

## CHAPTER 16.20 PARCEL MAP

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### 16.20.010 Requirements – Procedures.

~~Except as provided in this section, a parcel map shall be required for all subdivisions of four or fewer lots.~~ This chapter sets forth the procedure for the processing, approving, conditionally approving, disapproving and filing of parcel maps in the city. The requirements as to form for parcel maps, and the procedures to be used for dedications thereon, are governed by the Subdivision Map Act. The requirements as to content of parcel maps are governed by this chapter and the Subdivision Map Act.

A parcel map is allowed to be used for residential subdivisions of four or fewer lots, and for subdivisions of greater than four lots on land zoned for industrial or commercial development, subject to the limitations set forth in Government Code Section 66426(c). The subdivider shall submit a preliminary review application for the parcel map pursuant to Chapter 17.102 before submitting a parcel map application.

#### **16.20.020 Design standards and improvement requirements.**

Parcel maps shall provide for the dedications of land, rights-of-way and easements, payment of fees and construction of all offsite and on-site improvements as ~~are set forth in required by~~ Chapters 16.08 and 16.24. The standards and improvements are reasonable requirements for parcel map subdivisions in light of the provisions of the General Plan and the city's ~~master plans-growth management program~~.

#### **16.20.030 Waiver – Board authority.**

In instances when the Subdivision Map Act would otherwise require a parcel map, such parcel map may be waived by the Board of Zoning Adjustment if all the requirements of §§ 16.20.040 through 16.20.060 are met.

#### **16.20.040 Waiver – Application.**

An application for a parcel map waiver shall be filed with the ~~Community Development Department-Director~~ on such form and accompanied by such information and fee as may be required, together with an acceptable description and drawing of the existing parcel and the parcel to be created.

#### **16.20.050 Waiver – Board consideration.**

The Board of Zoning Adjustment shall consider the application for a parcel map waiver within ~~6045~~ days after ~~its filing it is deemed complete without a notice or a public hearing~~. Before waiving any parcel map, the Board must first find that the proposed division of land complies with Title 17 ~~and~~ all requirements of this code as to area, improvement and design, floodwater drainage control, appropriate improved ~~public streets roads along with street lights and utility connections~~, sanitary disposal facilities, water supply availability, environmental protection, survey control and with all other requirements of the Subdivision Map Act and city ordinances enacted pursuant thereto.

#### **16.20.060 Waiver – Granting.**

If a waiver is granted, a certificate of compliance shall be provided to the applicant in a form suitable for recordation describing the real property involved, naming its owners as shown on the waiver application, stating that a parcel map waiver has been granted by the Board of Zoning

Adjustment and setting forth the date of the waiver. The certificate of compliance shall be recorded by the applicant within 30 days of the decision by the Board of Zoning Adjustment.

#### **16.20.070 Required improvements – Certificate.**

Requirements for the construction of all improvements to be made pursuant to this chapter and Chapter 16.24 shall be noticed by certificate on the recorded parcel map ~~recorded~~.

#### **16.20.080 Required improvements – Construction.**

Except as otherwise provided in the conditions of approval for a parcel map, subdivider shall construct all Actual construction of improvements required by to be made according to this chapter and Chapter 16.24, as applicable, shall not be required until prior to the issuance of a building permit or other grant of approval for development. The subdivider shall enter into an improvement agreement and post financial security with the city pursuant to § 16.24.040. is issued by the city, except that as a condition of approval of a parcel map, the City Council may require such construction prior to the issuance of a building permit or other grant of approval for development upon its finding that such construction is or will be necessary at the time set because of the public health and safety or because the construction is a necessary prerequisite to the orderly development of the surrounding area and except that the subdivider and the city shall enter into an agreement setting forth the time period within which the requirements of § 16.24.010(J) shall be met. If such time period extends beyond the time limits for approval of the parcel map by either the Planning and Housing Commission or the City Council pursuant to § 16.20.110 or § 16.20.130, and extends beyond the period of any extension(s) made pursuant to § 16.20.140, the agreement shall be secured pursuant to Government Code Section 66499.

#### **16.20.090 ~~Filing— Procedures for tentative map apply~~ Compliance with the California Environmental Quality Act.**

~~The provisions of § 16.12.070 are the procedural requirements for filing a parcel map. The parcel map is subject to shall be filed only after~~ compliance with the California Environmental Quality Act.

#### **16.20.100 Filing – Planning and Housing Commission.**

A parcel map shall be filed with the staff of the Planning ~~Commission~~ and Development Department.

#### **16.20.110 Planning and Housing Commission report – Requirement.**

Once the application is deemed complete by city staff, the planning division staff shall, within 60 days, prepare ~~The Planning Commission shall make~~ 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 parcel map either be approved or denied according to the findings presented in the staff report—City Council approving, conditionally approving or disapproving the parcel map within 60 days after filing.

#### **16.20.115 Planning and Housing Commission – Public Hearing.**

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

#### **16.20.120 Planning and Housing Commission report – Form.**

The Planning and Housing Commission staff report on the parcel map shall be in writing, and a copy thereof shall be available to the subdivider and the public at least ~~three~~two days before any Planning and Housing Commission hearing on the map.

#### **16.20.130 Consideration – City Council authority.**

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 the next regularly scheduled meeting, whichever is later. 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 Within 30 days after the receipt of the report required by § 16.20.110, the City Council shall fix the meeting date at which the parcel map will be considered, which date shall be within 40 days thereafter. The City council shall approve, conditionally approve or disapprove the parcel map within such 40 day period.

#### **16.20.135 Appeal of Planning and Housing Commission recommendation.**

As an alternative to the procedure in Section 16.20.130, 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 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.

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 Planning and Housing Commission, and may make any findings consistent with state law or local ordinance.

#### **16.20.140 Extension of time limits.**

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

#### **16.20.150 Change in conditions of approval, and amendments to an approved parcel map not recorded.**

After a parcel map is approved according to state law and this [chapter](#), no change to the wording or impact of any parcel map condition of approval or an amendment to an approved parcel map not yet recorded shall be made except by means of a resubmitted parcel map or by an administrative letter of modification approved by the Director according to the provisions of §16.12.070.