

CHAPTER 16.12 TENTATIVE MAP

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16.12.010 Contents.

The tentative map shall show and contain the following matters:

- (A) Vicinity or reference map;
- (B) Boundary lines accurate in scale and location;
- (C) Number of subdivision;
- (D) Legal description of property;
- (E) Proposed land use of property;
- (F) Name and address of owner, subdivider and engineer;

- (G) North arrow;
- (H) Scale;
- (I) Date of preparation;
- (J) Approximate acreage of tract;
- (K) Square footage of lots in tract;
- (L) Average adjacent tract lot footages;
- (M) Setback lines;
- (N) Location, widths and approximate grades of streets;
- (O) Width or rights-of-way;
- (P) Each new street shown by letter for purposes of identification until the proper name of such street is determined;
- (Q) Name, location and width of adjacent streets;
- (R) Width of required alleys.

16.12.012 Preparation.

After reviewing the provisions of ~~Chapter 16.24 Sections 16.24.010 through 16.24.040~~, the subdivider shall ~~confer with city staff before preparing the~~ submit a preliminary review application for the tentative map pursuant to Chapter 17.102.

16.12.015 Fees — Payment.

Fees associated with the application of a tentative map, as established by resolution of the City Council, shall be paid at the time of the filing such application ~~or resubmittal of a tentative map pursuant to council resolution~~.

16.12.020 Adjustment or refund.

No adjustment or refund of any portion of such fees shall be made once such fees have been paid.

16.12.030 Resubmission — Fee exempt.

No fee shall be charged for any resubmitted tentative map if such resubmission is requested by the city.

16.12.040 Compliance with Environmental Quality Act.

The tentative map ~~is subject to shall be filed only after~~ compliance with the California Environmental Quality Act.

16.12.050 Preparation — Filing.

The tentative map shall be prepared in accordance with the Subdivision Map Act and the provisions of the city subdivision ordinance codified with this title. ~~Fifty copies of the map shall be filed with the city.~~ Such filing must be made prior to the completion of final surveys of streets and lots and before the start of any grading or construction work in the proposed subdivision.

16.12.060 Accompanying material.

The tentative map shall be accompanied by reports and written statements from the subdivider giving essential information regarding the following matters:

- (A) Subdivision development plan;
- (B) Source, quality and estimate of available quantity of domestic water supply;
- (C) Type of street improvements and utilities which the subdivider proposes to install;
- (D) Proposed method of sewage disposal;
- (E) Proposed storm drains, including grade and size;
- (F) Proposed easements;
- ~~(FG)~~ Protective covenants to be recorded;
- ~~(GH)~~ Any proposed phasing.

16.12.061 Staff review and report.

City staff shall review the application ~~for compliance with city ordinances and the Subdivision Map Act. Once the application is deemed complete by city staff, and the~~ planning division staff shall, within 60 days, prepare a written report to the Planning and Housing Commission, including proposed findings of facts and conditions of approval, if applicable, on the proposed project, and a recommendation to the City Council that the tentative map either be approved or denied according to the findings. ~~recommending that the commission in turn recommend approval to the findings presented in the staff report conditional approval or disapproval of the map to the City Council.~~ A copy of this report shall be available to the subdivider and the public at least ~~three~~ three days before any Planning and Housing Commission public hearing on the tentative map.

16.12.062 Public hearing by Planning and Housing Commission.

The tentative ~~tract~~ map shall be heard by the Planning and Housing Commission at a noticed and, advertised public hearing in conformance with state law.

16.12.063 Planning and Housing Commission report to the City Council.

The Planning and Housing Commission shall, after the close of the public hearing required in Section 16.12.062, make a written report ~~including findings of fact~~ to the City Council recommending that the council approve, conditionally approve or disapprove the tentative ~~tract~~ map based on the findings of fact for the proposed project. ~~This report shall be made within the time limits established by state law.~~

16.12.064 City Council consideration of map and commission recommendation.

~~Following the determination by the Planning and Housing Commission, the Planning and Housing Commission Secretary shall forward the determination to the City Council within 10 days or At the next regularly scheduled meeting of the City Council, whichever is later after action by the Planning Commission on the tentative tract map, the City Council shall consider the map and the Planning Commission's recommendation on it.~~ The Council may continue the map from time to time, but shall approve, conditionally approve or disapprove it within the time limits established by state law.

16.12.065 Appeal of Planning and Housing Commission recommendation.

As an alternative to the procedure in Section 16.12.064, any interested person adversely affected by the recommendation of the Planning and Housing Commission may file an appeal with the City Council concerning the Planning and Housing Commission recommendation. The appeal shall be filed with the City Clerk within five days of the ~~challenged action~~ Planning and Housing Commission determination, and shall be accompanied by the fee established by resolution of the City Council. The City Clerk shall set the matter for a de novo hearing. The hearing shall be held within 30 days after the filing of the appeal, ~~and shall be a public hearing de novo as described in Section 16.12.062.~~

Upon conclusion of the hearing, the City Council shall, within seven days, declare its findings based upon the testimony and materials produced before it or the Planning and Housing Commission. The City Council may sustain, modify, reject or overrule any recommendations of the ~~p~~Planning and Housing ~~e~~Commission, and may make any findings consistent with ~~the~~ state law or local ordinance.

16.12.066 Extension of time limits.

The time limits specified in this chapter for reporting and acting upon maps may be extended upon request by the subdivider and consent of the Planning and Housing Commission or City Council.

16.12.068 Rephasing.

After ~~a~~the tentative map is approved according to state law and this title, no change to its phasing shall be made except by the following means:

(A) If the tentative map was originally approved without phases, it must be resubmitted with the proposed phasing for review and approval by the Planning and Housing Commission and City Council pursuant to Section 16.12.070(A).

(B) If the tentative map was originally approved with phasing and provision for multiple final maps and the subdivider wishes to change the number or configuration of such final maps in compliance with the Subdivision Map Act, the tentative map shall be submitted to the Board of Zoning Adjustment pursuant to Chapter 17.98 for review of the revised phasing.

16.12.070 Change in ~~map~~ conditions of approval, and amendments to an approved tentative map before final map.

After ~~the a~~a tentative map is approved according to state law and this ~~title~~chapter, no change to the wording or impact of any tentative map condition of approval or an amendment to an approved tentative map shall be made except by means of a resubmitted tentative map or by an administrative a planning director letter of modification approved by the Director pursuant to this section.

(A) ~~—(A)~~ Resubmitted tentative map.

(1) The city shall establish regular procedures for the resubmittal of approved tentative maps when the subdivider is proposing a substantive change in one or more conditions of approval or an amendment to an approved tentative map ~~in subdivision design is sought by the subdivider, that is not consistent with the initial objectives and design of the tentative map, but when and such changes,~~ in the reasonable judgment of the Planning Director, ~~the changes~~ are not so sweeping as to require an entirely new ~~subdivision tentative~~ map submittal. A new environmental assessment shall be ~~done~~ required if the modified condition or amendment may have any adverse environmental effect. The Planning and Housing Commission and the City Council may consider the proposed changes without considering the resubmitted map in its entirety unless the environmental assessment so mandates. The resubmitted map shall be considered a new application for purposes of the Permit Streamlining Act. Except as is provided in Section 16.12.030, a fee shall be charged to cover the costs of such resubmittal.

(2) – In order to allow the city to process a resubmitted tentative map pursuant to this section, prior to resubmitting the map, the subdivider must decide to waive all subdivision map approval time limits in the Subdivision Map Act and must notify the city of such waiver by letter. Neither

the City Council nor staff shall take any part in the determination by the subdivider whether to waive such time limits.

(3) —The life of ~~the original~~ tentative map, together with any changes approved through a resubmittal, shall be measured from that date of approval of the original map.

(B) **Administrative Planning Director letter of modification.**

(1) When a nonsubstantive change in a ~~map~~ condition of approval or an amendment to an approved tentative map is sought by the subdivider that is in substantial compliance with the original intent and approval of the tentative map, the ~~Planning~~ Director, following consultation with other affected city departments, may exercise reasonable discretion and approve ~~such the proposed~~ change without ~~need for~~ notice or a public hearing. A fee shall be charged to cover the costs of ~~the administrative such~~ letter of modification. For purposes of this section, a change in a condition of approval or an amendment to an approved tentative map is considered to be in substantial compliance with the approved tentative map if: (a) there is no increase in acreage or the number of lots, units or building sites, (b) the changes are consistent with the original intent of the approved tentative map and does not introduce a substandard design, and (c) the changes are consistent with applicable city ordinances and specific plans, the Subdivision Map Act and the project's approved environmental analysis. ~~"nonsubstantive" shall mean minor in scope and impact, and not a change which upon reasonable and careful examination by the planning director is likely to lead to a meaningful change in environmental effects or an increase in density.~~

(2) The life of ~~original~~ tentative map, together with any changes approved by an administrative letter of modification shall be measured from that date of approval of the original map.

(3) Any decision made by the ~~Planning~~ Director under this section can be appealed by the subdivider or by any interested party to the Planning and Housing Commission for final determination according to the process in Chapter 16.36. A fee shall be charged to cover the costs of such an appeal.

~~(C) Appeal of Planning Director decisions. Any decision made by the Planning Director under this section can be appealed by the subdivider or by any interested party to the Planning Commission for final determination. A fee shall be charged to cover the costs of such an appeal.~~