

Gridley City Planning Commission – Special Meeting Agenda

Tuesday, December 6, 2016; 6:00 pm
Gridley City Hall, 685 Kentucky Street, Gridley, CA 95948

“Our purpose is to continuously enhance our community’s vitality and overall quality of life. We are committed to providing high quality, cost-effective municipal services and forming productive partnerships with our residents and regional organizations. Working together, we develop, share, and are guided by a clear vision, values, and meaningful objectives.”

1. **CALL TO ORDER** – Chair Thomas
2. **ROLL CALL** – Recording Secretary
3. **COMMUNITY PARTICIPATION FORUM** - *Members of the public may address the Planning Commission on matters not listed on the agenda. The Planning Commission may not discuss nor take action on any community participation item brought forward by a member of the community. Comments are requested to be limited to three (3) minutes.*
4. **CONSENT AGENDA** - *All items listed under the Consent Agenda are considered routine and acted upon by one motion. Any Planning Commissioner may request that an item be removed for separate consideration. The Planning Commission may only make minor comments; otherwise the item should be removed from the consent agenda and placed as the first item(s) under the “Regular Agenda”.*
 - A. **Planning Commission Minutes dated November 22, 2016 and November 29, 2016 - continued to next meeting**
5. **PUBLIC HEARINGS**
 - A. **Introduction of Ordinance 824-2016:** An ordinance amending various chapters of Title 17 of the Gridley Municipal Code.
 - 1) Receive staff report
 - 2) Open public hearing
 - 3) Hear public testimony
 - 4) Close public hearing
 - 5) Commission discussion

RECOMMENDATION:

City staff respectfully recommends the Planning Commission:

1. Determine the project is Categorical Exempt per the California Environmental Quality Act, Section 15061(b)(3), Review for Exemption, General Rule; and
 2. Recommend the City Council adopt Ordinance 824-2016.
- B. **Conditional Use Permit No. 3-16;** Iglesia Gentil de Cristo; Application for a conditional use permit to establish/reestablish a church use in a residential zone and to allow an expansion of the facilities located at 1133 Locust Street in the Single Family Residential District (R-1) zoning

district and the Residential, Low Density (RLD) General Plan land use designation. (APN: 010-360-041)

1. Receive staff report
2. Open public hearing
3. Hear public testimony
4. Close public hearing
5. Commission discussion

RECOMMENDATION:

Continue the project to December 13, 2016.

6. INFORMATIONAL

Planning Commission meetings - Depending upon the caseload and completion of necessary Planning projects, some of these dates may not be used. Staff will keep the Planning Commission apprised of its progress.

The Planning Commission meetings will continue to be scheduled weekly as follows:

- December 13, 2016 (Special Meeting)
- December 20, 2016 (Regular Meeting)
- December 27, 2016 (Special Meeting)

7. REPORTS & COMMUNICATIONS – None

8. ADJOURNMENT - to the special meeting of the Planning Commission to be held on Tuesday, December 13, 2016 at 6:00 p.m.

General Notes:

This agenda was posted on the public bulletin board in the foyer of City Hall at or before 4:00 p.m. on December 2, 2016, in accordance with Government Code Section 54954.2. This agenda along with all attachments, if any, is available for public viewing online at www.gridley.ca.us and at the Administration counter in City Hall, 685 Kentucky Street, Gridley, CA. This is a public meeting and anyone may address the Planning Commission. Any documents that were provided to the Planning Commission after the Agenda packet was distributed are also available for public review during normal business hours.

Meeting facilities are accessible to persons with disabilities. By request, alternative agenda document formats are available to persons with disabilities. To arrange an alternative agenda document format or to arrange aid or services to modify or accommodate persons with a disability to participate in a public meeting, contact the City Clerk by calling 846-3631 (voice). This request should be received at least three working days prior to the meeting in order to accommodate your request. For questions about this agenda, please call the Recording Secretary, Elisa Arteaga, at (530) 846-5695.

Planning Commission Agenda Item #5A
Staff Report

Date: December 6, 2016

To: Planning Commission

From: Donna Decker, Planning

	Regular
X	Special
	Closed
	Emergency

Subject: **Introduction of a portion of Ordinance 824-2016:** An ordinance amending various chapters of Title 16, Subdivision Ordinance, of the Gridley Municipal Code.

Recommendation

City staff respectfully recommends the Planning Commission:

1. Determine the project is Categorically Exempt per the California Environmental Quality Act, Section 15061(b)(3), Review for Exemption, General Rule; and,
2. Review, recommend amendments, and continue this portion of the Ordinance to the December 13, 2016 Planning Commission meeting at which time the entire Ordinance may be forwarded to the City Council for adoption.

Summary

The City of Gridley received a grant from the California Department of Conservation, Sustainable Growth Council, 2011 Sustainable Communities Planning Grant. The amendments to Title 16 will implement the 2030 General Plan and is one of the deliverables of the grant funding.

Discussion

Title 16 is known as the Subdivision Ordinance and the amendments of the text reflect additional information for a developer/applicant. The following code amendments reflect changes to update and clarify language in the code:

- **Chapter 16.03 General Provisions**
 - Change section numbering due to reorganization
 - Amend the text to reflect consistency with the GMC
 - Miscellaneous grammatical revisions, capitalization, etc.
 - Amended language for clarification in line with the Subdivision Map Act (SMA).
- **Chapter 16.06 Definitions**
 - Miscellaneous grammatical revisions, capitalization, etc.
 - Added definitions and numbering similar to that used in Title 17
 - Definitions include nomenclature for streets made consistent with the General Plan.
- **Chapter 16.09 Administration and Enforcement**
 - Miscellaneous grammatical revisions, capitalization, etc.
 - Amendments provided for language clarification

- **Chapter 16.12 General Requirements**
 - Miscellaneous grammatical revisions, capitalization, etc.
 - Clarification of text
 - Added City Engineer to reviewing body for map review
 - Amended statements under E(3)(a-c)

- **Chapter 16.15 Tentative Maps**
 - Revision of Chapter references
 - Minor language amendment
 - Clarification of CEQA terminology and process
 - Added 200 yr storm event

- **Chapter 16.16 Vesting Tentative Maps**
 - Revision of Chapter references
 - Minor language amendment
 - Clarification of CEQA terminology and process
 - Added 200 yr storm event

Public Notice

A notice was posted at City Hall, made available at the Administration public counter, and placed on the City website for review. At the time this report was prepared no comments had been received.

Environmental Review

The proposed project is categorically exempt from environmental review pursuant to the California Environmental Quality Act, Section 15061(b) (3), and Review for Exemption, General Rule.

Attachments –

1. Ch 16.03 to Ch 16.16

Chapter 16.03 GENERAL PROVISIONS

16.03.010 Authority.

16.03.020 ~~Purposes and items of consideration~~Intent.

16.03.030 Planning and Zoning Law.

16.03.040 Validity.

16.03.010 Authority.

This ~~title~~Title is ~~enacted~~adopted pursuant to ~~Section II of~~ Article XI, ~~Section 7 of~~ the Constitution of California and the general laws of the state, ~~including the Subdivision Map Act.~~ The provisions of this ~~title~~Title are ~~in addition~~supplemental to the regulations of the Subdivision Map Act, Government Code Section 66410, et seq., is hereby adopted and made a part hereof this Title by reference as they now exist or may be amended in the future and may be cited as the Subdivision Ordinance of the city. , ~~and are supplemental thereto.~~

~~This title is also enacted pursuant to the authority granted by Chapter 4.5 (commencing with Section 66498.1) of Division 2 of Title 7 of the Government Code of the state of California (referred to in this title as the Vesting Tentative Map Statute).~~

(Ord. 486 (part), 1986) .

16.03.020 ~~Purposes and items of consideration~~Intent.

~~A. Purposes.~~

~~1.~~

The regulations established by this title are designed to assist in the systematic implementation of the General Plan, specific and community plans, the Planning and Development Code, and other land use regulations, and to provide for public needs, health and safety, convenience, amenities, and general welfare.

~~The purpose of this title and any hereafter adopted is to regulate and control the design and improvement of land for all purposes within the city in order to preserve and enhance the health, safety, welfare and amenities of the community.~~

~~2.~~ It is also the purpose of this ~~title~~Title to establish procedures necessary for the implementation of the ~~Vesting Tentative Map Statute, and to supplement the provisions of the Subdivision Map Act and Chapter 16.15 of~~and this ~~title~~Title.

~~B. Considerations~~16.03.030 ~~Planning and Zoning Law.~~

~~1. General plan and zoning laws.~~ A.

~~The~~ general planGeneral Plan for the city shall guide the use of all land within the incorporated boundaries of the ~~city~~City. The size and design of lots, the nature of utilities, the design and improvement of streets, the type of intensity of land use, and the

provisions for any special facilities in any subdivision shall conform to the land uses shown and the standards established in the ~~General Plan~~ General Plan and ~~the Title 17, zoning-Zoning eOrdinance,~~ of the ~~city~~ City, ~~and any specific plans adopted for the area.~~

Neither the approval nor conditional approval of a development project shall constitute or waive compliance with any other applicable provisions of the Gridley Municipal Code (GMC) or other applicable ordinances or regulations adopted by the City, nor shall any such approval authorize or be deemed to authorize a violation or failure to comply with other applicable provisions of its code or other applicable ordinances or regulations adopted by the City. Nothing in these regulations shall be construed to permit the premature or haphazard subdivision of lands in violation of the applicable zoning and land use regulations.

— 2. Environmental impact.B. The environmental impact of any subdivision shall be considered in accordance with the California Environmental Quality Act of 1970 (CEQA), as amended; ~~the implementation thereof by the , and the CEQA Guidelines for Implementation of the California Environmental Quality of 1970,~~ adopted by the Secretary of Resources of the ~~s~~ State, ~~and city council of the city as they now exist or may be amended in the future.~~

— 3. Community facilities.C. Community facilities such as schools, recreation areas, etc., shall be considered in accordance with General Plan General Plan standards. This ~~title~~ Title establishes procedures for the referral of proposed subdivision data to other departments, interested boards, bureaus and other governmental agencies and utility companies, both public and private, so that the extension of community facilities and utilities may be accomplished in an orderly manner, and coordinated with the development of the subdivision. To facilitate the acquisition of land areas required to implement this policy, the ~~city~~ City may require that the subdivider dedicate, grant easements, or otherwise reserve land for schools, playgrounds, thoroughfares, utility easements and other public purposes as specified in accordance with the provisions of the Subdivision Map Act and this ~~title~~ Title.

(Ord. 486 (part), 1986).

16.03.0340 Validity.

If any section, subsection, sentence, clause, or phrase of this ~~title~~ Title is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ~~title~~ Title. ~~The city council declares that it would have passed the ordinance codified in this title and each section, subsection, sentence, clause, and phrase thereof, irrespective of the fact that any one or more other sections, subsections, clauses, or phrases be declared invalid or unconstitutional.~~

(Ord. 486 (part), 1986).

Chapter 16.06 DEFINITIONS

16.06.010 Applicability of definitions in Subdivision Map Act.

16.06.020 Definitions.

📖 **16.06.010** Applicability of definitions in Subdivision Map Act.

Except as otherwise provided in this titleTitle, all terms used in this titleTitle which are defined in the Subdivision Map Act are used in this titleTitle so defined, unless from the context hereof it clearly appears that a different meaning is intended.

(Ord. 486 (part), 1986).

📖 **16.06.020** Definitions.

For the purposes of this titleTitle, the following words shall have the meanings set out in this section:

16.02.020.002 “Alley” means a public way, other than a street or highway, providing a secondary means of vehicular access to abutting property.

16.02.020.004 “Building site” means the same as “lot,” as defined herein.

16.02.020.006 “CEQA” means the California Environmental Quality Act, Public Resources Code Section 21000, et seq.

16.02.020.008 “City code” means the Sacramento City Code.

16.02.020.010 “City Administrator’s designee” means a person authorized to practice land surveying pursuant to the Business and Professions Code, State of California.

16.02.020.012 “Commission” means the Planning Commission of the City of Gridley

16.02.020.014 “Council” means the City Council of the City of Gridley.

16.02.020.016 “County” means the County of Butte.

16.02.020.018 “Director of utilities” means the Director of the Gridley Municipal Services, or the duly authorized representative of said director.

16.02.020.020 “EIR” means an environmental impact report prepared pursuant to the requirements of CEQA, Public Resources Code Section 21000, et seq.

16.02.020.022 “Final map” means a map showing a subdivision of five or more parcels for which a tentative and final map are required by the Subdivision Map Act and this Title, prepared in accordance with the provisions of the Subdivision Map Act and this Title, and designed to be filed for recordation in the office of the County Recorder.

16.02.020.024 “Fire protection” means such fire hydrants and other protective measures as may be reasonably required by the Fire Marshal of the Gridley Fire Department for protection of property to be located within a subdivision.

16.02.020.026 “Flood hazard” means a hazard to land or improvements due to seasonal inundation or to overflow water having sufficient velocity to transport or deposit debris, scour the surface soil, dislodge or damage buildings, or erode the banks of water courses.

16.02.020.028 “General plan” means the General Plan of the City of Gridley.

16.02.020.030 “Geological hazard” means a hazard inherent in the crust of the earth, or artificially created, which is dangerous or potentially dangerous to life, property or improvements due to the movement, failure or shifting of earth.

16.02.020.032 “Inundation” means ponded water or water in motion of sufficient depth to damage property due to the presence of the water or to deposits of alluvium.

~~- A. “Final map” means a map prepared by a registered engineer or licensed land surveyor in accordance with the provisions of the Map Act and this title, which map is designed to be placed on record in the office of the county recorder.~~

~~—B.— “Lot” means a parcel or portion of land established for purposes of sale, lease, finance, division of interest or separate use, separated from other lands by description, a final map or parcel map.~~

16.02.020.034 “Lot” means a parcel of land which is identified on a final map or parcel map recorded in the office of the County Recorder with a separate and distinct number or letter.

16.02.020.036 “Lot line adjustment” means a division of land consisting of the relocation of an interior lot line between two or more adjacent parcels, where the land taken from one parcel is added to an adjacent parcel, and where a greater number of parcels than originally existed is not thereby created.

16.02.020.038 “Map Act” means the Subdivision Map Act of the State of California. (See Subdivision Map Act).

16.02.020.040 “Merger” means the joining of two or more contiguous parcels of land under one ownership into one parcel.

16.02.020.042 “Mobilehome lot” means any area designated, designed or usable for the occupancy of one mobilehome on a temporary, semi-permanent or permanent basis.

16.02.020.044 “Multiple-family dwelling unit” means a building or portion thereof designed for occupancy by three or more families living independently of each other, but under one roof.

- 16.02.020.046 “Negative declaration” means a negative declaration prepared pursuant to the requirements of CEQA, Public Resources Code Section 21000 et seq.
- 16.02.020.048 Parcel map” means a map showing a subdivision of four or less parcels, as required by the Subdivision Map Act and this Title, prepared in accordance with the provisions of the Subdivision Map Act and this Title and designed to be filed for recordation in the office of the County Recorder.
- ~~“Parcel map” means a map prepared by a registered civil engineer or licensed land surveyor in accordance with the provisions of the Map Act and this title, which map is designated to be placed on record in the office of the county recorder.~~
- 16.02.020.050 “Pedestrian way” means a right-of-way designed for use by pedestrians and not intended for use by motor vehicles of any kind. A pedestrian way may be located within or without a street right-of-way, at grade, or grade separated from vehicular traffic.
- 16.02.020.052 “Planned development” means a subdivision consisting of one or more planned developments as said term is defined in Business and Professions Code Section 11003.
- 16.02.020.054 “Planning Director” means the principal administrative officer of the Planning Department.
- 16.02.020.056 “Post-subdivision modification” means a subdivision modification for which a request is filed after approval of the tentative map.
- 16.02.020.058 “Private road easement” means a parcel of land not dedicated as a public street, over which a private easement for road purposes is proposed to be or has been granted to the owners of property contiguous or adjacent thereto which intersects or connects with a public street, or a private street; in each instance the instrument creating such easement shall be or shall have been duly recorded or filed in the office of the county recorder.
- 16.02.020.060 “Public way” means any street, highway, alley, pedestrian way, equestrian or hiking trail, biking path, channel, viaduct, subway, tunnel, bridge, easement, right-of-way, or other way in which the public use has a right of use.
- 16.02.020.062 “Revised tentative map” means a tentative map filed for approval showing a revised arrangement of the streets, alleys, easements or lots or a modification of the boundary of property for which a tentative map has been previously approved.
- 16.02.020.064 “Roadway” means that portion of a right-of-way or easement for a street, highway or alley designed or used to accommodate the movement of motor vehicles.

- 16.02.020.066 Street, Arterial. “Arterial street” means a street that carries the vehicular traffic of local and collector streets to and from highways, through traffic between nearby cities with limited direct access to abutting properties.
- 16.02.020.068 Street, Collector. “Collector street” means a street that provides for through traffic movement within and between neighborhoods, as well as access to abutting property and collects and distributes vehicular traffic moving between arterial streets and local streets.
- 16.02.020.070 Street, Cul-de-sac. “Cul-de-sac street” means a street which is designed to remain permanently closed at one end with the closed end terminated by a vehicular turnaround. For the purposes of these regulations, the length of a cul-de-sac street shall be measured from the center line of the intersecting street along the center line of the cul-de-sac to the center of the radius of the turnaround.
- 16.02.020.072 Street, Industrial. “Industrial Streets” are local streets that serve industrial areas, have wider travel lanes and wider allowances for on-street parking to accommodate trucks.
- 16.02.020.074 Street, Local. “Local street” means any street other than a collector street, arterial or freeway that provides direct access to abutting properties and serves movement within a single neighborhood or part of a neighborhood designed for low volume and low speed travel.
- 16.02.020.076 Street, Major. “Major street” means a street carrying through traffic between neighborhoods more than minor collector streets allowing more direct access to abutting property and may serve a single neighborhood.
- 16.02.020.078 Street, Minor. “Minor street” means any street other than a collector street, major or freeway providing direct access to abutting property and serving local as distinguished from through traffic.
- 16.02.020.080 "Subdivider" means a person, firm, corporation, partnership, or association who proposes to divide, divides, or causes to be divided, real property into a subdivision for himself/herself or for others.
- 16.02.020.082 "Subdivision" means the division of any improved or unimproved land shown on the latest equalized county assessment roll as a unit or as contiguous units for the purpose of a sale, lease, or financing, whether immediate or future. Property shall be considered as contiguous units even if it is separated by roads, streets, utility easements or railroad rights-of-way. "Subdivision" includes a condominium project as defined in Section 1350 of the Civil Code, or a community apartment project, as defined in Section 11004 of the Business and Professional Code, or the conversion of five or more existing dwelling

units to a stock cooperative, as defined in Section 11003.2 of the Business and Professions Code. Any conveyance of land to a governmental agency, public entity, or public utility shall not be considered a division of land for purposes of computing the number of parcels. All other divisions of land not expressly defined in this section are subject to the requirements of this ~~title~~Title, state and county health requirements for water and sewage disposal, conformity with the zoning district containing the land and must be accessible through approved right-of-way.

16.02.020.084 “Subdivision Map Act” means the Subdivision Map Act of the state of California, Government Code Section 66410 et seq., inclusive, as that Act currently provides or is subsequently amended.

16.02.020.086 “Subdivision modification” means a request by a subdivider for modifications to the requirements or standards imposed by these subdivision regulations filed prior to the approval of the tentative map.

16.02.020.088 "Tentative map" means a map prepared in accordance with the provision of the Map Act and this ~~title~~Title to show the design of a proposed subdivision and the existing conditions in and around the land proposed to be divided. Such map ~~need not be based upon~~shall be -an accurate ~~or~~and detailed field survey; ~~however, it shall be graphically accurate to reasonable tolerances.~~ “Tentative map” includes a tentative map prepared in connection with the parcel map pursuant to the provisions of Chapter 16.32, Parcel Maps, of this Title.

16.02.020.090 “Vehicular access right” means the right or easement for vehicular access of owners or occupants of abutting lands to a public way.

16.02.020.092 "Vesting tentative map" means a tentative map for a residential subdivision, as defined in this section, that shall have printed conspicuously on its face the words "Vesting Tentative Map" at the time it is filed in accordance with the provisions thereof. If a subdivider does not seek the rights conferred by the Vesting Tentative Map Statute, the filing of a vesting tentative map shall not be a prerequisite to any approval for any proposed subdivision, permit for construction, or work preparatory to construction.

16.02.020.094 “Water supply” means such water supply and distribution facilities as are necessary to provide a reliable and adequate water supply for appropriate residential, commercial and industrial use and for public and private fire protection purposes.

(Ord. 533 § 1(part), 1988; Ord. 486 (part), 1986

Chapter 16.09 ADMINISTRATION AND ENFORCEMENT

16.09.010 General responsibilities.

16.09.020 Enforcement.

16.09.010 General responsibilities.

A. Subdivider. The subdivider shall prepare maps consistent with the standards contained in this ~~title~~Title, and design public improvements consistent with the public works construction standards of the city. The subdivider shall process said maps in accordance with the regulations set forth in this ~~title~~Title.

B. Planning ~~d~~Department. The planning department shall be responsible for the analysis of the tentative map as to conformity with the General Plan and the ~~z~~Zoning ~~e~~Ordinance of the ~~e~~City, ~~and for the~~any required analysis of the environmental impact of the proposed project, ~~;~~ and for the expeditious processing of tentative maps and reports as set forth in this ~~title~~Title.

C. Public ~~w~~Works ~~d~~Department. The ~~e~~City ~~p~~Public ~~w~~Works ~~d~~Deartment shall be responsible for reporting to the ~~p~~Planning ~~d~~Deartment as to the engineering requirements, including street width, grade and alignment, and whether the proposed public improvements are consistent with the regulations set forth in this ~~title~~Title with all applicable ~~e~~City standards ~~that pertaining thereto;~~the development project, -the inspection and ultimate approval of all such public improvements, and for expeditious processing of the final or parcel map as set forth in this ~~title~~Title. The ~~e~~City ~~e~~Engineer shall examine all final and parcel maps and shall certify thereon that the map is substantially the same as ~~appeared on the~~map-approved tentative map, that the provisions of the Map Act and this ~~title~~Title have been complied with and that a final map is technically correct.

D. Other city departments. Tentative maps shall be distributed to city departments as required for their review and comments.

E. Planning ~~e~~Commission. The ~~planning commission~~Planning Commission of the city shall act as the advisory agency to the ~~city council~~City Council. It is charged with making investigations and reports on the design and improvements of proposed divisions of land. The ~~planning commission~~Planning Commission shall make investigations and conduct hearings regarding the approval of tentative maps and make its written report on the tentative map directly to the ~~city council~~City Council.

F. ~~City council~~City Council. The ~~city council~~City Council shall have final jurisdiction in the approval of tentative maps, parcel maps, final maps. The ~~city council~~City Council is also responsible for establishing requirements for the standards of design of public improvements that may be proposed for dedication as a result of the subdivision process, and for setting fees.

G. Other public agencies. Tentative maps shall be referred to special districts, governmental boards, bureaus, schools ~~districts~~, utility companies and other agencies which provide public and private facilities and services to said subdivision and to such agencies which the ~~p~~Planning ~~D~~Deartment determines may be affected, for their information and comment.

(Ord. 533 § 1 (part), 1988; Ord. 486(part) , 1986).

16.09.020 Enforcement.

The planning department shall be responsible for the enforcement of this title Title.
(Ord. 486 (part), 1986).

Chapter 16.12 GENERAL REQUIREMENTS

16.12.010 Tentative and final map required.

16.12.020 Tentative parcel map required.

16.12.030 Exclusions.

16.12.035 Waiver of parcel map.

16.12.040 Lot line adjustments.

16.12.050 Improvement security--required.

16.12.010 Tentative and final map required.

A tentative map and final map shall be required for all subdivisions ~~in accordance with~~pursuant to Section 66426 of the Subdivision Map Act.

(Ord. 486 (part), 1986).

16.12.020 Tentative parcel map required.

A tentative map and a parcel map shall be required for those subdivisions ~~excepted under~~pursuant to Section 66426 in accordance with Section 66428 of the Subdivision Map Act.

(Ord. 486 (part), 1986).

16.12.030 Exclusions.

This ~~title~~Title shall not be applicable to those actions excluded under Section 66412 of the Subdivision Map Act.

(Ord. 486 (part), 1986).

16.12.035 Waiver of parcel map.

If the ~~planning commission~~Planning Commission reviews a tentative parcel map and determines that one or more of the following conditions exist, the commission may waive the requirement for recording a parcel map:

A. The proposed division is exempt from the requirement of the Subdivision Map Act in accordance, with Section 66428;

B. A parcel map is not required by the Subdivision Map Act in accordance with Section 66428;

C. The ~~planning commission~~Planning Commission makes ~~a~~the following finding:

~~that~~The proposed division of land complies with such requirements as may have been established by ~~the division~~(Section 66428 of the Subdivision Map Act) or local ordinance enacted pursuant thereto as to area, improvement and design, floodwater drainage control, appropriate in

~~the provision of~~ ~~proved~~ public roads, sanitary disposal facilities, water supply availability, environmental protection, and other State and Local ordinances and/or regulations ~~requirements of this division or local ordinance~~ enacted pursuant thereto."

(Ord. 486 (part), 1986).

16.12.040 Lot line adjustments.

A. An application for a lot line adjustment shall be accompanied by all of the following:

1. A fee in an amount to be established by resolution of ~~City~~City Council~~City Council~~.
2. A preliminary map report prepared by a ~~title~~Title company for all properties to be modified by approval of the application. The report from the ~~title~~Title company must identify all owners of interest in all of the properties included in the application.
3. A statement of the existing zoning and uses of the properties involved.
4. A legal description for each new proposed parcel.
5. A drawing to scale ~~which depicts all of~~ providing the following information:
 - a. Dimensions and acreage of each affected lot, existing and proposed.
 - b. Location and type of all existing public utilities.
 - c. Location of existing buildings, wells, septic tank and leach fields,
 - d. Location of parking areas required for existing and proposed uses.
 - e. Location of all existing and proposed easements.
 - f. Location and names of all adjoining streets.

B. An application for a lot line adjustment shall be reviewed by the ~~planning director~~Planning Department and the City Engineer for conformance with adopted zoning and building codes, and for potential conflicts with existing or future planned conditions, easements,. Applications that are consistent ~~with adopted zoning and building codes and~~ that do not create conflicts with lot size and zoning requirements, existing and/or proposed easements, access or right-of-way ~~shall~~ may be approved or conditionally approved.

C. Applications that are not consistent with adopted zoning and building codes may be approved in the following circumstances:

1. Existing property boundaries, dimensions, and/or building setbacks are not consistent with the adopted zoning and building codes; and
2. The proposed lot line adjustment will not create greater inconsistency between the characteristics of the parcel and adopted zoning and building codes.

D. The approval or conditional approval of an application for a lot line adjustment shall not constitute an approval of any exception or deviation from any zoning regulation of the ~~city~~City

nor shall it be deemed as an approval to proceed with any development in violation of any applicable provision of law.

E. The ~~planning director~~Planning Department shall prepare a lot line agreement that certifies the approval or conditional approval of a lot line adjustment. In the event that all affected properties are owned by the same persons, then a declaration of lot line adjustment (~~as opposed to a lot line agreement~~) shall be prepared. The lot line agreement ~~and/or~~ (~~or declaration, as the case may be~~) shall be executed by the ~~planning director~~Planning Department and all owners of the properties involved, and it shall describe all conditions of approval, ~~which shall include~~ing but ~~may not be~~ limited to the following:

1. The approved descriptions of all resulting property boundaries shall be referenced in the lot line agreement and attached to it.

2. Approval of the lot line adjustment shall not be effective until the lot line agreement is recorded.

3. The following statements shall be included in the lot line agreement (or declaration, as the case may be).

a. ~~A statement that:~~ "The purpose of this agreement ~~and/or~~ (~~or declaration, as the case may be~~) is to effect a boundary line modification as approved by the City of Gridley Planning Department on [date]. The scope of review of said boundary line modification was limited as specified in Government Code section 66412(d), and approval of it does not constitute assurance that the lots as originally configured were legally created, or that future applications for building permits or other land use entitlements on the modified lots or parcels will be approved, ~~by the City of Gridley.~~

b. ~~A statement specifying that:~~ "The resulting lots or parcels described in the attachments to the lot line agreement ~~and/or~~ (~~or declaration, as the case may be~~) pursuant to this chapter are the only lots or parcels which shall remain after recording of the lot line agreement ~~and/or~~ declaration."

c. ~~A statement specifying that:~~ "The ~~city~~City's signature on the lot line agreement ~~and/or~~ (~~or declaration, as the case may be~~), shall signify that the lot line adjustment has met the ~~city's~~ requirements of the City of Gridley for recordation. ~~and the city's approval shall be binding on the city; however it shall not make the city a party to any such agreement. That is to say, the city's approval of the lot line adjustment is required; however, the city has ownership interest in the properties affected by the lot line adjustment, and so is not contractually a party to any agreement (or declaration, as the case may be).~~

4. Prior to recording the lot line agreement ~~and/or~~ declaration, all deeds of trust and other encumbrances on the affected properties shall be modified to apply to each resulting lot or parcel, and taxes shall be prepaid and also segregated if the County Tax Collector determines that segregation is necessary. The ~~city~~City shall accept evidence of application to segregate taxes and payment of any fees required by the County for that procedure as compliance with a requirement to segregate the taxes.

(Ord 686, 1999; Ord 663, 1997; Ord 533, 1988).

16.12.050 Improvement security--Required.

A. Whenever this ~~title~~Title authorizes or requires the furnishing of security in connection with the performance of any act or agreement, the security shall be in the form and in the amounts as specified ~~below and shall be in accordance with~~pursuant to -Section 66499 through 66499.10 of the Subdivision Map Act.

B. Form of security. A bond or bonds shall be allowed by one or more duly authorized corporate sureties duly admitted and licensed to transact insurance business in the State of California, to secure the faithful performance or for the security of laborers and materialmen and shall be substantially in the form prescribed by the Subdivision Map Act. In the discretion of the ~~City Council~~City Council, security in lieu or in addition to a bond or bonds may be had by way a cash deposit, an instrument of credit or a first lien upon the property to be divided. In the event a cash deposit is utilized as security, the deposit shall be made directly ~~with to~~ the ~~city~~City and shall be held by the ~~city~~City without interest paid to the depositor, pending release of such security in accordance with the Subdivision Map Act. The deposit agreement between the ~~city~~City and the person depositing the funds as security shall be in a form acceptable to the City Attorney. In the event an instrument of credit is utilized as security, the form of the instrument of credit shall be acceptable to the City Attorney. In the case that either a cash deposit or instrument of credit is utilized as security, an amount equal to the greater of \$100,000 or 10% of the amount to be secured ~~(to a maximum of \$200,000)~~or an amount determined by the City at its discretion, and -shall be withheld until all obligations secured have been satisfied, the amount shall be withheld to secure the costs and reasonable expenses, including reasonable attorney fees, incurred by the ~~city~~City in successfully enforcing the secure obligation. In the event a first lien on the property to be divided is provided as security, the person giving such security shall furnish, at their expense, a policy of ~~title~~Title insurance wherein the ~~city~~City is the insured under the policy, the policy insuring that the ~~city~~City's lien on the property to be divided is in first position ahead of any other liens or encumbrances on the property. The amount of the ~~title~~Title insurance shall be equal to 200% of the total estimated cost of the improvements.

C. The amount of security for the faithful performance of the act or agreement to be secured shall be based upon the total estimated costs of the improvement as determined by the ~~City Engineer~~City Engineer. Improvements security securing faithful performance of all work, including sufficient funds to insure construction staking and contract administration by the subdivider's consulting engineer, shall be in an amount equal to ~~10~~50% of the estimated costs of improvement. All improvement security shall be maintained in full force and effect for a period of 12 months following acceptance of all improvements by the ~~city~~City to assure the property completion or maintenance of the work; provided, that substitution or partial release of security may be authorized by the ~~city engineer~~City Engineer if, in his/her opinion, the substitution or partial release is consistent with proper completion or maintenance of the work and protection of possible lien holders, and further provided that the amount of the continuing security shall in no case be less than ~~25~~50% of the amount of the original security.

D. In addition to the amount of security specified in subsection C. of this section (for example, ~~10~~50% of the total estimated cost of improvement to secure faithful performance of the act or agreement), there shall also be provided an additional amount for labor and ~~materialmen~~suppliers securing the payment to the contractor, to the subcontractors and to the persons furnishing labor, materials or equipment to them for the improvement or the performance of the

required act. The amount of the security shall be an amount equal to 10~~5~~50% of the total estimated cost of the improvements as determined by the ~~City Engineer~~City Engineer, except that if the security is in the form of a cash deposit, deposits, or instrument of credit, then the amount to secure payments pursuant to this subsection shall be equal to 50% of the total estimated cost of the improvements.

(Ord. 486 (part), 1986; Ord. 726, 2004).

Chapter 16.15 Tentative Maps

- 16.15.010 Preliminary conference.
- 16.15.015 Oversizing improvements - Reimbursement.
- 16.15.020 Submittal.
- 16.15.030 Form of map--size and scale.
- 16.15.040 Form of map--information required.
- 16.15.050 Form of map--statement required.
- 16.15.060 Form of map--environmental review forms required.
- 16.15.065 Design information required.
- 16.15.070 Acceptance.
- 16.15.080 Fees.
- 16.15.090 Environment review.
- 16.15.100 Distribution.
- 16.15.110 Preparation of environmental documents.
- 16.15.120 Application--deemed not received.
- 16.15.130 Filing.
- 16.15.140 ~~Planning commission~~Planning Commission hearing on environmental document.
- 16.15.145 Notification of public hearing on tentative map.
- 16.15.150 ~~Planning commission~~Planning Commission action on tentative map.
- 16.15.155 ~~City council~~City Council action on tentative map.

16.15.010 Preliminary conference.

Prior to the preparation of a tentative map, the subdivider is encouraged to consult with ~~the planning department~~Planning Department~~Planning Department~~ staff for technical advice and procedural instructions. At that time the subdivider will be provided necessary forms and a list of information required to make the application for subdivision complete. Preliminary sketches of the subdivision may be submitted and discussed. The preliminary sketch should be to a scale and detail sufficient to indicate the essential characteristics of the subdivision, including the number, size and design of lots; the location and width of streets; the location of any important reservations or easements; the relation of the subdivision to all surrounding lands and any other detail necessary to enable preliminary review. ~~The planning department~~Planning Department ~~will schedule a~~ conference will be scheduled with ~~the~~ subdivider to discuss the preliminary map and make recommendations concerning the submittal of a tentative map.

(Ord. 533 § 1(part), 1988).

16.15.015 Oversizingg improvements - Reimbursement.

As a condition of approval of a tentative map, it may be required that improvements installed by the subdivider for the benefit of the subdivision be of a supplemental size, capacity, or number for the benefit of adjacent property not within the subdivision, and that said improvements be dedicated to the public. If such condition is imposed, provision for reimbursement to the subdivider shall be provided in the manner set forth in the Subdivision Map Act. The City may at its discretion, determine that the oversized improvements do not benefit adjacent properties or the City in general and may not reimburse the subdivider for such improvements.

(Ord 696, 2000)

16.15.020 Submittal.

An application for division of land shall include copies of the tentative map, a statement of the proposed division of land, a completed environmental questionnaire, and an administrative fee in an amount to be established by resolution of ~~city council~~the City Council.

(Ord 695, 2000)

16.15.030 Form of map--size and scale.

Tentative maps shall be prepared pursuant to the requirements of the Subdivision Map Act and/or at the City's discretion. Mapping shall be drawn at such a scale for legibility and clear identification of all existing conditions. eighteen by twenty-six inches in size and to a scale of one inch equals one hundred feet for large areas, and to a scale of one inch equals fifty feet for small areas unless otherwise approved by the planning department~~Planning Department-~~

(Ord. 486 (part), 1986)

16.15.040 Form of map--information required.

Every tentative map shall be clearly and legibly reproduced and shall contain the following information:

- A. A key or location map on which shall be shown the general area including adjacent property, subdivisions and roads;
- B. The ~~tract~~subdivision/tract/parcel name or number, date, north point, scale and sufficient description to define location and boundaries of the proposed ~~tract~~subdivision development;
- C. Name and address of recorded owner or owners;
- D. Name and address of subdivider;
- E. Name and business address of the person who prepared the map;
- F. Acreage of proposed tract to the nearest tenth of an acre;

G. Sufficient elevations or contours or notations indicating direction and percent of slope to determine the general slope of the land and the high and low point thereof;

H. The locations, names, widths and grades of all roads, streets, highways and ways in the proposed subdivision which are to be offered for dedication as approved by the county street name coordinator;

I. The locations, names and existing widths of all adjoining and contiguous highways, streets and ways;

J. Location and character of all existing public utilities including sizes of pipelines serving the proposed subdivision;

K. The widths, location and purposes of all existing and proposed easements;

L. Lot layout, dimensions of each lot, and lot numbers;

M. City limit lines occurring within the general vicinity of the proposed subdivision;

N. Boundaries of any units within the subdivision if the subdivision is to be recorded in stages;

O. Names and owners of land immediately adjacent to the subdivision.

P. The outline of any existing buildings to remain in place and their locations in relation to existing or proposed street and lot lines, along with the location of any wells or septic tanks and leaching fields;

Q. Location of all trees proposed to remain in place, standing within the boundaries of proposed public rights-of way;

R. Location and limits of all areas subject to inundation or stormwater overflow and the location, width and direction of all watercourses based upon a 100-year storm occurrence and as available from the California Department of Water Resources, the 200-year storm occurrence;

S. Typical section of the proposed street improvements.

(Ord. 533 § 1(part), 1988: Ord. 486 (part), 1986)

16.15.050 Form of map--statement required.

A statement shall be presented by the subdivider in written form accompanying the map and shall contain the following information:

A. Improvements and public utilities proposed to be made or installed and the time at which such improvements are proposed to be completed;

B. Proposed plan for drainage;

C. Proposed fire hydrant placement;

D. Provision for sewerage and sewage disposal;

- E. Provision for proposed water supply;
- F. Provision for proposed electric power supply, natural gas, and any communication lines;
- G. Public areas proposed;
- H. Type and location of street lighting proposed;
- I. Proposed building setback lines and width of side yards;
- J. Justification and reasons for any exceptions to provisions of this ~~title~~ Title, or for any amendments to the ~~general plan~~ General Plan and/or ~~zoning ordinance~~ Zoning Ordinance which may be required in conjunction with the subdivision proposed;
- K. A copy of any restrictive covenants, bylaws, or articles of incorporation proposed shall be attached to the owner's statement as required;
- L. The existing use or uses of the property;
- M. The proposed use or uses of the property;
- N. The tree plantings proposed;
- O. Statement from owner of record, if different than subdivider, consenting to division of land by subdivision;
- P. Statement giving name and address of individual designated to receive all official communications regarding the subdivision.

(Ord. 486 (part), 1986)

16.15.060 Form of map--environmental review forms required.

The subdivider shall also complete and submit with the tentative map an environmental questionnaire to be provided by the ~~p~~ Planning ~~d~~ Department, "~~Appendix E of the City of Gridley Environmental Review Guidelines.~~"

(Ord. 486 (part), 1986)

16.16.065 Design information required.

The subdivider shall provide complete design information with the Vesting Tentative Map to permit the planning staff and the Planning Commission to review the proposed design and improvements. The information submitted shall include at least the following items:

- A. A detailed drainage analysis prepared by a registered engineer which determines the hydraulic grade line for the drainage facilities serving the subdivision, and demonstrates that the proposed drainage improvements conform to city standards.

B. Street and grading plans prepared by a registered engineer which show that the proposed street grades and building pad elevations are consistent with the drainage design, and conform to city standards;

C. A soils report prepared by a registered engineer which demonstrates that the proposed site grading and street structural section conform to city standards, and that building foundations are in accordance with building code requirements and city standards;

D. Complete sewer plans which demonstrate that gravity sewer service can be provided to the proposed buildings and facilities without exceeding the design capacity of the existing sewer facilities, when designed in accordance with city standards;

E. Architectural plans, elevations, and/or renderings sufficient for the architectural review of the buildings proposed to be constructed on the property being subdivided;

F. A copy of all covenants, conditions, and restrictions which may be placed on the proposed subdivision which may effect the use, appearance, or condition of the project;

G. Engineer's estimate of cost for all proposed improvements, itemized in sufficient detail to permit separation of the costs for the purpose of computing applicable fees;

H. All other applicable design information which may be required by other sections of this title, applicable city standards, codes, or regulations.

(Ord. 486 (part), 1986)

16.15.070 Acceptance.

The authorized representative of the ~~p~~Planning ~~d~~Department will examine the tentative map, statement and environmental questionnaire upon or soon after submittal and shall, within thirty (30) calendar days, determine in writing whether such application is complete. The ~~planning staff~~Planning Department will immediately transmit such determination to the subdivider, specifying those parts of the application which are incomplete and shall indicate the manner in which they can be made complete.

(Ord. 486 (part), 1986)

16.15.080 Fees.

At the time a tentative map, parcel map or application for a lot line adjustment is submitted to the ~~planning department~~Planning Department, the subdivider/applicant shall pay the appropriate fees as prescribed by resolution of the ~~city council~~City Council.

(Ord. 486 (part), 1986)16 - 9

16.15.090 Environment review.

Upon finding the application complete, the authorized representative of the ~~planning department~~Planning Department will conduct an initial study environmental review of the subdivision, as required by City and State ~~EIR-CEQA~~Guidelines, as amended, and will

determine within thirty (30) calendar days what further environmental documentation is necessary, prior to approval of the tentative map. The ~~planning staff~~Planning Department will immediately transmit such determination to the subdivider.

(Ord. 486 (part), 1986)

16.15.100 Distribution.

Upon completion of the initial environmental study, the ~~planning department~~Planning Department shall:

A. ~~(EIR not required.)~~Environmental Impact Report not required:

Prepare required environmental document, i.e., ~~n~~Notice of e~~Exemption or n~~Negative d~~Declaration.~~and transmit the requested number of copies of the tentative map, together with accompanying data to such public agencies, utility companies and other departments as may be concerned. Each of the public agencies, utilities and other departments shall, within twenty-one (21) days from receipt of a copy of a tentative map, forward to the ~~planning department~~Planning Department a written report of its findings and recommendations thereon. If a reply is not received within the time allowed by this section, it will be assumed that the map conforms to the requirements of the public agency or utility company concerned. Responsible agencies as defined in Section 15039 of the State ~~EIR-CEQA~~ Guidelines shall be given an opportunity to comment on any proposed ~~n~~Negative d~~Declaration~~ prior to its adoption. If any responsible agencies are ~~s~~State agencies, a proposed ~~n~~Negative d~~Declaration~~ shall be circulated through the State Clearinghouse as required by Section 15161.5(a) of the State ~~EIR-CEQA~~ Guidelines.

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B. ~~(EIR required.)~~Environmental Impact Report required:

Prepare a ~~n~~Notice of p~~Preparation~~ and distribute as prescribed in the State ~~EIR-CEQA~~ Guidelines.

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(Ord. 533 § 1(part), 1988).

16.15.110 Preparation of environmental documents.

The ~~planning staff~~Planning Department will prepare or oversee the preparation of any environmental documents required for the subdivision. Such documents will be completed and acted upon by the ~~city council~~City Council within the time periods prescribed in Section 15054.2 of the State ~~EIR-CEQA~~ Guidelines.

(Ord. 486 (part), 1986).

16.15.120 Application--deemed not received.

A tentative map shall not be deemed received for filing under the Map Act until the environmental documentation required by the California Environmental Quality Act (CEQA) has been completed.

(Ord. 486 (part), 1986)

16.15.130 Filing.

Upon its finding that the tentative map is in compliance with the standards and requirements of this chapter, is accompanied by the required fees and data including any necessary environmental documents, and that reports from departments and agencies concerned have been received, the ~~planning staff~~Planning Department will officially file the tentative map. ~~The planning staff will~~A review of the tentative map, and the recommendations of the various agencies involved, ~~and will be provided to~~ the subdivider or his/her duly authorized representative with information regarding the map and agency comments within ten (10) days from the date of the official filing of the tentative map. The ~~planning staff~~Planning Department will prepare a report to the ~~planning commission~~Planning Commission on the tentative map for further proceedings in accordance with the provisions of this ~~title~~Title, said report to represent the recommendations of the various departments consulted by the ~~planning staff~~Planning Department as well as taking into consideration other recommendations made by other interested agencies. The report will also discuss the conformity of the tentative map to the provisions of the ~~General Plan~~General Plan, the ~~zoning ordinance~~Zoning Ordinance, and all regulations of the ~~city~~City. Any report of recommendations on the tentative map will be served on the subdivider at least three (3) days prior to any hearing or action on such map by the ~~planning commission~~Planning Commission or the ~~city council~~City Council. Such required submission in writing shall be deemed complied with when such reports or recommendations are placed in the mail, directed to the subdivider at the address designated in the subdivider's statement with postage prepaid.

(Ord. 486 (part), 1986)

16.15.140 ~~Planning commission~~Planning Commission hearing on environmental document.

~~After appropriate notice of public hearing pursuant to Paragraph G of the City Environmental Review Guidelines. T~~he ~~planning commission~~Planning Commission shall hold a public review of draft environmental impact reports or negative declarations and shall solicit input from interested members of the public. Approval of the environmental document is necessary prior to any formal action on the tentative map.

(Ord. 486 (part), 1986)

16.15.145 Notification of public hearing on tentative map.

The ~~planning staff~~Planning Department will give notice of the ~~planning commission~~Planning Commission hearing to review the tentative map at least ten(10) days prior to the date of the hearing by:

- A. Publication of notice of public hearing;
- B. Posting the subject property with the notice of public hearing; and
- C. Mailing to the property owners of record of property located within three hundred feet of the boundary of the subject property the notice of public hearing.

(Ord. 486 (part), 1986).

16.15.150 ~~Planning~~ Planning e Commission action on tentative map.

The ~~planning commission~~ Planning Commission shall review at a public hearing the tentative map within fifty days after the official filing thereof, unless such time is extended by agreement with the subdivider.

A. Findings--~~d~~ Determination. If the ~~planning commission~~ Planning Commission finds that the proposed map complies with the requirements of the General Plan and any applicable specific plans, this title, and the Subdivision Map Act, and the zoning ordinance ~~of the City~~, it shall recommend approval of the tentative map to the City Council. The ~~planning commission~~ Planning Commission shall recommend denial of the tentative map if it makes any of the following findings:

1. That the proposed map is not consistent with ~~applicable the~~ g General Plan or applicable and S specific p Plans;
2. That the design or improvements of the proposed subdivision are not consistent with applicable g General and S specific p Plans;
3. That the site is not physically suitable for the proposed density of development;
4. That the site is not physically suitable for the type of development;
5. That the design of the subdivision or the proposed improvements are likely to cause a significant adverse effect on the environment and no mitigation measures are available to reduce or eliminate the significant adverse effect;
6. That the design of the subdivision or the type of improvements are likely to cause serious public health problems;
7. That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision. In this connection, the ~~planning commission~~ Planning Commission may recommend approval of the map if it finds that alternate easements for access or for use will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is granted to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision.

B. Report to subdivider. The ~~planning commission~~ Planning Commission recommendation will be reported to the subdivider or designated representative within ten (10) days of the hearing.

C. Report to the ~~city council~~ City Council. Following the hearing by the ~~planning commission~~ Planning Commission, a copy of the tentative map, together with ~~the any required~~ environmental documents and a copy of the ~~planning commission~~ Planning Commission recommendations thereon, shall be transmitted to the ~~city council~~ City Council within fourteen (14) days of the hearing.

D. Extension of time for preparation of environmental impact report. Notwithstanding the requirements of this subsection for making the report required to be made by the ~~planning commission~~Planning Commission, if an environmental impact report is prepared for the tentative map, the ~~planning commission~~Planning Commission shall render its report within forty-five (45) days after certification of the environmental impact report.

(Ord. 486 (part), 1986)

16.15.155 ~~City council~~City Council action on tentative man.

A. Hearing by ~~city council~~City Council. At the next regular meeting of the ~~city council~~City Council following the filing of the ~~planning commission~~Planning Commission report with the ~~city council~~City Council, the ~~city council~~City Council shall set a date for a public hearing for the consideration of the tentative map, which date shall be within thirty (30) days thereafter and the ~~city council~~City Council shall approve, conditionally approve, or disapprove the tentative map within the thirty (30) day period.

B. The ~~planning staff~~Planning Department will give notice of the ~~city council~~City Council hearing to review and approve, conditionally approve or disapprove the tentative map at least ten (10) days prior to the date of the hearing by:

1. Publication once in a newspaper of general circulation published and circulated within the ~~City~~City;

2. Posting the subject property with the notice of the hearing; and

3. Mailing to the property owners of record of property located within three hundred (300) feet of the boundary of the subject property, as shown on the last equalized assessment roll, the notice of public hearing.

C. Request for reconsideration of ~~city council~~City Council action. Any aggrieved person may request that the ~~city council~~City Council reconsider its determination on the tentative map in accordance with Chapter 16.30 entitled "Reconsideration of Decision."

(Ord. 486 (part), 1986)

Chapter 16.16 ~~VESTING TENTATIVE MAP~~ VESTING TENTATIVE MAPS

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- [16.16.010](#) Preliminary conference.
- [16.16.020](#) Submittal.
- [16.16.030](#) Form of map--size and scale.
- [16.16.040](#) Form of map--information required.
- [16.16.050](#) Form of map--subdivider's statement required.
- [16.16.060](#) Form of map--environmental review forms required.
- [16.16.070](#) Design information required.
- [16.16.080](#) Acceptance.
- [16.16.090](#) Fees.
- [16.16.100](#) Environmental review.
- [16.16.110](#) Distribution.
- [16.16.015](#) Oversizing improvements-Reimbursement
- [16.16.120](#) Preparation of environmental documents.
- [16.16.130](#) Application--deemed not received.
- [16.16.140](#) Filing.
- [16.16.150](#) ~~Planning commission~~Planning Commission hearing on environmental document.
- [16.16.160](#) Notification of public hearing--~~vesting tentative map~~Vesting Tentative Map.
- [16.16.170](#) ~~Planning commission~~Planning Commission action--~~vesting tentative map~~Vesting Tentative Map.
- [16.16.180](#) ~~City council~~City Council action--~~vesting tentative map~~Vesting Tentative Map.
- [16.16.190](#) Vesting on approval of ~~vesting tentative map~~Vesting Tentative Map.
- [16.16.200](#) Development inconsistent with zoning--conditional approval.
- [16.16.210](#) Applications inconsistent with current policies.

16.16.010 Preliminary conference.

This title is enacted pursuant to the authority granted by Chapter 4.5 (commencing with Section 66498.1) of Division 2 of Title 7 of the Government Code of the state of California referred to in this title as the Vesting Tentative Map Statute.

Prior to the preparation of a ~~Vesting Tentative Map~~ Vesting Tentative Map, the subdivider is encouraged to consult with ~~the p~~ Planning d ~~Department staff~~ for technical advice and procedural instructions. At that time the subdivider will be provided necessary forms and a list of information required to make the application for subdivision complete. Preliminary sketches of the subdivision may be submitted and discussed. The preliminary sketch should be to a scale and detail sufficient to indicate the essential characteristics of the subdivision, including the number, size and design of lots; the location and width of streets; the location of any important reservations or easements; the relation of the subdivision to all surrounding lands and any other detail necessary to enable preliminary review. ~~The planning staff will~~ A conference will be ~~scheduled a conference~~ with the subdivider to discuss the preliminary map and make recommendations concerning the submittal of a ~~Vesting Tentative Map~~ Vesting Tentative Map.

(Ord. 533 § 1(part), 1988).

16.16.015 Oversizing improvements - Reimbursement.

As a condition of approval of a Vesting Tentative Map, it may be required that improvements installed by the subdivider for the benefit of the subdivision be of a supplemental size, capacity, or number for the benefit of adjacent property not within the subdivision, and that said improvements be dedicated to the public. If such condition is imposed, provision for reimbursement to the subdivider shall be provided in the manner set forth in the Subdivision Map Act. The City may at its discretion, determine that the oversized improvements do not benefit adjacent properties or the City in general and may not reimburse the subdivider for such improvements.

16.16.020 Submittal.

An application for division of land shall include copies of the ~~vesting tentative map~~ Vesting Tentative Map, a statement of the proposed division of land, a completed environmental questionnaire, and an administrative fee in an amount to be established by resolution of ~~city~~ City Council.

(Ord 695, 2000)

16.16.030 Form of map--size and scale.

~~Vesting Tentative Map~~ Vesting Tentative Maps shall be prepared pursuant to the requirements of the Subdivision Map Act and/or at the City's discretion. Mapping shall be drawn at such a scale for legibility and clear identification of all existing conditions. ~~eighteen by twenty-six inches in size and to a scale of one inch equals fifty feet. for small areas unless otherwise approved by the planning department.~~

(Ord. 486 (part), 1986)

16.16.040 Form of map--information required.

Every ~~Vesting Tentative Map~~ Vesting Tentative Map shall be clearly and legibly reproduced and shall contain the following information:

- A. A key or location map on which shall be shown the general area including adjacent property, subdivisions and roads;
- B. The ~~tract-subdivision/tract/parcel~~ name or number, date, north point, scale and sufficient description to define location and boundaries of the proposed ~~tract~~ subdivision development;
- C. Name and address of recorded owner or owners;
- D. Name and address of subdivider;
- E. Name and business address of the person who prepared the map;
- F. Acreage of proposed tract to the nearest ~~ten~~ tenth (10th) of an acre;
- G. Sufficient elevations or contours or notations indicating direction and percent of slope to determine the general slope of the land and the high and low point thereof;
- H. The locations, names, widths and grades of all roads, streets, highways and ways in the proposed subdivision which are to be offered for dedication (names must be approved by the county street name coordinator);
- I. The locations, names and existing widths of all adjoining and contiguous highways, streets and ways;
- J. Location and character of all existing public utilities including sizes of pipelines serving the proposed subdivision;
- K. The widths, location and purposes of all existing and proposed easements;
- L. Lot layout, dimensions of each lot, and lot numbers;
- M. City limit lines occurring within the general vicinity of the proposed subdivision;
- N. Boundaries of any units within the subdivision if the subdivision is to be recorded in stages;
- O. Names and owners of land immediately adjacent to the subdivision;
- P. The outline of any existing buildings to remain in place and their locations in relation to existing or proposed street and lot lines, along with the location of any wells or septic tanks and leach fields;
- Q. Location of all trees proposed to remain in place, standing within the boundaries of proposed public rights-of way;
- R. Location and limits of all areas subject to inundation or stormwater overflow and the location, width and direction of all watercourses based upon a 100-year storm occurrence and as available from the California Department of Water Resources, the 200 year storm occurrence;
- S. Typical section of the proposed street improvements.

(Ord. 486 (part), 1986).

16.16.050 Form of map--subdivider's statement required.

A written statement ~~shall be presented~~ by the subdivider shall be prepared in written form accompanying the ~~Vesting Tentative Map~~ Vesting Tentative Map and ~~shall contain~~ ing the following information:

- A. Improvements and public utilities proposed to be made or installed and the time at which such improvements are proposed to be completed;
- B. Proposed plan for drainage;
- C. Proposed fire hydrant placement;
- D. Provision for sewerage and sewage disposal;
- E. Provision for proposed water supply;
- F. Provision for proposed electric power supply, natural gas, and any communication lines;
- G. Public areas proposed;
- H. Type and location of street lighting proposed;
- I. Proposed building setback lines and width of side yards;
- J. Justification and reasons for any exceptions to provisions of this title, or for any amendments to the General Plan and/or ~~Z~~oning ~~e~~Ordinance which may be required in conjunction with the subdivision proposed;
- K. A copy of any restrictive covenants, bylaws, or articles of incorporation proposed shall be attached to the owner's statement as required;
- L. The existing use or uses of the property;
- M. The proposed use or uses of the property;
- N. The tree planting proposed;
- O. Statement from owner of record, if different than subdivider, consenting to division of land by subdivision;
- P. Statement giving name and address of individual designated to receive all official communications regarding the subdivision.

(Ord. 486 (part), 1986)

16.16.060 Form of map--environmental review forms required.

The subdivider shall also complete and submit with the ~~Vesting Tentative Map~~ Vesting Tentative Map an environmental questionnaire to be provided by the ~~planning department~~ Planning Department; "Appendix E of the City of Gridley Environmental Review Guidelines."

(Ord. 486 (part), 1986)

16.16.070 ~~Design~~ Design information required.

The subdivider shall provide complete design information with the ~~Vesting Tentative Map~~ Vesting Tentative Map to permit the planning staff and the ~~Planning Commission~~ Planning Commission to review the proposed design and improvements. The information submitted shall include at least the following items:

A. A detailed drainage analysis prepared by a registered engineer which determines the hydraulic grade line for the drainage facilities serving the subdivision, and demonstrates that the proposed drainage improvements conform to city standards.

B. Street and grading plans prepared by a registered engineer which show that the proposed street grades and building pad elevations are consistent with the drainage design, and conform to ~~city~~ city standards;

C. A soils report prepared by a registered engineer which demonstrates that the proposed site grading and street structural section conform to city standards, and that building foundations are in accordance with building code requirements and city standards;

D. Complete sewer plans which demonstrate that gravity sewer service can be provided to the proposed buildings and facilities without exceeding the design capacity of the existing sewer facilities, when designed in accordance with city standards;

E. Architectural plans, elevations, and/or renderings sufficient for the architectural review of the buildings proposed to be constructed on the property being subdivided;

F. A copy of all covenants, conditions, and restrictions which may be placed on the proposed subdivision which may effect the use, appearance, or condition of the project;

G. Engineer's estimate of cost for all proposed improvements, itemized in sufficient detail to permit separation of the costs for the purpose of computing applicable fees;

H. All other applicable design information which may be required by other sections of this title, applicable city standards, codes, or regulations.

(Ord. 486 (part), 1986)

16.16.080 Acceptance.

The authorized representative of the ~~planning department~~ Planning Department will examine the ~~Vesting Tentative Map~~ Vesting Tentative Map, design information, subdivider's statement, and environmental questionnaire upon or soon after submittal and shall, within thirty (30)

calendar days, determine in writing whether such application is complete. The ~~planning staff~~Planning Department will immediately transmit such determination to the subdivider, specifying those parts of the application which are incomplete and shall indicate the manner in which they can be made complete.

(Ord. 486 (part), 1986)

16.16.090 Fees.

At the time a ~~vesting tentative map~~Vesting Tentative Map is submitted to the ~~p~~Planning Department, the subdivider/applicant shall pay the appropriate fees as prescribed by resolution of the ~~city council~~City Council.

(Ord. 486 (part), 1986)

16.16.100 Environmental review.

Upon finding the application complete, the authorized representative of the ~~planning department~~Planning Department will conduct an initial study environmental review of the subdivision, as required by City and State ~~EIR-CEQA~~CEQA Guidelines, as amended, and will determine within ~~thirty~~(30) calendar days what further environmental documentation is necessary, prior to approval of the ~~vesting tentative map~~Vesting Tentative Map. The ~~planning staff~~Planning Department will immediately transmit such determination to the subdivider.

(Ord. 486 (part), 1986)

16.16.110 Distribution.

Upon completion of the initial environmental study, the ~~planning department~~Planning Department shall either:

A. ~~(EIR not required.)~~EIR not required:

Prepare required environmental document, i.e., ~~n~~Notice of eExemption or ~~n~~Negative dDeclaration. Transmit the requested number of copies of the ~~vesting tentative map~~Vesting Tentative Map, together with accompanying data to such public agencies, utility companies and other departments as may be concerned. Each of the public agencies, utilities and other departments shall, within twenty-one (21) days from receipt of a copy of a ~~vesting tentative map~~Vesting Tentative Map, forward to the ~~planning department~~Planning Department a written report of its findings and recommendations thereon. If a reply is not received within the time allowed by this section, it will be assumed that the map conforms to the requirements of the public agency or utility company concerned. Responsible agencies as defined in Section 15039 of the State ~~EIR-CEQA~~CEQA Guidelines shall be given an opportunity to comment on any proposed ~~n~~Negative dDeclaration prior to its adoption. If any responsible agencies are State agencies, a proposed ~~n~~Negative dDeclaration shall be circulated through the State Clearinghouse as required by Section 15161.5(a) of the State ~~EIR-CEQA~~CEQA Guidelines.

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B. ~~(EIR required.)~~EIR required:

Prepare a ~~n~~Notice of ~~p~~Preparation and distribute as prescribed in the State ~~EIR-CEQA~~ Guidelines.

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(Ord. 486 (part), 1986)

16.16.120 Preparation of environmental documents.

The ~~planning~~Planning staffDepartment will prepare or oversee the preparation of any environmental documents required for the subdivision. Such documents will be completed and acted upon by the ~~city council~~City Council within the time periods prescribed in Section 15054.2 of the State ~~EIR-CEQA~~ Guidelines.

(Ord. 486 (part), 1986)

16.16.130 Application--deemed not received.

A ~~vesting tentative map~~Vesting Tentative Map shall not be deemed received for filing under the Map Act until the environmental documentation required by the ~~California Environmental Quality Act~~CEQA has been completed.

(Ord. 486 (part), 1986)

16.16.140 Filing.

Upon its finding that the ~~vesting tentative map~~Vesting Tentative Map is in compliance with the standards and requirements of this chapter, is accompanied by the required fees and data including any necessary environmental documents, and that reports from departments and agencies concerned have been received, the ~~planning staff~~Planning Department will officially file the ~~vesting tentative map~~Vesting Tentative Map. ~~The planning staff will~~A review of the ~~vesting tentative map~~Vesting Tentative Map, and the recommendations of the various agencies involved, ~~and will be~~ provided to the subdivider or his duly authorized representative with information regarding the map and agency comments within ten (10) days from the date of the official filing of the ~~vesting tentative map~~Vesting Tentative Map. ~~The planning staff~~The Planning Department will prepare a report to the ~~planning commission~~Planning Commission on the vesting tentative map for further proceedings in accordance with the provisions of this title, said report to represent the recommendations of the various departments consulted by the ~~planning staff~~Planning Department as well as taking into consideration other recommendations made by other interested agencies. The report will also discuss the conformity of the ~~vesting tentative map~~Vesting Tentative Map to the provisions of the ~~g~~General ~~p~~Plan, the ~~z~~Zoning ~~e~~Ordinance, and all regulations of the City. Any report of recommendations on the ~~vesting tentative map~~Vesting Tentative Map will be served on the subdivider at least three (3) days prior to any hearing or action on such map by the ~~planning commission~~Planning Commission or the ~~city council~~City Council. Such required submission in writing shall be deemed complied with when such reports or recommendations are placed in the mail, directed to the subdivider at the address designated in the subdivider's statement with postage prepaid.

(Ord. 486 (part), 1986)

16.16.150 ~~Planning commission~~ Planning Commission hearing on environmental document.

~~After appropriate notice of public hearing pursuant to Paragraph G of the City Environmental Review Guidelines, t~~The ~~planning commission~~Planning Commission shall hold a public review of draft ~~environmental impact report~~EIRs or negative declarations and shall solicit input from interested members of the public. Approval of the environmental document is necessary prior to any formal action on the ~~vesting tentative map~~Vesting Tentative Map.

(Ord. 486 (part), 1986)

16.16.160 Notification of public hearing~~g--vesting tentative map~~ Vesting Tentative Map.

The ~~planning staff~~Planning Department will give notice of the ~~planning commission~~Planning Commission hearing to review the ~~vesting tentative map~~Vesting Tentative Map at least ten ~~(10)~~ days prior to the date of the hearing by:

- A. Publication of notice of public hearing;
- B. Posting the subject property with the notice of public hearing; and
- C. Mailing to the property owners of record of property located within three hundred ~~(300)~~ feet of the boundary of the subject property the notice of public hearing.

(Ord. 486 (part), 1986)

16.16.170 ~~Planning commission~~ Planning Commission action~~--vesting tentative map~~ Vesting Tentative Map.

The ~~planning commission~~Planning Commission shall review at a public hearing the ~~vesting tentative map~~Vesting Tentative Map within fifty days after the official filing thereof, unless such time is extended by agreement with the subdivider.

A. Findings~~--d~~Determination. If the ~~planning commission~~Planning Commission finds that the proposed map complies with the requirements ~~of the General Plan and any applicable specific plans, of this Title, and~~ the Subdivision Map Act, ~~and the z~~Zoning oOrdinance of the City, it shall recommend approval of the ~~vesting tentative map~~Vesting Tentative Map. The ~~planning commission~~Planning Commission shall recommend denial of the ~~vesting tentative map~~Vesting Tentative Map if it makes any of the following findings:

1. That the proposed map is not consistent with ~~applicable the g~~General Plan or applicable and sSpecific ~~p~~Plans;
2. That the design or improvements of the proposed subdivision are not consistent with applicable general and specific plans;
3. That the site is not physically suitable for the proposed density of development;
4. That the site is not physically suitable for the type of development;

5. That the design of the subdivision or the proposed improvements are likely to cause a significant adverse effect on the environment and no mitigation measures are available to reduce or eliminate the significant adverse effect;

6. That the design of the subdivision or the type of improvements are likely to cause serious public health problems;

7. That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision. In this connection, the ~~planning commission~~ Planning Commission may recommend approval of the map if it finds that alternate easements for access or for use will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is granted to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision.

B. Report to subdivider. The ~~planning commission~~ Planning Commission recommendation will be reported to the subdivider or designated representative, within ten (10) days of the hearing.

C. Report to the ~~city council~~ City Council. Following the hearing by the ~~planning commission~~ Planning Commission, a copy of the ~~vesting tentative map~~ Vesting Tentative Map, together with the any required environmental documents and a copy of the ~~planning commission~~ Planning Commission recommendations thereon, shall be transmitted to the ~~city council~~ City Council within fourteen (14)-days of the hearing.

D. Extension of time for preparation of ~~environmental impact report~~ an EIR. Notwithstanding the requirements of this subsection for making the report required to be made by the ~~planning commission~~ Planning Commission, if an ~~environmental impact report~~ EIR is prepared for the ~~vesting tentative map~~ Vesting Tentative Map, the ~~planning commission~~ Planning Commission shall render its report within forty-five (45) days after certification of the ~~environmental impact report~~ EIR.

(Ord. 486 (part), 1986)

16.16.180 ~~City council~~ City Council action--~~v~~ Vesting t ~~Tentative m~~ Map.

A. Hearing by ~~city council~~ City Council. At the next regular meeting of the ~~city council~~ City Council following the filing of the ~~planning commission~~ Planning Commission report with the ~~city council~~ City Council, the ~~city council~~ City Council shall set a date for a public hearing for the consideration of the ~~vesting tentative map~~ Vesting Tentative Map, which date shall be within thirty (30) days thereafter, and the ~~city council~~ City Council shall approve, conditionally approve, or disapprove the ~~vesting tentative map~~ Vesting Tentative Map within the thirty (30) day period.

B. The planning staff will give notice of the ~~city council~~ City Council hearing to review and approve, conditionally approve or disapprove the ~~vesting tentative map~~ Vesting Tentative Map at least ten (10) days prior to the date of the hearing by:

1. Publication once in a newspaper of general circulation within the City;
2. Posting the subject property with the notice of the hearing; and
3. Mailing to the property owners of record of property located within three_hundred (300) feet of the boundary of the subject property, as shown on the last equalized assessment roll, the notice of public hearing.

C. Request for reconsideration of ~~city council~~City Council action. Any aggrieved person may request that the ~~city council~~City Council reconsider its determination on the ~~vesting tentative map~~Vesting Tentative Map in accordance with Chapter 16.30 entitled "Reconsideration of Decision." (Ord. 486 (part), 1986)

16.16.190 Vesting on approval of ~~vesting tentative map~~Vesting Tentative Map.

A. The approval or conditional approval of a ~~vesting tentative map~~Vesting Tentative Map shall confer a vested right to proceed with development in substantial compliance with the ordinances, policies, and standards described in Government Code Section 66474.2. However, if Section 66474.2 of the Government Code is repealed, the approval or conditional approval of a ~~vesting tentative map~~Vesting Tentative Map shall confer a vested right to proceed with development in substantial compliance with the ordinances, policies, and standards in effect at the time the ~~vesting tentative map~~Vesting Tentative Map is approved or conditionally approved.

B. Notwithstanding subdivision (A) of this section, a permit, approval, extension, or entitlement may be made conditional or denied if any of the following are determined:

1. A failure to do so would place the residents of the subdivision or the immediate community, or both, in a condition dangerous to their health or safety, or both.
2. The condition or denial is required, in order to comply with State or Federal law.

C. The rights referred to herein shall expire if a final map is not approved prior to the expiration of the ~~vesting tentative map~~Vesting Tentative Map as provided in this chapter. If the final map is approved, these rights shall last for the following periods of time:

1. An initial time period of 12 months. Where several final maps are recorded on various phases of a project covered by a single ~~vesting tentative map~~Vesting Tentative Map, this initial time period shall begin for each phase when the final map for the phase is recorded.
2. The initial time period set forth in subdivision 1 of this subsection shall be automatically extended by any time used for processing a complete application for a grading permit or for design or architectural review, if such processing exceeds 30 days, from the date a complete application is filed.
3. A subdivider may apply for a one-year extension at any time before the initial time period set forth in subdivision 1 of this subsection expires. If the extension is denied, the subdivider may appeal that denial to the ~~city council~~City Council within fifteen (15) days.
4. If the subdivider submits a complete application for a building permit during the periods of time specified in subdivisions 1 through 3 of this subsection, the rights referred to in this section shall continue until the expiration of that permit, or any extension of that permit.

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(Ord. 486 (part), 1986)

16.16.200 Development inconsistent with approval.

A. Whenever a subdivider files a ~~vesting tentative map~~Vesting Tentative Map for a subdivision whose intended development is inconsistent with the zoning ordinance in existence at that time, that inconsistency shall be noted on the map. The City may deny such a ~~vesting tentative map~~Vesting Tentative Map or approve it conditioned on the subdivider, or his or her designee, obtaining the necessary change in the zoning ordinance to eliminate the inconsistency. If the change in the zoning ordinance is obtained, the approved or conditionally approved ~~vesting tentative map~~Vesting Tentative Map shall, notwithstanding Section

16.16.210 Applications inconsistent with current policies.

Notwithstanding any provision of this chapter, a property owner or his or her designee may seek approvals or permits for development which depart from the ordinances, policies, and standards described in this chapter, and local agencies may grant these approvals or issue these permits to the extent that the departures are authorized under applicable law.

(Ord. 486 (part),1986)