Introduced by:

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF PASADENA AMENDING VARIOUS SECTIONS OF TITLE 16 (SUBDIVISION ORDINANCE), CHAPTERS 16.08, 16.16, 16.28, AND 16.36, OF THE CITY OF PASADENA MUNICIPAL CODE TO MODIFY PROCEDURES FOR APPROVAL OF A SUBDIVISION CONTRACT

The People of the City of Pasadena ordain as follows:

SECTION 1. This ordinance, due to its length and corresponding cost of publication, will be published by title and summary as permitted in Section 508 of the Pasadena City Charter. The approved summary of this ordinance is as follows:

"**Summary**

This proposed ordinance amends various sections of Pasadena Municipal Code Title 16 (Subdivision Ordinance), Chapters 16.08, 16.16, 16.28, and 16.36, to adopt standards and procedures to allow the City Manager to approve subdivision contracts and performance guarantees when improvements are not complete at the time a subdivider seeks final map approval. The City Manager's determination may be appealed to the City Council. The ordinance also amends the definition of the term City Engineer.

Ordinance No. _____ shall take effect upon publication."

SECTION 1. Pasadena Municipal Code, Title 16 (Subdivision Ordinance), Chapter 16.08 (Definitions), Section 16.08.080, is amended to read as follows:
"16.08.080 – City Engineer

'City Engineer' means the director of public works or the city engineer, as designated by the director of public works."

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SECTION 2. Pasadena Municipal Code, Title 16 (Subdivision Ordinance), Chapter 16.16 (Improvements), Section 16.16.050, is amended to read as follows: "16.16.050 – Completion.

If such improvement work is not completed to the satisfaction of the city engineer before the streets are offered for dedication, the owner of the subdivision concurrently with the acceptance of the final map shall enter into an agreement with the city~~board of directors~~, agreeing to have the work completed within the time specified in the agreement. The agreement may provide for the improvements to be installed in units, for extension of time under specified conditions, for the termination of the agreement upon a reversion of the subdivision or a part thereof to acreage and, at the option of the subdivider and city, for the termination of the agreement upon completion of proceedings under an assessment district act for the installation of improvements at least equivalent to the improvements specified in such agreement."

SECTION 3. Pasadena Municipal Code, Title 16 (Subdivision Ordinance), Chapter 16.16 (Improvements), Section 16.16.090, is amended to read as follows: "16.16.090 – Agreements in lieu of improvement.

A. If any improvements are not completed to the satisfaction of the city ~~board of directors~~ before the final map is filed, the subdivider shall, prior to the approval by the city council ~~board of directors~~ of the final map, enter into an agreement with the city whereby, in consideration of the acceptance by the city council ~~board~~ of the dedications offered on the final map and the approval of the final map, the subdivider agrees to furnish all necessary equipment and material and to complete such work within the time specified in such agreement.

B. If any improvements are not completed to the satisfaction of the city ~~board of directors~~ before the parcel map is filed with the county recorder, the subdivider shall, prior to the filing of the parcel map, enter into an agreement with the city, whereby, in consideration of the acceptance by the city council ~~board~~ of the dedications offered by separate instrument, the subdivider agrees to furnish all necessary equipment and material and to complete such work within the time specified in such agreement.

C. The city manager is authorized to specify and approve an agreement with a subdivider in accordance with California Government Code Section 66462 whereby the subdivider agrees to complete the improvements to the city's standards. The city manager shall require that the agreement be guaranteed by a security in accordance with Section 16.36.040. The agreement shall be in a form approved by the city attorney. The decision of the city manager may be appealed by the subdivider to the city council within 10 days.

D. The city council shall review the delegation of authority to the city manager under this subsection at least once every ten years. The city manager shall ensure the city council reviews the delegation no less frequently than once every ten years. Failure to review the delegation of authority shall not been deemed to invalidate the city manager's authority hereunder."

SECTION 4. Pasadena Municipal Code, Title 16 (Subdivision Ordinance), Chapter 16.28 (Final Maps and Parcel Maps), Section 16.28.340, is amended to read as follows:

"16.28.340 - Presentation to city council~~board of directors~~.

At its next meeting or within a period of not more than 10 days after the filing of the final map with the city council~~board of directors~~, the city council~~board of directors~~ shall approve the map if the same conforms to all the requirements of the Map Act and of this title applicable at the time of approval of the tentative map and any rulings made thereunder. At the time of approval, the city council~~board~~ shall also accept, accept subject to improvement, or reject any or all offers of dedication and as a condition precedent to the acceptance of any streets or easements shall ensure ~~may require~~ that the subdivider at his option either improved or agreed to improve said streets or easements in accordance with Chapter 16.16~~Sections 16.16.010 and 16.16.020~~. Upon the execution by the subdivider of said agreement and the posting of the bond or the deposit of money or negotiable bonds required by Chapter 16.36, the map of the subdivision forthwith shall be approved and accepted for recordation. Title to property so accepted shall not pass until the final map is duly recorded under the provisions of the Map Act and of this title. If, at the time the final map is approved any streets are rejected, the offer of dedication shall be deemed to remain open and shall not be

subject to revocation, and the city council board of directors may by resolution at any later date and without further action by the subdivider, rescind its action and accept and open said streets for public use, which acceptance shall be recorded in the office of the county recorder. If a resubdivision or map showing reversion to acreage of the tract is subsequently filed for approval, any offer of dedication previously rejected shall be deemed to be terminated upon the approval of the map by the city councilboard of directors."

SECTION 5. Pasadena Municipal Code, Title 16 (Subdivision Ordinance), Chapter 16.36 (Bonds and Deposits), Section 16.36.040, is amended to read as follows: "16.36.040 – Faithful performance guarantee.

To assure that the work specified in the agreement referred to in Chapter 16.16 will be satisfactorily completed, subdivider shall deposit with the city, or with a responsible escrow agent or trust company, subject to approval of the city managerboard of directors, cash, an assignment of savings certificates, letter of credit, or equivalent negotiable security, in a form as may be approved by the city attorney, in an amount recommended by the city engineer. If the agreement referred to in Chapter 16.16 is appealed to, or approved by the city council, the faithful performance guarantee shall also be subject to approval of the city council."

SECTION 6. The City Clerk shall certify the adoption of this ordinance and shall cause this ordinance to be published by title and summary.

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SECTION 7. This ordinance shall take effect upon publication.

Signed and approved this _____ day of _____, 2025.

_____
Victor Gordo
Mayor of the City of Pasadena

I HEREBY CERTIFY that the foregoing ordinance was adopted by the City Council of the City of Pasadena at its meeting held this _____ day of _____ 2025, by the following vote:
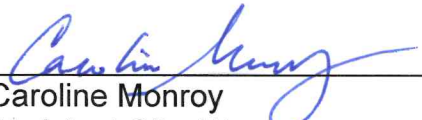
    AYES:

    NOES:

    ABSENT:

    ABSTAIN:

Date Published:

_____
Mark Jomsky
City Clerk

Approved as to form:

_____
Caroline Monroy
Assistant City Attorney

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