

Attachment A: Proposed Amendments to Title 10, Chapter 1 of the Municipal Code.

Amendments to Chapter 1, Subdivisions

Amendments to Article 5, Tentative Maps

Section 10-1.504 Decisions and reports

Section 10-1.504, Decisions and reports will be revised (shown as strike through and underlined text) as follows:

Subsection (a) will be amended to read:

- (a) Subdivision of not more than three parcels or ~~three parcels or 15~~ condominium units on any lot ~~and involving no more than two~~ or combination of adjacent lots. If the Community Development Director, or his/her assigned, finds that the map for a subdivision of not more than ~~three parcels or three~~ parcels or ~~15~~ condominium units on any lot ~~and involving no more than two~~ or combination of adjacent lots meets the requirements of this chapter and the Map Act, the Community Development Director, or his/her assigned, shall approve a map of the subdivision within 50 days after the certification of the environmental impact report, adoption of a negative declaration, or a determination by the City that the project is exempt from the requirements of the California Environmental Quality Act. If the Community Development Director, or his/her assigned, finds that the map does not meet the requirements of this chapter or the Map Act, the Community Development Director, or his/her assigned, shall disapprove or conditionally approve the map within such time. Dedications and reservations of property and on-site and off-site improvements may be required by the Community Development Director, or his/her assigned, as a condition of approval as authorized by the Subdivision Map Act and this chapter. Written notice of the decision shall be given to the subdivider.

~~(1) Appeals to the Commission. The decision of the Community Development Director shall be final and conclusive unless, within 10 days after the date of the written notice of decision, the subdivider files a written appeal with the Planning Division requesting a public hearing before the Commission. Notice of public hearing before the Commission to consider an appeal of the decision of the Community Development Director shall be mailed to the subdivider not less than 10 days prior to the date of such hearing. The Commission shall hear the testimony of the subdivider or any witnesses on behalf of the subdivider and information provided by the Community Development Director. The Commission may also hear the testimony of other persons interested in the matter. Upon the conclusion of the hearing, or no later than the date of the next regular Commission meeting, the Commission shall declare its findings, based upon the testimony and documents before it. The Commission may sustain, modify, reject, or overrule any action of the Community Development Director and may make such findings and determinations as are not inconsistent with the provisions of the Map Act or this chapter. The action of the Commission may be appealed to the Council pursuant to Section ~~10-1.506~~ of this article.~~

Subsection (b) will be amended to read:

- (b) Subdivisions of four or more parcels or ~~of four or more parcels or~~ creating 16 condominium units or more on any lot or combination of lots ~~or a subdivision involving more than two adjacent lots~~. In the

case of subdivisions of four or more parcels or creating 16 or more condominium units on any lot or combination of lots ~~or a subdivision involving more than two adjacent lots~~, the Commission shall review the recommendations and, if it finds that the map meets the requirements of this chapter and the Map Act, the Commission shall approve the map of the subdivision within 50 days after certification of the environmental impact report, adoption of a negative declaration, or a determination by the City that the project is exempt from the requirements of Division 13 (commencing with Section 21000) of the Public Resources Code, unless such time is extended by mutual agreement with the subdivider in accordance with Government Code Section 65957. If the Commission finds that the map does not meet the requirements of this chapter or the Map Act, the Commission shall disapprove or conditionally approve the map within such time.

Section 10-1.1010 Community Development Director or Commission decisions

Section 10-1.1010, Community Development Director or Commission decisions will be revised (shown as strike through and underlined text) as follows:

Subsection (a) will be amended to read:

- (a) Subdivision of not more than three parcels or 15 condominium units on any lot ~~and involving no more than two adjacent~~ or combination of lots. If the Community Development Director, or his/her assigned, finds that the parcel map for a subdivision of not more than three parcels or 15 condominium units on any lot ~~and involving no more than two adjacent~~ or any combination of lots meets the requirements of this chapter and the Map Act, the Community Development Director, or his/her assigned shall approve the parcel map within 50 days after the certification of the environmental impact report, adoption of a negative declaration, or a determination by the City that the project is exempt from the requirements of the California Environmental Quality Act. If the Community Development Director, or his/her assigned, finds that the parcel map does not meet the requirements of this chapter or the Map Act, the Community Development Director shall disapprove or conditionally approve the parcel map within such time. Dedications and reservations of property and on-site and off-site improvements may be required by the Community Development Director as a condition of approval as authorized by the Subdivision Map Act and this chapter. Written notice of the decision shall be given to the subdivider.

- (1) Appeals to the Commission. The decision of the Community Development Director may be appealed to the Commission in the manner as provided in Section 10-1.504(a)(1)10-1.504(a)(1) of this chapter.

Subsection (b) will be amended to read:

- (b) Subdivision of four or more parcels or 16 condominium units on any lot ~~or a subdivision involving more than two adjacent~~ combination of lots. In the case of subdivisions of four or more parcels or 16 condominium units on any lot ~~or a subdivision involving more than two adjacent~~ combination of lots, the Commission shall review the recommendations and testimony and, if the Commission finds that the parcel map meets the requirements of this chapter and the Map Act, it shall approve the parcel map within 50 days after certification of the environmental impact report, adoption of a negative declaration, or a determination by the City that the project is exempt from the requirements of Division 13 (commencing with Section 21000) of the Public Resources Code, unless such time is extended by mutual agreement with the subdivider in accordance with Government Code Section 65957. If the Commission finds that the map does not meet the requirements of this chapter or the Map Act, it shall disapprove or conditionally approve the parcel map within such time.