

ORDINANCE NO. 2009-008

Adopted by the Sacramento City Council

January 27, 2009

PERTAINING TO THREE YEAR EXTENSION OF CERTAIN LAND USE ENTITLEMENTS AND BUILDING PERMITS (M08-048)

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

BACKGROUND

- Section 1. The City Council of the City of Sacramento finds and declares as that the current economic downturn and the constriction of the credit market are delaying the start and completion of construction of land development projects, and the land use entitlement approvals and building permits for these projects are at risk of expiring. Because the processing, approval, and issuance of land use entitlements and building permits represent a substantial investment of money, time, and effort toward the successful completion these projects, expiration of these entitlements and permits represents a significant loss for the owners and the City. The City Council desires to protect against this potential loss and preserve "shovel-ready" development opportunities by granting additional time to the term of these entitlements and permits.
- Section 2. Notwithstanding the provisions of Title 17 of the Sacramento City Code (the Zoning Code) to the contrary, the period of time within which to obtain a building permit and commence construction, or to establish a use, under sections 17.132.320 (design review), 17.134.340 (preservation certificate of appropriateness), 17.212.100 (special permit), 17.216.050 (variance), and 17.220.060 (plan review) of the Zoning Code, including any extensions thereof, shall not include the period of time that this Ordinance is in effect. This section shall apply only to design review approvals, certificates of appropriateness, special permits, variances, and plan reviews that are valid and not expired as of the effective date of this Ordinance
- Section 3. Notwithstanding the provisions of Title 15 of the Sacramento City Code to the contrary, any building permit that is valid and not expired as of the effective date of this Ordinance but which expires during the term of this Ordinance may be reactivated at any time until 180 days following the expiration of this Ordinance. This Section 3 shall not apply to demolition permits, permits for fire equipment, minor permits, swimming pool permits, sign permits, and permits related to a City code enforcement action.
- Section 4. Notwithstanding the provisions of Title 15 of the Sacramento City Code to the contrary any building permit application that is valid and not expired as of the effective date of this Ordinance but which expires during the term of this

Ordinance may be reactivated at any time up to 180 days following the expiration of this Ordinance. This Section 4 shall not apply to demolition permits, permits for fire equipment, minor permits, swimming pool permits, sign permits, and permits related to a City code enforcement action.

Section 5. A fee in an amount established by resolution of the City Council shall be charged to any person who submits a request to the City to reactivate a building permit under Section 3 of this Ordinance or a building permit application under Section 4 of this Ordinance. A building permit issued under a building permit application that is re-activated under Section 4 of this Ordinance shall be subject to all City fees and charges that are payable upon issuance of building permit in the amount in effect upon issuance of the building permit.

Section 6. This Ordinance is enacted by the City Council as an interim ordinance, without notice and hearing before the Planning Commission and City Council as otherwise required by Section 17.208.010 of the City's Zoning Code. It is anticipated that the economic conditions that are impacting land development will improve within a three year period. Therefore, this Ordinance shall remain in effect for three years from its effective date after which time it shall expire and shall be of no further force or effect.

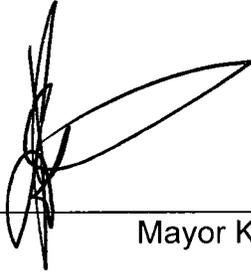
Adopted by the City of Sacramento City Council on January 27, 2009 by the following vote:

Ayes: Councilmembers Cohn, Fong, Hammond, McCarty, Pannell, Sheedy, Tretheway, Waters, and Mayor Johnson.

Noes: None.

Abstain: None.

Absent: None.



Mayor Kevin Johnson

Attest:


Shirley Concolino, City Clerk

Passed for Publication: January 13, 2009
Published: January 16, 2009
Effective: February 16, 2009