

# ORDINANCE NO. 2009-009

Adopted by the Sacramento City Council

February 17, 2009

## AMENDING 16.64.030 OF THE SACRAMENTO CITY CODE RELATING TO REFUNDS OF PARKLAND DEDICATION FEES

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

### BACKGROUND

Section 1. Section 16.64.030 of the Sacramento City Code is amended to read as follows:

#### 16.64.030 Standards and formulas for dedication of land.

A. When Parkland Dedication Required.

Where a recreational or park facility has been designated in the general plan or a specific plan, and is to be located in whole or in part within the proposed subdivision to serve the immediate and future needs of the residents of the subdivision, the subdivider shall dedicate land for a local recreation or park facility sufficient in size and topography to serve the residents of the subdivision.

B. Calculation of Required Parkland Dedication.

1. The amount of land to be dedicated shall be determined according to the formula  $D \times F = A$  in which:

a.  $D$  = the number of dwelling units

b.  $F$  = a "factor" herein described

c.  $A$  = the buildable acres to be dedicated.

2. A buildable acre is a typical acre of the subdivision, with a slope less than ten (10) percent, and located in other than an area on which building is excluded because of flooding, public rights-of-way, easements, or other restrictions.

3. The factors of .0149, .0112, and .0088 are constants which, when multiplied by the number of dwelling units permitted in the subject area, will produce five acres per thousand population. The factors referred to above are as follows:

FS = .0149 relating to single-family dwelling units

FT = .0112 relating to two-family dwelling units

FM = .0088 relating to multiple-family dwelling units  
Fmh = .0088 relating to mobile-home dwelling units

C. Determination of the Number of Dwelling Units on Multifamily Parcels or Parcels Created by a Master Parcel Map.

Unless the subdivider enters into an agreement with the city for a lower density, the number of dwelling units on multifamily parcels or parcels created by a master parcel map that will be further subdivided shall be determined as follows:

1. When a rezoning application accompanies the tentative map, the number of dwelling units shall be calculated according to the highest density of the zoning designation applied for;
2. When a rezoning application does not accompany the tentative map, the number of dwelling units shall be calculated according to the highest density of the existing zoning designation or existing specific plan density designation, whichever allows the highest density;

Provided, however, that if all or a portion of the parkland dedication requirement is satisfied by payment of fees under section 16.64.040 and, upon completion of build-out of the multifamily parcel or the recording of the final map for the last re-subdivision of a parcel created by a master parcel map, the actual number of dwelling units built or number of single family lots created is less than the number of dwelling units determined under subsection 1 or subsection 2, above, then the subdivider may, within five years after payment of the fee, apply for a refund, without interest, of the difference between the fee actually paid and a fee calculated on the basis of the actual density.

D. Determination of the Number of Dwelling Units—Halfplex Units.

Where halfplex lots are included in a predominately single-family subdivision, and the development of the halfplex units will not cause the density of the subdivision to exceed the maximum density allowed in the R-1 zone, the halfplex units shall be considered two-family dwelling units.

E. Required Improvements on Dedicated Land.

The subdivider shall: (1) provide full street improvements, including but not limited to curbs, gutters, street paving, traffic control devices, street lights, and sidewalks, to land which is dedicated pursuant to this chapter; (2) provide for chain link fencing meeting city standards along the property line of that portion of the subdivision contiguous to the dedicated land; (3) provide improved surface drainage through the site; and (4) provide other improvements which the city council determines to be essential to the acceptance of the land for recreational purposes. (Prior code § 40.16.1603)

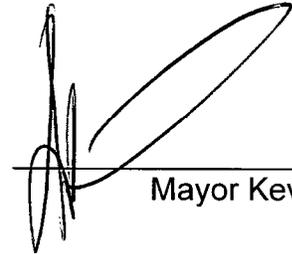
Adopted by the City of Sacramento City Council on February 17, 2009 by the following vote:

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

Noes: None.

Abstain: None.

Absent: None.



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Mayor Kevin Johnson

Attest:



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Shirley Concolino, City Clerk

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