

MAYOR

ATTEST:

Thomas W. Oldham

CITY CLERK