

## Chapter 256 Reversions to Acreage

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### **256.02 General**

Any subdivided property may be reverted to acreage pursuant to the provisions of the Subdivision Map Act and this chapter. Subdivisions also may be merged and resubdivided without reverting to acreage under the provisions of Chapter 251.

### **256.04 Initiation of Proceedings**

- A. By Owners. Proceedings to revert subdivided property to acreage may be initiated by petition (in a form prescribed by the City Engineer) of all of the owners of record of the property.
- B. By City Council. The City Council, at the request of any person or on its own motion may initiate proceedings to revert property to acreage. The City Council shall direct the City Engineer to obtain the necessary information to initiate and conduct the proceedings.

### **256.06 Contents of Petition**

The petition shall contain, but not be limited to, the following:

- A. Evidence of title to the real property.
- B. Evidence of the consent of all of the owners of an interest in the property.
- C. Evidence that none of the improvements required to be made has been made within two years from the date the final or parcel map was filed for record, or within the time allowed by agreement for completion of the improvements, whichever is later.

- D. Evidence that no lots shown on the final or parcel map have been sold within five years from the date such final or parcel map was filed for record.
- E. A final or parcel map, delineating dedications that will not be vacated and dedications required as a condition to reversion. Final or parcel maps shall be conspicuously designated with the title, "Reversion to Acreage."

#### **256.08 Submittal of Petition to the City Engineer**

The final or parcel map for the reversion, together with all other data as required by this chapter, shall be submitted to the City Engineer for review.

Upon finding that the petition meets with all the requirements of the Subdivision Map Act and this chapter, the City Engineer shall submit the final or parcel map, together with a report and recommendations of approval or conditional approval of the reversion to acreage, to the City Council for its consideration.

#### **256.10 City Council Action**

- A. Notice and Public Hearing. A public hearing shall be held by the City Council on all petitions for initiations for reversions to acreage. Notice of the public hearing shall be given as provided in Section 251.08.
- B. Findings for Approval. The City Council may approve a reversion to acreage only if it finds:
  - 1. Dedications or offers of dedication to be vacated or abandoned by the reversion to acreage are unnecessary for present or prospective public purposes; and
  - 2. All owners with an interest in the real property within the subdivision have consented to reversion; and
  - 3. None of the improvements required to be made has been made within two years from the date the final or parcel map was filed for record, or within the time allowed by agreement for completion of the improvements, whichever is later; and
  - 4. No parcels shown on the final or parcel map have been sold within five years from the date such map was filed for record.
- C. Conditions of Approval. The City Council may require as conditions of the reversion:
  - 1. That owners dedicate or offer to dedicate streets, public rights-of-way or easements;
  - 2. That all or a portion of previously paid subdivision fees, deposits or improvement securities be retained if the same are necessary to accomplish any of the purposes or provisions of this chapter; or

3. Such other conditions of reversion as are necessary to accomplish the purposes or provisions of this chapter or necessary to protect the public health, safety or welfare.

#### **256.12 Filing with County Recorder**

Upon approval of the reversion to acreage, the City Clerk shall transmit the final or parcel map, together with the City Council ordinance approving the reversion, to the County Recorder for recordation. Reversion shall be effective upon the final map being filed for record by the County Recorder. Upon filing, all dedications and offers of dedication not shown on the final or parcel map for reversion shall be of no further force and effect.