

City of Salinas
Subdivision Map Act Changes Since 2009

Map Act Section	Map Act Text	Where Addressed in Draft Subdivision Ordinance
2010		
<i>Map Act Exclusions</i>	<ul style="list-style-type: none"> • "A local agency shall approve or disapprove a lot line adjustment pursuant to the Permit Streamlining Act" • The conversion of a community apartment project is excluded if "the property was subdivided before January 1, 1982, as evidenced by a recorded deed creating the community apartment project" and if the subdivision "occurred after January 1, 1964, [and] both of the following requirements are met: (A) A final or parcel map of that subdivision was approved by the local agency and recorded, with all of the conditions of that map remaining in effect after the conversion; and (B) No more than 49 percent of the units in the project were owned by any one person as defined in Section 17, including an incorporator or director of the community apartment project, on January 1, 1982." • The conversion of a stock cooperative is excluded if "the property was subdivided before January 1, 1982, as evidenced by a recorded deed creating the stock cooperative, an assignment of lease, or issuance of shares to a stockholder" and if the subdivision "occurred after January 1, 1980, [and] both of the following requirements are met: (A) A final or parcel map of that subdivision was approved by the local agency and recorded, with all of the conditions of that map remaining in effect after the conversion; and (B) No more than 49 percent of the shares in the project were owned by any one person as defined in Section 17, including an incorporator or director of the cooperative, on January 1, 1982." • "The leasing of, or the granting of an easement to, a parcel of land or any portion or portions of the land in conjunction with a biogas project that uses, as part of its operation, agricultural waste or byproducts from the land where the project is located and reduces overall emissions of greenhouse gases from agricultural operations on the land if the project is subject to review under other local agency ordinances regulating design and improvement or if the project is subject to discretionary action by the advisory agency or legislative body." 	<ul style="list-style-type: none"> • Text included in Ordinance Section 31.1101.1 in consistent with Permit Streamlining Act • Text of Ordinance Section 31-107 incorporates by reference all exclusions in Map Act Section 66412
Section 66412(d), (g)(1), (g)(3), (h)(1), (h)(4), and (m)		
<i>Agricultural exemptions</i>	<ul style="list-style-type: none"> • This division shall not apply to leases of agriculturally zoned land to nonprofit organizations for the purpose of operating an agricultural labor housing project on the property if all of the following conditions apply: 	<ul style="list-style-type: none"> • Text of Ordinance Section 31-107 incorporates by reference all exclusions in Map Act Section 66412, including 66412.9
Section 66412.9		

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	<ul style="list-style-type: none"> ○ The property to be leased shall not be more than five acres. ○ The lease shall be for not less than 30 years. ○ The lease shall be executed prior to January 1, 2017. 	
<i>Establishes persons qualified to prepare final map and established standards for preparation</i> Section 66434(e)(1)	<ul style="list-style-type: none"> • The exterior boundary of the land included within the subdivision shall not include a designated remainder or omitted parcel that is designated or omitted under Section 66424.6. The designated remainder or omitted parcel shall be labeled as a designated remainder parcel or omitted parcel. 	<ul style="list-style-type: none"> • Text added to Ordinance Section 31-402.4(e)
<i>Dedications and offers to dedicate</i> Section 66439(d)(1) – (3)	<ul style="list-style-type: none"> • If a subdivider is required under this division or any other provision of law to make a dedication for specified public purposes on a final map, the local agency shall specify whether the dedication is to be in fee for public purposes or an easement for public purposes. • If the dedication is required to be in fee for public purposes, the subdivider shall include the following language in the dedication clause on the final map or any separate instrument: "The real property described below is dedicated in fee for public purposes: (here insert a description of the dedicated property that is adequate to convey the property)." • If the dedication is required to be an easement for public purposes, the subdivider shall include the following language in the dedication clause on the final map or any separate instrument: "The real property described below is dedicated as an easement for public purposes: (here insert a description of the easement that is adequate to convey the dedicated property)." 	<ul style="list-style-type: none"> • Text added to Ordinance Section 31-402.4(t)
<i>Establishes persons qualified to prepare parcel maps and establishes standards for preparation</i> Section 66445(d)(1)	<ul style="list-style-type: none"> • The exterior boundary of the land included within the subdivision shall not include a designated remainder or omitted parcel that is designated or omitted under Section 66424.6. The designated remainder parcel or omitted parcel shall be labeled as a designated remainder parcel or an omitted parcel. 	<ul style="list-style-type: none"> • Text added to Ordinance Section 31-601.3(d)(1)
<i>Dedications or offers of dedication on parcel map by separate</i>	<ul style="list-style-type: none"> • If a subdivider is required under this division or any other provision of law to make a dedication for specified public purposes on a parcel map, the local 	<ul style="list-style-type: none"> • Text added to Ordinance Section 31-602.4(b)

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<i>instrument</i> Section 66447(c)(1) – (3)	<p>agency shall specify whether the dedication is to be in fee for public purposes or an easement for public purposes.</p> <ul style="list-style-type: none"> • If the dedication is required to be in fee for public purposes, the subdivider shall include the following language in the dedication clause on the parcel map or any separate instrument: “The real property described below is dedicated in fee for public purposes: (here insert a description of the dedicated property that is adequate to convey the property).” • If the dedication is required to be an easement for public purposes, the subdivider shall include the following language in the dedication clause on the parcel map or any separate instrument: “The real property described below is dedicated as an easement for public purposes: (here insert a description of the easement that is adequate to convey the dedicated property).” 	
<i>Tentative or vesting maps extensions through 2012</i> Section 66452.22(a) – (e)	<ul style="list-style-type: none"> • The expiration date of any tentative or vesting tentative subdivision map or parcel map for which a tentative or vesting tentative map, as the case may be, has been approved that has not expired on July 15, 2009, and that will expire before January 1, 2012, shall be extended by 24 months. • The extension provided by subdivision (a) shall be in addition to any extension of the expiration date provided for in Section 66452.6, 66452.11, 66452.13, 66452.21, or 66463.5. • Any legislative, administrative, or other approval by any state agency that pertains to a development project included in a map that is extended pursuant to subdivision (a) shall be extended by 24 months if this approval has not expired on July 15, 2009. This extension shall be in addition to any extension provided for in Sections 66452.13 and 66452.21. • For purposes of this section, the determination of whether a tentative subdivision map or parcel map expires before January 1, 2012, shall count only those extensions of time pursuant to subdivision (e) of Section 66452.6 or subdivision (c) of Section 66463.5 approved on or before July 15, 2009, and any additional time in connection with the filing of a final map pursuant to subdivision (a) of Section 66452.6 for a map that was recorded on or before July 15, 2009. • The determination made pursuant to this subdivision shall not include any 	<ul style="list-style-type: none"> • Text added to Ordinance Section 31-314(e)

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	<p>development moratorium or litigation stay allowed or permitted by Section 66452.6 or 66463.5.</p> <ul style="list-style-type: none"> The provisions of Section 65961 relating to conditions that may be imposed upon or after a building permit for a subdivision of single- or multiple-family residential units or a parcel map for a subdivision for which no tentative map was required, are modified as set forth in subdivisions (e) and (f) of Section 65961 for tentative maps extended pursuant to this section. 	
2011		
<p><i>State funding for costs associated with merging parcels</i></p> <p>Section 66451.24</p>	<ul style="list-style-type: none"> Nothing in this article prohibits a landowner, local agency, or renewable energy corporation authorized to conduct business in this state from seeking financial assistance from eligible state funding sources to defray either of the following costs: <ul style="list-style-type: none"> The costs of merging parcels, including, but not limited to, escrow costs, on private or public lands pursuant to this article. The costs of establishing or administering a joint powers authority established or authorized to merge parcels on private or public lands, including, but not limited to, all eligible costs, for the purpose of siting renewable energy facilities. This section does not authorize the use of state funds for the acquisition of real property for which a parcel merger will be initiated. 	<ul style="list-style-type: none"> Not applicable to local ordinances; no text added
<p><i>Local ordinance may impose fee for construction of bridges and major thoroughfares</i></p> <p>Section 66484(a)(1)–(3), (e) and (i)</p>	<ul style="list-style-type: none"> Clarified that a benefit area can include a major thoroughfare project in addition to a bridge Added certain definitions specific to Los Angeles County 	<ul style="list-style-type: none"> Terms included in definitions of "Street" and "Improvement" as applicable
<p><i>Specifies form of labor and material bond</i></p> <p>Section 66499.2</p>	<ul style="list-style-type: none"> Clarified that bonds are required from material <i>suppliers</i> 	<ul style="list-style-type: none"> Text of Ordinance Section 31-1002.1 incorporates by reference Map Act Section 66499.2
<p><i>Manner of release of security</i></p>	<ul style="list-style-type: none"> Updated internal references to Civil Code 	<ul style="list-style-type: none"> Text of Ordinance Section 31-1002.5 incorporates by reference Map Act Section 66499.7

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Section 66499.7(h)		
<i>Legislative body or owners of record may initiate proceedings</i>	<ul style="list-style-type: none">Nothing in this chapter prohibits a landowner, local agency, or renewable energy corporation authorized to conduct business in this state from seeking financial assistance from eligible state funding sources to defray either of the following costs:<ul style="list-style-type: none">The costs of merging parcels, including, but not limited to, escrow costs, on private or public lands pursuant to this chapter.The costs of establishing or administering a joint powers authority established or authorized to merge parcels on private or public lands, including, but not limited to, all eligible costs, for the purpose of siting renewable energy facilities.This section does not authorize the use of state funds for the acquisition of real property for which a parcel merger will be initiated.	<ul style="list-style-type: none">Text of Ordinance Section 31-1102 incorporates by reference Map Act Section 66499.12
Section 66499.12(b) and (c)		
<i>Action subject to mediation proceeding</i>	<ul style="list-style-type: none">Any action brought in the superior court relating to this division may be subject to a mediation proceeding.	<ul style="list-style-type: none">Not relevant in local ordinance; no change made
Section 66499.38		
2012		
<i>Conveyance of land to a public entity is not considered a division of land</i>	<ul style="list-style-type: none">Specified that conveyance to <i>or from</i> a public entity is not a division of land.	<ul style="list-style-type: none">Text added to Ordinance Sections 31-108.1, 108.2, and 603
Section 66426.5		
<i>Tentative parcel map required or waived; vesting tentative parcel maps; tentative map waivers and conditions</i>	<ul style="list-style-type: none">Any conveyance of land to or from a governmental agency, public entity, public utility, or for land conveyed to a subsidiary of a public utility for conveyance to that public utility for rights-of-way shall not be considered a division of land for purposes of computing the number of parcels. For purposes of this subdivision, any conveyance of land to or from a governmental agency shall include a fee interest, a leasehold interest, an easement, or a license.	<ul style="list-style-type: none">Text added to Ordinance Sections 31-108.1, 108.2, and 603
Section 66428(a)(2)		
<i>Term of tentative map approvals; effect of moratoriums and lawsuits upon approval</i>	<ul style="list-style-type: none">Allowing for phasing upon the expenditure of \$236,790 in public improvements by the subdivider	<ul style="list-style-type: none">Text of Ordinance Section 31-314(a) incorporates by reference Map Act Section 66452.6

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<i>time limits; extensions of time</i>		
Section 66452.6(a)(1)-(2)		
<i>Tentative map extension statute of 2011</i>		
Section 66452.23	<ul style="list-style-type: none"> • The expiration date of any tentative map, vesting tentative map, or parcel map for which a tentative map or vesting tentative map, as the case may be, has been approved that has not expired on or before the date that the act that added this section became effective, and that will expire before January 1, 2014, shall be extended by 24 months. • The extension provided by subdivision (a) shall be in addition to any extension of the expiration date provided for in Section 66452.6, 66452.11, 66452.13, 66452.21, 66452.22, or 66463.5. • Any legislative, administrative, or other approval by any state agency that pertains to a development project included in a map that is extended pursuant to subdivision (a) shall be extended by 24 months if this approval has not expired on or before the date that the act that added this section became effective. This extension shall be in addition to any extension provided for in Sections 66452.13, 66452.21, and 66452.22. • For purposes of this section, the determination of whether a tentative map or parcel map expires before January 1, 2014, shall count only those extensions of time pursuant to subdivision (e) of Section 66452.6 or subdivision (c) of Section 66463.5 approved on or before the effective date of the act that added this section, and any additional time in connection with the filing of a final map pursuant to subdivision (a) of Section 66452.6 for a map that was recorded on or before the effective date of the act that added this section. • The determination made pursuant to this subdivision shall not include any development moratorium or litigation stay allowed or permitted by Section 66452.6 or 66463.5. • The provisions of Section 65961 relating to conditions that may be imposed upon or after a building permit for a subdivision of single- or multiple-family residential units or a parcel map for a subdivision for which no tentative map was required, are modified as set forth in subdivisions (e) and (f) of Section 	<ul style="list-style-type: none"> • Text added to Ordinance Section 31-314(e)

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	65961 for tentative maps extended pursuant to this section.	
<p><i>Transportation facility fee</i></p> <p>Section 66484.7</p>	<ul style="list-style-type: none"> • A local ordinance may require the payment of a fee, subject to the Mitigation Fee Act (Chapter 5 (commencing with Section 66000), Chapter 6 (commencing with Section 66010), Chapter 7 (commencing with Section 66012), Chapter 8 (commencing with Section 66016), and Chapter 9 (commencing with Section 66020) of Division 1), as a condition of approval of a final map or as a condition of issuing a building permit for purposes of defraying the actual or estimated cost of constructing transportation facilities. For purposes of this section, transportation facilities mean pedestrian, bicycle, transit, and traffic-calming facilities. The ordinance may require payment of fees pursuant to this section if all of the following requirements are satisfied: <ul style="list-style-type: none"> ○ The ordinance refers to the circulation element of the general plan and to the provisions of the circulation element that identify those transportation facilities that are required to minimize the use of automobiles and minimize the traffic impacts of new development on existing roads, if the circulation element provisions have been adopted by the local agency 30 days prior to the filing of a map or application for a building permit. ○ The ordinance provides that there will be a public hearing held by the governing body for each area benefited. Notice shall be given pursuant to Section 65091 and shall include preliminary information related to the boundaries of the area of benefit, estimated cost, and the method of fee apportionment. The area of benefit may include land or improvements in addition to the land or improvements that are the subject of any map or building permit application considered at the proceedings. ○ The ordinance provides that at the public hearing the boundaries of the area of benefit, the costs, whether actual or estimated, and a fair method of allocation of costs to the area of benefit and fee apportionment are established. A description of the boundaries of the area of benefit, the costs, whether actual or estimated, and the method of fee apportionment established at the hearing shall be incorporated in a resolution of the 	<ul style="list-style-type: none"> • No text added to Ordinance

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	<p>governing body, a certified copy of which shall be recorded by the governing body conducting the hearing with the recorder of the county in which the area of benefit is located. The apportioned fees shall be applicable to all property within the area of benefit and shall be payable as a condition of approval of a final map or as a condition of issuing a building permit for the property or portions of the property. Where the area of benefit includes lands not subject to the payment of fees pursuant to this section, the governing agency shall make provision for payment of the share of improvement costs apportioned to those lands from other sources.</p> <ul style="list-style-type: none">○ The ordinance provides that if, within the time when protests may be filed under the provisions of the ordinance, there is a written protest, filed with the clerk of the legislative body, by the owners of more than one-half of the area of the property to be benefited by the improvement, and sufficient protests are not withdrawn so as to reduce the area represented to less than one-half of that to be benefited, then the proposed proceedings shall be abandoned, and the legislative body shall not, for one year from the filing of that written protest, commence or carry on any proceedings for the same improvement or acquisition under the provisions of this section.● Any protest may be withdrawn by the owner protesting, in writing, at any time prior to the conclusion of a public hearing held pursuant to the ordinance.● If any majority protest is directed against only a portion of the improvement, then all further proceedings under the provisions of this section to construct that portion of the improvement so protested against shall be barred for a period of one year, but the legislative body may commence new proceedings not including any part of the improvement or acquisition so protested against. Nothing in this section prohibits a legislative body, within that one-year period, from commencing and carrying on new proceedings for the construction of a portion of the improvement so protested against if it finds, by the affirmative vote of four-fifths of its members, that the owners of more than one-half of the area of the property to be benefited are in favor of going forward with that	

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	<p>portion of the improvement or acquisition.</p> <ul style="list-style-type: none">• Nothing in this section precludes the processing and recordation of maps in accordance with other provisions of this division if the proceedings are abandoned.• Fees paid pursuant to an ordinance adopted pursuant to this section shall be deposited in a planned transportation facility fund. A fund shall be established for each planned transportation facility project. If the benefit area is one in which more than one other transportation facility is required to be constructed, a fund may be established covering all of the other transportation facility projects in the benefit area. Money in the fund shall be expended solely for the construction or reimbursement for construction of the improvement or improvements serving the area to be benefited and from which the fees comprising the fund were collected, or to reimburse the local agency for the cost of constructing the improvement or improvements.• An ordinance adopted pursuant to this section may provide for the acceptance of considerations in lieu of the payment of fees.• A local agency imposing fees pursuant to this section may advance money from its general fund or road fund to pay the cost of constructing the improvements and may reimburse the general fund or road fund for any advances from other transportation facility funds established to finance the construction of those improvements.• A local agency imposing fees pursuant to this section may incur an interest-bearing indebtedness for the construction of other transportation facilities. However, the sole security for repayment of that indebtedness shall be moneys in planned transportation facility funds.• As used in this section, “construction” includes design, acquisition of rights-of-way, administration of construction contracts, and actual construction.• Nothing in this section precludes a county or city from providing funds for the construction of other transportation facilities to defray costs not allocated to the area of benefit.	
<i>Transportation facility fee is an additional fee</i>	<ul style="list-style-type: none">• The authorizations granted by this article are additional to all other authority	<ul style="list-style-type: none">• No change needed

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Section 66484.9	granted by law to local agencies relating to subdivisions and shall in no way be construed as a limitation on or diminution of that authority	
2013		
<i>Approval of tentative maps for a state responsibility area or high fire hazard zone</i> 66474.02	<ul style="list-style-type: none"> Before approving a tentative map, or a parcel map for which a tentative map was not required, for an area located in a state responsibility area or a very high fire hazard severity zone, as both are defined in Section 51177, a legislative body of a county shall make the following three findings: <ul style="list-style-type: none"> A finding supported by substantial evidence in the record that the design and location of each lot in the subdivision, and the subdivision as a whole, are consistent with any applicable regulations adopted by the State Board of Forestry and Fire Protection pursuant to Sections 4290 and 4291 of the Public Resources Code. A finding supported by substantial evidence in the record that structural fire protection and suppression services will be available for the subdivision through any of the following entities: <ul style="list-style-type: none"> A county, city, special district, political subdivision of the state, or another entity organized solely to provide fire protection services that is monitored and funded by a county or other public entity. The Department of Forestry and Fire Protection by contract entered into pursuant to Section 4133, 4142, or 4144 of the Public Resources Code. A finding that to the extent practicable, ingress and egress for the subdivision meets the regulations regarding road standards for fire equipment access adopted pursuant to Section 4290 of the Public Resources Code and any applicable local ordinance. This section shall not supersede regulations established by the State Board of Forestry and Fire Protection or local ordinances that provide equivalent or more stringent minimum requirements than those contained within this section. 	<ul style="list-style-type: none"> Only applies to county subdivisions; not included in Ordinance
<i>Local agencies may authorize the merger of contiguous parcels</i>	<ul style="list-style-type: none"> Typographical correction. 	<ul style="list-style-type: none"> Text reflected in Ordinance Section 31-1101

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<i>under common ownership</i>		
66499.20.3		
2014		
<i>General Provisions</i>	<ul style="list-style-type: none"> Updated internal references to include revised Davis-Stirling Act 	<ul style="list-style-type: none"> All references to Civil Code sections updated in Ordinance
66424 66427		
<i>General Provisions</i>	<ul style="list-style-type: none"> Added floating home marinas to properties governed by conversion laws 	<ul style="list-style-type: none"> References to floating home marinas not included in Ordinance, because, to our knowledge, there are no such marinas in the City
66427.4(a) – (e)		
66427.5(d)(5)-(6)	<ul style="list-style-type: none"> Expanded displacement report requirements as follows: <ul style="list-style-type: none"> The results of the survey shall be submitted to the local agency upon the filing of the tentative or parcel map, to be considered in the agency's decision as to whether to approve, conditionally approve, or disapprove the map, and the agency may disapprove the map if it finds that the results of the survey have not demonstrated the support of at least a majority of the park's homeowners. Local legislative bodies may, by ordinance or resolution, implement the requirements of this subdivision. 	<ul style="list-style-type: none"> Text reflected in Ordinance Section 31-708.3.1(b)
66427.6	<ul style="list-style-type: none"> At the time of filing a tentative or parcel map for a subdivision to be created from the conversion of a rental floating home marina to resident ownership, the subdivider shall avoid the economic displacement of all nonpurchasing residents in the following manner: <ul style="list-style-type: none"> The subdivider shall offer each existing tenant an option to either purchase his or her condominium or subdivided unit, which is to be created by the conversion of the marina to resident ownership, or to continue residency as a tenant. The subdivider shall file a report on the impact of the conversion upon residents of the floating home marina to be converted to a resident-owned subdivided interest. The subdivider shall make a copy of the report available to each resident of the floating home marina at least 15 days prior to the hearing 	<ul style="list-style-type: none"> References to floating home marinas not included in Ordinance, because, to our knowledge, there are no such marinas in the City

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	<p>on the map by the advisory agency or, if there is no advisory agency, by the legislative body.</p> <ul style="list-style-type: none">○ The subdivider shall obtain a survey of support of residents of the floating home marina for the proposed conversion.○ The survey of support shall be conducted in accordance with an agreement between the subdivider and a resident homeowners' association, if any, that is independent of the subdivider or floating home marina owner.○ The survey shall be obtained pursuant to a written ballot.○ The survey shall be conducted so that each occupied floating home berth has one vote.○ The results of the survey shall be submitted to the local agency upon the filing of the tentative or parcel map, to be considered in the agency's decision as to whether to approve, conditionally approve, or disapprove the map, and the agency may disapprove the map if it finds that the results of the survey have not demonstrated the support of at least a majority of the marina's homeowners.○ Local legislative bodies may enact local regulations to implement the requirements of this subdivision.○ The subdivider shall be subject to a hearing by a legislative body or advisory agency, which is authorized by local ordinance to approve, conditionally approve, or disapprove the map. The scope of the hearing shall be limited to the issue of compliance with this section.○ The subdivider shall be required to avoid the economic displacement of all nonpurchasing residents in accordance with the following:<ul style="list-style-type: none">▪ As to nonpurchasing residents who are not lower income households, as defined in Section 50079.5 of the Health and Safety Code, the monthly rent, including any applicable fees or charges for use of any preconversion amenities, may increase from the preconversion rent to market levels, as defined in an appraisal conducted in accordance with nationally recognized professional appraisal standards, in equal annual increases over	

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	<p>a four-year period.</p> <ul style="list-style-type: none"> As to nonpurchasing residents who are lower income households, as defined in Section 50079.5 of the Health and Safety Code, the monthly rent, including any applicable fees or charges for use of any preconversion amenities, may increase from the preconversion rent by an amount equal to the average monthly increase in rent in the four years immediately preceding the conversion, except that the monthly rent shall not be increased by an amount greater than the average monthly percentage increase in the Consumer Price Index for the most recently reported period 	
66428(a)(2)	<ul style="list-style-type: none"> Land conveyed to or from a governmental agency, public entity, public utility, or for land conveyed to a subsidiary of a public utility for conveyance to that public utility for rights-of-way, unless a showing is made in individual cases, upon substantial evidence, that public policy necessitates a parcel map. For purposes of this subdivision, land conveyed to or from a governmental agency shall include a fee interest, a leasehold interest, an easement, or a license. 	<ul style="list-style-type: none"> Text added to Ordinance Section 31-603(b)
66428.1	<ul style="list-style-type: none"> Updated to include references to floating home marina berths 	<ul style="list-style-type: none"> References to floating home marinas not included in Ordinance, because, to our knowledge, there are no such marinas in the City
Final Maps	<ul style="list-style-type: none"> Typographical corrections to engineer or surveyor's seal required on final maps 	<ul style="list-style-type: none"> Text of Ordinance Section 31-402.4(i)(5) incorporates by reference Map Act Section 66442.5
66442.5		
Parcel Maps	<ul style="list-style-type: none"> Typographical corrections to engineer or surveyor's seal required on parcel maps 	<ul style="list-style-type: none"> Text of Ordinance Section 31-602.3(a)(2) incorporates by reference Map Act Section 66449
66449		
Tentative Maps	<ul style="list-style-type: none"> Updated internal references to Civil Code sections revising Davis-Stirling Act 	<ul style="list-style-type: none"> All references to Civil Code sections updated in Ordinance
66452.10		
General	<ul style="list-style-type: none"> Modifying flood plain rules for projects in the Sacramento-San Joaquin Valley 	<ul style="list-style-type: none"> Salinas is outside of the Sacramento-San Joaquin Valley, so no changes required
66474.5(a)(4) and (c)		
Dedications	<ul style="list-style-type: none"> Updated internal references to Civil Code sections revising Davis-Stirling Act 	<ul style="list-style-type: none"> All references to Civil Code sections updated in Ordinance
66475.2		
66477(a)(3)	<ul style="list-style-type: none"> The land, fees, or combination thereof are to be used only for the purpose of developing new or rehabilitating existing neighborhood or community park or 	<ul style="list-style-type: none"> Text added to Ordinance Section 31-802.4.1(a)-(b)

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	<p>recreational facilities to serve the subdivision, except as provided in subparagraph (B).</p> <ul style="list-style-type: none"> • Notwithstanding subparagraph (A), fees may be used for the purpose of developing new or rehabilitating existing park or recreational facilities in a neighborhood other than the neighborhood in which the subdivision for which fees were paid as a condition to the approval of a tentative map or parcel map is located, if all of the following requirements are met: <ul style="list-style-type: none"> ○ The neighborhood in which the fees are to be expended has fewer than three acres of park area per 1,000 members of the neighborhood population. ○ The neighborhood in which the subdivision for which the fees were paid has a park area per 1,000 members of the neighborhood population ratio that meets or exceeds the ratio calculated pursuant to subparagraph (A) of paragraph (2), but in no event is less than three acres per 1,000 persons. ○ The legislative body holds a public hearing before using the fees pursuant to this subparagraph. ○ The legislative body makes a finding supported by substantial evidence that it is reasonably foreseeable that future inhabitants of the subdivision for which the fee is imposed will use the proposed park and recreational facilities in the neighborhood where the fees are used. ○ The fees are used within a specified radius that complies with the city’s or county’s ordinance adopted pursuant to subdivision (a), and are consistent with the adopted general plan or specific plan of the city or county. For purposes of this clause, “specified radius” includes a planning area, zone of influence, or other geographic region designated by the city or county, that otherwise meets the requirements of this section. 	
66477(a)(6)(B)	<ul style="list-style-type: none"> • The city, county, or other local agency to which the land or fees are conveyed or paid may enter into a joint or shared use agreement with one or more other public districts in the jurisdiction, including, but not limited to, a school district or community college district, in order to provide access to park or recreational 	<ul style="list-style-type: none"> • Text added to Ordinance Section 31-802.4.1(d)

City of Salinas
Subdivision Map Act Changes Since 2009

Map Act Section	Map Act Text	Where Addressed in Draft Subdivision Ordinance
	facilities to residents of subdivisions with fewer than three acres of park area per 1,000 members of the population.	
2015		
<i>Tentative Map Extension Statute</i> 66452.25	<ul style="list-style-type: none"> Provides for the automatic extension of tentative maps in counties meeting certain economic criteria for 24 additional months 	<ul style="list-style-type: none"> Addressed by savings clause in Section 31-314(e)(3) of proposed Ordinance
<i>Approval of tentative maps for a state responsibility area or high fire hazard zone</i> 66474.02	<ul style="list-style-type: none"> Adds exception to requirements for county-approved maps that would subdivide land identified in the open space element of the general plan for the managed production of resources 	<ul style="list-style-type: none"> Only applies to county subdivisions; not included in Ordinance
<i>Dedications</i> 66477(a)(6)(ii), (g) and (i)	<ul style="list-style-type: none"> A city with a population of three million or more may commit interest accrued on or before January 1, 2016, on fees charged pursuant to this section, without regard to the date the fee was collected or the date of issuance of building permits on one-half of the lots created by the subdivision, outside the subdivision for which the fees were collected, provided that the city holds a public hearing prior to committing the interest, and uses the interest to develop new or rehabilitate existing neighborhood or community parks or recreational facilities within the city. As used in this section with regard to the expenditure of fees, the term “fee” includes any interest income generated from a fee charged and collected pursuant to this section This section shall remain in effect only until January 1, 2021, and as of that date is repealed 	<ul style="list-style-type: none"> Consistent with Section 31-802 of the proposed Ordinance
<i>Monuments</i> 66497(d)	<ul style="list-style-type: none"> The legislative body may authorize a public officer or employee otherwise qualified to prepare or approve parcel maps or final maps as defined in Title 7 of Division 2 to release or reduce the amount of the cash deposit to pay the engineer or surveyor for setting the final monuments pursuant to the conditions specified in this section. The legislative body may prescribe additional rules related to this authorization. 	<ul style="list-style-type: none"> Addressed by Section 1002.2 of proposed Ordinance
<i>Improvement Security</i> 66499.7	<ul style="list-style-type: none"> Makes section regarding manner of release of security permanent rather than temporary 	<ul style="list-style-type: none"> Addressed by Section 1002.5 of proposed Ordinance